



## 101ST GENERAL ASSEMBLY

### State of Illinois

2019 and 2020

HB3317

by Rep. David McSweeney

#### SYNOPSIS AS INTRODUCED:

See Index

Creates the McHenry County Equitable Standards and Governmental Efficiency Law in the Counties Code. Allows the county board to require the election of specified special district trustees that it appoints. Allows the county board chairperson to: eliminate advisory committees or commissions; create standing committees and appoint members; set county board or committee meeting agendas; have line-item veto powers; and hire independent legal counsel or a parliamentarian or both; approve all appropriation expenditures before they are paid; reduce or divert moneys from a county fund with assets exceeding 150% of the previous year's expenditures on a ratable basis to taxpayers. Allows the county board to appoint an inspector general to investigate waste, fraud, and abuse. Provides that, on the effective date of the amendatory Act, the elected chairperson of the county board is a county office distinct from the county board. Terminates the office of county recorder and the office of the county auditor. Amends the Local Government Reduction and Efficiency Division of the Counties Code. Provides that a county board may prohibit or limit a unit of local government that it has proposed to consolidate from starting a capital program, building project, or land acquisition for a set period of time, not to exceed 2 years, while the county board pursues possible consolidation. Effective immediately.

LRB101 11190 AWJ 56434 b

FISCAL NOTE ACT  
MAY APPLY

HOUSING  
AFFORDABILITY  
IMPACT NOTE ACT  
MAY APPLY

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 adding Section  
5 5-44065 and Division 5-45 as follows:

6 (55 ILCS 5/5-44065 new)

7 Sec. 5-44065. Moratorium on capital programs, building  
8 projects, and land acquisition for a unit facing consolidation.  
9 A county board may, by resolution, prohibit or limit a unit of  
10 local government that it has proposed to consolidate under  
11 Section 5-44025 from starting a capital program, building  
12 project, or land acquisition for a set period of time, not to  
13 exceed 2 years, while the county board pursues possible  
14 consolidation. The resolution does not prevent the unit of  
15 local government from building infrastructure in the event of a  
16 disaster or other bona fide emergency.

17 (55 ILCS 5/Div. 5-45 heading new)

18 Division 5-45. McHenry County Equitable  
19 Standards and Governmental Efficiency

20 (55 ILCS 5/5-45001 new)

21 Sec. 5-45001. Construction; reference to Division.

1       (a) This Division applies to McHenry County. If there is a  
2 conflict between the provisions of this Division and any other  
3 provision of law, the provisions of this Division will control.

4       (b) This Division may be referred to as the McHenry County  
5 Equitable Standards and Governmental Efficiency Law.

6           (55 ILCS 5/5-45005 new)

7       Sec. 5-45005. Direct election of special district  
8 trustees. For any special district trustee the county board  
9 appoints relating to fire protection or other emergency  
10 services, the county board may, by resolution or ordinance,  
11 require that the electors of the applicable special district  
12 elect those trustees.

13           (55 ILCS 5/5-45010 new)

14       Sec. 5-45010. Elimination of advisory committees or  
15 commissions. The county board chairperson may eliminate  
16 advisory or ad hoc committees or commissions for any of the  
17 following reasons or other adequate cause the chairperson may  
18 find: (1) infrequency of committee or commission meetings; or  
19 (2) lack of qualified candidates coming forward for appointment  
20 to a committee or commission.

21           (55 ILCS 5/5-45015 new)

22       Sec. 5-45015. Creation of standing committees by chairman;  
23 appointment of members. With the advice and consent of a

1 majority of the county board, the county board chairman elected  
2 by the voters of the county may: (1) create standing  
3 committees; and (2) appoint members and chairpersons to  
4 standing committees.

5 (55 ILCS 5/5-45020 new)

6 Sec. 5-45020. Meeting agendas. The county board  
7 chairperson, or his or her designee, shall set the agendas for  
8 all county board meetings, including committee meetings of the  
9 county board.

10 (55 ILCS 5/5-45025 new)

11 Sec. 5-45025. Office of the county auditor discontinued.  
12 At the end of the term of the county auditor in office on the  
13 effective date of this amendatory Act of the 101st General  
14 Assembly, the office of the county auditor is discontinued. The  
15 county board shall appoint a nationally recognized public  
16 accounting firm to perform the duties formerly performed by the  
17 office of the county auditor.

18 (55 ILCS 5/5-45030 new)

19 Sec. 5-45030. County inspector general. The county board  
20 may appoint an inspector general to investigate waste, fraud,  
21 and abuse. The inspector general may turn over any findings of  
22 waste, fraud, and abuse to the State's Attorney for  
23 prosecution.

1 (55 ILCS 5/5-45035 new)

2 Sec. 5-45035. Reduction of county board chairperson's  
3 powers. A three-fifths vote of the county board is required to  
4 reduce the chairperson's powers set forth in the county board  
5 rules.

6 (55 ILCS 5/5-45040 new)

7 Sec. 5-45040. Veto power of the chairperson.

8 (a) The chairperson may reduce or veto any appropriations  
9 made by the county board. Appropriations not reduced or vetoed  
10 are adopted.

11 (b) The county board may override the chairperson's  
12 line-item reduction or veto by a three-fifths majority vote of  
13 the board. If a reduced appropriation is not restored as  
14 provided in this subsection, the appropriation shall be adopted  
15 in the reduced amount.

16 (55 ILCS 5/5-45045 new)

17 Sec. 5-45045. Independent legal counsel; parliamentarian.  
18 The chairperson of the county board may hire an independent  
19 legal counsel or parliamentarian or both using county funds to  
20 represent the chairperson relating to county matters. If the  
21 chairperson hires an independent legal counsel or  
22 parliamentarian or both, the chairperson must reduce county  
23 spending in the amount required for expenditures under this

1 Section. The reduction may be made anywhere in the budget at  
2 the discretion of the chairperson.

3 (55 ILCS 5/5-45050 new)

4 Sec. 5-45050. County board chairperson; funding. On the  
5 effective date of this amendatory Act of the 101st General  
6 Assembly, the elected chairperson of the county board is a  
7 county office distinct from the county board. The county board  
8 shall provide adequate funding for the chairperson to have the  
9 resources and staff required to fulfill his or her duties. The  
10 county board may not reclassify employees in the chairperson's  
11 office or transfer employees out of the chairperson's office  
12 without the chairperson's permission.

13 (55 ILCS 5/5-45055 new)

14 Sec. 5-45055. County board health insurance. Health  
15 insurance benefits paid on behalf of county board members are  
16 eliminated on the effective date of this amendatory Act of the  
17 101st General Assembly. The additional funding granted to the  
18 chairperson under Section 5-45050 shall not exceed the health  
19 insurance benefits eliminated under this Section.

20 (55 ILCS 5/5-45060 new)

21 Sec. 5-45060. Release of appropriated funds. The  
22 chairperson of the county board shall review each appropriated  
23 item. No money appropriated by the county board is obligated by

1 the county unless the chairperson releases the money.

2 (55 ILCS 5/5-45065 new)

3 Sec. 5-45065. Reduction or diversion of funds. The county  
4 chairperson has authority to reduce or divert moneys from a  
5 county fund with assets exceeding 150% of the previous year's  
6 expenditures from that fund. Any moneys removed or diverted  
7 from a fund shall proportionately be distributed on a ratable  
8 basis to taxpayers.

9 (55 ILCS 5/5-45070 new)

10 Sec. 5-45070. County clerk and county recorder  
11 consolidation. On the effective date of this amendatory Act of  
12 the 101st General Assembly: (1) the office of the county  
13 recorder shall cease and the county recorder's term terminated;  
14 and (2) all duties, personnel of the county recorder, and  
15 applicable agreements, including, but not limited to,  
16 collective bargaining agreements relating to personnel, are  
17 transferred to the county clerk.

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

1 INDEX

2 Statutes amended in order of appearance

3 55 ILCS 5/5-44065 new

4 55 ILCS 5/Div. 5-45

5 heading new

6 55 ILCS 5/5-45001 new

7 55 ILCS 5/5-45005 new

8 55 ILCS 5/5-45010 new

9 55 ILCS 5/5-45015 new

10 55 ILCS 5/5-45020 new

11 55 ILCS 5/5-45025 new

12 55 ILCS 5/5-45030 new

13 55 ILCS 5/5-45035 new

14 55 ILCS 5/5-45040 new

15 55 ILCS 5/5-45045 new

16 55 ILCS 5/5-45050 new

17 55 ILCS 5/5-45055 new

18 55 ILCS 5/5-45060 new

19 55 ILCS 5/5-45065 new

20 55 ILCS 5/5-45070 new