

AN ACT concerning local government.

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

Section 5. The Illinois Local Library Act is amended by adding Section 4-2.5 as follows:

(75 ILCS 5/4-2.5 new)

Sec. 4-2.5. Aurora Public Library; change to elected board of library trustees.

(a) The Aurora Public Library may change to an elected board of trustees if approved by referendum following either item (1) or (2):

(1) The Aurora City Council, by ordinance, requests that a proposition to have an elected board of library trustees be submitted to the voters. Upon adoption of the ordinance, the Aurora City Council shall submit the ordinance to the Aurora City Clerk.

(2) Upon filing with the Aurora City Clerk of a petition, subject to the requirements of Section 28-3 of the Election Code, signed by registered voters of the City of Aurora equaling not less than 10% of the number of persons who voted at the last regular election in the City of Aurora in which the City of Aurora voted as a unit for the election of officers to serve its respective

territorial area. A petition may be filed at any time.

Upon the Aurora City Clerk's receipt of an ordinance adopted under item (1) or a petition filed under item (2), the Clerk shall certify the proposition to the appropriate election authorities who shall submit the proposition at the next general primary election in accordance with the general election law.

(b) The proposition shall be in substantially the following form:

<u>Shall the trustees of the</u>	<u>YES</u>
<u>Aurora Public Library be</u>	<u>-----</u>
<u>elected, rather than appointed?</u>	<u>NO</u>

If a majority of the votes cast on the proposition are in the affirmative, the trustees of the Aurora Public Library shall thereafter be elected as provided by this Section. The Aurora Public Library shall continue to function as a municipal library in all ways except that the trustees are elected.

(c) After approval of a proposition under subsection (b), nominations for members of the board of trustees shall be made by a petition signed by 250 registered voters of the City of Aurora and shall be filed with the Aurora City Clerk. The requirements of general election law shall determine the form of the nominating petition and any other requirements for nomination.

(d) After approval of a proposition under subsection (b) and nomination of candidates under subsection (c), one trustee from each of the City of Aurora's Wards and one at-large trustee shall be elected at the consolidated election next following the approval of the proposition under subsection (b). Except as provided under subsection (e), the length of the terms of the trustees elected shall be determined by lot at their first meeting as follows: one-third of the trustees for a 2-year term, a 4-year term, and then a 4-year term; one-third of the trustees (including the at-large trustee) for a 4-year term, a 2-year term, and then a 4-year term; and the remaining trustees for a 4-year term, a 4-year term, and then a 2-year term. Except as otherwise provided in Section 2A-54 of the Election Code, the term of each elected trustee shall commence on the third Monday of the month following the month of the trustee's election and continue until the trustee's successor is elected and qualified.

No party designation shall appear on the ballot for election of trustees. The provisions of the general election law shall apply to and govern the nomination and election of trustees.

The Aurora City Clerk shall, within 7 days of filing or on the last day for filing, whichever is earlier, acknowledge to the petitioner in writing of the Clerk's acceptance of the petition.

(e) After each redistricting following each federal

decennial census, the terms of the elected trustees on the Aurora Public Library's board shall terminate upon the nomination, election (at the consolidated election next following redistricting), and qualification of successor trustees in the manner provided for in subsections (c) and (d). The terms of the successor trustees shall be determined by lot at the board's first meeting following redistricting with trustee terms as provided for in subsection (d).

(f) The provisions of this Act relating to eligibility, powers, and disabilities of appointed trustees shall apply to elected trustees. The Aurora Public Library shall continue to function the same except that the trustees are elected.

(g) After the election of trustees under subsection (d), the appointed trustees shall continue to constitute the board of trustees until the third Monday of the month following the month of the first election of trustees. The terms of all appointed trustees shall expire on the third Monday of the month following the month of the first election of trustees under this Section or when all successors have been elected and have qualified, whichever occurs later.

If the term of an appointed trustee expires or an appointed trustee's office is vacated before the first election of trustees, the authority which appointed that trustee shall appoint a successor to serve until a successor is elected and has qualified.

(h) If the Aurora Public Library has changed to an elected

rather than an appointed board of trustees under this Section, then it may, in the manner provided in this subsection, revert back to an appointed board of trustees.

Upon filing with the Aurora City Clerk of a petition, subject to the requirements of Section 28-3 of the Election Code, signed by registered voters of the City of Aurora equaling not less than 10% of the number of persons who voted at the election approving the election of trustees under subsection (b), the Aurora City Clerk shall certify the proposition to the proper election officials, who shall submit the proposition to the voters of the municipality at an election in accordance with the general election law. The proposition shall be in substantially the following form:

<u>Shall the trustees of the</u>	<u>YES</u>
<u>Aurora Public Library be</u>	-----
<u>appointed, rather than elected?</u>	<u>NO</u>

If a majority of the votes cast on the proposition are in the affirmative, the trustees of the Aurora Public Library shall thereafter be appointed as provided by this Act. Once an elected trustee's successor is appointed and qualified, the elected trustee's term expires. Vacancies shall be filled as provided in Section 4-4.

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