

AN ACT concerning local government.

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

Section 5. The Township Code is amended by changing Section 60-5 as follows:

(60 ILCS 1/60-5)

Sec. 60-5. Filling vacancies in township offices.

(a) Except for the office of township or multi-township assessor, if a township fails to elect the number of township officers that the township is entitled to by law, or a person elected to any township office fails to qualify, or a vacancy in any township office occurs for any other reason including without limitation the resignation of an officer or the conviction in any court of the State of Illinois or of the United States of an officer for an infamous crime, then the township board shall fill the vacancy by appointment, by warrant under their signatures and seals, and the persons so appointed shall hold their respective offices for the remainder of the unexpired terms. All persons so appointed shall have the same powers and duties and are subject to the same penalties as if they had been elected or appointed for a full term of office. A vacancy in the office of township or multi-township assessor shall be filled only as provided in the Property Tax

Code.

For purposes of this subsection (a), a conviction for an offense that disqualifies an officer from holding that office occurs on the date of (i) the entry of a plea of guilty in court, (ii) the return of a guilty verdict, or (iii) in the case of a trial by the court, the entry of a finding of guilt.

(b) If a vacancy on the township board is not filled within 60 days, then a special township meeting must be called under Section 35-5 to select a replacement under Section 35-35.

(b-5) If the vacancy being filled under subsection (a) or (b) is for the township supervisor, a trustee shall be appointed as deputy supervisor to perform the ministerial functions of that office until the vacancy is filled under subsections (a) or (b). Once the vacancy is filled under subsections (a) or (b), the deputy supervisor's appointment is terminated.

(c) Except as otherwise provided in this Section, whenever any township or multi-township office becomes vacant or temporarily vacant ~~due to a physical incapacity of a township officer~~, the township or multi-township board may temporarily appoint a deputy to perform the ministerial functions of the vacant office until the vacancy has been filled as provided in subsection (a) or (b). If the office is temporarily vacant, the temporarily appointed deputy may perform the ministerial functions of the vacant office until the physically incapacitated township officer submits a written statement to

the appropriate board that he or she is ~~physically~~ able to resume ~~perform~~ his or her duties ~~duty~~. The statement shall be sworn to before an officer authorized to administer oaths in this State. A temporary deputy shall not be permitted to vote at any meeting of the township board on any matter properly before the board unless the appointed deputy is a trustee of the board at the time of the vote. If the appointed deputy is a trustee appointed as a temporary deputy, his or her trustee compensation shall be suspended until he or she concludes his or her appointment as an appointed deputy upon the permanent appointment to fill the vacancy. The compensation of a temporary deputy shall be determined by the appropriate board. The township board shall not appoint a deputy clerk if the township clerk has appointed a deputy clerk under Section 75-45.

(d) Except for the temporary appointment of a deputy under subsection (c), any ~~Any~~ person appointed to fill a vacancy under this Section shall be a member of the same political party as the person vacating the office if the person vacating the office was elected as a member of an established political party, under Section 10-2 of the Election Code, that is still in existence at the time of appointment. The appointee shall establish his or her political party affiliation by his or her record of voting in party primary elections or by holding or having held an office in a political party organization before appointment. If the appointee has not voted in a party primary

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election or is not holding or has not held an office in a political party organization before the appointment, then the appointee shall establish his or her political party affiliation by his or her record of participating in a political party's nomination or election caucus.

(Source: P.A. 97-295, eff. 1-1-12.)

Section 99. Effective date. This Act takes effect upon becoming law.