



100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

SB0910

Introduced 2/7/2017, by Sen. Melinda Bush

SYNOPSIS AS INTRODUCED:

55 ILCS 5/2-3001
55 ILCS 5/2-3003

from Ch. 34, par. 2-3001
from Ch. 34, par. 2-3003

Amends the Counties Code. Provides that when a county board creates or modifies the apportionment of districts in the county, each district shall also (i) provide racial minorities or language minorities with equal opportunity to participate in the political process and elect candidates of their choice; (ii) provide racial minorities or language minorities who constitute less than a voting-age majority of a district with an opportunity to substantially influence the outcome of an election; and (iii) shall not discriminate against or in favor of any political party or individual.

LRB100 06086 AWJ 16118 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 Counties Code is amended by changing
5 Sections 2-3001 and 2-3003 as follows:

6 (55 ILCS 5/2-3001) (from Ch. 34, par. 2-3001)

7 Sec. 2-3001. Definitions. As used in this Division, unless
8 the context otherwise requires:

9 a. "District" means a county board district established as
10 provided in this Division.

11 b. "County apportionment commission" or "commission" means
12 the county clerk, the State's Attorney, the Attorney General or
13 his designated representative and the chairmen of the county
14 central committees of the first leading political party and the
15 second leading political party as defined in Section 1-3 of The
16 Election Code.

17 c. "Population" means the number of inhabitants as
18 determined by the last preceding federal decennial census.

19 d. "Member" or "board member" means a person elected to
20 serve on the county board.

21 e. "Racial minorities or language minorities" has the
22 meaning provided to that term in subsection (c) of Section 5-5
23 of the Illinois Voting Rights Act of 2011.

1 (Source: P.A. 86-962.)

2 (55 ILCS 5/2-3003) (from Ch. 34, par. 2-3003)

3 Sec. 2-3003. Apportionment plan.

4 (1) If the county board determines that members shall be
5 elected by districts, it shall develop an apportionment plan
6 and specify the number of districts and the number of county
7 board members to be elected from each district and whether
8 voters will have cumulative voting rights in multi-member
9 districts. Each such district:

10 a. Shall be substantially equal in population to each
11 other district;

12 b. Shall be comprised of contiguous territory, as
13 nearly compact as practicable; ~~and~~

14 c. May divide townships or municipalities only when
15 necessary to conform to the population requirement of
16 paragraph a. of this Section; ~~and~~

17 d. Shall be created in such a manner so that no
18 precinct shall be divided between 2 or more districts,
19 insofar as is practicable; ~~and~~

20 e. Shall provide racial minorities or language
21 minorities with equal opportunity to participate in the
22 political process and elect candidates of their choice;

23 f. Shall provide racial minorities or language
24 minorities who constitute less than a voting-age majority
25 of a district with an opportunity to substantially

1 influence the outcome of an election; and

2 g. Shall not discriminate against or in favor of any
3 political party or individual.

4 (2) The county board of each county having a population of
5 less than 3,000,000 inhabitants may, if it should so decide,
6 provide within that county for single member districts outside
7 the corporate limits and multi-member districts within the
8 corporate limits of any municipality with a population in
9 excess of 75,000. Paragraphs a, b, c and d of subsection (1) of
10 this Section shall apply to the apportionment of both single
11 and multi-member districts within a county to the extent that
12 compliance with paragraphs a, b, c and d still permit the
13 establishment of such districts, except that the population of
14 any multi-member district shall be equal to the population of
15 any single member district, times the number of members found
16 within that multi-member district.

17 (3) In a county where the Chairman of the County Board is
18 elected by the voters of the county as provided in Section
19 2-3007, the Chairman of the County Board may develop and
20 present to the Board by the third Wednesday in May in the year
21 after a federal decennial census year an apportionment plan in
22 accordance with the provisions of subsection (1) of this
23 Section. If the Chairman presents a plan to the Board by the
24 third Wednesday in May, the Board shall conduct at least one
25 public hearing to receive comments and to discuss the
26 apportionment plan, the hearing shall be held at least 6 days

1 but not more than 21 days after the Chairman's plan was
2 presented to the Board, and the public shall be given notice of
3 the hearing at least 6 days in advance. If the Chairman
4 presents a plan by the third Wednesday in May, the Board is
5 prohibited from enacting an apportionment plan until after a
6 hearing on the plan presented by the Chairman. The Chairman
7 shall have access to the federal decennial census available to
8 the Board.

9 (4) In a county where a County Executive is elected by the
10 voters of the county as provided in Section 2-5007 of the
11 Counties Code, the County Executive may develop and present to
12 the Board by the third Wednesday in May in the year after a
13 federal decennial census year an apportionment plan in
14 accordance with the provisions of subsection (1) of this
15 Section. If the Executive presents a plan to the Board by the
16 third Wednesday in May, the Board shall conduct at least one
17 public hearing to receive comments and to discuss the
18 apportionment plan, the hearing shall be held at least 6 days
19 but not more than 21 days after the Executive's plan was
20 presented to the Board, and the public shall be given notice of
21 the hearing at least 6 days in advance. If the Executive
22 presents a plan by the third Wednesday in May, the Board is
23 prohibited from enacting an apportionment plan until after a
24 hearing on the plan presented by the Executive. The Executive
25 shall have access to the federal decennial census available to
26 the Board.

1 (Source: P.A. 96-1540, eff. 3-7-11; 97-986, eff. 8-17-12.)