

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

6 (75 ILCS 5/4-2.5 new)

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

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

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

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

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

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

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

10 -----  
11 Shall the trustees of the YES  
12 Aurora Public Library be -----  
13 elected, rather than appointed? NO  
14 -----

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

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

1       (d) After approval of a proposition under subsection (b)  
2 and nomination of candidates under subsection (c), one trustee  
3 from each of the City of Aurora's Wards and one at-large  
4 trustee shall be elected at the consolidated election next  
5 following the approval of the proposition under subsection (b).  
6 Except as provided under subsection (e), the length of the  
7 terms of the trustees elected shall be determined by lot at  
8 their first meeting as follows: one-third of the trustees for a  
9 2-year term, a 4-year term, and then a 4-year term; one-third  
10 of the trustees (including the at-large trustee) for a 4-year  
11 term, a 2-year term, and then a 4-year term; and the remaining  
12 trustees for a 4-year term, a 4-year term, and then a 2-year  
13 term. Except as otherwise provided in Section 2A-54 of the  
14 Election Code, the term of each elected trustee shall commence  
15 on the third Monday of the month following the month of the  
16 trustee's election and continue until the trustee's successor  
17 is elected and qualified.

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

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

26       (e) After each redistricting following each federal

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

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

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

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

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

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

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

14 -----  
 15 Shall the trustees of the YES  
 16 Aurora Public Library be -----  
 17 appointed, rather than elected? NO  
 18 -----

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

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