



## 93RD GENERAL ASSEMBLY

### State of Illinois

### 2003 and 2004

Introduced 02/05/04, by Annazette Collins

#### SYNOPSIS AS INTRODUCED:

65 ILCS 5/3.1-10-5	from Ch. 24, par. 3.1-10-5
65 ILCS 5/3.1-20-25	from Ch. 24, par. 3.1-20-25
65 ILCS 5/3.1-25-75	from Ch. 24, par. 3.1-25-75

Amends the Illinois Municipal Code. Provides that a person is not eligible for an elective municipal office unless the person is a qualified elector of the municipality and has resided in the municipality at least 2 years (now, one year) next preceding the election. Provides that, in the first election following a redistricting, (i) aldermen whose terms of office are not expiring shall be considered aldermen for the new wards in which they reside and (ii) a candidate for alderman may be elected from any ward in which the candidate resided for the 2 years before that election.

LRB093 20926 MKM 46902 b

1 AN ACT concerning municipalities.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Illinois Municipal Code is amended by  
5 changing Sections 3.1-10-5, 3.1-20-25, and 3.1-25-75 as  
6 follows:

7 (65 ILCS 5/3.1-10-5) (from Ch. 24, par. 3.1-10-5)

8 Sec. 3.1-10-5. Qualifications; elective office.

9 (a) A person is not eligible for an elective municipal  
10 office unless that person is a qualified elector of the  
11 municipality and has resided in the municipality at least 2  
12 years ~~one year~~ next preceding the election.

13 (b) A person is not eligible for an elective municipal  
14 office if that person is in arrears in the payment of a tax or  
15 other indebtedness due to the municipality or has been  
16 convicted in any court located in the United States of any  
17 infamous crime, bribery, perjury, or other felony.

18 (c) A person is not eligible for the office of alderman of  
19 a ward or trustee of a district unless that person has resided  
20 in the municipality at least one year next preceding the  
21 election or appointment, except as provided in subsection (b)  
22 of Section 3.1-25-75.

23 (Source: P.A. 91-667, eff. 6-1-00.)

24 (65 ILCS 5/3.1-20-25) (from Ch. 24, par. 3.1-20-25)

25 Sec. 3.1-20-25. Redistricting a city.

26 (a) In the formation of wards, the number of inhabitants of  
27 the city immediately preceding the division of the city into  
28 wards shall be as nearly equal in population, and the wards  
29 shall be of as compact and contiguous territory, as  
30 practicable. Wards shall be created in a manner so that, as far  
31 as practicable, no precinct shall be divided between 2 or more

1 wards.

2 (b) Whenever an official census shows that a city contains  
3 more or fewer wards than it is entitled to, the city council of  
4 the city, by ordinance, shall redistrict the city into as many  
5 wards as the city is entitled. This redistricting shall be  
6 completed not less than 30 days before the first day set by the  
7 general election law for the filing of candidate petitions for  
8 the next succeeding election for city officers. At this  
9 election there shall be elected the number of aldermen to which  
10 the city is entitled, except as provided in subsection (c).

11 (c) If it appears from any official census that a city has  
12 the requisite number of inhabitants to authorize it to increase  
13 the number of aldermen, the city council shall immediately  
14 proceed to redistrict the city and shall hold the next city  
15 election in accordance with the new redistricting. At this  
16 election, (i) the aldermen whose terms of office are not  
17 expiring shall be considered aldermen for the new wards  
18 respectively in which their residences are situated and (ii) a  
19 candidate for alderman may be elected from any ward in which he  
20 or she resided for the 2 years before the election that follows  
21 the redistricting. If there are 2 or more aldermen with terms  
22 of office not expiring and residing in the same ward under the  
23 new redistricting, the alderman who holds over for that ward  
24 shall be determined by lot in the presence of the city council,  
25 in the manner directed by the council, and all other aldermen  
26 shall fill their unexpired terms as aldermen-at-large. The  
27 aldermen-at-large, if any, shall have the same powers and  
28 duties as all other aldermen, but upon the expiration of their  
29 terms the offices of aldermen-at-large shall be abolished.

30 (d) If the redistricting results in one or more wards in  
31 which no aldermen reside whose terms of office have not  
32 expired, 2 aldermen shall be elected in accordance with Section  
33 3.1-20-35, unless the city elected only one alderman per ward  
34 pursuant to a referendum under subsection (a) of Section  
35 3.1-20-20.

36 (e) A redistricting ordinance that has decreased the number

1 of wards of a city because of a decrease in population of the  
2 city shall not be effective if, not less than 60 days before  
3 the time fixed for the next succeeding general municipal  
4 election, an official census is officially published that shows  
5 that the city has regained a population that entitles it to the  
6 number of wards that it had just before the passage of the last  
7 redistricting ordinance.

8 (Source: P.A. 87-1119.)

9 (65 ILCS 5/3.1-25-75) (from Ch. 24, par. 3.1-25-75)

10 Sec. 3.1-25-75. Districts; election of trustees.

11 (a) After a village with a population of 5,000 or more  
12 adopts the provisions of this Section in the manner prescribed  
13 in Section 3.1-25-80, the board of trustees by ordinance shall  
14 divide and, whenever necessary thereafter, shall redistrict  
15 the village into 6 compact and contiguous districts of  
16 approximately equal population as required by law. This  
17 redistricting shall be completed not less than 30 days before  
18 the first day for the filing of nominating petitions for the  
19 next succeeding election of village officers held in accordance  
20 with the general election law.

21 (b) Each of the districts shall be represented by one  
22 trustee who shall have been an actual resident of the district  
23 for at least 2 years ~~6 months~~ immediately before his or her  
24 election in the first election after a redistricting. Only the  
25 electors of a district shall elect the trustee from that  
26 district.

27 (c) The provisions of this Code relating to terms of office  
28 of aldermen in cities shall also apply to the terms of office  
29 of trustees under this Section.

30 (Source: P.A. 87-1119.)