

HB2804



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB2804

Introduced 2/19/2021, 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 of that county. Effective immediately.

LRB102 14664 AWJ 20017 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
5 Section 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
10 by a board of health consisting of 8 members appointed by the
11 president or chairman of the county board, with the approval
12 of the county board, for a 3 year term, except that of the
13 first appointees 2 shall serve for one year, 2 for 2 years, 3
14 for 3 years and the term of the member appointed from the
15 county board, as provided in this Section, shall be one year
16 and shall continue until reappointment or until a successor is
17 appointed. Each board of health which has 8 members, may have
18 one additional member appointed by the president or chairman
19 of the county board, with the approval of the county board. The
20 additional member shall first be appointed within 90 days
21 after the effective date of this amendatory Act for a term
22 ending 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
4 chairman of the county board, with the approval of the county
5 board, for a 3 year term, except that of the first appointees 3
6 shall serve for one year, 4 for 2 years, 4 for 3 years and the
7 term of the member appointed from the county board, as
8 provided in this Section, shall be one year and shall continue
9 until reappointment or until a successor is appointed. In
10 counties with a population of 200,000 or more which have a
11 board of health of 8 members, the county board may, by
12 resolution, increase the size of the board of health to 12
13 members, in which case the 4 members added shall be appointed,
14 as of the next anniversary of the present appointments, 2 for
15 terms of 3 years, one for 2 years and one for one year.

16 The county board in counties with a population of more
17 than 100,000 but less than 3,000,000 inhabitants and
18 contiguous to any county with a metropolitan area with more
19 than 1,000,000 inhabitants, may establish compensation for the
20 board of health, as remuneration for their services as members
21 of the board of health. Monthly compensation shall not exceed
22 \$200 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
21 members shall continue until their successors are appointed.
22 All members shall serve without compensation but may be
23 reimbursed for actual necessary expenses incurred in the
24 performance of their duties. At least 2 members of each county
25 board of health shall be physicians licensed in Illinois to
26 practice medicine in all of its branches and at least one

1 member shall be a dentist licensed in Illinois. In counties
2 with a population under 500,000, one member shall be chosen
3 from the county board or the board of county commissioners as
4 the case may be. In counties with a population over 500,000,
5 two members shall be chosen from the county board or the board
6 of county commissioners as the case may be. At least one member
7 from each county on each multiple-county board of health shall
8 be a physician licensed in Illinois to practice medicine in
9 all of its branches, ~~one member from each county on each~~
10 ~~multiple county board of health shall be chosen from the~~
11 ~~county board or the board of county commissioners, as the case~~
12 ~~may be,~~ and at least one member of the board of health shall be
13 a 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.
18 All 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
21 duty 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
25 for 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
10 2 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
16 committee.

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

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

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