



100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

HB4344

by Rep. Thaddeus Jones

SYNOPSIS AS INTRODUCED:

65 ILCS 5/3.1-10-65	from Ch. 24, par. 3.1-10-65
65 ILCS 5/3.1-10-75	from Ch. 24, par. 3.1-10-75
65 ILCS 5/3.1-15-40	from Ch. 24, par. 3.1-15-40
65 ILCS 5/3.1-20-22	from Ch. 24, par. 3.1-20-22

Amends the Illinois Municipal Code. Provides that no later than 60 days after the effective date of the amendatory Act, the corporate authorities of a municipality with a population of fewer than 40,000 inhabitants in which aldermen or trustees are elected for 2-year terms shall adopt an ordinance providing that, at the first election of aldermen or trustees that occurs after July 1, 2018 (if the effective date of the amendatory Act is on or before July 1, 2018) or July 1, 2019 (if the effective date of the amendatory Act is after July 1, 2018), one alderman or trustee shall be elected from each even-numbered ward for a 2-year term and one alderman or trustee shall be elected from each odd-numbered ward for a 4-year term, after which their successors shall be elected for 4-year terms. Prohibits municipalities from reducing the length of the terms from 4 years to 2 years. Effective immediately.

LRB100 16286 AWJ 31409 b

1 AN ACT concerning local government.

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 3.1-10-65, 3.1-10-75, 3.1-15-40, and
6 3.1-20-22 as follows:

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

8 Sec. 3.1-10-65. Referendum to reduce terms.

9 (a) Except as otherwise provided in subsection (c), in ~~in~~
10 any municipality of less than 500,000 inhabitants, a
11 proposition to reduce the terms of the elective officers of the
12 municipality from 4 years to 2 years may be submitted, within
13 the discretion of the corporate authorities, to the electors of
14 the municipality. The proposition shall also be submitted if a
15 petition requesting that action is signed by electors of the
16 municipality numbering not less than 10% of the total vote cast
17 at the last election for mayor or president of the municipality
18 and the petition is filed with the municipal clerk and
19 certified in accordance with the general election law. The
20 proposition shall be substantially in the following form:

21 Shall the term of the elective officers of (name of
22 municipality) be reduced from 4 years to 2 years?

23 (b) If a majority of the electors voting on the proposition

1 vote against it, the terms of the officers shall remain 4
2 years. If, however, a majority of those voting on the
3 proposition vote in favor of it, the officers elected at the
4 next regular election for officers in the municipality shall
5 hold their offices for a term of 2 years and until their
6 successors are elected and have qualified, except in the case
7 of trustees and aldermen. In the case of aldermen and trustees:
8 (i) at the first election of aldermen or trustees that occurs
9 in an odd numbered year following the vote to reduce the length
10 of terms, successors to aldermen or trustees whose terms expire
11 in that year shall be elected for a term of one year and until
12 their successors are elected and have qualified and (ii)
13 thereafter, one-half of the aldermen or trustees shall be
14 elected each year for terms of 2 years and until their
15 successors are elected and have qualified.

16 (c) No later than 60 days after the effective date of this
17 amendatory Act of the 100th General Assembly, the corporate
18 authorities of a municipality with a population of fewer than
19 40,000 inhabitants in which aldermen or trustees are elected
20 for 2-year terms shall adopt an ordinance providing that, at
21 the first election of aldermen or trustees that occurs after
22 July 1, 2018 (if the effective date of this amendatory Act of
23 the 100th General Assembly is on or before July 1, 2018) or
24 July 1, 2019 (if the effective date of this amendatory Act of
25 the 100th General Assembly is after July 1, 2018), one alderman
26 or trustee shall be elected from each even-numbered ward for a

1 2-year term and one alderman or trustee shall be elected from
2 each odd-numbered ward for a 4-year term, after which their
3 successors shall be elected for 4-year terms.

4 Notwithstanding the provisions of subsections (a) and (b),
5 on and after the effective date of this amendatory Act of the
6 100th General Assembly, a municipality with a population of
7 fewer than 40,000 may not reduce the length of terms of the
8 aldermen or trustees of the municipality from 4 years to 2
9 years by referendum or otherwise.

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

11 (65 ILCS 5/3.1-10-75) (from Ch. 24, par. 3.1-10-75)

12 Sec. 3.1-10-75. Referendum to lengthen terms.

13 (a) Except as otherwise provided in subsection (c), in ~~In~~
14 any municipality of less than 500,000 inhabitants that, under
15 Section 3.1-10-65, has voted to shorten the terms of elective
16 officers, a proposition to lengthen the terms of the elective
17 officers of the municipality from 2 years to 4 years may be
18 submitted, within the discretion of the corporate authorities,
19 to the electors of the municipality. The proposition shall be
20 certified by the municipal clerk to the appropriate election
21 authorities, who shall submit the proposition at an election in
22 accordance with the general election law. The proposition shall
23 also be submitted at an election if a petition requesting that
24 action is signed by electors of the municipality numbering not
25 less than 10% of the total vote cast at the last election for

1 mayor or president of the municipality and the petition is
2 filed with the municipal clerk. The proposition shall be
3 substantially in the following form:

4 Shall the term of the elective officers of (name of
5 municipality) be lengthened from 2 years to 4 years?

6 (b) If a majority of the electors voting on the proposition
7 vote against it, the terms of the officers shall remain 2
8 years. If, however, a majority of those voting on the
9 proposition vote in favor of it, the officers elected at the
10 next regular election for officers in the municipality shall
11 hold their offices for a term of 4 years and until their
12 successors are elected and have qualified, except in the case
13 of trustees and aldermen. In the case of aldermen and trustees:
14 (i) if the first election for aldermen or trustees, after
15 approval of the proposition, occurs in an even numbered year,
16 the aldermen or trustees elected in that even numbered year
17 shall serve for terms of 3 years and until their successors are
18 elected and have qualified, the terms for successors to those
19 elected at the first even numbered year election shall be 4
20 years and until successors are elected and have qualified, the
21 aldermen or trustees elected at the first odd numbered year
22 election next following the first even numbered year election
23 shall serve for terms of 4 years and until successors are
24 elected and have qualified, and successors elected after the
25 first odd numbered year shall also serve 4 year terms and until
26 their successors are elected and have qualified and (ii) if the

1 first election for aldermen or trustees, after approval of the
2 proposition, occurs in an odd numbered year, the aldermen or
3 trustees elected in that odd numbered year shall serve for
4 terms of 4 years and until their successors are elected and
5 have qualified, the terms for successors to those elected at
6 the first odd numbered year election shall be for 4 years and
7 until successors are elected and have qualified, the aldermen
8 or trustees elected at the first even numbered year election
9 next following the first odd numbered year election shall serve
10 for terms of one year and until their successors are elected
11 and have qualified, and the terms for successors to those
12 elected at the first odd numbered year election shall be 4
13 years and until their successors are elected and have
14 qualified.

15 (c) Notwithstanding the provisions of subsections (a) and
16 (b), no later than 60 days after the effective date of this
17 amendatory Act of the 100th General Assembly, the corporate
18 authorities of a municipality with a population of fewer than
19 40,000 inhabitants in which aldermen or trustees are elected
20 for 2-year terms shall adopt an ordinance providing that, at
21 the first election of aldermen or trustees that occurs after
22 July 1, 2018 (if the effective date of this amendatory Act of
23 the 100th General Assembly is on or before July 1, 2018) or
24 July 1, 2019 (if the effective date of this amendatory Act of
25 the 100th General Assembly is after July 1, 2018), one alderman
26 or trustee shall be elected from each even-numbered ward for a

1 2-year term and one alderman or trustee shall be elected from
2 each odd-numbered ward for a 4-year term, after which their
3 successors shall be elected for 4-year terms.

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

5 (65 ILCS 5/3.1-15-40) (from Ch. 24, par. 3.1-15-40)

6 Sec. 3.1-15-40. Staggered elections under minority plans.
7 In municipalities with a population of fewer than 40,000, the
8 corporate authorities shall, no later than 60 days after the
9 effective date of this amendatory Act of the 100th General
10 Assembly, provide by ordinance that that at any ensuing general
11 municipal election for city officers the aldermen in every
12 alternate district shall be elected for one term of 2 years
13 and, at the expiration of that term of 2 years, for regular
14 terms of 4 years. In all other cities that adopt or have
15 adopted the minority representation plan for the election of
16 aldermen and have not already staggered the terms of their
17 aldermen, the city council may provide by ordinance that at any
18 ensuing general municipal election for city officers the
19 aldermen in every alternate district shall be elected for one
20 term of 2 years and, at the expiration of that term of 2 years,
21 for regular terms of 4 years. This Section does not prohibit a
22 city from voting in favor of a 2 year term for city officers as
23 provided in Section 3.1-10-65. The provisions of the general
24 election law shall govern elections under this Section.

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

1 (65 ILCS 5/3.1-20-22) (from Ch. 24, par. 3.1-20-22)

2 Sec. 3.1-20-22. Aldermen; staggered terms.

3 (a) Except as otherwise provided in subsection (b), in ~~in~~
4 any city of less than 100,000 inhabitants, a proposition to
5 stagger the terms of aldermen, with as nearly as possible
6 one-half of the aldermen elected every 2 years, shall be
7 certified by the city clerk to the proper election authority,
8 who shall submit the proposition at an election in accordance
9 with the general election law, if a petition requesting that
10 action is signed by electors of the city numbering at least 10%
11 of the total vote cast at the last election for mayor of the
12 city and is filed with the city clerk.

13 The ballot shall have printed on it, but not as a part of
14 the proposition submitted, the following information for
15 voters: one alderman elected from each even-numbered ward shall
16 serve a term of 2 years; one alderman elected from each
17 odd-numbered ward shall serve a term of 4 years.

18 The proposition shall be substantially in the following
19 form:

20 Shall (name of city) adopt a system of staggered terms
21 for aldermen?

22 If a majority of those voting on the proposition vote in
23 favor of it, then at the next regular election for aldermen one
24 alderman shall be elected from each even-numbered ward for a
25 term of 2 years and one alderman shall be elected from each

1 odd-numbered ward for a term of 4 years. Thereafter, their
2 successors shall be elected for terms of 4 years.

3 (b) In any municipality with a population of fewer than
4 40,000, the corporate authorities of the municipality shall
5 adopt an ordinance providing that, at the first election of
6 aldermen that occurs after July 1, 2018 (if the effective date
7 of this amendatory Act of the 100th General Assembly is on or
8 before July 1, 2018) or July 1, 2019 (if the effective date of
9 this amendatory Act of the 100th General Assembly is after July
10 1, 2018), one alderman shall be elected from each even-numbered
11 ward for a 2-year term and one alderman shall be elected from
12 each odd-numbered ward for a 4-year term, after which their
13 successors shall be elected for 4-year terms.

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

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