

# HB5056



## 101ST GENERAL ASSEMBLY

### State of Illinois

2019 and 2020

HB5056

Introduced 2/18/2020, by Rep. Brad Halbrook

#### SYNOPSIS AS INTRODUCED:

55 ILCS 5/5-25012

from Ch. 34, par. 5-25012

Amends the Counties Code. Provides that no member of a county board or board of county commissioners, during the term of office for which he or she is elected, may be appointed or serve as a member of the board of health. Effective immediately.

LRB101 17404 AWJ 66809 b

A BILL FOR

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 Section  
5 5-25012 as follows:

6 (55 ILCS 5/5-25012) (from Ch. 34, par. 5-25012)

7 Sec. 5-25012. Board of health. Except in those cases where  
8 a board of 10 or 12 members is provided for as authorized in  
9 this Section, each county health department shall be managed by  
10 a board of health consisting of 8 members appointed by the  
11 president or chairman of the county board, with the approval of  
12 the county board, for a 3 year term, except that of the first  
13 appointees 2 shall serve for one year, 2 for 2 years, 3 for 3  
14 years and the term of the member appointed from the county  
15 board, as provided in this Section, shall be one year and shall  
16 continue until reappointment or until a successor is appointed.  
17 Each board of health which has 8 members, may have one  
18 additional member appointed by the president or chairman of the  
19 county board, with the approval of the county board. The  
20 additional member shall first be appointed within 90 days after  
21 the effective date of this amendatory Act for a term ending  
22 July 1, 2002.

23 The county health department in a county having a

1 population of 200,000 or more may, if the county board, by  
2 resolution, so provides, be managed by a board of health  
3 consisting of 12 members appointed by the president or chairman  
4 of the county board, with the approval of the county board, for  
5 a 3 year term, except that of the first appointees 3 shall  
6 serve for one year, 4 for 2 years, 4 for 3 years and the term of  
7 the member appointed from the county board, as provided in this  
8 Section, shall be one year and shall continue until  
9 reappointment or until a successor is appointed. In counties  
10 with a population of 200,000 or more which have a board of  
11 health of 8 members, the county board may, by resolution,  
12 increase the size of the board of health to 12 members, in  
13 which case the 4 members added shall be appointed, as of the  
14 next anniversary of the present appointments, 2 for terms of 3  
15 years, one for 2 years and one for one year.

16 The county board in counties with a population of more than  
17 100,000 but less than 3,000,000 inhabitants and contiguous to  
18 any county with a metropolitan area with more than 1,000,000  
19 inhabitants, may establish compensation for the board of  
20 health, as remuneration for their services as members of the  
21 board of health. Monthly compensation shall not exceed \$200  
22 except in the case of the president of the board of health  
23 whose monthly compensation shall not exceed \$400.

24 When a county board of health consisting of 8 members  
25 assumes the responsibilities of a municipal department of  
26 public health, and both the county board and the city council

1 adopt resolutions or ordinances to that effect, the county  
2 board may, by resolution or ordinance, increase the membership  
3 of the county board of health to 10 members. The additional 2  
4 members shall initially be appointed by the mayor of the  
5 municipality, with the approval of the city council, each such  
6 member to serve for a term of 2 years; thereafter the  
7 successors shall be appointed by the president or chairman of  
8 the county board, with the approval of the county board, for  
9 terms of 2 years.

10 Each multiple-county health department shall be managed by  
11 a board of health consisting of 4 members appointed from each  
12 county by the president or chairman of the county board with  
13 the approval of the county board for a 3 year term, except that  
14 of the first appointees from each county one shall serve for  
15 one year, one for 2 years, one for 3 years and the term of the  
16 member appointed from the county board of each member county,  
17 as hereinafter provided, shall be one year and shall continue  
18 until reappointment or until a successor is appointed.

19 The term of office of original appointees shall begin on  
20 July 1 following their appointment, and the term of all members  
21 shall continue until their successors are appointed. All  
22 members shall serve without compensation but may be reimbursed  
23 for actual necessary expenses incurred in the performance of  
24 their duties. At least 2 members of each county board of health  
25 shall be physicians licensed in Illinois to practice medicine  
26 in all of its branches and at least one member shall be a

1 dentist licensed in Illinois. In counties with a population  
2 under 500,000, one member shall be chosen from the county board  
3 or the board of county commissioners as the case may be. In  
4 counties with a population over 500,000, two members shall be  
5 chosen from the county board or the board of county  
6 commissioners as the case may be. At least one member from each  
7 county on each multiple-county board of health shall be a  
8 physician licensed in Illinois to practice medicine in all of  
9 its branches, ~~one member from each county on each~~  
10 ~~multiple county board of health shall be chosen from the county~~  
11 ~~board or the board of county commissioners, as the case may be,~~  
12 and at least one member of the board of health shall be a  
13 dentist licensed in Illinois. No member of a county board or  
14 board of county commissioners, during the term of office for  
15 which he or she is elected, may be appointed or serve as a  
16 member of the board of health. Whenever possible, at least one  
17 member shall have experience in the field of mental health. All  
18 members shall be chosen for their special fitness for  
19 membership on the board.

20 Any member may be removed for misconduct or neglect of duty  
21 by the chairman or president of the county board, with the  
22 approval of the county board, of the county which appointed  
23 him.

24 Vacancies shall be filled as in the case of appointment for  
25 a full term.

26 Notwithstanding any other provision of this Act to the

1 contrary, a county with a population of 240,000 or more  
2 inhabitants that does not currently have a county health  
3 department may, by resolution of the county board, establish a  
4 board of health consisting of the members of such board. Such  
5 board of health shall be advised by a committee which shall  
6 consist of at least 5 members appointed by the president or  
7 chairman of the county board with the approval of the county  
8 board for terms of 3 years; except that of the first appointees  
9 at least 2 shall serve for 3 years, at least 2 shall serve for 2  
10 years and at least one shall serve for one year. At least one  
11 member of the advisory committee shall be a physician licensed  
12 in Illinois to practice medicine in all its branches, at least  
13 one shall be a dentist licensed in Illinois, and one shall be a  
14 nurse licensed in Illinois. All members shall be chosen for  
15 their special fitness for membership on the advisory committee.

16 All members of a board established under this Section must  
17 be residents of the county, except that a member who is  
18 required to be a physician, dentist, or nurse may reside  
19 outside the county if no physician, dentist, or nurse, as  
20 applicable, who resides in the county is willing and able to  
21 serve.

22 (Source: P.A. 94-457, eff. 1-1-06; 94-791, eff. 1-1-07.)

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