



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

SB1536

Introduced 2/15/2019, by Sen. Terry Link

SYNOPSIS AS INTRODUCED:

65 ILCS 5/3.1-10-17 new

Amends the Illinois Municipal Code. Provides that the imposition of term limits by referendum, ordinance, or otherwise must be prospective. Provides that elective office held prior to the effective date of any term limit imposed by a municipality shall not prohibit a person otherwise eligible from running for or holding elective office in that municipality. Provides that term limits imposed in a manner inconsistent with the applicable provisions remain valid prospectively, but are invalid as they apply to service prior to the enactment of the term limits. Provides that imposition of term limits by referendum, ordinance, or otherwise shall only apply to terms for the same office or that category of municipal office. Provides that these provisions apply to all term limits imposed by a municipality by referendum, ordinance, or otherwise passed on or after November 8, 2016. Limits home rule powers. Effective immediately.

LRB101 09923 AWJ 55025 b

HOME RULE NOTE
ACT MAY APPLY

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 Illinois Municipal Code is amended by adding
5 Section 3.1-10-17 as follows:

6 (65 ILCS 5/3.1-10-17 new)

7 Sec. 3.1-10-17. Term limits.

8 (a) The imposition of term limits by referendum, ordinance,
9 or otherwise must be prospective. Elective office held prior to
10 the effective date of any term limit imposed by a municipality
11 shall not prohibit a person otherwise eligible from running for
12 or holding elective office in that municipality. Term limits
13 imposed in a manner inconsistent with this Section remain valid
14 prospectively, but are invalid as they apply to service prior
15 to the enactment of the term limits.

16 (b) The imposition of term limits by referendum, ordinance,
17 or otherwise shall only apply to terms for the same office or
18 that category of municipal office. Term limits imposed in a
19 manner inconsistent with this subsection are invalid as they
20 apply to service in other categories of municipal offices.

21 (c) A home rule unit may not regulate term limits in a
22 manner inconsistent with this Section. This Section is a
23 limitation under subsection (i) of Section 6 of Article VII of

1 the Illinois Constitution on the concurrent exercise by home
2 rule units of powers and functions exercised by the State.

3 (d) This Section applies to all term limits imposed by a
4 municipality by referendum, ordinance, or otherwise passed on
5 or after November 8, 2016.

6 Section 99. Effective date. This Act takes effect upon
7 becoming law.