



Rep. Kelly M. Cassidy

Filed: 4/20/2021

10200HB4013ham002

LRB102 17478 SMS 25244 a

1 AMENDMENT TO HOUSE BILL 4013

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 4013 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Election Code is amended by changing  
5 Sections 2A-1.2, 2A-26, 2A-28, 7-4, 7-8, 7-10, 10-3, and  
6 23-6.1 as follows:

7 (10 ILCS 5/2A-1.2) (from Ch. 46, par. 2A-1.2)

8 Sec. 2A-1.2. Consolidated schedule of elections; offices  
9 ~~elections—offices~~ designated.

10 (a) At the general election in the appropriate  
11 even-numbered years, the following offices shall be filled or  
12 shall be on the ballot as otherwise required by this Code:

13 (1) Elector of President and Vice President of the  
14 United States;

15 (2) United States Senator and United States  
16 Representative;

1 (3) State Executive Branch elected officers;

2 (4) State Senator and State Representative;

3 (5) County elected officers, including State's  
4 Attorney, County Board member, County Commissioners, and  
5 elected President of the County Board or County Chief  
6 Executive;

7 (6) Circuit Court Clerk;

8 (7) Regional Superintendent of Schools, except in  
9 counties or educational service regions in which that  
10 office has been abolished;

11 (8) Judges of the Supreme, Appellate and Circuit  
12 Courts, on the question of retention, to fill vacancies  
13 and newly created judicial offices;

14 (9) (Blank);

15 (10) Trustee of the Metropolitan Water Reclamation  
16 ~~Sanitary~~ District of Greater Chicago, and elected Trustee  
17 of other Sanitary Districts;

18 (11) Special District elected officers, not otherwise  
19 designated in this Section, where the statute creating or  
20 authorizing the creation of the district requires an  
21 annual election and permits or requires election of  
22 candidates of political parties.

23 (b) At the general primary election:

24 (1) in each even-numbered year candidates of political  
25 parties shall be nominated for those offices to be filled  
26 at the general election in that year, except where

1           pursuant to law nomination of candidates of political  
2           parties is made by caucus.

3           (2) in the appropriate even-numbered years the  
4           political party offices of State central committeeperson,  
5           township committeeperson, ward committeeperson, and  
6           precinct committeeperson shall be filled and delegates and  
7           alternate delegates to the National nominating conventions  
8           shall be elected as may be required pursuant to this Code.  
9           In the even-numbered years in which a Presidential  
10          election is to be held, candidates in the Presidential  
11          preference primary shall also be on the ballot.

12          (3) in each even-numbered year, where the municipality  
13          has provided for annual elections to elect municipal  
14          officers pursuant to Section 6(f) or Section 7 of Article  
15          VII of the Constitution, pursuant to the Illinois  
16          Municipal Code or pursuant to the municipal charter, the  
17          offices of such municipal officers shall be filled at an  
18          election held on the date of the general primary election,  
19          provided that the municipal election shall be a  
20          nonpartisan election where required by the Illinois  
21          Municipal Code. For partisan municipal elections in  
22          even-numbered years, a primary to nominate candidates for  
23          municipal office to be elected at the general primary  
24          election shall be held on the Tuesday 6 weeks preceding  
25          that election.

26          (4) in each school district which has adopted the

1 provisions of Article 33 of the School Code, successors to  
2 the members of the board of education whose terms expire  
3 in the year in which the general primary is held shall be  
4 elected.

5 (c) At the consolidated election in the appropriate  
6 odd-numbered years, the following offices shall be filled:

7 (1) Municipal officers, provided that in  
8 municipalities in which candidates for alder ~~alderman~~ or  
9 other municipal office are not permitted by law to be  
10 candidates of political parties, the runoff election where  
11 required by law, or the nonpartisan election where  
12 required by law, shall be held on the date of the  
13 consolidated election; and provided further, in the case  
14 of municipal officers provided for by an ordinance  
15 providing the form of government of the municipality  
16 pursuant to Section 7 of Article VII of the Constitution,  
17 such offices shall be filled by election or by runoff  
18 election as may be provided by such ordinance;

19 (2) Village and incorporated town library directors;

20 (3) City boards of stadium commissioners;

21 (4) Commissioners of park districts;

22 (5) Trustees of public library districts;

23 (6) Special District elected officers, not otherwise  
24 designated in this Section, where the statute creating or  
25 authorizing the creation of the district permits or  
26 requires election of candidates of political parties;

1           (7) Township officers, including township park  
2 commissioners, township library directors, and boards of  
3 managers of community buildings, and Multi-Township  
4 Assessors;

5           (8) Highway commissioners and road district clerks;

6           (9) Members of school boards in school districts which  
7 adopt Article 33 of the School Code;

8           (10) The directors and chair of the Chain O Lakes - Fox  
9 River Waterway Management Agency;

10          (11) Forest preserve district commissioners elected  
11 under Section 3.5 of the Downstate Forest Preserve  
12 District Act;

13          (12) Elected members of school boards, school  
14 trustees, directors of boards of school directors,  
15 trustees of county boards of school trustees (except in  
16 counties or educational service regions having a  
17 population of 2,000,000 or more inhabitants) and members  
18 of boards of school inspectors, except school boards in  
19 school districts that adopt Article 33 of the School Code;

20          (13) Members of Community College district boards;

21          (14) Trustees of Fire Protection Districts;

22          (15) Commissioners of the Springfield Metropolitan  
23 Exposition and Auditorium Authority;

24          (16) Elected Trustees of Tuberculosis Sanitarium  
25 Districts;

26          (17) Elected Officers of special districts not

1 otherwise designated in this Section for which the law  
2 governing those districts does not permit candidates of  
3 political parties.

4 (d) At the consolidated primary election in each  
5 odd-numbered year, candidates of political parties shall be  
6 nominated for those offices to be filled at the consolidated  
7 election in that year, except where pursuant to law nomination  
8 of candidates of political parties is made by caucus, and  
9 except those offices listed in paragraphs (12) through (17) of  
10 subsection (c).

11 At the consolidated primary election in the appropriate  
12 odd-numbered years, the mayor, clerk, treasurer, and alders  
13 ~~aldermen~~ shall be elected in municipalities in which  
14 candidates for mayor, clerk, treasurer, or alder ~~alderman~~ are  
15 not permitted by law to be candidates of political parties,  
16 subject to runoff elections to be held at the consolidated  
17 election as may be required by law, and municipal officers  
18 shall be nominated in a nonpartisan election in municipalities  
19 in which pursuant to law candidates for such office are not  
20 permitted to be candidates of political parties.

21 At the consolidated primary election in the appropriate  
22 odd-numbered years, municipal officers shall be nominated or  
23 elected, or elected subject to a runoff, as may be provided by  
24 an ordinance providing a form of government of the  
25 municipality pursuant to Section 7 of Article VII of the  
26 Constitution.

1 (e) (Blank).

2 (f) At any election established in Section 2A-1.1, public  
3 questions may be submitted to voters pursuant to this Code and  
4 any special election otherwise required or authorized by law  
5 or by court order may be conducted pursuant to this Code.

6 Notwithstanding the regular dates for election of officers  
7 established in this Article, whenever a referendum is held for  
8 the establishment of a political subdivision whose officers  
9 are to be elected, the initial officers shall be elected at the  
10 election at which such referendum is held if otherwise so  
11 provided by law. In such cases, the election of the initial  
12 officers shall be subject to the referendum.

13 Notwithstanding the regular dates for election of  
14 officials established in this Article, any community college  
15 district which becomes effective by operation of law pursuant  
16 to Section 6-6.1 of the Public Community College Act, as now or  
17 hereafter amended, shall elect the initial district board  
18 members at the next regularly scheduled election following the  
19 effective date of the new district.

20 (g) At any election established in Section 2A-1.1, if in  
21 any precinct there are no offices or public questions required  
22 to be on the ballot under this Code then no election shall be  
23 held in the precinct on that date.

24 (h) There may be conducted a referendum in accordance with  
25 the provisions of Division 6-4 of the Counties Code.

26 (Source: P.A. 100-1027, eff. 1-1-19; revised 12-14-20.)

1 (10 ILCS 5/2A-26) (from Ch. 46, par. 2A-26)

2 Sec. 2A-26. Chicago Alders ~~Aldermen~~. Alders ~~Aldermen~~ of  
3 the City of Chicago shall be elected at the consolidated  
4 primary election in 1979 and at the consolidated primary  
5 election every 4 years thereafter. The runoff election where  
6 necessary, pursuant to law, for Chicago alders ~~aldermen~~ shall  
7 be held at the consolidated election in 1979, and every 4 years  
8 thereafter.

9 (Source: P.A. 80-936.)

10 (10 ILCS 5/2A-28) (from Ch. 46, par. 2A-28)

11 Sec. 2A-28. Cities Generally - Alders ~~Aldermen~~ - Time of  
12 Election. An alder ~~alderman~~ of a city other than the City of  
13 Chicago shall be elected at the consolidated or general  
14 primary election in each year to succeed each incumbent alder  
15 ~~alderman~~ whose term ends before the following consolidated or  
16 general election.

17 (Source: P.A. 81-1433.)

18 (10 ILCS 5/7-4) (from Ch. 46, par. 7-4)

19 Sec. 7-4. The following words and phrases in this Article  
20 7 shall, unless the same be inconsistent with the context, be  
21 construed as follows:

22 1. The word "primary" the primary elections provided for  
23 in this Article, which are the general primary, the



1 consolidated primary, and for those municipalities which have  
2 annual partisan elections for any officer, the municipal  
3 primary held 6 weeks prior to the general primary election  
4 date in even numbered years.

5 2. The definition of terms in Section 1-3 of this Act shall  
6 apply to this Article.

7 3. The word "precinct" a voting district heretofore or  
8 hereafter established by law within which all qualified  
9 electors vote at one polling place.

10 4. The words "state office" or "state officer", an office  
11 to be filled, or an officer to be voted for, by qualified  
12 electors of the entire state, including United States Senator  
13 and Congressman at large.

14 5. The words "congressional office" or "congressional  
15 officer", representatives in Congress.

16 6. The words "county office" or "county officer," include  
17 an office to be filled or an officer to be voted for, by the  
18 qualified electors of the entire county. "County office" or  
19 "county officer" also include the assessor and board of  
20 appeals and county commissioners and president of county board  
21 of Cook County, and county board members and the chair of the  
22 county board in counties subject to "An Act relating to the  
23 composition and election of county boards in certain  
24 counties", enacted by the 76th General Assembly.

25 7. The words "city office" and "village office," and  
26 "incorporated town office" or "city officer" and "village

1 officer", and "incorporated town officer" an office to be  
2 filled or an officer to be voted for by the qualified electors  
3 of the entire municipality, including alders ~~aldermen~~.

4 8. The words "town office" or "town officer", an office to  
5 be filled or an officer to be voted for by the qualified  
6 electors of an entire town.

7 9. The words "town" and "incorporated town" shall  
8 respectively be defined as in Section 1-3 of this Act.

9 10. The words "delegates and alternate delegates to  
10 National nominating conventions" include all delegates and  
11 alternate delegates to National nominating conventions whether  
12 they be elected from the state at large or from congressional  
13 districts or selected by State convention unless contrary and  
14 non-inclusive language specifically limits the term to one  
15 class.

16 11. "Judicial office" means a post held by a judge of the  
17 Supreme, Appellate or Circuit Court.

18 (Source: P.A. 100-1027, eff. 1-1-19.)

19 (10 ILCS 5/7-8) (from Ch. 46, par. 7-8)

20 Sec. 7-8. The State central committee shall be composed of  
21 one or two members from each congressional district in the  
22 State and shall be elected as follows:

23 State Central Committee

24 (a) Within 30 days after January 1, 1984 (the effective  
25 date of Public Act 83-33), the State central committee of each

1 political party shall certify to the State Board of Elections  
2 which of the following alternatives it wishes to apply to the  
3 State central committee of that party.

4 Alternative A. At the primary in 1970 and at the general  
5 primary election held every 4 years thereafter, each primary  
6 elector may vote for one candidate of his party for member of  
7 the State central committee for the congressional district in  
8 which he resides. The candidate receiving the highest number  
9 of votes shall be declared elected State central  
10 committeeperson from the district. A political party may, in  
11 lieu of the foregoing, by a majority vote of delegates at any  
12 State convention of such party, determine to thereafter elect  
13 the State central committeepersons in the manner following:

14 At the county convention held by such political party,  
15 State central committeepersons shall be elected in the same  
16 manner as provided in this Article for the election of  
17 officers of the county central committee, and such election  
18 shall follow the election of officers of the county central  
19 committee. Each elected ward, township or precinct  
20 committeeperson shall cast as his vote one vote for each  
21 ballot voted in his ward, township, part of a township or  
22 precinct in the last preceding primary election of his  
23 political party. In the case of a county lying partially  
24 within one congressional district and partially within another  
25 congressional district, each ward, township or precinct  
26 committeeperson shall vote only with respect to the

1 congressional district in which his ward, township, part of a  
2 township or precinct is located. In the case of a  
3 congressional district which encompasses more than one county,  
4 each ward, township or precinct committeeperson residing  
5 within the congressional district shall cast as his vote one  
6 vote for each ballot voted in his ward, township, part of a  
7 township or precinct in the last preceding primary election of  
8 his political party for one candidate of his party for member  
9 of the State central committee for the congressional district  
10 in which he resides and the Chair of the county central  
11 committee shall report the results of the election to the  
12 State Board of Elections. The State Board of Elections shall  
13 certify the candidate receiving the highest number of votes  
14 elected State central committeeperson for that congressional  
15 district.

16 The State central committee shall adopt rules to provide  
17 for and govern the procedures to be followed in the election of  
18 members of the State central committee.

19 After August 6, 1999 (the effective date of Public Act  
20 91-426), whenever a vacancy occurs in the office of Chair of a  
21 State central committee, or at the end of the term of office of  
22 Chair, the State central committee of each political party  
23 that has selected Alternative A shall elect a Chair who shall  
24 not be required to be a member of the State Central Committee.  
25 The Chair shall be a registered voter in this State and of the  
26 same political party as the State central committee.

1           Alternative B. Each congressional committee shall, within  
2   30 days after the adoption of this alternative, appoint a  
3   person of a different gender than ~~the sex opposite~~ that of the  
4   incumbent member for that congressional district to serve as  
5   an additional member of the State central committee until his  
6   or her successor is elected at the general primary election in  
7   1986. Each congressional committee shall make this appointment  
8   by voting on the basis set forth in paragraph (e) of this  
9   Section. In each congressional district at the general primary  
10  election held in 1986 and every 4 years thereafter, the male  
11  candidate receiving the highest number of votes of the party's  
12  male candidates for State central committeeman, and the female  
13  candidate receiving the highest number of votes of the party's  
14  female candidates for State central committeewoman, shall be  
15  declared elected State central committeeman and State central  
16  committeewoman from the district. At the general primary  
17  election held in 1986 and every 4 years thereafter, if all a  
18  party's candidates for State central committeemen or State  
19  central committeewomen from a congressional district are of  
20  the same gender ~~are of the same sex~~, the candidate receiving  
21  the highest number of votes shall be declared elected a State  
22  central committeeman or State central committeewoman from the  
23  district, and, because of a failure to elect one male and one  
24  female to the committee, a vacancy shall be declared to exist  
25  in the office of the second member of the State central  
26  committee from the district. This vacancy shall be filled by

1 appointment by the congressional committee of the political  
2 party, and the person appointed to fill the vacancy shall be a  
3 resident of the congressional district and of a different  
4 gender than ~~the sex opposite that of~~ the committeeman or  
5 committeewoman elected at the general primary election. Each  
6 congressional committee shall make this appointment by voting  
7 on the basis set forth in paragraph (e) of this Section.

8 The Chair of a State central committee composed as  
9 provided in this Alternative B must be selected from the  
10 committee's members.

11 Except as provided for in Alternative A with respect to  
12 the selection of the Chair of the State central committee,  
13 under both of the foregoing alternatives, the State central  
14 committee of each political party shall be composed of members  
15 elected or appointed from the several congressional districts  
16 of the State, and of no other person or persons whomsoever. The  
17 members of the State central committee shall, within 41 days  
18 after each quadrennial election of the full committee, meet in  
19 the city of Springfield and organize by electing a Chair, and  
20 may at such time elect such officers from among their own  
21 number (or otherwise), as they may deem necessary or  
22 expedient. The outgoing chair of the State central committee  
23 of the party shall, 10 days before the meeting, notify each  
24 member of the State central committee elected at the primary  
25 of the time and place of such meeting. In the organization and  
26 proceedings of the State central committee, each State central

1     committeeman and State central committeewoman shall have one  
2     vote for each ballot voted in his or her congressional  
3     district by the primary electors of his or her party at the  
4     primary election immediately preceding the meeting of the  
5     State central committee. Whenever a vacancy occurs in the  
6     State central committee of any political party, the vacancy  
7     shall be filled by appointment of the chairmen of the county  
8     central committees of the political party of the counties  
9     located within the congressional district in which the vacancy  
10    occurs and, if applicable, the ward and township  
11    committeepersons of the political party in counties of  
12    2,000,000 or more inhabitants located within the congressional  
13    district. If the congressional district in which the vacancy  
14    occurs lies wholly within a county of 2,000,000 or more  
15    inhabitants, the ward and township committeepersons of the  
16    political party in that congressional district shall vote to  
17    fill the vacancy. In voting to fill the vacancy, each chair of  
18    a county central committee and each ward and township  
19    committeeperson in counties of 2,000,000 or more inhabitants  
20    shall have one vote for each ballot voted in each precinct of  
21    the congressional district in which the vacancy exists of his  
22    or her county, township, or ward cast by the primary electors  
23    of his or her party at the primary election immediately  
24    preceding the meeting to fill the vacancy in the State central  
25    committee. The person appointed to fill the vacancy shall be a  
26    resident of the congressional district in which the vacancy

1 occurs, shall be a qualified voter, and, in a committee  
2 composed as provided in Alternative B, shall be of the same  
3 gender ~~be of the same sex~~ as his or her predecessor. A  
4 political party may, by a majority vote of the delegates of any  
5 State convention of such party, determine to return to the  
6 election of State central committeeman and State central  
7 committeewoman by the vote of primary electors. Any action  
8 taken by a political party at a State convention in accordance  
9 with this Section shall be reported to the State Board of  
10 Elections by the chair and secretary of such convention within  
11 10 days after such action.

12 Ward, Township and Precinct Committeepersons

13 (b) At the primary in 1972 and at the general primary  
14 election every 4 years thereafter, each primary elector in  
15 cities having a population of 200,000 or over may vote for one  
16 candidate of his party in his ward for ward committeeperson.  
17 Each candidate for ward committeeperson must be a resident of  
18 and in the ward where he seeks to be elected ward  
19 committeeperson. The one having the highest number of votes  
20 shall be such ward committeeperson of such party for such  
21 ward. At the primary election in 1970 and at the general  
22 primary election every 4 years thereafter, each primary  
23 elector in counties containing a population of 2,000,000 or  
24 more, outside of cities containing a population of 200,000 or  
25 more, may vote for one candidate of his party for township  
26 committeeperson. Each candidate for township committeeperson



1 must be a resident of and in the township or part of a township  
2 (which lies outside of a city having a population of 200,000 or  
3 more, in counties containing a population of 2,000,000 or  
4 more), and in which township or part of a township he seeks to  
5 be elected township committeeperson. The one having the  
6 highest number of votes shall be such township committeeperson  
7 of such party for such township or part of a township. At the  
8 primary in 1970 and at the general primary election every 2  
9 years thereafter, each primary elector, except in counties  
10 having a population of 2,000,000 or over, may vote for one  
11 candidate of his party in his precinct for precinct  
12 committeeperson. Each candidate for precinct committeeperson  
13 must be a bona fide resident of the precinct where he seeks to  
14 be elected precinct committeeperson. The one having the  
15 highest number of votes shall be such precinct committeeperson  
16 of such party for such precinct. The official returns of the  
17 primary shall show the name of the committeeperson of each  
18 political party.

19 Terms of Committeepersons. All precinct committeepersons  
20 elected under the provisions of this Article shall continue as  
21 such committeepersons until the date of the primary to be held  
22 in the second year after their election. Except as otherwise  
23 provided in this Section for certain State central  
24 committeepersons who have 2 year terms, all State central  
25 committeepersons, township committeepersons and ward  
26 committeepersons shall continue as such committeepersons until

1 the date of primary to be held in the fourth year after their  
2 election. However, a vacancy exists in the office of precinct  
3 committeeperson when a precinct committeeperson ceases to  
4 reside in the precinct in which he was elected and such  
5 precinct committeeperson shall thereafter neither have nor  
6 exercise any rights, powers or duties as committeeperson in  
7 that precinct, even if a successor has not been elected or  
8 appointed.

9 (c) The Multi-Township Central Committee shall consist of  
10 the precinct committeepersons of such party, in the  
11 multi-township assessing district formed pursuant to Section  
12 2-10 of the Property Tax Code and shall be organized for the  
13 purposes set forth in Section 45-25 of the Township Code. In  
14 the organization and proceedings of the Multi-Township Central  
15 Committee each precinct committeeperson shall have one vote  
16 for each ballot voted in his precinct by the primary electors  
17 of his party at the primary at which he was elected.

18 County Central Committee

19 (d) The county central committee of each political party  
20 in each county shall consist of the various township  
21 committeepersons, precinct committeepersons and ward  
22 committeepersons, if any, of such party in the county. In the  
23 organization and proceedings of the county central committee,  
24 each precinct committeeperson shall have one vote for each  
25 ballot voted in his precinct by the primary electors of his  
26 party at the primary at which he was elected; each township

1     committeeperson shall have one vote for each ballot voted in  
2     his township or part of a township as the case may be by the  
3     primary electors of his party at the primary election for the  
4     nomination of candidates for election to the General Assembly  
5     immediately preceding the meeting of the county central  
6     committee; and in the organization and proceedings of the  
7     county central committee, each ward committeeperson shall have  
8     one vote for each ballot voted in his ward by the primary  
9     electors of his party at the primary election for the  
10    nomination of candidates for election to the General Assembly  
11    immediately preceding the meeting of the county central  
12    committee.

13         Cook County Board of Review Election District Committee

14         (d-1) Each board of review election district committee of  
15         each political party in Cook County shall consist of the  
16         various township committeepersons and ward committeepersons,  
17         if any, of that party in the portions of the county composing  
18         the board of review election district. In the organization and  
19         proceedings of each of the 3 election district committees,  
20         each township committeeperson shall have one vote for each  
21         ballot voted in his or her township or part of a township, as  
22         the case may be, by the primary electors of his or her party at  
23         the primary election immediately preceding the meeting of the  
24         board of review election district committee; and in the  
25         organization and proceedings of each of the 3 election  
26         district committees, each ward committeeperson shall have one

1 vote for each ballot voted in his or her ward or part of that  
2 ward, as the case may be, by the primary electors of his or her  
3 party at the primary election immediately preceding the  
4 meeting of the board of review election district committee.

5 Congressional Committee

6 (e) The congressional committee of each party in each  
7 congressional district shall be composed of the chairmen of  
8 the county central committees of the counties composing the  
9 congressional district, except that in congressional districts  
10 wholly within the territorial limits of one county, the  
11 precinct committeepersons, township committeepersons and ward  
12 committeepersons, if any, of the party representing the  
13 precincts within the limits of the congressional district,  
14 shall compose the congressional committee. A State central  
15 committeeperson in each district shall be a member and the  
16 chair or, when a district has 2 State central  
17 committeepersons, a co-chairperson of the congressional  
18 committee, but shall not have the right to vote except in case  
19 of a tie.

20 In the organization and proceedings of congressional  
21 committees composed of precinct committeepersons or township  
22 committeepersons or ward committeepersons, or any combination  
23 thereof, each precinct committeeperson shall have one vote for  
24 each ballot voted in his precinct by the primary electors of  
25 his party at the primary at which he was elected, each township  
26 committeeperson shall have one vote for each ballot voted in

1 his township or part of a township as the case may be by the  
2 primary electors of his party at the primary election  
3 immediately preceding the meeting of the congressional  
4 committee, and each ward committeeperson shall have one vote  
5 for each ballot voted in each precinct of his ward located in  
6 such congressional district by the primary electors of his  
7 party at the primary election immediately preceding the  
8 meeting of the congressional committee; and in the  
9 organization and proceedings of congressional committees  
10 composed of the chairmen of the county central committees of  
11 the counties within such district, each chair of such county  
12 central committee shall have one vote for each ballot voted in  
13 his county by the primary electors of his party at the primary  
14 election immediately preceding the meeting of the  
15 congressional committee.

16 Judicial District Committee

17 (f) The judicial district committee of each political  
18 party in each judicial district shall be composed of the chair  
19 of the county central committees of the counties composing the  
20 judicial district.

21 In the organization and proceedings of judicial district  
22 committees composed of the chairmen of the county central  
23 committees of the counties within such district, each chair of  
24 such county central committee shall have one vote for each  
25 ballot voted in his county by the primary electors of his party  
26 at the primary election immediately preceding the meeting of

1 the judicial district committee.

2 Circuit Court Committee

3 (g) The circuit court committee of each political party in  
4 each judicial circuit outside Cook County shall be composed of  
5 the chairmen of the county central committees of the counties  
6 composing the judicial circuit.

7 In the organization and proceedings of circuit court  
8 committees, each chair of a county central committee shall  
9 have one vote for each ballot voted in his county by the  
10 primary electors of his party at the primary election  
11 immediately preceding the meeting of the circuit court  
12 committee.

13 Judicial Subcircuit Committee

14 (g-1) The judicial subcircuit committee of each political  
15 party in each judicial subcircuit in a judicial circuit  
16 divided into subcircuits shall be composed of (i) the ward and  
17 township committeepersons of the townships and wards composing  
18 the judicial subcircuit in Cook County and (ii) the precinct  
19 committeepersons of the precincts composing the judicial  
20 subcircuit in any county other than Cook County.

21 In the organization and proceedings of each judicial  
22 subcircuit committee, each township committeeperson shall have  
23 one vote for each ballot voted in his township or part of a  
24 township, as the case may be, in the judicial subcircuit by the  
25 primary electors of his party at the primary election  
26 immediately preceding the meeting of the judicial subcircuit

1 committee; each precinct committeeperson shall have one vote  
2 for each ballot voted in his precinct or part of a precinct, as  
3 the case may be, in the judicial subcircuit by the primary  
4 electors of his party at the primary election immediately  
5 preceding the meeting of the judicial subcircuit committee;  
6 and each ward committeeperson shall have one vote for each  
7 ballot voted in his ward or part of a ward, as the case may be,  
8 in the judicial subcircuit by the primary electors of his  
9 party at the primary election immediately preceding the  
10 meeting of the judicial subcircuit committee.

11 Municipal Central Committee

12 (h) The municipal central committee of each political  
13 party shall be composed of the precinct, township or ward  
14 committeepersons, as the case may be, of such party  
15 representing the precincts or wards, embraced in such city,  
16 incorporated town or village. The voting strength of each  
17 precinct, township or ward committeeperson on the municipal  
18 central committee shall be the same as his voting strength on  
19 the county central committee.

20 For political parties, other than a statewide political  
21 party, established only within a municipality or township, the  
22 municipal or township managing committee shall be composed of  
23 the party officers of the local established party. The party  
24 officers of a local established party shall be as follows: the  
25 chair and secretary of the caucus for those municipalities and  
26 townships authorized by statute to nominate candidates by

1 caucus shall serve as party officers for the purpose of  
2 filling vacancies in nomination under Section 7-61; for  
3 municipalities and townships authorized by statute or  
4 ordinance to nominate candidates by petition and primary  
5 election, the party officers shall be the party's candidates  
6 who are nominated at the primary. If no party primary was held  
7 because of the provisions of Section 7-5, vacancies in  
8 nomination shall be filled by the party's remaining candidates  
9 who shall serve as the party's officers.

10 Powers

11 (i) Each committee and its officers shall have the powers  
12 usually exercised by such committees and by the officers  
13 thereof, not inconsistent with the provisions of this Article.  
14 The several committees herein provided for shall not have  
15 power to delegate any of their powers, or functions to any  
16 other person, officer or committee, but this shall not be  
17 construed to prevent a committee from appointing from its own  
18 membership proper and necessary subcommittees.

19 (j) The State central committee of a political party which  
20 elects its members by Alternative B under paragraph (a) of  
21 this Section shall adopt a plan to give effect to the delegate  
22 selection rules of the national political party and file a  
23 copy of such plan with the State Board of Elections when  
24 approved by a national political party.

25 (k) For the purpose of the designation of a proxy by a  
26 Congressional Committee to vote in place of an absent State



1 central committeeman or committeewoman at meetings of the  
2 State central committee of a political party which elects its  
3 members by Alternative B under paragraph (a) of this Section,  
4 the proxy shall be appointed by the vote of the ward and  
5 township committeepersons, if any, of the wards and townships  
6 which lie entirely or partially within the Congressional  
7 District from which the absent State central committeeman or  
8 committeewoman was elected and the vote of the chairmen of the  
9 county central committees of those counties which lie entirely  
10 or partially within that Congressional District and in which  
11 there are no ward or township committeepersons. When voting  
12 for such proxy, the county chair, ward committeeperson or  
13 township committeeperson, as the case may be, shall have one  
14 vote for each ballot voted in his county, ward or township, or  
15 portion thereof within the Congressional District, by the  
16 primary electors of his party at the primary at which he was  
17 elected. However, the absent State central committeeman or  
18 committeewoman may designate a proxy when permitted by the  
19 rules of a political party which elects its members by  
20 Alternative B under paragraph (a) of this Section.

21 Notwithstanding any law to the contrary, a person is  
22 ineligible to hold the position of committeeperson in any  
23 committee established pursuant to this Section if he or she is  
24 statutorily ineligible to vote in a general election because  
25 of conviction of a felony. When a committeeperson is convicted  
26 of a felony, the position occupied by that committeeperson

1 shall automatically become vacant.

2 (Source: P.A. 100-201, eff. 8-18-17; 100-1027, eff. 1-1-19.)

3 (10 ILCS 5/7-10) (from Ch. 46, par. 7-10)

4 Sec. 7-10. Form of petition for nomination. The name of no  
5 candidate for nomination, or State central committeeperson, or  
6 township committeeperson, or precinct committeeperson, or ward  
7 committeeperson or candidate for delegate or alternate  
8 delegate to national nominating conventions, shall be printed  
9 upon the primary ballot unless a petition for nomination has  
10 been filed in his behalf as provided in this Article in  
11 substantially the following form:

12 We, the undersigned, members of and affiliated with the  
13 .... party and qualified primary electors of the .... party,  
14 in the .... of ....., in the county of .... and State of  
15 Illinois, do hereby petition that the following named person  
16 or persons shall be a candidate or candidates of the .... party  
17 for the nomination for (or in case of committeepersons for  
18 election to) the office or offices hereinafter specified, to  
19 be voted for at the primary election to be held on (insert  
20 date).

21	Name	Office	Address
22	John Jones	Governor	Belvidere, Ill.
23	Jane James	Lieutenant Governor	Peoria, Ill.
24	Thomas Smith	Attorney General	Oakland, Ill.

1 Name..... Address.....

2 State of Illinois)

3 ) ss.

4 County of.....)

5 I, ....., do hereby certify that I reside at No. ....  
6 street, in the .... of ....., county of ....., and State of  
7 ....., that I am 18 years of age or older, that I am a citizen  
8 of the United States, and that the signatures on this sheet  
9 were signed in my presence, and are genuine, and that to the  
10 best of my knowledge and belief the persons so signing were at  
11 the time of signing the petitions qualified voters of the ....  
12 party, and that their respective residences are correctly  
13 stated, as above set forth.

14 .....

15 Subscribed and sworn to before me on (insert date).

16 .....

17 Each sheet of the petition other than the statement of  
18 candidacy and candidate's statement shall be of uniform size  
19 and shall contain above the space for signatures an  
20 appropriate heading giving the information as to name of  
21 candidate or candidates, in whose behalf such petition is  
22 signed; the office, the political party represented and place  
23 of residence; and the heading of each sheet shall be the same.

24 Such petition shall be signed by qualified primary

1 electors residing in the political division for which the  
2 nomination is sought in their own proper persons only and  
3 opposite the signature of each signer, his residence address  
4 shall be written or printed. The residence address required to  
5 be written or printed opposite each qualified primary  
6 elector's name shall include the street address or rural route  
7 number of the signer, as the case may be, as well as the  
8 signer's county, and city, village or town, and state. However  
9 the county or city, village or town, and state of residence of  
10 the electors may be printed on the petition forms where all of  
11 the electors signing the petition reside in the same county or  
12 city, village or town, and state. Standard abbreviations may  
13 be used in writing the residence address, including street  
14 number, if any. At the bottom of each sheet of such petition  
15 shall be added a circulator statement signed by a person 18  
16 years of age or older who is a citizen of the United States,  
17 stating the street address or rural route number, as the case  
18 may be, as well as the county, city, village or town, and  
19 state; and certifying that the signatures on that sheet of the  
20 petition were signed in his or her presence and certifying  
21 that the signatures are genuine; and either (1) indicating the  
22 dates on which that sheet was circulated, or (2) indicating  
23 the first and last dates on which the sheet was circulated, or  
24 (3) certifying that none of the signatures on the sheet were  
25 signed more than 90 days preceding the last day for the filing  
26 of the petition and certifying that to the best of his or her

1 knowledge and belief the persons so signing were at the time of  
2 signing the petitions qualified voters of the political party  
3 for which a nomination is sought. Such statement shall be  
4 sworn to before some officer authorized to administer oaths in  
5 this State.

6 No petition sheet shall be circulated more than 90 days  
7 preceding the last day provided in Section 7-12 for the filing  
8 of such petition.

9 The person circulating the petition, or the candidate on  
10 whose behalf the petition is circulated, may strike any  
11 signature from the petition, provided that:

12 (1) the person striking the signature shall initial  
13 the petition at the place where the signature is struck;  
14 and

15 (2) the person striking the signature shall sign a  
16 certification listing the page number and line number of  
17 each signature struck from the petition. Such  
18 certification shall be filed as a part of the petition.

19 Such sheets before being filed shall be neatly fastened  
20 together in book form, by placing the sheets in a pile and  
21 fastening them together at one edge in a secure and suitable  
22 manner, and the sheets shall then be numbered consecutively.  
23 The sheets shall not be fastened by pasting them together end  
24 to end, so as to form a continuous strip or roll. All petition  
25 sheets which are filed with the proper local election  
26 officials, election authorities or the State Board of

1 Elections shall be the original sheets which have been signed  
2 by the voters and by the circulator thereof, and not  
3 photocopies or duplicates of such sheets. Each petition must  
4 include as a part thereof, a statement of candidacy for each of  
5 the candidates filing, or in whose behalf the petition is  
6 filed. This statement shall set out the address of such  
7 candidate, the office for which he is a candidate, shall state  
8 that the candidate is a qualified primary voter of the party to  
9 which the petition relates and is qualified for the office  
10 specified (in the case of a candidate for State's Attorney it  
11 shall state that the candidate is at the time of filing such  
12 statement a licensed attorney-at-law of this State), shall  
13 state that he has filed (or will file before the close of the  
14 petition filing period) a statement of economic interests as  
15 required by the Illinois Governmental Ethics Act, shall  
16 request that the candidate's name be placed upon the official  
17 ballot, and shall be subscribed and sworn to by such candidate  
18 before some officer authorized to take acknowledgment of deeds  
19 in the State and shall be in substantially the following form:

20 Statement of Candidacy

21	Name	Address	Office	District	Party
22	John Jones	102 Main St.	Governor	Statewide	Republican
23		Belvidere,			
24		Illinois			

25 State of Illinois)

1 ) ss.

2 County of .....

3 I, ....., being first duly sworn, say that I reside at ....  
4 Street in the city (or village) of ....., in the county of .....,  
5 State of Illinois; that I am a qualified voter therein and am a  
6 qualified primary voter of the .... party; that I am a  
7 candidate for nomination (for election in the case of  
8 committeeperson and delegates and alternate delegates) to the  
9 office of .... to be voted upon at the primary election to be  
10 held on (insert date); that I am legally qualified (including  
11 being the holder of any license that may be an eligibility  
12 requirement for the office I seek the nomination for) to hold  
13 such office and that I have filed (or I will file before the  
14 close of the petition filing period) a statement of economic  
15 interests as required by the Illinois Governmental Ethics Act  
16 and I hereby request that my name be printed upon the official  
17 primary ballot for nomination for (or election to in the case  
18 of committeepersons and delegates and alternate delegates)  
19 such office.

20 Signed .....

21 Subscribed and sworn to (or affirmed) before me by .....,  
22 who is to me personally known, on (insert date).

23 Signed .....

24 (Official Character)

25 (Seal, if officer has one.)

1           The petitions, when filed, shall not be withdrawn or added  
2 to, and no signatures shall be revoked except by revocation  
3 filed in writing with the State Board of Elections, election  
4 authority or local election official with whom the petition is  
5 required to be filed, and before the filing of such petition.  
6 Whoever forges the name of a signer upon any petition required  
7 by this Article is deemed guilty of a forgery and on conviction  
8 thereof shall be punished accordingly.

9           A candidate for the offices listed in this Section must  
10 obtain the number of signatures specified in this Section on  
11 his or her petition for nomination.

12           (a) Statewide office or delegate to a national nominating  
13 convention. If a candidate seeks to run for statewide office  
14 or as a delegate or alternate delegate to a national  
15 nominating convention elected from the State at-large, then  
16 the candidate's petition for nomination must contain at least  
17 5,000 but not more than 10,000 signatures.

18           (b) Congressional office or congressional delegate to a  
19 national nominating convention. If a candidate seeks to run  
20 for United States Congress or as a congressional delegate or  
21 alternate congressional delegate to a national nominating  
22 convention elected from a congressional district, then the  
23 candidate's petition for nomination must contain at least the  
24 number of signatures equal to 0.5% of the qualified primary  
25 electors of his or her party in his or her congressional  
26 district. In the first primary election following a



1 redistricting of congressional districts, a candidate's  
2 petition for nomination must contain at least 600 signatures  
3 of qualified primary electors of the candidate's political  
4 party in his or her congressional district.

5 (c) County office. If a candidate seeks to run for any  
6 countywide office, including but not limited to county board  
7 chairperson or county board member, elected on an at-large  
8 basis, in a county other than Cook County, then the  
9 candidate's petition for nomination must contain at least the  
10 number of signatures equal to 0.5% of the qualified electors  
11 of his or her party who cast votes at the last preceding  
12 general election in his or her county. If a candidate seeks to  
13 run for county board member elected from a county board  
14 district, then the candidate's petition for nomination must  
15 contain at least the number of signatures equal to 0.5% of the  
16 qualified primary electors of his or her party in the county  
17 board district. In the first primary election following a  
18 redistricting of county board districts or the initial  
19 establishment of county board districts, a candidate's  
20 petition for nomination must contain at least the number of  
21 signatures equal to 0.5% of the qualified electors of his or  
22 her party in the entire county who cast votes at the last  
23 preceding general election divided by the total number of  
24 county board districts comprising the county board; provided  
25 that in no event shall the number of signatures be less than  
26 25.

1 (d) County office; Cook County only.

2 (1) If a candidate seeks to run for countywide office  
3 in Cook County, then the candidate's petition for  
4 nomination must contain at least the number of signatures  
5 equal to 0.5% of the qualified electors of his or her party  
6 who cast votes at the last preceding general election in  
7 Cook County.

8 (2) If a candidate seeks to run for Cook County Board  
9 Commissioner, then the candidate's petition for nomination  
10 must contain at least the number of signatures equal to  
11 0.5% of the qualified primary electors of his or her party  
12 in his or her county board district. In the first primary  
13 election following a redistricting of Cook County Board of  
14 Commissioners districts, a candidate's petition for  
15 nomination must contain at least the number of signatures  
16 equal to 0.5% of the qualified electors of his or her party  
17 in the entire county who cast votes at the last preceding  
18 general election divided by the total number of county  
19 board districts comprising the county board; provided that  
20 in no event shall the number of signatures be less than 25.

21 (3) If a candidate seeks to run for Cook County Board  
22 of Review Commissioner, which is elected from a district  
23 pursuant to subsection (c) of Section 5-5 of the Property  
24 Tax Code, then the candidate's petition for nomination  
25 must contain at least the number of signatures equal to  
26 0.5% of the total number of registered voters in his or her

1 board of review district in the last general election at  
2 which a commissioner was regularly scheduled to be elected  
3 from that board of review district. In no event shall the  
4 number of signatures required be greater than the  
5 requisite number for a candidate who seeks countywide  
6 office in Cook County under subsection (d)(1) of this  
7 Section. In the first primary election following a  
8 redistricting of Cook County Board of Review districts, a  
9 candidate's petition for nomination must contain at least  
10 4,000 signatures or at least the number of signatures  
11 required for a countywide candidate in Cook County,  
12 whichever is less, of the qualified electors of his or her  
13 party in the district.

14 (e) Municipal or township office. If a candidate seeks to  
15 run for municipal or township office, then the candidate's  
16 petition for nomination must contain at least the number of  
17 signatures equal to 0.5% of the qualified primary electors of  
18 his or her party in the municipality or township. If a  
19 candidate seeks to run for alder ~~alderman~~ of a municipality,  
20 then the candidate's petition for nomination must contain at  
21 least the number of signatures equal to 0.5% of the qualified  
22 primary electors of his or her party of the ward. In the first  
23 primary election following redistricting of aldermanic wards  
24 or trustee districts of a municipality or the initial  
25 establishment of wards or districts, a candidate's petition  
26 for nomination must contain the number of signatures equal to

1 at least 0.5% of the total number of votes cast for the  
2 candidate of that political party who received the highest  
3 number of votes in the entire municipality at the last regular  
4 election at which an officer was regularly scheduled to be  
5 elected from the entire municipality, divided by the number of  
6 wards or districts. In no event shall the number of signatures  
7 be less than 25.

8 (f) State central committeeperson. If a candidate seeks to  
9 run for State central committeeperson, then the candidate's  
10 petition for nomination must contain at least 100 signatures  
11 of the primary electors of his or her party of his or her  
12 congressional district.

13 (g) Sanitary district trustee. If a candidate seeks to run  
14 for trustee of a sanitary district in which trustees are not  
15 elected from wards, then the candidate's petition for  
16 nomination must contain at least the number of signatures  
17 equal to 0.5% of the primary electors of his or her party from  
18 the sanitary district. If a candidate seeks to run for trustee  
19 of a sanitary district in which trustees are elected from  
20 wards, then the candidate's petition for nomination must  
21 contain at least the number of signatures equal to 0.5% of the  
22 primary electors of his or her party in the ward of that  
23 sanitary district. In the first primary election following  
24 redistricting of sanitary districts elected from wards, a  
25 candidate's petition for nomination must contain at least the  
26 signatures of 150 qualified primary electors of his or her

1 ward of that sanitary district.

2 (h) Judicial office. If a candidate seeks to run for  
3 judicial office in a district, then the candidate's petition  
4 for nomination must contain the number of signatures equal to  
5 0.4% of the number of votes cast in that district for the  
6 candidate for his or her political party for the office of  
7 Governor at the last general election at which a Governor was  
8 elected, but in no event less than 500 signatures. If a  
9 candidate seeks to run for judicial office in a circuit or  
10 subcircuit, then the candidate's petition for nomination must  
11 contain the number of signatures equal to 0.25% of the number  
12 of votes cast for the judicial candidate of his or her  
13 political party who received the highest number of votes at  
14 the last general election at which a judicial officer from the  
15 same circuit or subcircuit was regularly scheduled to be  
16 elected, but in no event less than 1,000 signatures in  
17 circuits and subcircuits located in the First Judicial  
18 District or 500 signatures in every other Judicial District.

19 (i) Precinct, ward, and township committeeperson. If a  
20 candidate seeks to run for precinct committeeperson, then the  
21 candidate's petition for nomination must contain at least 10  
22 signatures of the primary electors of his or her party for the  
23 precinct. If a candidate seeks to run for ward  
24 committeeperson, then the candidate's petition for nomination  
25 must contain no less than the number of signatures equal to 10%  
26 of the primary electors of his or her party of the ward, but no

1 more than 16% of those same electors; provided that the  
2 maximum number of signatures may be 50 more than the minimum  
3 number, whichever is greater. If a candidate seeks to run for  
4 township committeeperson, then the candidate's petition for  
5 nomination must contain no less than the number of signatures  
6 equal to 5% of the primary electors of his or her party of the  
7 township, but no more than 8% of those same electors; provided  
8 that the maximum number of signatures may be 50 more than the  
9 minimum number, whichever is greater.

10 (j) State's attorney or regional superintendent of schools  
11 for multiple counties. If a candidate seeks to run for State's  
12 attorney or regional Superintendent of Schools who serves more  
13 than one county, then the candidate's petition for nomination  
14 must contain at least the number of signatures equal to 0.5% of  
15 the primary electors of his or her party in the territory  
16 comprising the counties.

17 (k) Any other office. If a candidate seeks any other  
18 office, then the candidate's petition for nomination must  
19 contain at least the number of signatures equal to 0.5% of the  
20 registered voters of the political subdivision, district, or  
21 division for which the nomination is made or 25 signatures,  
22 whichever is greater.

23 For purposes of this Section the number of primary  
24 electors shall be determined by taking the total vote cast, in  
25 the applicable district, for the candidate for that political  
26 party who received the highest number of votes, statewide, at

1 the last general election in the State at which electors for  
2 President of the United States were elected. For political  
3 subdivisions, the number of primary electors shall be  
4 determined by taking the total vote cast for the candidate for  
5 that political party who received the highest number of votes  
6 in the political subdivision at the last regular election at  
7 which an officer was regularly scheduled to be elected from  
8 that subdivision. For wards or districts of political  
9 subdivisions, the number of primary electors shall be  
10 determined by taking the total vote cast for the candidate for  
11 that political party who received the highest number of votes  
12 in the ward or district at the last regular election at which  
13 an officer was regularly scheduled to be elected from that  
14 ward or district.

15 A "qualified primary elector" of a party may not sign  
16 petitions for or be a candidate in the primary of more than one  
17 party.

18 The changes made to this Section of this amendatory Act of  
19 the 93rd General Assembly are declarative of existing law,  
20 except for item (3) of subsection (d).

21 Petitions of candidates for nomination for offices herein  
22 specified, to be filed with the same officer, may contain the  
23 names of 2 or more candidates of the same political party for  
24 the same or different offices. In the case of the offices of  
25 Governor and Lieutenant Governor, a joint petition including  
26 one candidate for each of those offices must be filed.

1 (Source: P.A. 100-1027, eff. 1-1-19.)

2 (10 ILCS 5/10-3) (from Ch. 46, par. 10-3)

3 Sec. 10-3. Nomination of independent candidates (not  
4 candidates of any political party), for any office to be  
5 filled by the voters of the State at large may also be made by  
6 nomination papers signed in the aggregate for each candidate  
7 by 1% of the number of voters who voted in the next preceding  
8 Statewide general election or 25,000 qualified voters of the  
9 State, whichever is less. Nominations of independent  
10 candidates for public office within any district or political  
11 subdivision less than the State, may be made by nomination  
12 papers signed in the aggregate for each candidate by qualified  
13 voters of such district, or political subdivision, equaling  
14 not less than 5%, nor more than 8% (or 50 more than the  
15 minimum, whichever is greater) of the number of persons, who  
16 voted at the next preceding regular election in such district  
17 or political subdivision in which such district or political  
18 subdivision voted as a unit for the election of officers to  
19 serve its respective territorial area. However, whenever the  
20 minimum signature requirement for an independent candidate  
21 petition for a district or political subdivision office shall  
22 exceed the minimum number of signatures for an independent  
23 candidate petition for an office to be filled by the voters of  
24 the State at large at the next preceding State-wide general  
25 election, such State-wide petition signature requirement shall



1 be the minimum for an independent candidate petition for such  
2 district or political subdivision office. For the first  
3 election following a redistricting of congressional districts,  
4 nomination papers for an independent candidate for congressman  
5 shall be signed by at least 5,000 qualified voters of the  
6 congressional district. For the first election following a  
7 redistricting of legislative districts, nomination papers for  
8 an independent candidate for State Senator in the General  
9 Assembly shall be signed by at least 3,000 qualified voters of  
10 the legislative district. For the first election following a  
11 redistricting of representative districts, nomination papers  
12 for an independent candidate for State Representative in the  
13 General Assembly shall be signed by at least 1,500 qualified  
14 voters of the representative district. For the first election  
15 following redistricting of county board districts, or of  
16 municipal wards or districts, or for the first election  
17 following the initial establishment of such districts or wards  
18 in a county or municipality, nomination papers for an  
19 independent candidate for county board member, or for alder  
20 ~~alderman~~ or trustee of such municipality, shall be signed by  
21 qualified voters of the district or ward equal to not less than  
22 5% nor more than 8% (or 50 more than the minimum, whichever is  
23 greater) of the total number of votes cast at the preceding  
24 general or general municipal election, as the case may be, for  
25 the county or municipal office voted on throughout such county  
26 or municipality for which the greatest total number of votes

1 were cast for all candidates, divided by the number of  
2 districts or wards, but in any event not less than 25 qualified  
3 voters of the district or ward. Each voter signing a  
4 nomination paper shall add to his signature his place of  
5 residence, and each voter may subscribe to one nomination for  
6 such office to be filled, and no more: Provided that the name  
7 of any candidate whose name may appear in any other place upon  
8 the ballot shall not be so added by petition for the same  
9 office.

10 The person circulating the petition, or the candidate on  
11 whose behalf the petition is circulated, may strike any  
12 signature from the petition, provided that;

13 (1) the person striking the signature shall initial  
14 the petition at the place where the signature is struck;  
15 and

16 (2) the person striking the signature shall sign a  
17 certification listing the page number and line number of  
18 each signature struck from the petition. Such  
19 certification shall be filed as a part of the petition.

20 (3) the persons striking signatures from the petition  
21 shall each sign an additional certificate specifying the  
22 number of certification pages listing stricken signatures  
23 which are attached to the petition and the page numbers  
24 indicated on such certifications. The certificate shall be  
25 filed as a part of the petition, shall be numbered, and  
26 shall be attached immediately following the last page of

1 voters' signatures and before the certifications of  
2 stricken signatures.

3 (4) all of the foregoing requirements shall be  
4 necessary to effect a valid striking of any signature. The  
5 provisions of this Section authorizing the striking of  
6 signatures shall not impose any criminal liability on any  
7 person so authorized for signatures which may be  
8 fraudulent.

9 In the case of the offices of Governor and Lieutenant  
10 Governor a joint petition including one candidate for each of  
11 those offices must be filed.

12 A candidate for whom a nomination paper has been filed as a  
13 partisan candidate at a primary election, and who is defeated  
14 for his or her nomination at the primary election, is  
15 ineligible to be placed on the ballot as an independent  
16 candidate for election in that general or consolidated  
17 election.

18 A candidate seeking election to an office for which  
19 candidates of political parties are nominated by caucus who is  
20 a participant in the caucus and who is defeated for his or her  
21 nomination at such caucus, is ineligible to be listed on the  
22 ballot at that general or consolidated election as an  
23 independent candidate.

24 (Source: P.A. 95-699, eff. 11-9-07.)

25 (10 ILCS 5/23-6.1) (from Ch. 46, par. 23-6.1)

1           Sec. 23-6.1. Whenever an election contest for a municipal  
2 trustee or alder ~~alderman~~ is brought involving ballots from  
3 the same precincts which are subject to the jurisdiction of  
4 the circuit court by virtue of the pendency of an election  
5 contest for another office, the municipal council or board of  
6 trustees having jurisdiction of the municipal election contest  
7 shall have priority of access and possession of the ballots  
8 and other election materials for the purpose of conducting a  
9 recount or other related proceedings for a period of 30 days  
10 following the commencement of the municipal election contest.  
11 The election authority shall notify the court and the  
12 municipal council or board of the pendency of all other  
13 contests relating to the same precincts.

14       (Source: P.A. 90-655, eff. 7-30-98.)

15           Section 10. The Illinois Pension Code is amended by  
16 changing Sections 6-230, 7-109, 8-113, 8-232, 8-243, and  
17 8-243.2 as follows:

18           (40 ILCS 5/6-230)

19           Sec. 6-230. Participation by an alder ~~alderman~~ or member  
20 of city council.

21           (a) A person shall be a member under this Article if he or  
22 she (1) is or was employed and receiving a salary as a fireman  
23 under item (a) of Section 6-106, (2) has at least 5 years of  
24 service under this Article, (3) is employed in a position

1 covered under Section 8-243, (4) made an election under  
2 Article 8 to not receive service credit or be a participant  
3 under that Article, and (5) made an election to participate  
4 under this Article.

5 (b) For the purposes of determining employee and employer  
6 contributions under this Article, the employee and employer  
7 shall be responsible for any and all contributions otherwise  
8 required if the person was employed and receiving salary as a  
9 fireman under item (a) of Section 6-106.

10 (Source: P.A. 100-1144, eff. 11-28-18.)

11 (40 ILCS 5/7-109) (from Ch. 108 1/2, par. 7-109)  
12 Sec. 7-109. Employee.

13 (1) "Employee" means any person who:

14 (a) 1. Receives earnings as payment for the  
15 performance of personal services or official duties out of  
16 the general fund of a municipality, or out of any special  
17 fund or funds controlled by a municipality, or by an  
18 instrumentality thereof, or a participating  
19 instrumentality, including, in counties, the fees or  
20 earnings of any county fee office; and

21 2. Under the usual common law rules applicable in  
22 determining the employer-employee relationship, has the  
23 status of an employee with a municipality, or any  
24 instrumentality thereof, or a participating  
25 instrumentality, including alders ~~aldermen~~, county

1 supervisors and other persons (excepting those employed as  
2 independent contractors) who are paid compensation, fees,  
3 allowances or other emolument for official duties, and, in  
4 counties, the several county fee offices.

5 (b) Serves as a township treasurer appointed under the  
6 School Code, as heretofore or hereafter amended, and who  
7 receives for such services regular compensation as  
8 distinguished from per diem compensation, and any regular  
9 employee in the office of any township treasurer whether  
10 or not his earnings are paid from the income of the  
11 permanent township fund or from funds subject to  
12 distribution to the several school districts and parts of  
13 school districts as provided in the School Code, or from  
14 both such sources; or is the chief executive officer,  
15 chief educational officer, chief fiscal officer, or other  
16 employee of a Financial Oversight Panel established  
17 pursuant to Article 1H of the School Code, other than a  
18 superintendent or certified school business official,  
19 except that such person shall not be treated as an  
20 employee under this Section if that person has negotiated  
21 with the Financial Oversight Panel, in conjunction with  
22 the school district, a contractual agreement for exclusion  
23 from this Section.

24 (c) Holds an elective office in a municipality,  
25 instrumentality thereof or participating instrumentality.

26 (2) "Employee" does not include persons who:

1           (a) Are eligible for inclusion under any of the  
2 following laws:

3           1. "An Act in relation to an Illinois State  
4 Teachers' Pension and Retirement Fund", approved May  
5 27, 1915, as amended;

6           2. Articles 15 and 16 of this Code.

7           However, such persons shall be included as employees  
8 to the extent of earnings that are not eligible for  
9 inclusion under the foregoing laws for services not of an  
10 instructional nature of any kind.

11           However, any member of the armed forces who is  
12 employed as a teacher of subjects in the Reserve Officers  
13 Training Corps of any school and who is not certified  
14 under the law governing the certification of teachers  
15 shall be included as an employee.

16           (b) Are designated by the governing body of a  
17 municipality in which a pension fund is required by law to  
18 be established for policemen or firemen, respectively, as  
19 performing police or fire protection duties, except that  
20 when such persons are the heads of the police or fire  
21 department and are not eligible to be included within any  
22 such pension fund, they shall be included within this  
23 Article; provided, that such persons shall not be excluded  
24 to the extent of concurrent service and earnings not  
25 designated as being for police or fire protection duties.  
26           However, (i) any head of a police department who was a

1 participant under this Article immediately before October  
2 1, 1977 and did not elect, under Section 3-109 of this Act,  
3 to participate in a police pension fund shall be an  
4 "employee", and (ii) any chief of police who became a  
5 participating employee under this Article before January  
6 1, 2019 and who elects to participate in this Fund under  
7 Section 3-109.1 of this Code, regardless of whether such  
8 person continues to be employed as chief of police or is  
9 employed in some other rank or capacity within the police  
10 department, shall be an employee under this Article for so  
11 long as such person is employed to perform police duties  
12 by a participating municipality and has not lawfully  
13 rescinded that election.

14 (b-5) Were not participating employees under this  
15 Article before the effective date of this amendatory Act  
16 of the 100th General Assembly and participated as a chief  
17 of police in a fund under Article 3 and return to work in  
18 any capacity with the police department, with any  
19 oversight of the police department, or in an advisory  
20 capacity for the police department with the same  
21 municipality with which that pension was earned,  
22 regardless of whether they are considered an employee of  
23 the police department or are eligible for inclusion in the  
24 municipality's Article 3 fund.

25 (c) Are contributors to or eligible to contribute to a  
26 Taft-Hartley pension plan to which the participating



1 municipality is required to contribute as the person's  
2 employer based on earnings from the municipality. Nothing  
3 in this paragraph shall affect service credit or  
4 creditable service for any period of service prior to the  
5 effective date of this amendatory Act of the 98th General  
6 Assembly, and this paragraph shall not apply to  
7 individuals who are participating in the Fund prior to the  
8 effective date of this amendatory Act of the 98th General  
9 Assembly.

10 (d) Become an employee of any of the following  
11 participating instrumentalities on or after the effective  
12 date of this amendatory Act of the 99th General Assembly:  
13 the Illinois Municipal League; the Illinois Association of  
14 Park Districts; the Illinois Supervisors, County  
15 Commissioners and Superintendents of Highways Association;  
16 an association, or not-for-profit corporation, membership  
17 in which is authorized under Section 85-15 of the Township  
18 Code; the United Counties Council; or the Will County  
19 Governmental League.

20 (3) All persons, including, without limitation, public  
21 defenders and probation officers, who receive earnings from  
22 general or special funds of a county for performance of  
23 personal services or official duties within the territorial  
24 limits of the county, are employees of the county (unless  
25 excluded by subsection (2) of this Section) notwithstanding  
26 that they may be appointed by and are subject to the direction

1 of a person or persons other than a county board or a county  
2 officer. It is hereby established that an employer-employee  
3 relationship under the usual common law rules exists between  
4 such employees and the county paying their salaries by reason  
5 of the fact that the county boards fix their rates of  
6 compensation, appropriate funds for payment of their earnings  
7 and otherwise exercise control over them. This finding and  
8 this amendatory Act shall apply to all such employees from the  
9 date of appointment whether such date is prior to or after the  
10 effective date of this amendatory Act and is intended to  
11 clarify existing law pertaining to their status as  
12 participating employees in the Fund.

13 (Source: P.A. 99-830, eff. 1-1-17; 100-281, eff. 8-24-17;  
14 100-1097, eff. 8-26-18.)

15 (40 ILCS 5/8-113) (from Ch. 108 1/2, par. 8-113)

16 Sec. 8-113. Municipal employee, employee, contributor, or  
17 participant. "Municipal employee", "employee", "contributor",  
18 or "participant":

19 (a) Any employee of an employer employed in the classified  
20 civil service thereof other than by temporary appointment or  
21 in a position excluded or exempt from the classified service  
22 by the Civil Service Act, or in the case of a city operating  
23 under a personnel ordinance, any employee of an employer  
24 employed in the classified or career service under the  
25 provisions of a personnel ordinance, other than in a

1 provisional or exempt position as specified in such ordinance  
2 or in rules and regulations formulated thereunder.

3 (b) Any employee in the service of an employer before the  
4 Civil Service Act came in effect for the employer.

5 (c) Any person employed by the board.

6 (d) Any person employed after December 31, 1949, but prior  
7 to January 1, 1984, in the service of the employer by temporary  
8 appointment or in a position exempt from the classified  
9 service as set forth in the Civil Service Act, or in a  
10 provisional or exempt position as specified in the personnel  
11 ordinance, who meets the following qualifications:

12 (1) has rendered service during not less than 12  
13 calendar months to an employer as an employee, officer, or  
14 official, 4 months of which must have been consecutive  
15 full normal working months of service rendered immediately  
16 prior to filing application to be included; and

17 (2) files written application with the board, while in  
18 the service, to be included hereunder.

19 (e) After December 31, 1949, any alder ~~alderman~~ or other  
20 officer or official of the employer, who files, while in  
21 office, written application with the board to be included  
22 hereunder.

23 (f) Beginning January 1, 1984, any person employed by an  
24 employer other than the Chicago Housing Authority or the  
25 Public Building Commission of the city, whether or not such  
26 person is serving by temporary appointment or in a position

1 exempt from the classified service as set forth in the Civil  
2 Service Act, or in a provisional or exempt position as  
3 specified in the personnel ordinance, provided that such  
4 person is neither (1) an alder ~~alderman~~ or other officer or  
5 official of the employer, nor (2) participating, on the basis  
6 of such employment, in any other pension fund or retirement  
7 system established under this Act.

8 (g) After December 31, 1959, any person employed in the  
9 law department of the city, or municipal court or Board of  
10 Election Commissioners of the city, who was a contributor and  
11 participant, on December 31, 1959, in the annuity and benefit  
12 fund in operation in the city on said date, by virtue of the  
13 Court and Law Department Employees' Annuity Act or the Board  
14 of Election Commissioners Employees' Annuity Act.

15 After December 31, 1959, the foregoing definition includes  
16 any other person employed or to be employed in the law  
17 department, or municipal court (other than as a judge), or  
18 Board of Election Commissioners (if his salary is provided by  
19 appropriation of the city council of the city and his salary  
20 paid by the city) -- subject, however, in the case of such  
21 persons not participants on December 31, 1959, to compliance  
22 with the same qualifications and restrictions otherwise set  
23 forth in this Section and made generally applicable to  
24 employees or officers of the city concerning eligibility for  
25 participation or membership.

26 Notwithstanding any other provision in this Section, any

1 person who first becomes employed in the law department of the  
2 city on or after the effective date of this amendatory Act of  
3 the 100th General Assembly shall be included within the  
4 foregoing definition, effective upon the date the person first  
5 becomes so employed, regardless of the nature of the  
6 appointment the person holds under the provisions of a  
7 personnel ordinance.

8 (h) After December 31, 1965, any person employed in the  
9 public library of the city -- and any other person -- who was a  
10 contributor and participant, on December 31, 1965, in the  
11 pension fund in operation in the city on said date, by virtue  
12 of the Public Library Employees' Pension Act.

13 (i) After December 31, 1968, any person employed in the  
14 house of correction of the city, who was a contributor and  
15 participant, on December 31, 1968, in the pension fund in  
16 operation in the city on said date, by virtue of the House of  
17 Correction Employees' Pension Act.

18 (j) Any person employed full-time on or after the  
19 effective date of this amendatory Act of the 92nd General  
20 Assembly by the Chicago Housing Authority who has elected to  
21 participate in this Fund as provided in subsection (a) of  
22 Section 8-230.9.

23 (k) Any person employed full-time by the Public Building  
24 Commission of the city who has elected to participate in this  
25 Fund as provided in subsection (d) of Section 8-230.7.

26 (Source: P.A. 100-23, eff. 7-6-17.)

1 (40 ILCS 5/8-232) (from Ch. 108 1/2, par. 8-232)

2 Sec. 8-232. Basis of service credit.

3 (a) In computing the period of service of any employee for  
4 the minimum annuity under Section 8-138, the following  
5 provisions shall govern:

6 (1) All periods prior to the effective date shall be  
7 computed in accordance with the provisions of Section  
8 8-226, except for a re-entrant or future entrant who was  
9 not in service on the day before the effective date.

10 (2) Service subsequent to the day before the effective  
11 date, shall include: the actual period of time the  
12 employee performs the duties of his position and makes  
13 required contributions or performs such duties and is  
14 given a city contribution for age and service annuity  
15 purposes; leaves of absence from duty, or vacation, for  
16 which an employee receives all or part of his salary;  
17 periods included under item (c) of Section 8-226; periods  
18 during which the employee is temporarily assigned to  
19 another position in the service and permitted to make  
20 contributions to the fund; periods during which the  
21 employee has had contributions for annuity purposes made  
22 for him in accordance with law while on military leave of  
23 absence during World War II; periods during which the  
24 employee receives disability benefit under this Article,  
25 or a temporary total disability benefit under the Workers'

1 Compensation Act if the disability results from a  
2 condition commonly termed heart attack or stroke or any  
3 other condition falling within the broad field of coronary  
4 involvement or heart disease;

5 (3) Service during 6 or more months in any year shall  
6 constitute a year of service, and service of less than 6  
7 months but at least 1 month in any year shall constitute a  
8 half year of service. However the right to have certain  
9 periods of time considered as service as stated in  
10 paragraph 2 of Section 8-168 or in Section 8-243 relating  
11 to service as Alder ~~Alderman~~ shall not apply for minimum  
12 annuity purposes under Section 8-138 of this Article.

13 (b) For all other purposes of this Article, the following  
14 schedule shall govern the computation of service of an  
15 employee whose salary or wages is on the basis stated, and any  
16 fractional part of a year of service shall be determined  
17 according to said schedule:

18 Annual or Monthly basis: Service during 4 months in any 1  
19 calendar year shall constitute a year of service.

20 Weekly basis: Service during any week shall constitute a  
21 week of service and service during any 17 weeks in any 1  
22 calendar year shall constitute a year of service.

23 Daily basis: Service during any day shall constitute a day  
24 of service and service during 100 days in any 1 calendar year  
25 shall constitute a year of service.

26 Hourly basis: Service during any hour shall constitute an

1 hour of service and service during 700 hours in any 1 calendar  
2 year shall constitute a year of service.

3 (Source: P.A. 85-964; 86-1488.)

4 (40 ILCS 5/8-243) (from Ch. 108 1/2, par. 8-243)

5 Sec. 8-243. Service as alder ~~alderman~~ or member of city  
6 council. Whenever any person has served or hereafter serves as  
7 a duly elected alder ~~alderman~~ or member of the city council of  
8 any city of more than 500,000 inhabitants and is or hereafter  
9 becomes a contributing participant in any pension fund or any  
10 annuity and benefit fund in existence in such city by  
11 operation of law, the period of service as such alder ~~alderman~~  
12 or member of the city council shall be counted as a period of  
13 service in computing any annuity or pension which such person  
14 may become entitled to receive from such fund upon separation  
15 from the service, except as ruled out for minimum annuity  
16 purposes in Section 8-232(a)(3).

17 (Source: Laws 1963, p. 161.)

18 (40 ILCS 5/8-243.2) (from Ch. 108 1/2, par. 8-243.2)

19 Sec. 8-243.2. Alternative annuity for city officers.

20 (a) For the purposes of this Section and Sections 8-243.1  
21 and 8-243.3, "city officer" means the city clerk, the city  
22 treasurer, or an alder ~~alderman~~ of the city elected by vote of  
23 the people, while serving in that capacity or as provided in  
24 subsection (f), who has elected to participate in the Fund.



1           (b) Any elected city officer, while serving in that  
2 capacity or as provided in subsection (f), may elect to  
3 establish alternative credits for an alternative annuity by  
4 electing in writing to make additional optional contributions  
5 in accordance with this Section and the procedures established  
6 by the board. Such elected city officer may discontinue making  
7 the additional optional contributions by notifying the Fund in  
8 writing in accordance with this Section and procedures  
9 established by the board.

10           Additional optional contributions for the alternative  
11 annuity shall be as follows:

12           (1) For service after the option is elected, an  
13 additional contribution of 3% of salary shall be  
14 contributed to the Fund on the same basis and under the  
15 same conditions as contributions required under Sections  
16 8-174 and 8-182.

17           (2) For service before the option is elected, an  
18 additional contribution of 3% of the salary for the  
19 applicable period of service, plus interest at the  
20 effective rate from the date of service to the date of  
21 payment. All payments for past service must be paid in  
22 full before credit is given. No additional optional  
23 contributions may be made for any period of service for  
24 which credit has been previously forfeited by acceptance  
25 of a refund, unless the refund is repaid in full with  
26 interest at the effective rate from the date of refund to

1           the date of repayment.

2           (c) In lieu of the retirement annuity otherwise payable  
3 under this Article, any city officer elected by vote of the  
4 people who (1) has elected to participate in the Fund and make  
5 additional optional contributions in accordance with this  
6 Section, and (2) has attained age 55 with at least 10 years of  
7 service credit, or has attained age 60 with at least 8 years of  
8 service credit, may elect to have his retirement annuity  
9 computed as follows: 3% of the participant's salary at the  
10 time of termination of service for each of the first 8 years of  
11 service credit, plus 4% of such salary for each of the next 4  
12 years of service credit, plus 5% of such salary for each year  
13 of service credit in excess of 12 years, subject to a maximum  
14 of 80% of such salary. To the extent such elected city officer  
15 has made additional optional contributions with respect to  
16 only a portion of his years of service credit, his retirement  
17 annuity will first be determined in accordance with this  
18 Section to the extent such additional optional contributions  
19 were made, and then in accordance with the remaining Sections  
20 of this Article to the extent of years of service credit with  
21 respect to which additional optional contributions were not  
22 made.

23           (d) In lieu of the disability benefits otherwise payable  
24 under this Article, any city officer elected by vote of the  
25 people who (1) has elected to participate in the Fund, and (2)  
26 has become permanently disabled and as a consequence is unable

1 to perform the duties of his office, and (3) was making  
2 optional contributions in accordance with this Section at the  
3 time the disability was incurred, may elect to receive a  
4 disability annuity calculated in accordance with the formula  
5 in subsection (c). For the purposes of this subsection, such  
6 elected city officer shall be considered permanently disabled  
7 only if: (i) disability occurs while in service as an elected  
8 city officer and is of such a nature as to prevent him from  
9 reasonably performing the duties of his office at the time;  
10 and (ii) the board has received a written certification by at  
11 least 2 licensed physicians appointed by it stating that such  
12 officer is disabled and that the disability is likely to be  
13 permanent.

14 (e) Refunds of additional optional contributions shall be  
15 made on the same basis and under the same conditions as  
16 provided under Sections 8-168, 8-170 and 8-171. Interest shall  
17 be credited at the effective rate on the same basis and under  
18 the same conditions as for other contributions. Optional  
19 contributions shall be accounted for in a separate Elected  
20 City Officer Optional Contribution Reserve. Optional  
21 contributions under this Section shall be included in the  
22 amount of employee contributions used to compute the tax levy  
23 under Section 8-173.

24 (f) The effective date of this plan of optional  
25 alternative benefits and contributions shall be July 1, 1990,  
26 or the date upon which approval is received from the U.S.

1 Internal Revenue Service, whichever is later.

2 The plan of optional alternative benefits and  
3 contributions shall not be available to any former city  
4 officer or employee receiving an annuity from the Fund on the  
5 effective date of the plan, unless he re-enters service as an  
6 elected city officer and renders at least 3 years of  
7 additional service after the date of re-entry. However, a  
8 person who holds office as a city officer on June 1, 1995 may  
9 elect to participate in the plan, to transfer credits into the  
10 Fund from other Articles of this Code, and to make the  
11 contributions required for prior service, until 30 days after  
12 the effective date of this amendatory Act of the 92nd General  
13 Assembly, notwithstanding the ending of his term of office  
14 prior to that effective date; in the event that the person is  
15 already receiving an annuity from this Fund or any other  
16 Article of this Code at the time of making this election, the  
17 annuity shall be recalculated to include any increase  
18 resulting from participation in the plan, with such increase  
19 taking effect on the effective date of the election.

20 (g) Notwithstanding any other provision in this Section or  
21 in this Code to the contrary, any person who first becomes a  
22 city officer, as defined in this Section, on or after the  
23 effective date of this amendatory Act of the 100th General  
24 Assembly, shall not be eligible for the alternative annuity or  
25 alternative disability benefits as provided in subsections  
26 (a), (b), (c), and (d) of this Section or for the alternative

1 survivor's benefits as provided in Section 8-243.3. Such  
2 person shall not be eligible, or be required, to make any  
3 additional contributions beyond those required of other  
4 participants under Sections 8-137, 8-174, and 8-182. The  
5 retirement annuity, disability benefits, and survivor's  
6 benefits for a person who first becomes a city officer on or  
7 after the effective date of this amendatory Act of the 100th  
8 General Assembly shall be determined pursuant to the  
9 provisions otherwise provided in this Article.

10 (Source: P.A. 100-23, eff. 7-6-17.)

11 Section 15. The Public Officer Prohibited Activities Act  
12 is amended by changing Sections 1.3, 2, and 4 as follows:

13 (50 ILCS 105/1.3)

14 Sec. 1.3. Municipal board member; education office. In a  
15 city, village, or incorporated town with fewer than 2,500  
16 inhabitants, an alder ~~alderman~~ of the city or a member of the  
17 board of trustees of a village or incorporated town, during  
18 the term of office for which he or she is elected, may also  
19 hold the office of member of the board of education, regional  
20 board of school trustees, board of school directors, or board  
21 of school inspectors.

22 (Source: P.A. 91-161, eff. 7-16-99.)

23 (50 ILCS 105/2) (from Ch. 102, par. 2)

1           Sec. 2. No alder ~~alderman~~ of any city, or member of the  
2 board of trustees of any village, during the term of office for  
3 which he or she is elected, may accept, be appointed to, or  
4 hold any office by the appointment of the mayor or president of  
5 the board of trustees, unless the alder ~~alderman~~ or board  
6 member is granted a leave of absence from such office, or  
7 unless he or she first resigns from the office of alder  
8 ~~alderman~~ or member of the board of trustees, or unless the  
9 holding of another office is authorized by law. The alder  
10 ~~alderman~~ or board member may, however, serve as a volunteer  
11 fireman and receive compensation for that service. The alder  
12 ~~alderman~~ may also serve as a commissioner of the Beardstown  
13 Regional Flood Prevention District board. Any appointment in  
14 violation of this Section is void. Nothing in this Act shall be  
15 construed to prohibit an elected municipal official from  
16 holding elected office in another unit of local government as  
17 long as there is no contractual relationship between the  
18 municipality and the other unit of local government. This  
19 amendatory Act of 1995 is declarative of existing law and is  
20 not a new enactment.

21       (Source: P.A. 97-309, eff. 8-11-11.)

22           (50 ILCS 105/4) (from Ch. 102, par. 4)

23           Sec. 4. Any alder ~~alderman~~, member of a board of trustees,  
24 supervisor or county commissioner, or other person holding any  
25 office, either by election or appointment under the laws or

1 constitution of this state, who violates any provision of the  
2 preceding sections, is guilty of a Class 4 felony and in  
3 addition thereto, any office or official position held by any  
4 person so convicted shall become vacant, and shall be so  
5 declared as part of the judgment of court. This Section does  
6 not apply to a violation of subsection (b) of Section 2a.

7 (Source: P.A. 100-868, eff. 1-1-19.)

8 Section 20. The Counties Code is amended by changing  
9 Section 3-14036 as follows:

10 (55 ILCS 5/3-14036) (from Ch. 34, par. 3-14036)

11 Sec. 3-14036. Payments of political contributions to  
12 public officers prohibited. No officer or employee in the  
13 classified civil service of said county, or named in Section  
14 3-14022, shall directly or indirectly, give or hand over to  
15 any officer or employee, or to any senator or representative  
16 or alder ~~alderman~~, councilman, or commissioner, any money or  
17 other valuable thing on account of or to be applied to the  
18 promotion of any party or political object whatever.

19 (Source: P.A. 86-976.)

20 Section 25. The Illinois Municipal Code is amended by  
21 changing Sections 1-1-2, 2-2-9, 3.1-10-5, 3.1-10-30,  
22 3.1-10-50, 3.1-10-51, 3.1-10-60, 3.1-10-65, 3.1-10-75,  
23 3.1-15-5, 3.1-15-15, 3.1-15-25, 3.1-15-30, 3.1-15-35,

1 3.1-15-40, 3.1-20-10, 3.1-20-15, 3.1-20-20, 3.1-20-22,  
2 3.1-20-25, 3.1-20-30, 3.1-20-35, 3.1-20-40, 3.1-20-45,  
3 3.1-25-70, 3.1-25-75, 3.1-35-35, 3.1-40-5, 3.1-40-10,  
4 3.1-40-15, 3.1-40-25, 3.1-40-30, 3.1-40-35, 3.1-40-40,  
5 3.1-40-50, 3.1-40-55, 3.1-45-5, 3.1-45-15, 3.1-55-5, 4-1-2,  
6 4-10-1, 5-1-4, 5-2-1, 5-2-2, 5-2-3, 5-2-3.1, 5-2-4, 5-2-5,  
7 5-2-7, 5-2-8, 5-2-11, 5-2-12, 5-2-17, 5-2-18, 5-2-18.1,  
8 5-2-18.2, 5-2-18.7, 5-2-19, 5-3-1, 5-3-3, 5-3-4, 5-3-5, 5-3-7,  
9 5-3-8, 5-4-1, 5-4-3, 5-5-1, 5-5-5, 6-3-2, 6-3-3, 6-3-4, 6-3-5,  
10 6-3-6, 6-3-7, 6-3-8, 6-3-9, 6-3-10, 6-4-3, 6-4-4, 6-5-1,  
11 7-1-15, 7-1-39, 7-1-42, 7-2-1, 7-2-19, 7-2-28, 8-9-1, 10-1-30,  
12 10-3-5, 11-13-1.1, 11-13-10, 11-13-14, 11-13-14.1, 11-80-5,  
13 11-91-1, and 11-101-2 as follows:

14 (65 ILCS 5/1-1-2) (from Ch. 24, par. 1-1-2)

15 Sec. 1-1-2. Definitions. In this Code:

16 (1) "Municipal" or "municipality" means a city, village,  
17 or incorporated town in the State of Illinois, but, unless the  
18 context otherwise provides, "municipal" or "municipality" does  
19 not include a township, town when used as the equivalent of a  
20 township, incorporated town that has superseded a civil  
21 township, county, school district, park district, sanitary  
22 district, or any other similar governmental district. If  
23 "municipal" or "municipality" is given a different definition  
24 in any particular Division or Section of this Act, that  
25 definition shall control in that division or Section only.



1           (2) "Corporate authorities" means (a) the mayor and alders  
2 ~~aldermen~~ or similar body when the reference is to cities, (b)  
3 the president and trustees or similar body when the reference  
4 is to villages or incorporated towns, and (c) the council when  
5 the reference is to municipalities under the commission form  
6 of municipal government.

7           (3) "Electors" means persons qualified to vote for  
8 elective officers at municipal elections.

9           (4) "Person" means any individual, partnership,  
10 corporation, joint stock association, or the State of Illinois  
11 or any subdivision of the State; and includes any trustee,  
12 receiver, assignee, or personal representative of any of those  
13 entities.

14           (5) Except as otherwise provided by ordinance, "fiscal  
15 year" in all municipalities with fewer than 500,000  
16 inhabitants, and "municipal year" in all municipalities, means  
17 the period elapsing (a) between general municipal elections in  
18 succeeding calendar years, or (b) if general municipal  
19 elections are held biennially, then between a general  
20 municipal election and the same day of the same month of the  
21 following calendar year, and between that day and the next  
22 succeeding general municipal election, or (c) if general  
23 municipal elections are held quadrennially, then between a  
24 general municipal election and the same day of the same month  
25 of the following calendar year, and between that day and the  
26 same day of the same month of the next following calendar year,

1 and between the last mentioned day and the same day of the same  
2 month of the next following calendar year, and between the  
3 last mentioned day and the next succeeding general municipal  
4 election. The fiscal year of each municipality with 500,000 or  
5 more inhabitants shall commence on January 1.

6 (6) Where reference is made to a county within which a  
7 municipality, district, area, or territory is situated, the  
8 reference is to the county within which is situated the major  
9 part of the area of that municipality, district, area, or  
10 territory, in case the municipality, district, area, or  
11 territory is situated in 2 or more counties.

12 (7) Where reference is made for any purpose to any other  
13 Act, either specifically or generally, the reference shall be  
14 to that Act and to all amendments to that Act now in force or  
15 that may be hereafter enacted.

16 (8) Wherever the words "city council", "alders ~~aldermen~~",  
17 "commissioners", or "mayor" occur, the provisions containing  
18 these words shall apply to the board of trustees, trustees,  
19 and president, respectively, of villages and incorporated  
20 towns and councilmen in cities, so far as those provisions are  
21 applicable to them.

22 (9) The terms "special charter" and "special Act" are  
23 synonymous.

24 (10) "General municipal election" means the biennial  
25 regularly scheduled election for the election of officers of  
26 cities, villages, and incorporated towns, as prescribed by the

1 general election law; in the case of municipalities that elect  
2 officers annually, "general municipal election" means each  
3 regularly scheduled election for the election of officers of  
4 cities, villages, and incorporated towns.

5 (Source: P.A. 87-1119.)

6 (65 ILCS 5/2-2-9) (from Ch. 24, par. 2-2-9)

7 Sec. 2-2-9. The election for city officers in any  
8 incorporated town or village which has voted to incorporate as  
9 a city shall be held at the time of the next regularly  
10 scheduled election for officers, in accordance with the  
11 general election law. The corporate authorities of such  
12 incorporated town or village shall cause the result to be  
13 entered upon the records of the city. Alders ~~Aldermen~~ may be  
14 elected on a general ticket at the election.

15 (Source: P.A. 81-1490.)

16 (65 ILCS 5/3.1-10-5) (from Ch. 24, par. 3.1-10-5)

17 Sec. 3.1-10-5. Qualifications; elective office.

18 (a) A person is not eligible for an elective municipal  
19 office unless that person is a qualified elector of the  
20 municipality and has resided in the municipality at least one  
21 year next preceding the election or appointment, except as  
22 provided in Section 3.1-20-25, subsection (b) of Section  
23 3.1-25-75, Section 5-2-2, or Section 5-2-11.

24 (b) A person is not eligible to take the oath of office for

1 a municipal office if that person is, at the time required for  
2 taking the oath of office, in arrears in the payment of a tax  
3 or other indebtedness due to the municipality or has been  
4 convicted in any court located in the United States of any  
5 infamous crime, bribery, perjury, or other felony.

6 (b-5) (Blank).

7 (c) A person is not eligible for the office of alder  
8 ~~alderman~~ of a ward unless that person has resided in the ward  
9 that the person seeks to represent, and a person is not  
10 eligible for the office of trustee of a district unless that  
11 person has resided in the municipality, at least one year next  
12 preceding the election or appointment, except as provided in  
13 Section 3.1-20-25, subsection (b) of Section 3.1-25-75,  
14 Section 5-2-2, or Section 5-2-11.

15 (d) If a person (i) is a resident of a municipality  
16 immediately prior to the active duty military service of that  
17 person or that person's spouse, (ii) resides anywhere outside  
18 of the municipality during that active duty military service,  
19 and (iii) immediately upon completion of that active duty  
20 military service is again a resident of the municipality, then  
21 the time during which the person resides outside the  
22 municipality during the active duty military service is deemed  
23 to be time during which the person is a resident of the  
24 municipality for purposes of determining the residency  
25 requirement under subsection (a).

26 (Source: P.A. 98-115, eff. 7-29-13; 99-449, eff. 8-24-15.)

1 (65 ILCS 5/3.1-10-30) (from Ch. 24, par. 3.1-10-30)

2 Sec. 3.1-10-30. Bond. Before entering upon the duties of  
3 their respective offices, all municipal officers, except  
4 alders ~~aldermen~~ and trustees, shall execute a bond with  
5 security, to be approved by the corporate authorities. The  
6 bond shall be payable to the municipality in the penal sum  
7 directed by resolution or ordinance, conditioned upon the  
8 faithful performance of the duties of the office and the  
9 payment of all money received by the officer, according to law  
10 and the ordinances of that municipality. The bond may provide  
11 that the obligation of the sureties shall not extend to any  
12 loss sustained by the insolvency, failure, or closing of any  
13 bank or savings and loan association organized and operating  
14 either under the laws of the State of Illinois or the United  
15 States in which the officer has placed funds in the officer's  
16 custody, if the bank or savings and loan association has been  
17 approved by the corporate authorities as a depository for  
18 those funds. In no case, however, shall the mayor's bond be  
19 fixed at less than \$3,000. The treasurer's bond shall be an  
20 amount of money that is not less than 3 times the latest  
21 Federal census population or any subsequent census figure used  
22 for Motor Fuel Tax purposes. Bonds shall be filed with the  
23 municipal clerk, except the bond of the clerk, which shall be  
24 filed with the municipal treasurer.

25 (Source: P.A. 87-1119.)

1 (65 ILCS 5/3.1-10-50)

2 Sec. 3.1-10-50. Events upon which an elective office  
3 becomes vacant in municipality with population under 500,000.

4 (a) Vacancy by resignation. A resignation is not effective  
5 unless it is in writing, signed by the person holding the  
6 elective office, and notarized.

7 (1) Unconditional resignation. An unconditional  
8 resignation by a person holding the elective office may  
9 specify a future date, not later than 60 days after the  
10 date the resignation is received by the officer authorized  
11 to fill the vacancy, at which time it becomes operative,  
12 but the resignation may not be withdrawn after it is  
13 received by the officer authorized to fill the vacancy.  
14 The effective date of a resignation that does not specify  
15 a future date at which it becomes operative is the date the  
16 resignation is received by the officer authorized to fill  
17 the vacancy. The effective date of a resignation that has  
18 a specified future effective date is that specified future  
19 date or the date the resignation is received by the  
20 officer authorized to fill the vacancy, whichever date  
21 occurs later.

22 (2) Conditional resignation. A resignation that does  
23 not become effective unless a specified event occurs can  
24 be withdrawn at any time prior to the occurrence of the  
25 specified event, but if not withdrawn, the effective date

1 of the resignation is the date of the occurrence of the  
2 specified event or the date the resignation is received by  
3 the officer authorized to fill the vacancy, whichever date  
4 occurs later.

5 (3) Vacancy upon the effective date. For the purpose  
6 of determining the time period that would require an  
7 election to fill the vacancy by resignation or the  
8 commencement of the 60-day time period referred to in  
9 subsection (e), the resignation of an elected officer is  
10 deemed to have created a vacancy as of the effective date  
11 of the resignation.

12 (4) Duty of the clerk. If a resignation is delivered  
13 to the clerk of the municipality, the clerk shall forward  
14 a certified copy of the written resignation to the  
15 official who is authorized to fill the vacancy within 7  
16 business days after receipt of the resignation.

17 (b) Vacancy by death or disability. A vacancy occurs in an  
18 office by reason of the death of the incumbent. The date of the  
19 death may be established by the date shown on the death  
20 certificate. A vacancy occurs in an office by permanent  
21 physical or mental disability rendering the person incapable  
22 of performing the duties of the office. The corporate  
23 authorities have the authority to make the determination  
24 whether an officer is incapable of performing the duties of  
25 the office because of a permanent physical or mental  
26 disability. A finding of mental disability shall not be made

1 prior to the appointment by a court of a guardian ad litem for  
2 the officer or until a duly licensed doctor certifies, in  
3 writing, that the officer is mentally impaired to the extent  
4 that the officer is unable to effectively perform the duties  
5 of the office. If the corporate authorities find that an  
6 officer is incapable of performing the duties of the office  
7 due to permanent physical or mental disability, that person is  
8 removed from the office and the vacancy of the office occurs on  
9 the date of the determination.

10 (c) Vacancy by other causes.

11 (1) Abandonment and other causes. A vacancy occurs in  
12 an office by reason of abandonment of office; removal from  
13 office; or failure to qualify; or more than temporary  
14 removal of residence from the municipality; or in the case  
15 of an alder ~~alderman~~ of a ward or councilman or trustee of  
16 a district, more than temporary removal of residence from  
17 the ward or district, as the case may be. The corporate  
18 authorities have the authority to determine whether a  
19 vacancy under this subsection has occurred. If the  
20 corporate authorities determine that a vacancy exists, the  
21 office is deemed vacant as of the date of that  
22 determination for all purposes including the calculation  
23 under subsections (e), (f), and (g).

24 (2) Guilty of a criminal offense. An admission of  
25 guilt of a criminal offense that upon conviction would  
26 disqualify the municipal officer from holding the office,



1 in the form of a written agreement with State or federal  
2 prosecutors to plead guilty to a felony, bribery, perjury,  
3 or other infamous crime under State or federal law,  
4 constitutes a resignation from that office, effective on  
5 the date the plea agreement is made. For purposes of this  
6 Section, a conviction for an offense that disqualifies a  
7 municipal officer from holding that office occurs on the  
8 date of the return of a guilty verdict or, in the case of a  
9 trial by the court, on the entry of a finding of guilt.

10 (3) Election declared void. A vacancy occurs on the  
11 date of the decision of a competent tribunal declaring the  
12 election of the officer void.

13 (4) Owing a debt to the municipality. A vacancy occurs  
14 if a municipal official fails to pay a debt to a  
15 municipality in which the official has been elected or  
16 appointed to an elected position subject to the following:

17 (A) Before a vacancy may occur under this  
18 paragraph (4), the municipal clerk shall deliver, by  
19 personal service, a written notice to the municipal  
20 official that (i) the municipal official is in arrears  
21 of a debt to the municipality, (ii) that municipal  
22 official must either pay or contest the debt within 30  
23 days after receipt of the notice or the municipal  
24 official will be disqualified and his or her office  
25 vacated, and (iii) if the municipal official chooses  
26 to contest the debt, the municipal official must

1 provide written notice to the municipal clerk of the  
2 contesting of the debt. A copy of the notice, and the  
3 notice to contest, shall also be mailed by the  
4 municipal clerk to the appointed municipal attorney by  
5 certified mail. If the municipal clerk is the  
6 municipal official indebted to the municipality, the  
7 mayor or president of the municipality shall assume  
8 the duties of the municipal clerk required under this  
9 paragraph (4).

10 (B) In the event that the municipal official  
11 chooses to contest the debt, a hearing shall be held  
12 within 30 days of the municipal clerk's receipt of the  
13 written notice of contest from the municipal official.  
14 An appointed municipal hearing officer shall preside  
15 over the hearing, and shall hear testimony and accept  
16 evidence relevant to the existence of the debt owed by  
17 the municipal officer to the municipality.

18 (C) Upon the conclusion of the hearing, the  
19 hearing officer shall make a determination on the  
20 basis of the evidence presented as to whether or not  
21 the municipal official is in arrears of a debt to the  
22 municipality. The determination shall be in writing  
23 and shall be designated as findings, decision, and  
24 order. The findings, decision, and order shall  
25 include: (i) the hearing officer's findings of fact;  
26 (ii) a decision of whether or not the municipal

1 official is in arrears of a debt to the municipality  
2 based upon the findings of fact; and (iii) an order  
3 that either directs the municipal official to pay the  
4 debt within 30 days or be disqualified and his or her  
5 office vacated or dismisses the matter if a debt owed  
6 to the municipality is not proved. A copy of the  
7 hearing officer's written determination shall be  
8 served upon the municipal official in open proceedings  
9 before the hearing officer. If the municipal official  
10 does not appear for receipt of the written  
11 determination, the written determination shall be  
12 deemed to have been served on the municipal official  
13 on the date when a copy of the written determination is  
14 personally served on the municipal official or on the  
15 date when a copy of the written determination is  
16 deposited in the United States mail, postage prepaid,  
17 addressed to the municipal official at the address on  
18 record with the municipality.

19 (D) A municipal official aggrieved by the  
20 determination of a hearing officer may secure judicial  
21 review of such determination in the circuit court of  
22 the county in which the hearing was held. The  
23 municipal official seeking judicial review must file a  
24 petition with the clerk of the court and must serve a  
25 copy of the petition upon the municipality by  
26 registered or certified mail within 5 days after

1 service of the determination of the hearing officer.  
2 The petition shall contain a brief statement of the  
3 reasons why the determination of the hearing officer  
4 should be reversed. The municipal official shall file  
5 proof of service with the clerk of the court. No answer  
6 to the petition need be filed, but the municipality  
7 shall cause the record of proceedings before the  
8 hearing officer to be filed with the clerk of the court  
9 on or before the date of the hearing on the petition or  
10 as ordered by the court. The court shall set the matter  
11 for hearing to be held within 30 days after the filing  
12 of the petition and shall make its decision promptly  
13 after such hearing.

14 (E) If a municipal official chooses to pay the  
15 debt, or is ordered to pay the debt after the hearing,  
16 the municipal official must present proof of payment  
17 to the municipal clerk that the debt was paid in full,  
18 and, if applicable, within the required time period as  
19 ordered by a hearing officer or circuit court judge.

20 (F) A municipal official will be disqualified and  
21 his or her office vacated pursuant to this paragraph  
22 (4) on the later of the following times if the  
23 municipal official: (i) fails to pay or contest the  
24 debt within 30 days of the municipal official's  
25 receipt of the notice of the debt; (ii) fails to pay  
26 the debt within 30 days after being served with a

1 written determination under subparagraph (C) ordering  
2 the municipal official to pay the debt; or (iii) fails  
3 to pay the debt within 30 days after being served with  
4 a decision pursuant to subparagraph (D) upholding a  
5 hearing officer's determination that the municipal  
6 officer has failed to pay a debt owed to a  
7 municipality.

8 (G) For purposes of this paragraph, a "debt" shall  
9 mean an arrearage in a definitely ascertainable and  
10 quantifiable amount after service of written notice  
11 thereof, in the payment of any indebtedness due to the  
12 municipality, which has been adjudicated before a  
13 tribunal with jurisdiction over the matter. A  
14 municipal official is considered in arrears of a debt  
15 to a municipality if a debt is more than 30 days  
16 overdue from the date the debt was due.

17 (d) Election of an acting mayor or acting president. The  
18 election of an acting mayor or acting president pursuant to  
19 subsection (f) or (g) does not create a vacancy in the original  
20 office of the person on the city council or as a trustee, as  
21 the case may be, unless the person resigns from the original  
22 office following election as acting mayor or acting president.  
23 If the person resigns from the original office following  
24 election as acting mayor or acting president, then the  
25 original office must be filled pursuant to the terms of this  
26 Section and the acting mayor or acting president shall

1 exercise the powers of the mayor or president and shall vote  
2 and have veto power in the manner provided by law for a mayor  
3 or president. If the person does not resign from the original  
4 office following election as acting mayor or acting president,  
5 then the acting mayor or acting president shall exercise the  
6 powers of the mayor or president but shall be entitled to vote  
7 only in the manner provided for as the holder of the original  
8 office and shall not have the power to veto. If the person does  
9 not resign from the original office following election as  
10 acting mayor or acting president, and if that person's  
11 original term of office has not expired when a mayor or  
12 president is elected and has qualified for office, the acting  
13 mayor or acting-president shall return to the original office  
14 for the remainder of the term thereof.

15 (e) Appointment to fill alder ~~alderman~~ or trustee vacancy.  
16 An appointment by the mayor or president or acting mayor or  
17 acting president, as the case may be, of a qualified person as  
18 described in Section 3.1-10-5 of this Code to fill a vacancy in  
19 the office of alder ~~alderman~~ or trustee must be made within 60  
20 days after the vacancy occurs. Once the appointment of the  
21 qualified person has been forwarded to the corporate  
22 authorities, the corporate authorities shall act upon the  
23 appointment within 30 days. If the appointment fails to  
24 receive the advice and consent of the corporate authorities  
25 within 30 days, the mayor or president or acting mayor or  
26 acting president shall appoint and forward to the corporate

1 authorities a second qualified person as described in Section  
2 3.1-10-5. Once the appointment of the second qualified person  
3 has been forwarded to the corporate authorities, the corporate  
4 authorities shall act upon the appointment within 30 days. If  
5 the appointment of the second qualified person also fails to  
6 receive the advice and consent of the corporate authorities,  
7 then the mayor or president or acting mayor or acting  
8 president, without the advice and consent of the corporate  
9 authorities, may make a temporary appointment from those  
10 persons who were appointed but whose appointments failed to  
11 receive the advice and consent of the corporate authorities.  
12 The person receiving the temporary appointment shall serve  
13 until an appointment has received the advice and consent and  
14 the appointee has qualified or until a person has been elected  
15 and has qualified, whichever first occurs.

16 (f) Election to fill vacancies in municipal offices with  
17 4-year terms. If a vacancy occurs in an elective municipal  
18 office with a 4-year term and there remains an unexpired  
19 portion of the term of at least 28 months, and the vacancy  
20 occurs at least 130 days before the general municipal election  
21 next scheduled under the general election law, then the  
22 vacancy shall be filled for the remainder of the term at that  
23 general municipal election. Whenever an election is held for  
24 this purpose, the municipal clerk shall certify the office to  
25 be filled and the candidates for the office to the proper  
26 election authorities as provided in the general election law.

1 If a vacancy occurs with less than 28 months remaining in the  
2 unexpired portion of the term or less than 130 days before the  
3 general municipal election, then:

4 (1) Mayor or president. If the vacancy is in the  
5 office of mayor or president, the vacancy must be filled  
6 by the corporate authorities electing one of their members  
7 as acting mayor or acting president. Except as set forth  
8 in subsection (d), the acting mayor or acting president  
9 shall perform the duties and possess all the rights and  
10 powers of the mayor or president until a mayor or  
11 president is elected at the next general municipal  
12 election and has qualified. However, in villages with a  
13 population of less than 5,000, if each of the trustees  
14 either declines the election as acting president or is not  
15 elected by a majority vote of the trustees presently  
16 holding office, then the trustees may elect, as acting  
17 president, any other village resident who is qualified to  
18 hold municipal office, and the acting president shall  
19 exercise the powers of the president and shall vote and  
20 have veto power in the manner provided by law for a  
21 president.

22 (2) Alder ~~Alderman~~ or trustee. If the vacancy is in  
23 the office of alder ~~alderman~~ or trustee, the vacancy must  
24 be filled by the mayor or president or acting mayor or  
25 acting president, as the case may be, in accordance with  
26 subsection (e).



1           (3) Other elective office. If the vacancy is in any  
2           elective municipal office other than mayor or president or  
3           alder ~~alderman~~ or trustee, the mayor or president or  
4           acting mayor or acting president, as the case may be, must  
5           appoint a qualified person to hold the office until the  
6           office is filled by election, subject to the advice and  
7           consent of the city council or the board of trustees, as  
8           the case may be.

9           (g) Vacancies in municipal offices with 2-year terms. In  
10          the case of an elective municipal office with a 2-year term, if  
11          the vacancy occurs at least 130 days before the general  
12          municipal election next scheduled under the general election  
13          law, the vacancy shall be filled for the remainder of the term  
14          at that general municipal election. If the vacancy occurs less  
15          than 130 days before the general municipal election, then:

16          (1) Mayor or president. If the vacancy is in the  
17          office of mayor or president, the vacancy must be filled  
18          by the corporate authorities electing one of their members  
19          as acting mayor or acting president. Except as set forth  
20          in subsection (d), the acting mayor or acting president  
21          shall perform the duties and possess all the rights and  
22          powers of the mayor or president until a mayor or  
23          president is elected at the next general municipal  
24          election and has qualified. However, in villages with a  
25          population of less than 5,000, if each of the trustees  
26          either declines the election as acting president or is not

1 elected by a majority vote of the trustees presently  
2 holding office, then the trustees may elect, as acting  
3 president, any other village resident who is qualified to  
4 hold municipal office, and the acting president shall  
5 exercise the powers of the president and shall vote and  
6 have veto power in the manner provided by law for a  
7 president.

8 (2) Alder ~~Alderman~~ or trustee. If the vacancy is in  
9 the office of alder ~~alderman~~ or trustee, the vacancy must  
10 be filled by the mayor or president or acting mayor or  
11 acting president, as the case may be, in accordance with  
12 subsection (e).

13 (3) Other elective office. If the vacancy is in any  
14 elective municipal office other than mayor or president or  
15 alder ~~alderman~~ or trustee, the mayor or president or  
16 acting mayor or acting president, as the case may be, must  
17 appoint a qualified person to hold the office until the  
18 office is filled by election, subject to the advice and  
19 consent of the city council or the board of trustees, as  
20 the case may be.

21 (h) In cases of vacancies arising by reason of an election  
22 being declared void pursuant to paragraph (3) of subsection  
23 (c), persons holding elective office prior thereto shall hold  
24 office until their successors are elected and qualified or  
25 appointed and confirmed by advice and consent, as the case may  
26 be.

1 (i) This Section applies only to municipalities with  
2 populations under 500,000.

3 (Source: P.A. 99-449, eff. 8-24-15.)

4 (65 ILCS 5/3.1-10-51)

5 Sec. 3.1-10-51. Vacancies in municipalities with a  
6 population of 500,000 or more.

7 (a) Events upon which an elective office in a municipality  
8 of 500,000 or more shall become vacant:

9 (1) A municipal officer may resign from office. A  
10 vacancy occurs in an office by reason of resignation,  
11 failure to elect or qualify (in which case the incumbent  
12 shall remain in office until the vacancy is filled),  
13 death, permanent physical or mental disability rendering  
14 the person incapable of performing the duties of his or  
15 her office, conviction of a disqualifying crime,  
16 abandonment of office, removal from office, or removal of  
17 residence from the municipality or, in the case of an  
18 alder ~~alderman~~ of a ward, removal of residence from the  
19 ward.

20 (2) An admission of guilt of a criminal offense that  
21 would, upon conviction, disqualify the municipal officer  
22 from holding that office, in the form of a written  
23 agreement with State or federal prosecutors to plead  
24 guilty to a felony, bribery, perjury, or other infamous  
25 crime under State or federal law, shall constitute a

1 resignation from that office, effective at the time the  
2 plea agreement is made. For purposes of this Section, a  
3 conviction for an offense that disqualifies the municipal  
4 officer from holding that office occurs on the date of the  
5 return of a guilty verdict or, in the case of a trial by  
6 the court, the entry of a finding of guilt.

7 (3) Owing a debt to the municipality. A vacancy occurs  
8 if a municipal official fails to pay a debt to a  
9 municipality in which the official has been elected or  
10 appointed to an elected position subject to the following:

11 (A) Before a vacancy may occur under this  
12 paragraph (3), the municipal clerk shall deliver, by  
13 personal service, a written notice to the municipal  
14 official that (i) the municipal official is in arrears  
15 of a debt to the municipality, (ii) that municipal  
16 official must either pay or contest the debt within 30  
17 days after receipt of the notice or the municipal  
18 official will be disqualified and his or her office  
19 vacated, and (iii) if the municipal official chooses  
20 to contest the debt, the municipal official must  
21 provide written notice to the municipal clerk of the  
22 contesting of the debt. A copy of the notice, and the  
23 notice to contest, shall also be mailed by the  
24 municipal clerk to the appointed municipal attorney by  
25 certified mail. If the municipal clerk is the  
26 municipal official indebted to the municipality, the

1           mayor or president of the municipality shall assume  
2           the duties of the municipal clerk required under this  
3           paragraph (3).

4           (B) In the event that the municipal official  
5           chooses to contest the debt, a hearing shall be held  
6           within 30 days of the municipal clerk's receipt of the  
7           written notice of contest from the municipal official.  
8           An appointed municipal hearing officer shall preside  
9           over the hearing, and shall hear testimony and accept  
10          evidence relevant to the existence of the debt owed by  
11          the municipal officer to the municipality.

12          (C) Upon the conclusion of the hearing, the  
13          hearing officer shall make a determination on the  
14          basis of the evidence presented as to whether or not  
15          the municipal official is in arrears of a debt to the  
16          municipality. The determination shall be in writing  
17          and shall be designated as findings, decision, and  
18          order. The findings, decision, and order shall  
19          include: (i) the hearing officer's findings of fact;  
20          (ii) a decision of whether or not the municipal  
21          official is in arrears of a debt to the municipality  
22          based upon the findings of fact; and (iii) an order  
23          that either directs the municipal official to pay the  
24          debt within 30 days or be disqualified and his or her  
25          office vacated or dismisses the matter if a debt owed  
26          to the municipality is not proved. A copy of the

1 hearing officer's written determination shall be  
2 served upon the municipal official in open proceedings  
3 before the hearing officer. If the municipal official  
4 does not appear for receipt of the written  
5 determination, the written determination shall be  
6 deemed to have been served on the municipal official  
7 on the date when a copy of the written determination is  
8 personally served on the municipal official or on the  
9 date when a copy of the written determination is  
10 deposited in the United States mail, postage prepaid,  
11 addressed to the municipal official at the address on  
12 record in the files of the municipality.

13 (D) A municipal official aggrieved by the  
14 determination of a hearing officer may secure judicial  
15 review of such determination in the circuit court of  
16 the county in which the hearing was held. The  
17 municipal official seeking judicial review must file a  
18 petition with the clerk of the court and must serve a  
19 copy of the petition upon the municipality by  
20 registered or certified mail within 5 days after  
21 service of the determination of the hearing officer.  
22 The petition shall contain a brief statement of the  
23 reasons why the determination of the hearing officer  
24 should be reversed. The municipal official shall file  
25 proof of service with the clerk of the court. No answer  
26 to the petition need be filed, but the municipality

1 shall cause the record of proceedings before the  
2 hearing officer to be filed with the clerk of the court  
3 on or before the date of the hearing on the petition or  
4 as ordered by the court. The court shall set the matter  
5 for hearing to be held within 30 days after the filing  
6 of the petition and shall make its decision promptly  
7 after such hearing.

8 (E) If a municipal official chooses to pay the  
9 debt, or is ordered to pay the debt after the hearing,  
10 the municipal official must present proof of payment  
11 to the municipal clerk that the debt was paid in full,  
12 and, if applicable, within the required time period as  
13 ordered by a hearing officer.

14 (F) A municipal official will be disqualified and  
15 his or her office vacated pursuant to this paragraph  
16 (3) on the later of the following times the municipal  
17 official: (i) fails to pay or contest the debt within  
18 30 days of the municipal official's receipt of the  
19 notice of the debt; (ii) fails to pay the debt within  
20 30 days after being served with a written  
21 determination under subparagraph (C) ordering the  
22 municipal official to pay the debt; or (iii) fails to  
23 pay the debt within 30 days after being served with a  
24 decision pursuant to subparagraph (D) upholding a  
25 hearing officer's determination that the municipal  
26 officer has failed to pay a debt owed to a

1           municipality.

2           (G) For purposes of this paragraph, a "debt" shall  
3           mean an arrearage in a definitely ascertainable and  
4           quantifiable amount after service of written notice  
5           thereof, in the payment of any indebtedness due to the  
6           municipality, which has been adjudicated before a  
7           tribunal with jurisdiction over the matter. A  
8           municipal official is considered in arrears of a debt  
9           to a municipality if a debt is more than 30 days  
10          overdue from the date the debt was due.

11          (b) If a vacancy occurs in an elective municipal office  
12          with a 4-year term and there remains an unexpired portion of  
13          the term of at least 28 months, and the vacancy occurs at least  
14          130 days before the general municipal election next scheduled  
15          under the general election law, then the vacancy shall be  
16          filled for the remainder of the term at that general municipal  
17          election. Whenever an election is held for this purpose, the  
18          municipal clerk shall certify the office to be filled and the  
19          candidates for the office to the proper election authorities  
20          as provided in the general election law. If the vacancy is in  
21          the office of mayor, the city council shall elect one of their  
22          members acting mayor. The acting mayor shall perform the  
23          duties and possess all the rights and powers of the mayor until  
24          a successor to fill the vacancy has been elected and has  
25          qualified. If the vacancy is in any other elective municipal  
26          office, then until the office is filled by election, the mayor



1 shall appoint a qualified person to the office subject to the  
2 advice and consent of the city council.

3 (c) If a vacancy occurs later than the time provided in  
4 subsection (b) in a 4-year term, a vacancy in the office of  
5 mayor shall be filled by the corporate authorities electing  
6 one of their members acting mayor. The acting mayor shall  
7 perform the duties and possess all the rights and powers of the  
8 mayor until a mayor is elected at the next general municipal  
9 election and has qualified. A vacancy occurring later than the  
10 time provided in subsection (b) in a 4-year term in any  
11 elective office other than mayor shall be filled by  
12 appointment by the mayor, with the advice and consent of the  
13 corporate authorities.

14 (d) A municipal officer appointed or elected under this  
15 Section shall hold office until the officer's successor is  
16 elected and has qualified.

17 (e) An appointment to fill a vacancy in the office of alder  
18 ~~alderman~~ shall be made within 60 days after the vacancy  
19 occurs. The requirement that an appointment be made within 60  
20 days is an exclusive power and function of the State and is a  
21 denial and limitation under Article VII, Section 6, subsection  
22 (h) of the Illinois Constitution of the power of a home rule  
23 municipality to require that an appointment be made within a  
24 different period after the vacancy occurs.

25 (f) This Section applies only to municipalities with a  
26 population of 500,000 or more.

1 (Source: P.A. 99-449, eff. 8-24-15.)

2 (65 ILCS 5/3.1-10-60) (from Ch. 24, par. 3.1-10-60)

3 Sec. 3.1-10-60. Interim appointments to vacancies. If a  
4 municipality has no mayor or president, no clerk, and no  
5 alders ~~aldermen~~ or trustees, the circuit court may, upon  
6 petition signed by at least 100 electors or 10% of the electors  
7 of the municipality, whichever is less, make interim  
8 appointments to fill all vacancies in the elective offices of  
9 the municipality from among persons whose names are submitted  
10 by the petition or petitions. The interim appointees shall  
11 serve until the next regularly scheduled election under the  
12 general election law occurring not less than 120 days after  
13 all the offices have become vacant.

14 (Source: P.A. 87-1119.)

15 (65 ILCS 5/3.1-10-65) (from Ch. 24, par. 3.1-10-65)

16 Sec. 3.1-10-65. Referendum to reduce terms.

17 (a) In any municipality of less than 500,000 inhabitants,  
18 a proposition to reduce the terms of the elective officers of  
19 the municipality from 4 years to 2 years may be submitted,  
20 within the discretion of the corporate authorities, to the  
21 electors of the municipality. The proposition shall also be  
22 submitted if a petition requesting that action is signed by  
23 electors of the municipality numbering not less than 10% of  
24 the total vote cast at the last election for mayor or president

1 of the municipality and the petition is filed with the  
2 municipal clerk and certified in accordance with the general  
3 election law. The proposition shall be substantially in the  
4 following form:

5 Shall the term of the elective officers of (name of  
6 municipality) be reduced from 4 years to 2 years?

7 (b) If a majority of the electors voting on the  
8 proposition vote against it, the terms of the officers shall  
9 remain 4 years. If, however, a majority of those voting on the  
10 proposition vote in favor of it, the officers elected at the  
11 next regular election for officers in the municipality shall  
12 hold their offices for a term of 2 years and until their  
13 successors are elected and have qualified, except in the case  
14 of trustees and alders ~~aldermen~~. In the case of alders  
15 ~~aldermen~~ and trustees: (i) at the first election of alders  
16 ~~aldermen~~ or trustees that occurs in an odd numbered year  
17 following the vote to reduce the length of terms, successors  
18 to alders ~~aldermen~~ or trustees whose terms expire in that year  
19 shall be elected for a term of one year and until their  
20 successors are elected and have qualified and (ii) thereafter,  
21 one-half of the alders ~~aldermen~~ or trustees shall be elected  
22 each year for terms of 2 years and until their successors are  
23 elected and have qualified.

24 (Source: P.A. 87-1119.)

25 (65 ILCS 5/3.1-10-75) (from Ch. 24, par. 3.1-10-75)

1           Sec. 3.1-10-75. Referendum to lengthen terms.

2           (a) In any municipality of less than 500,000 inhabitants  
3 that, under Section 3.1-10-65, has voted to shorten the terms  
4 of elective officers, a proposition to lengthen the terms of  
5 the elective officers of the municipality from 2 years to 4  
6 years may be submitted, within the discretion of the corporate  
7 authorities, to the electors of the municipality. The  
8 proposition shall be certified by the municipal clerk to the  
9 appropriate election authorities, who shall submit the  
10 proposition at an election in accordance with the general  
11 election law. The proposition shall also be submitted at an  
12 election if a petition requesting that action is signed by  
13 electors of the municipality numbering not less than 10% of  
14 the total vote cast at the last election for mayor or president  
15 of the municipality and the petition is filed with the  
16 municipal clerk. The proposition shall be substantially in the  
17 following form:

18           Shall the term of the elective officers of (name of  
19 municipality) be lengthened from 2 years to 4 years?

20           (b) If a majority of the electors voting on the  
21 proposition vote against it, the terms of the officers shall  
22 remain 2 years. If, however, a majority of those voting on the  
23 proposition vote in favor of it, the officers elected at the  
24 next regular election for officers in the municipality shall  
25 hold their offices for a term of 4 years and until their  
26 successors are elected and have qualified, except in the case

1 of trustees and alders ~~aldermen~~. In the case of alders  
2 ~~aldermen~~ and trustees: (i) if the first election for alders  
3 ~~aldermen~~ or trustees, after approval of the proposition,  
4 occurs in an even numbered year, the alders ~~aldermen~~ or  
5 trustees elected in that even numbered year shall serve for  
6 terms of 3 years and until their successors are elected and  
7 have qualified, the terms for successors to those elected at  
8 the first even numbered year election shall be 4 years and  
9 until successors are elected and have qualified, the alders  
10 ~~aldermen~~ or trustees elected at the first odd numbered year  
11 election next following the first even numbered year election  
12 shall serve for terms of 4 years and until successors are  
13 elected and have qualified, and successors elected after the  
14 first odd numbered year shall also serve 4 year terms and until  
15 their successors are elected and have qualified and (ii) if  
16 the first election for alders ~~aldermen~~ or trustees, after  
17 approval of the proposition, occurs in an odd numbered year,  
18 the alders ~~aldermen~~ or trustees elected in that odd numbered  
19 year shall serve for terms of 4 years and until their  
20 successors are elected and have qualified, the terms for  
21 successors to those elected at the first odd numbered year  
22 election shall be for 4 years and until successors are elected  
23 and have qualified, the alders ~~aldermen~~ or trustees elected at  
24 the first even numbered year election next following the first  
25 odd numbered year election shall serve for terms of one year  
26 and until their successors are elected and have qualified, and

1 the terms for successors to those elected at the first odd  
2 numbered year election shall be 4 years and until their  
3 successors are elected and have qualified.

4 (Source: P.A. 87-1119.)

5 (65 ILCS 5/3.1-15-5) (from Ch. 24, par. 3.1-15-5)

6 Sec. 3.1-15-5. Officers to be elected. In all cities  
7 incorporated under this Code there shall be elected a mayor,  
8 alders ~~aldermen~~, a city clerk, and a city treasurer (except in  
9 the case of a city of 10,000 or fewer inhabitants that, by  
10 ordinance, allows for the appointment of a city treasurer by  
11 the mayor, subject to the advice and consent of the city  
12 council). In all villages and incorporated towns, there shall  
13 be elected a president, trustees, and a clerk, except as  
14 otherwise provided in this Code.

15 (Source: P.A. 87-1119; 88-572, eff. 8-11-94.)

16 (65 ILCS 5/3.1-15-15) (from Ch. 24, par. 3.1-15-15)

17 Sec. 3.1-15-15. Holding other offices. A mayor, president,  
18 alder ~~alderman~~, trustee, clerk, or treasurer shall not hold  
19 any other office under the municipal government during the  
20 term of that office, except when the officer is granted a leave  
21 of absence from that office or except as otherwise provided in  
22 Sections 3.1-10-50, 3.1-35-135, and 8-2-9.1. Moreover, an  
23 officer may serve as a volunteer fireman and receive  
24 compensation for that service.

1 (Source: P.A. 99-386, eff. 8-17-15.)

2 (65 ILCS 5/3.1-15-25) (from Ch. 24, par. 3.1-15-25)

3 Sec. 3.1-15-25. Conservators of the peace; service of  
4 warrants.

5 (a) After receiving a certificate attesting to the  
6 successful completion of a training course administered by the  
7 Illinois Law Enforcement Training Standards Board, the mayor,  
8 alders ~~aldermen~~, president, trustees, marshal, deputy  
9 marshals, and policemen in municipalities shall be  
10 conservators of the peace. Those persons and others authorized  
11 by ordinance shall have power (i) to arrest or cause to be  
12 arrested, with or without process, all persons who break the  
13 peace or are found violating any municipal ordinance or any  
14 criminal law of the State, (ii) to commit arrested persons for  
15 examination, (iii) if necessary, to detain arrested persons in  
16 custody over night or Sunday in any safe place or until they  
17 can be brought before the proper court, and (iv) to exercise  
18 all other powers as conservators of the peace prescribed by  
19 the corporate authorities.

20 (b) All warrants for the violation of municipal ordinances  
21 or the State criminal law, directed to any person, may be  
22 served and executed within the limits of a municipality by any  
23 policeman or marshal of the municipality. For that purpose,  
24 policemen and marshals have all the common law and statutory  
25 powers of sheriffs.

1 (Source: P.A. 90-540, eff. 12-1-97.)

2 (65 ILCS 5/3.1-15-30) (from Ch. 24, par. 3.1-15-30)

3 Sec. 3.1-15-30. Minority representation.

4 (a) Whenever the question of incorporation as a city under  
5 this Code is submitted for adoption to the electors of any  
6 territory, village, incorporated town, or city under special  
7 charter, there may be submitted at the same time for adoption  
8 or rejection the question of minority representation in the  
9 city council. The proposition shall be in the following form:

10 Shall minority representation in the city council be  
11 adopted?

12 (b) If a majority of the votes cast on the question at any  
13 election are for minority representation in the city council,  
14 the members of the city council, except as otherwise provided,  
15 thereafter shall be elected as provided in Section 3.1-15-35.

16 (c) The city council, at least 30 days before the first day  
17 fixed by law for the filing of candidate petitions for the next  
18 general municipal election, shall apportion the city by  
19 dividing its population, as ascertained by an official  
20 publication of any national, state, school, or city census, by  
21 any number not less than 2 nor more than 6. The quotient shall  
22 be the ratio of representation in the city council. Districts  
23 shall be formed of contiguous and compact territory and  
24 contain, as near as practicable, an equal number of  
25 inhabitants.



1 (d) If a majority of the votes cast on the question at any  
2 election are against minority representation in the city  
3 council, the members of the city council shall be elected as  
4 otherwise provided in this Code.

5 (e) At any time after the incorporation of a city under  
6 this Code, on petition of electors equal in number to  
7 one-eighth the number of legal votes cast at the next  
8 preceding general municipal election, the city clerk shall  
9 certify the question of the adoption or retention of minority  
10 representation to the proper election authority for submission  
11 to the electors of that city. The proposition shall be in the  
12 same form as provided in this Section, except that the word  
13 "retained" shall be substituted for the word "adopted" when  
14 appropriate. A question of minority representation, however,  
15 shall not be submitted more than once within 32 months.

16 (f) If the city council of any city adopting minority  
17 representation as provided in this Section has not fixed a  
18 ratio of representation and formed the districts by the time  
19 specified in this Section, those acts may be done by any later  
20 city council. All official acts done and ordinances passed by  
21 a city council elected at large by the electors of a city that  
22 has adopted a minority representation plan shall be as valid  
23 and binding as if the alders ~~aldermen~~ had been elected from  
24 districts.

25 (Source: P.A. 87-1119.)

1 (65 ILCS 5/3.1-15-35) (from Ch. 24, par. 3.1-15-35)

2 Sec. 3.1-15-35. Alders ~~Aldermen~~ under minority  
3 representation plan. Every district under a minority  
4 representation plan shall be entitled to 3 alders ~~aldermen~~.  
5 Alders ~~Aldermen~~ shall hold their offices for 4 years and until  
6 their successors have been elected and qualified, except in  
7 cities that have adopted a 2 year term under Section  
8 3.1-10-65. There shall be elected in each district as many  
9 alders ~~aldermen~~ as the district is entitled to. In all of these  
10 elections for alders ~~aldermen~~, each elector may cast as many  
11 votes as there are alders ~~aldermen~~ to be elected in the  
12 elector's district, or may distribute his or her votes, or  
13 equal parts of the votes, among the candidates as the elector  
14 sees fit. The candidate highest in votes is elected if only one  
15 alder ~~alderman~~ is elected; the candidates highest and next  
16 highest in votes are elected if only 2 alders ~~aldermen~~ are  
17 elected; and the 3 highest candidates in votes are elected  
18 when 3 alders ~~aldermen~~ are elected. Vacancies shall be filled  
19 as provided in Sections 3.1-10-50 and 3.1-10-55 by either  
20 interim election or appointment. An appointment to fill a  
21 vacancy shall be made within 60 days after the vacancy occurs.  
22 The requirement that an appointment be made within 60 days is  
23 an exclusive power and function of the State and is a denial  
24 and limitation under Article VII, Section 6, subsection (h) of  
25 the Illinois Constitution of the power of a home rule  
26 municipality to require that an appointment be made within a

1 different period after the vacancy occurs.

2 (Source: P.A. 87-1052; 87-1119; 88-45.)

3 (65 ILCS 5/3.1-15-40) (from Ch. 24, par. 3.1-15-40)

4 Sec. 3.1-15-40. Staggered elections under minority plans.

5 In all cities that adopt or have adopted the minority  
6 representation plan for the election of alders ~~aldermen~~ and  
7 have not already staggered the terms of their alders ~~aldermen~~,  
8 the city council may provide by ordinance that at any ensuing  
9 general municipal election for city officers the alders  
10 ~~aldermen~~ in every alternate district shall be elected for one  
11 term of 2 years and, at the expiration of that term of 2 years,  
12 for regular terms of 4 years. This Section does not prohibit a  
13 city from voting in favor of a 2 year term for city officers as  
14 provided in Section 3.1-10-65. The provisions of the general  
15 election law shall govern elections under this Section.

16 (Source: P.A. 87-1119.)

17 (65 ILCS 5/3.1-20-10) (from Ch. 24, par. 3.1-20-10)

18 Sec. 3.1-20-10. Alders ~~Aldermen~~; number.

19 (a) Except as otherwise provided in this Section, Section  
20 3.1-20-20, or as otherwise provided in the case of  
21 alders-at-large ~~aldermen-at-large~~, the number of alders  
22 ~~aldermen~~, when not elected by the minority representation  
23 plan, shall be determined using the most recent federal  
24 decennial census results as follows:

1 (1) in cities not exceeding 3,000 inhabitants, 6  
2 alders ~~aldermen~~;

3 (2) in cities exceeding 3,000 but not exceeding  
4 15,000, 8 alders ~~aldermen~~;

5 (3) in cities exceeding 15,000 but not exceeding  
6 20,000, 10 alders ~~aldermen~~;

7 (4) in cities exceeding 20,000 but not exceeding  
8 50,000, 14 alders ~~aldermen~~;

9 (5) in cities exceeding 50,000 but not exceeding  
10 70,000, 16 alders ~~aldermen~~;

11 (6) in cities exceeding 70,000 but not exceeding  
12 90,000, 18 alders ~~aldermen~~; and

13 (7) in cities exceeding 90,000 but not exceeding  
14 500,000, 20 alders ~~aldermen~~.

15 (b) Instead of the number of alders ~~aldermen~~ set forth in  
16 subsection (a), a municipality with 15,000 or more inhabitants  
17 may adopt, either by ordinance or by resolution, not more than  
18 one year after the municipality's receipt of the new federal  
19 decennial census results, the following number of alders  
20 ~~aldermen~~: in cities exceeding 15,000 but not exceeding 20,000,  
21 8 alders ~~aldermen~~; exceeding 20,000 but not exceeding 50,000,  
22 10 alders ~~aldermen~~; exceeding 50,000 but not exceeding 70,000,  
23 14 alders ~~aldermen~~; exceeding 70,000 but not exceeding 90,000,  
24 16 alders ~~aldermen~~; and exceeding 90,000 but not exceeding  
25 500,000, 18 alders ~~aldermen~~.

26 (c) Instead of the number of alders ~~aldermen~~ set forth in

1 subsection (a), a municipality with 40,000 or more inhabitants  
2 may adopt, either by ordinance or by resolution, not more than  
3 one year after the municipality's receipt of the new federal  
4 decennial census results, the following number of alders  
5 ~~aldermen~~: in cities exceeding 40,000 but not exceeding 50,000,  
6 16 alders ~~aldermen~~.

7 (d) If, according to the most recent federal decennial  
8 census results, the population of a municipality increases or  
9 decreases under this Section, then the municipality may adopt  
10 an ordinance or resolution to retain the number of alders  
11 ~~aldermen~~ that existed before the most recent federal decennial  
12 census results. The ordinance or resolution may not be adopted  
13 more than one year after the municipality's receipt of the  
14 most recent federal decennial census results.

15 (Source: P.A. 96-1156, eff. 7-21-10; 97-301, eff. 8-11-11;  
16 97-1091, eff. 8-24-12.)

17 (65 ILCS 5/3.1-20-15) (from Ch. 24, par. 3.1-20-15)

18 Sec. 3.1-20-15. Division into wards. Except as otherwise  
19 provided in Section 3.1-20-20, every city shall have one-half  
20 as many wards as the total number of alders ~~aldermen~~ to which  
21 the city is entitled. The city council, from time to time,  
22 shall divide the city into that number of wards.

23 (Source: P.A. 87-1119.)

24 (65 ILCS 5/3.1-20-20) (from Ch. 24, par. 3.1-20-20)

1           Sec. 3.1-20-20. Alders ~~Aldermen~~; restrict or reinstate  
2 number.

3           (a) In a city of less than 100,000 inhabitants, a  
4 proposition to restrict the number of alders ~~aldermen~~ to  
5 one-half of the total authorized by Section 3.1-20-10, with  
6 one alder ~~alderman~~ representing each ward, shall be certified  
7 by the city clerk to the proper election authorities, who  
8 shall submit the proposition at an election in accordance with  
9 the general election law, if a petition requesting that action  
10 is signed by electors of the city numbering not less than 10%  
11 of the total vote cast at the last election for mayor of the  
12 city and the petition is filed with the city clerk.

13           The proposition shall be substantially in the following  
14 form:

15           Shall (name of city) restrict the number of alders  
16 ~~aldermen~~ to (state number) (one-half of the total  
17 authorized by Section 3.1-20-10 of the Illinois Municipal  
18 Code), with one alder ~~alderman~~ representing each ward?

19           If a majority of those voting on the proposition vote in  
20 favor of it, all existing aldermanic terms shall expire as of  
21 the date of the next regular aldermanic election, at which  
22 time a full complement of alders ~~aldermen~~ shall be elected for  
23 the full term.

24           (b) In a city of less than 100,000 inhabitants, a  
25 proposition to restrict the number of alders ~~aldermen~~ to one  
26 alder ~~alderman~~ per ward, with one alder ~~alderman~~ representing

1 each ward, plus an additional number of alders ~~aldermen~~ not to  
2 exceed the number of wards in the city to be elected at large,  
3 shall be certified by the city clerk to the proper election  
4 authorities, who shall submit the proposition at an election  
5 in accordance with the general election law, if a petition  
6 requesting that action is signed by electors of the city  
7 numbering not less than 10% of the total vote cast at the last  
8 election for mayor of the city and the petition is filed with  
9 the city clerk.

10 The proposition shall be substantially in the following  
11 form:

12 Shall (name of city) restrict the number of alders  
13 ~~aldermen~~ to (number), with one alder ~~alderman~~ representing  
14 each ward, plus an additional (number) alder ~~alderman~~  
15 (alders ~~aldermen~~) to be elected at large?

16 If a majority of those voting on the proposition vote in  
17 favor of it, all existing aldermanic terms shall expire as of  
18 the date of the next regular aldermanic election, at which  
19 time a full complement of alders ~~aldermen~~ shall be elected for  
20 the full term.

21 (c) In a city of less than 100,000 inhabitants where a  
22 proposition under subsection (a) or (b) has been successful, a  
23 proposition to reinstate the number of alders ~~aldermen~~ in  
24 accordance with Section 3.1-20-10 shall be certified by the  
25 city clerk to the proper election authorities, who shall  
26 submit the proposition at an election in accordance with the

1 general election law, if a petition requesting that action has  
2 been signed by electors of the city numbering not less than 10%  
3 of the total vote cast at the last election for mayor of the  
4 city and the petition has been filed with the city clerk.

5 The election authority must submit the proposition in  
6 substantially the following form:

7 Shall (name of city) reinstate the number of alders  
8 ~~aldermen~~ to (number of alders ~~aldermen~~ allowed by Section  
9 3.1-20-10)?

10 The election authority must record the votes as "Yes" or "No".

11 If a majority of the electors voting on the proposition  
12 vote in the affirmative, then, if the restriction in the  
13 number of alders ~~aldermen~~ has taken effect, all existing  
14 aldermanic terms shall expire as of the date of the next  
15 regular aldermanic election, at which time a full complement  
16 of alders ~~aldermen~~ shall be elected for the full term and  
17 thereafter terms shall be determined in accordance with  
18 Section 3.1-20-35.

19 (Source: P.A. 92-727, eff. 7-25-02.)

20 (65 ILCS 5/3.1-20-22) (from Ch. 24, par. 3.1-20-22)

21 Sec. 3.1-20-22. Alders ~~Aldermen~~; staggered terms. In any  
22 city of less than 100,000 inhabitants, a proposition to  
23 stagger the terms of alders ~~aldermen~~, with as nearly as  
24 possible one-half of the alders ~~aldermen~~ elected every 2  
25 years, shall be certified by the city clerk to the proper



1 election authority, who shall submit the proposition at an  
2 election in accordance with the general election law, if a  
3 petition requesting that action is signed by electors of the  
4 city numbering at least 10% of the total vote cast at the last  
5 election for mayor of the city and is filed with the city  
6 clerk.

7 The ballot shall have printed on it, but not as a part of  
8 the proposition submitted, the following information for  
9 voters: one alder ~~alderman~~ elected from each even-numbered  
10 ward shall serve a term of 2 years; one alder ~~alderman~~ elected  
11 from each odd-numbered ward shall serve a term of 4 years.

12 The proposition shall be substantially in the following  
13 form:

14 Shall (name of city) adopt a system of staggered terms  
15 for alders ~~aldermen~~?

16 If a majority of those voting on the proposition vote in  
17 favor of it, then at the next regular election for alders  
18 ~~aldermen~~ one alder ~~alderman~~ shall be elected from each  
19 even-numbered ward for a term of 2 years and one alder ~~alderman~~  
20 shall be elected from each odd-numbered ward for a term of 4  
21 years. Thereafter, their successors shall be elected for terms  
22 of 4 years.

23 (Source: P.A. 87-1119.)

24 (65 ILCS 5/3.1-20-25) (from Ch. 24, par. 3.1-20-25)

25 Sec. 3.1-20-25. Redistricting a city.

1 (a) In the formation of wards, the number of inhabitants  
2 of the city immediately preceding the division of the city  
3 into wards shall be as nearly equal in population, and the  
4 wards shall be of as compact and contiguous territory, as  
5 practicable. Wards shall be created in a manner so that, as far  
6 as practicable, no precinct shall be divided between 2 or more  
7 wards.

8 (b) Whenever an official decennial census shows that a  
9 city contains more or fewer wards than it is entitled to, the  
10 city council of the city, by ordinance, shall redistrict the  
11 city into as many wards as the city is entitled. This  
12 redistricting shall be completed not less than 30 days before  
13 the first day set by the general election law for the filing of  
14 candidate petitions for the next succeeding election for city  
15 officers. At this election there shall be elected the number  
16 of alders ~~aldermen~~ to which the city is entitled, except as  
17 provided in subsection (c).

18 (c) If it appears from any official decennial census that  
19 it is necessary to redistrict under subsection (b) or for any  
20 other reason, the city council shall immediately proceed to  
21 redistrict the city and shall hold the next city election in  
22 accordance with the new redistricting. At this election the  
23 alders ~~aldermen~~ whose terms of office are not expiring shall  
24 be considered alders ~~aldermen~~ for the new wards respectively  
25 in which their residences are situated. At this election, in a  
26 municipality that is not a newly incorporated municipality, a

1 candidate for alder ~~alderman~~ may be elected from any ward that  
2 contains a part of the ward in which he or she resided at least  
3 one year next preceding the election that follows the  
4 redistricting, and, if elected, that person may be reelected  
5 from the new ward he or she represents if he or she resides in  
6 that ward for at least one year next preceding reelection. If  
7 there are 2 or more alders ~~aldermen~~ with terms of office not  
8 expiring and residing in the same ward under the new  
9 redistricting, the alder ~~alderman~~ who holds over for that ward  
10 shall be determined by lot in the presence of the city council,  
11 in the manner directed by the council, and all other alders  
12 ~~aldermen~~ shall fill their unexpired terms as alders-at-large  
13 ~~aldermen-at-large~~. The alders-at-large ~~aldermen-at-large~~, if  
14 any, shall have the same powers and duties as all other alders  
15 ~~aldermen~~, but upon the expiration of their terms the offices  
16 of alders-at-large ~~aldermen-at-large~~ shall be abolished.

17 (d) If the redistricting results in one or more wards in  
18 which no alders ~~aldermen~~ reside whose terms of office have not  
19 expired, 2 alders ~~aldermen~~ shall be elected in accordance with  
20 Section 3.1-20-35, unless the city elected only one alder  
21 ~~alderman~~ per ward pursuant to a referendum under subsection  
22 (a) of Section 3.1-20-20.

23 (e) A redistricting ordinance that has decreased the  
24 number of wards of a city because of a decrease in population  
25 of the city shall not be effective if, not less than 60 days  
26 before the time fixed for the next succeeding general

1 municipal election, an official census is officially published  
2 that shows that the city has regained a population that  
3 entitles it to the number of wards that it had just before the  
4 passage of the last redistricting ordinance.

5 (Source: P.A. 97-1091, eff. 8-24-12.)

6 (65 ILCS 5/3.1-20-30) (from Ch. 24, par. 3.1-20-30)

7 Sec. 3.1-20-30. Validation of actions. After an official  
8 census is officially published, if a city is divided into a  
9 greater number of wards and has elected a greater number of  
10 alders ~~aldermen~~ than the city is entitled to, the division and  
11 election shall, nevertheless, be valid and all acts,  
12 resolutions, and ordinances of the city council of that city,  
13 if in other respects in compliance with law, are valid.

14 (Source: P.A. 87-1119.)

15 (65 ILCS 5/3.1-20-35) (from Ch. 24, par. 3.1-20-35)

16 Sec. 3.1-20-35. Determining terms.

17 (a) Alders ~~Aldermen~~ elected at the first election for city  
18 officers after the election of alders ~~aldermen~~ for the initial  
19 terms provided for in Section 2-2-11 shall draw lots to  
20 determine which alders ~~aldermen~~ in each ward shall hold office  
21 for a 4 year term, and until a successor is elected and has  
22 qualified, and which alders ~~aldermen~~ in each ward shall hold  
23 office for a 2 year term, and until a successor is elected and  
24 has qualified. All alders ~~aldermen~~ thereafter elected shall

1 hold office for a term of 4 years, and until their successors  
2 are elected and have qualified, except in cities that adopt a 2  
3 year term under Section 3.1-10-65 and except as otherwise  
4 provided in Section 3.1-20-20.

5 (b) If a city that has had the minority representation  
6 plan has voted not to retain the plan, then at the first  
7 election for city officers following the vote 2 alders  
8 ~~aldermen~~ shall be elected from each ward in the city and their  
9 terms shall be staggered in the manner set forth in subsection  
10 (a). The tenure of these alders ~~aldermen~~ and their successors  
11 shall be the same as that stated in subsection (a).

12 (Source: P.A. 87-1119.)

13 (65 ILCS 5/3.1-20-40) (from Ch. 24, par. 3.1-20-40)

14 Sec. 3.1-20-40. Other officers; election rather than  
15 appointment. Instead of providing for the appointment of the  
16 following officers as provided in Section 3.1-30-5, the city  
17 council, in its discretion, may provide by ordinance passed by  
18 a two-thirds vote of all the alders ~~aldermen~~ elected for the  
19 election by the electors of the city of a city collector, a  
20 city marshal, a city superintendent of streets, a corporation  
21 counsel, a city comptroller, or any of them, and any other  
22 officers which the city council considers necessary or  
23 expedient. By ordinance or resolution, to take effect at the  
24 end of the current fiscal year, the city council, by a like  
25 vote, may discontinue any office so created and devolve the

1 duties of that office on any other city officer. After  
2 discontinuance of an office, no officer filling that office  
3 before its discontinuance shall have any claim against the  
4 city for salary alleged to accrue after the date of  
5 discontinuance.

6 (Source: P.A. 87-1119.)

7 (65 ILCS 5/3.1-20-45)

8 Sec. 3.1-20-45. Nonpartisan primary elections; uncontested  
9 office. A city incorporated under this Code that elects  
10 municipal officers at nonpartisan primary and general  
11 elections shall conduct the elections as provided in the  
12 Election Code, except that no office for which nomination is  
13 uncontested shall be included on the primary ballot and no  
14 primary shall be held for that office. For the purposes of this  
15 Section, an office is uncontested when not more than 4 persons  
16 to be nominated for each office have timely filed valid  
17 nominating papers seeking nomination for the election to that  
18 office.

19 Notwithstanding the preceding paragraph, when a person (i)  
20 who has not timely filed valid nomination papers and (ii) who  
21 intends to become a write-in candidate for nomination for any  
22 office for which nomination is uncontested files a written  
23 statement or notice of that intent with the proper election  
24 official with whom the nomination papers for that office are  
25 filed, if the write-in candidate becomes the fifth candidate

1 filed, a primary ballot must be prepared and a primary must be  
2 held for the office. The statement or notice must be filed on  
3 or before the 61st day before the consolidated primary  
4 election. The statement must contain (i) the name and address  
5 of the person intending to become a write-in candidate, (ii) a  
6 statement that the person intends to become a write-in  
7 candidate, and (iii) the office the person is seeking as a  
8 write-in candidate. An election authority has no duty to  
9 conduct a primary election or prepare a primary ballot unless  
10 a statement meeting the requirements of this paragraph is  
11 filed in a timely manner.

12 If there is a primary election, then candidates shall be  
13 placed on the ballot for the next succeeding general municipal  
14 election in the following manner:

15 (1) If one officer is to be elected, then the 2  
16 candidates who receive the highest number of votes shall  
17 be placed on the ballot for the next succeeding general  
18 municipal election.

19 (2) If 2 alders ~~aldermen~~ are to be elected at large,  
20 then the 4 candidates who receive the highest number of  
21 votes shall be placed on the ballot for the next  
22 succeeding general municipal election.

23 (3) If 3 alders ~~aldermen~~ are to be elected at large,  
24 then the 6 candidates who receive the highest number of  
25 votes shall be placed on the ballot for the next  
26 succeeding general municipal election.

1           The name of a write-in candidate may not be placed on the  
2 ballot for the next succeeding general municipal election  
3 unless he or she receives a number of votes in the primary  
4 election that equals or exceeds the number of signatures  
5 required on a petition for nomination for that office or that  
6 exceeds the number of votes received by at least one of the  
7 candidates whose names were printed on the primary ballot for  
8 nomination for or election to the same office.

9           (Source: P.A. 97-81, eff. 7-5-11.)

10           (65 ILCS 5/3.1-25-70) (from Ch. 24, par. 3.1-25-70)

11           Sec. 3.1-25-70. Trustees under special Acts.

12           (a) In every village and incorporated town incorporated  
13 and existing under any special Act that, before June 4, 1909,  
14 pursuant to any special Act, annually elected members of its  
15 legislative body, the electors in the village or incorporated  
16 town, instead of the legislative body now provided for by law,  
17 shall elect 6 trustees. They shall hold their offices until  
18 their respective successors are elected and have qualified. At  
19 the first meeting of this board of 6 trustees, the terms of  
20 office of the trustees shall be staggered, and thereafter  
21 shall be for the same length of time as provided for alders  
22 ~~aldermen~~ in Section 3.1-20-35.

23           (b) The electors of the village or incorporated town may,  
24 however, adopt a 2 year term for their trustees as provided in  
25 Section 3.1-10-65. If this 2 year term is adopted, then at the



1 next general municipal election in the adopting village or  
2 incorporated town, 3 trustees shall be elected, and they shall  
3 hold their offices for terms of one year each. In the next  
4 succeeding year, and in each year thereafter, 3 trustees shall  
5 be elected in the adopting village or incorporated town, and  
6 they shall hold their offices for terms of 2 years each.

7 (c) A village or incorporated town that, before January 1,  
8 1942, has adopted a 2 year term for its trustees and is now  
9 electing 3 trustees each year shall continue to elect 3  
10 trustees each year for a term of 2 years each. A village or  
11 incorporated town that, before January 1, 1942, has adopted a  
12 2 year term for its trustees but is not now electing 3 trustees  
13 each year shall elect 3 trustees at the next general municipal  
14 election in that municipality, and they shall hold their  
15 offices for terms of one year each. In the next succeeding  
16 year, and in each year thereafter, 3 trustees shall be  
17 elected, and they shall hold their offices for terms of 2 years  
18 each.

19 (d) This Section shall not apply to or change the method of  
20 election of the members of the legislative body of  
21 incorporated towns that have superseded civil townships.

22 (Source: P.A. 87-1119.)

23 (65 ILCS 5/3.1-25-75) (from Ch. 24, par. 3.1-25-75)  
24 Sec. 3.1-25-75. Districts; election of trustees.

25 (a) After a village with a population of 5,000 or more

1 adopts the provisions of this Section in the manner prescribed  
2 in Section 3.1-25-80, the board of trustees by ordinance shall  
3 divide and, whenever necessary thereafter, shall redistrict  
4 the village into 6 compact and contiguous districts of  
5 approximately equal population as required by law. This  
6 redistricting shall be completed not less than 30 days before  
7 the first day for the filing of nominating petitions for the  
8 next succeeding election of village officers held in  
9 accordance with the general election law.

10 (b) Each of the districts shall be represented by one  
11 trustee who shall have been an actual resident of the district  
12 for at least 6 months immediately before his or her election in  
13 the first election after a redistricting, unless the trustee  
14 is a resident of a newly incorporated municipality. Only the  
15 electors of a district shall elect the trustee from that  
16 district.

17 (c) The provisions of this Code relating to terms of  
18 office of alders ~~aldermen~~ in cities shall also apply to the  
19 terms of office of trustees under this Section.

20 (Source: P.A. 95-646, eff. 1-1-08.)

21 (65 ILCS 5/3.1-35-35) (from Ch. 24, par. 3.1-35-35)

22 Sec. 3.1-35-35. Mayor or president pro tem; temporary  
23 chairman.

24 (a) If the mayor or president is temporarily absent  
25 because of an incapacity to perform official duties, but the

1 incapacity does not create a vacancy in the office, the  
2 corporate authorities shall elect one of their members to act  
3 as mayor or president pro tem. The mayor or president pro tem,  
4 during this absence or disability, shall perform the duties  
5 and possess all the rights and powers of the mayor or president  
6 but shall not be entitled to vote both as mayor or president  
7 pro tem and as alder ~~alderman~~ or trustee.

8 (b) In the absence of the mayor, president, acting mayor  
9 or president, or mayor or president pro tem, the corporate  
10 authorities may elect one of their members to act as a  
11 temporary chairman. The temporary chairman shall have only the  
12 powers of a presiding officer and a right to vote only in the  
13 capacity as alder ~~alderman~~ or trustee on any ordinance,  
14 resolution, or motion.

15 (Source: P.A. 87-1119.)

16 (65 ILCS 5/3.1-40-5) (from Ch. 24, par. 3.1-40-5)

17 Sec. 3.1-40-5. Composition. The city council shall consist  
18 of the mayor and alders ~~aldermen~~. It shall meet in accordance  
19 with the Open Meetings Act. It shall keep a journal of its own  
20 proceedings.

21 (Source: P.A. 87-1119.)

22 (65 ILCS 5/3.1-40-10) (from Ch. 24, par. 3.1-40-10)

23 Sec. 3.1-40-10. Judge of elections. The city council shall  
24 be the sole judge of the election to office of the alders

1 ~~aldermen~~. It shall also be the sole judge whether under  
2 Section 3.1-10-5 alders ~~aldermen~~ are eligible to hold their  
3 offices. A court, however, shall not be prohibited from  
4 hearing and determining a proceeding in quo warranto.

5 (Source: P.A. 87-1119.)

6 (65 ILCS 5/3.1-40-15) (from Ch. 24, par. 3.1-40-15)

7 Sec. 3.1-40-15. Rules; expulsion. The city council shall  
8 determine its own rules of proceeding and punish its members  
9 for disorderly conduct. With the concurrence of two-thirds of  
10 the alders ~~aldermen~~ then holding office, it may expel an alder  
11 ~~alderman~~ from a meeting, but not a second time for the same  
12 incident.

13 (Source: P.A. 87-1119.)

14 (65 ILCS 5/3.1-40-25) (from Ch. 24, par. 3.1-40-25)

15 Sec. 3.1-40-25. Meetings. The city council may prescribe,  
16 by ordinance, the times and places of the council meetings and  
17 the manner in which special council meetings may be called.  
18 The mayor or any 3 alders ~~aldermen~~ may call special meetings of  
19 the city council. In addition to any notice requirement  
20 prescribed by the city council, public notice of meetings must  
21 be given as prescribed in Sections 2.02 and 2.03 of the Open  
22 Meetings Act.

23 (Source: P.A. 87-1119.)

1 (65 ILCS 5/3.1-40-30) (from Ch. 24, par. 3.1-40-30)

2 Sec. 3.1-40-30. Mayor presides. The mayor shall preside at  
3 all meetings of the city council. Except as provided in  
4 Articles 4 and 5 of this Code, the mayor shall not vote on any  
5 ordinance, resolution, or motion except the following: (i)  
6 where the vote of the alders ~~aldermen~~ has resulted in a tie;  
7 (ii) where one-half of the alders ~~aldermen~~ elected have voted  
8 in favor of an ordinance, resolution, or motion even though  
9 there is no tie vote; or (iii) where a vote greater than a  
10 majority of the corporate authorities is required by this Code  
11 or an ordinance to adopt an ordinance, resolution, or motion.  
12 Nothing in this Section shall deprive an acting mayor or mayor  
13 pro tem from voting in the capacity as alder ~~alderman~~, but he  
14 or she shall not be entitled to another vote in the capacity as  
15 acting mayor or mayor pro tem.

16 (Source: P.A. 87-1119.)

17 (65 ILCS 5/3.1-40-35) (from Ch. 24, par. 3.1-40-35)

18 Sec. 3.1-40-35. Deferral of committee reports. Upon the  
19 request of any 2 alders ~~aldermen~~ present, any report of a  
20 committee of the council shall be deferred for final action to  
21 the next regular meeting of the council after the report is  
22 made.

23 (Source: P.A. 87-1119.)

24 (65 ILCS 5/3.1-40-40) (from Ch. 24, par. 3.1-40-40)

1           Sec. 3.1-40-40. Vote required. The passage of all  
2 ordinances for whatever purpose, and of any resolution or  
3 motion (i) to create any liability against a city or (ii) for  
4 the expenditure or appropriation of its money shall require  
5 the concurrence of a majority of all members then holding  
6 office on the city council, including the mayor, unless  
7 otherwise expressly provided by this Code or any other Act  
8 governing the passage of any ordinance, resolution, or motion.  
9 Where the council consists of an odd number of alders  
10 ~~aldermen~~, however, the vote of the majority of the alders  
11 ~~aldermen~~ shall be sufficient to pass an ordinance. The passage  
12 of an ordinance, resolution, or motion to sell any school  
13 property shall require the concurrence of three-fourths of all  
14 alders ~~aldermen~~ then holding office. The yeas and nays shall  
15 be taken upon the question of the passage of the designated  
16 ordinances, resolutions, or motions and recorded in the  
17 journal of the city council. In addition, the corporate  
18 authorities at any meeting may by unanimous consent take a  
19 single vote by yeas and nays on the several questions of the  
20 passage of any 2 or more of the designated ordinances, orders,  
21 resolutions, or motions placed together for voting purposes in  
22 a single group. The single vote shall be entered separately in  
23 the journal under the designation "omnibus vote", and in that  
24 event the clerk may enter the words "omnibus vote" or "consent  
25 agenda" in the journal in each case instead of entering the  
26 names of the members of city council voting "yea" and those

1 voting "nay" on the passage of each of the designated  
2 ordinances, orders, resolutions, and motions included in the  
3 omnibus group or consent agenda. The taking of a single or  
4 omnibus vote and the entries of the words "omnibus vote" or  
5 "consent agenda" in the journal shall be a sufficient  
6 compliance with the requirements of this Section to all  
7 intents and purposes and with like effect as if the vote in  
8 each case had been taken separately by yeas and nays on the  
9 question of the passage of each ordinance, order, resolution,  
10 and motion included in the omnibus group and separately  
11 recorded in the journal. Likewise, the yeas and nays shall be  
12 taken upon the question of the passage of any other resolution  
13 or motion at the request of any alder ~~alderman~~ and shall be  
14 recorded in the journal.

15 (Source: P.A. 87-1119.)

16 (65 ILCS 5/3.1-40-50) (from Ch. 24, par. 3.1-40-50)

17 Sec. 3.1-40-50. Reconsideration; passing over veto. Every  
18 resolution and motion specified in Section 3.1-40-45, and  
19 every ordinance, that is returned to the city council by the  
20 mayor shall be reconsidered by the city council at the next  
21 regular meeting following the regular meeting at which the  
22 city council receives the mayor's written objection. If, after  
23 reconsideration, two-thirds of all the alders ~~aldermen~~  
24 holding office on the city council agree at that regular  
25 meeting to pass an ordinance, resolution, or motion,

1 notwithstanding the mayor's refusal to approve it, then it  
2 shall be effective. The vote on the question of passage over  
3 the mayor's veto shall be by yeas and nays and shall be  
4 recorded in the journal.

5 This Section does not apply to municipalities with more  
6 than 500,000 inhabitants.

7 (Source: P.A. 91-489, eff. 1-1-00.)

8 (65 ILCS 5/3.1-40-55) (from Ch. 24, par. 3.1-40-55)

9 Sec. 3.1-40-55. Reconsideration; requisites. No vote of  
10 the city council shall be reconsidered or rescinded at a  
11 special meeting unless there are present at the special  
12 meeting at least as many alders ~~aldermen~~ as were present when  
13 the vote was taken.

14 (Source: P.A. 87-1119.)

15 (65 ILCS 5/3.1-45-5) (from Ch. 24, par. 3.1-45-5)

16 Sec. 3.1-45-5. Composition; manner of acting. The board of  
17 trustees shall consist of the president and trustees and,  
18 except as otherwise provided in this Code, shall exercise the  
19 same powers and perform the same duties as the city council in  
20 cities. It shall pass ordinances, resolutions, and motions in  
21 the same manner as a city council. The president of the board  
22 of trustees may exercise the same veto power and powers in  
23 Section 3.1-40-30, and with like effect, as the mayor of a  
24 city. The trustees may pass motions, resolutions, and



1 ordinances over the president's veto in like manner as the  
2 alders ~~aldermen~~ of a city council.

3 (Source: P.A. 87-1119.)

4 (65 ILCS 5/3.1-45-15) (from Ch. 24, par. 3.1-45-15)

5 Sec. 3.1-45-15. Powers and duties. The trustees, except as  
6 otherwise provided in this Code, shall perform the duties and  
7 exercise the powers conferred upon the alders ~~aldermen~~ of a  
8 city.

9 (Source: P.A. 87-1119.)

10 (65 ILCS 5/3.1-55-5) (from Ch. 24, par. 3.1-55-5)

11 Sec. 3.1-55-5. Certificate of appointment. Whenever a  
12 person has been appointed or elected to office, the mayor or  
13 president shall issue a certificate of appointment or  
14 election, under the corporate seal, to the municipal clerk.  
15 All officers elected or appointed under this Code, except the  
16 municipal clerk, alder ~~alderman~~, mayor, trustees, and  
17 president, shall be commissioned by warrant, under the  
18 corporate seal, signed by the municipal clerk and the mayor,  
19 acting mayor, or mayor pro tem, or presiding officer of the  
20 corporate authorities.

21 (Source: P.A. 87-1119.)

22 (65 ILCS 5/4-1-2) (from Ch. 24, par. 4-1-2)

23 Sec. 4-1-2. Definitions. In this Article, unless the

1 context otherwise requires:

2 (a) Any office or officer named in Any act referred to in  
3 this Article, when applied to cities or villages under the  
4 commission form of municipal government, means the office or  
5 officer having the same functions or duties under this Article  
6 or under ordinances passed by authority of this Article.

7 (b) "Commissioner", "alder ~~alderman~~", or "village trustee"  
8 means commissioner when applied to duties under this Article.

9 (c) "City council", "board of trustees", or "corporate  
10 authorities" means "council" when applied to duties under this  
11 Article.

12 (d) "Franchise" includes every special privilege or right  
13 in the streets, alleys, highways, bridges, subways, viaducts,  
14 air, waters, public places, and other public property that  
15 does not belong to the citizens generally by common right,  
16 whether granted by the State or the city or village.

17 (e) "City" includes village.

18 (f) "Municipal" or "municipality" means either city or  
19 village.

20 (g) "Treating" means the entertaining of a person with  
21 food, drink, tobacco, or drugs.

22 (h) "Treats" means the food, drink, tobacco, or drugs,  
23 requested, offered, given, or received, in treating or for the  
24 entertainment of a person.

25 (Source: P.A. 87-1119.)

1 (65 ILCS 5/4-10-1) (from Ch. 24, par. 4-10-1)

2 Sec. 4-10-1. Any municipality, which has operated for more  
3 than 2 years under the commission form of municipal  
4 government, may abandon its operation under this article and  
5 accept the provisions of the general law of the State then  
6 applicable to municipalities, by proceedings as follows:

7 When a petition signed by electors of the municipality  
8 equal in number to at least 25% of the number of votes cast for  
9 the candidates for mayor at the last preceding general  
10 quadrennial municipal election is filed with the municipal  
11 clerk, the clerk shall certify the proposition to the proper  
12 election authorities for submission to the electors of the  
13 municipality. The proposition shall be in substantially the  
14 following form:

15 -----  
16 Shall the city (or village) YES  
17 of.... retain the commission -----  
18 form of municipal government? NO  
19 -----

20 In municipalities which have adopted the City Election  
21 Law, however, this proposition shall be filed with the clerk  
22 of that board. However, in municipalities with less than  
23 50,000 inhabitants this proposition shall only be submitted  
24 within the year preceding the expiration of the terms of  
25 office of the elective officers of the municipality and shall  
26 not be submitted more often than once in that year. In

1 municipalities with 50,000 or more inhabitants this  
2 proposition shall not be submitted more often than once in 22  
3 months.

4 If a majority of the votes cast on this proposition are  
5 against the proposition, the officers elected at the next  
6 succeeding general municipal election shall be those then  
7 prescribed in Article 3. Upon the qualification of these  
8 officers the municipality shall become a city or village under  
9 this Code, but this change shall not affect in any manner or  
10 degree the property rights or liabilities of any nature of the  
11 municipality, but shall merely extend to the change in its  
12 form of government.

13 The first city council or board of trustees elected after  
14 the abandonment of the commission form of municipal government  
15 shall have the same number of alders ~~aldermen~~ or trustees as  
16 were provided in the municipality at the time of its adoption  
17 of this article, and the municipality shall have the same ward  
18 and precinct boundaries.

19 (Source: P.A. 81-1489.)

20 (65 ILCS 5/5-1-4) (from Ch. 24, par. 5-1-4)

21 Sec. 5-1-4. Procedure for adopting managerial form of  
22 government.

23 (a) Cities and villages described in Section 5-1-1, in  
24 order to vest themselves with the managerial form of municipal  
25 government, shall act in accordance with the procedure

1 provided in Sections 5-1-4 through 5-1-11 unless modified  
2 elsewhere in this Article 5. In cities that are operating  
3 under Section 3.1-20-10 and villages operating under Section  
4 3.1-25-75 at the time of the adoption of this Article 5, the  
5 forms of petition and ballot prescribed in Sections 5-1-5 and  
6 5-1-7 may at the option of the petitioners be modified to  
7 contain the following additional proposition:

8           Shall (name of city or village), if it adopts the  
9 managerial form of municipal government, continue to elect  
10 alders ~~aldermen~~ (or trustees) from wards (or districts)?

11           (b) In any city operating under Section 3.1-20-10 at the  
12 time of adoption of this Article 5, at the option of the  
13 petitioners and in addition to the optional proposition  
14 provided for in subsection (a), the forms of petition and  
15 ballot prescribed in Sections 5-1-6 and 5-1-8 may be further  
16 modified to contain the following additional proposition:

17           Shall only one alder ~~alderman~~ hereafter be elected  
18 from each ward if (name of city) adopts the managerial  
19 form of municipal government and also elects to continue  
20 the aldermanic organization for the city council?

21           (c) If 2 or more forms of petition allowed under this  
22 Section are presented to the chief judge of the circuit court  
23 or any judge of that circuit designated by the chief judge, the  
24 judge shall cause only the question or questions contained in  
25 the first petition so presented to be submitted to referendum,  
26 if he or she finds that the petition is in proper form and

1       legally sufficient.

2           (d) If a majority of the electors voting on the  
3 proposition vote to adopt the managerial form of municipal  
4 government, then this Article 5 shall become effective in the  
5 city or village upon the date of the next general municipal  
6 election at which any corporate authority is elected. The  
7 operation of the managerial form of municipal government, for  
8 purposes of voting on the question to abandon set out in  
9 Section 5-5-1, however, shall not be deemed to begin until a  
10 manager is appointed.

11           (e) The city council or board of trustees of a city or  
12 village that adopts the provisions of this Article 5 under  
13 this Section may, if it so desires, by the adoption of an  
14 ordinance immediately after the adoption of this Article 5 has  
15 been proclaimed, appoint a city or village manager and  
16 reorganize the administration of the municipality in  
17 conformance with this Article 5. This Article 5, except as to  
18 the membership of the council in cities or villages in which  
19 representation by wards or districts has not been retained,  
20 shall be in effect upon the proclamation of the results of the  
21 adopting referendum.

22       (Source: P.A. 87-1119.)

23           (65 ILCS 5/5-2-1) (from Ch. 24, par. 5-2-1)

24           Sec. 5-2-1. If a city or village adopts the managerial  
25 form of municipal government and also elects to choose alders

1 ~~aldermen~~ or trustees, as the case may be, from wards or  
2 districts, then the city council shall be constituted as  
3 provided in Sections 5-2-2 through 5-2-10 and the village  
4 board shall be constituted as provided in Section 5-2-11 and  
5 the incumbent alders ~~aldermen~~, trustees, mayor, president,  
6 clerk and treasurer shall continue in office until expiration  
7 of their present terms. If a city has voted to elect only one  
8 alder ~~alderman~~ from each ward then no election for a successor  
9 for the alder ~~alderman~~ from each ward whose term next expires  
10 shall be held, and upon the expiration of the terms of the  
11 alders ~~aldermen~~ having the longest time to serve at the time of  
12 adoption of this Article 5 only one successor shall be elected  
13 from each ward. In case a city votes to elect only one alder  
14 ~~alderman~~ from each ward, the number of alders ~~aldermen~~  
15 prescribed by Section 5-2-2 shall be halved, for the purposes  
16 of this Article 5 and the provisions of Section 5-2-4  
17 prescribing the number of wards shall not apply but such city  
18 shall have an equal number of wards and alders ~~aldermen~~. The  
19 mayor of a city and the president of a village board shall be  
20 elected from the city or village at large.

21 (Source: Laws 1961, p. 576.)

22 (65 ILCS 5/5-2-2) (from Ch. 24, par. 5-2-2)

23 Sec. 5-2-2. Except as otherwise provided in Section 5-2-3,  
24 the number of alders ~~aldermen~~, when not elected by the  
25 minority representation plan, shall be as follows: In cities

1 not exceeding 3,000 inhabitants, 6 alders ~~aldermen~~; exceeding  
2 3,000, but not exceeding 15,000, 8 alders ~~aldermen~~; exceeding  
3 15,000 but not exceeding 20,000, 10 alders ~~aldermen~~; exceeding  
4 20,000 but not exceeding 30,000, 14 alders ~~aldermen~~; and 2  
5 additional alders ~~aldermen~~ for every 20,000 inhabitants over  
6 30,000. In all cities of less than 500,000, 20 alders ~~aldermen~~  
7 shall be the maximum number permitted except as otherwise  
8 provided in the case of alders-at-large ~~aldermen-at-large~~. No  
9 redistricting shall be required in order to reduce the number  
10 of alders ~~aldermen~~ heretofore provided for. Two alders  
11 ~~aldermen~~ shall be elected to represent each ward.

12 If it appears from any census specified in Section 5-2-5  
13 and taken not earlier than 1940 that any city has the requisite  
14 number of inhabitants to authorize it to increase the number  
15 of alders ~~aldermen~~, the city council shall immediately proceed  
16 to redistrict the city in accordance with the provisions of  
17 Section 5-2-5, and it shall hold the next city election in  
18 accordance with the new redistricting. At this election the  
19 alders ~~aldermen~~ whose terms of office are not expiring shall  
20 be considered alders ~~aldermen~~ for the new wards respectively  
21 in which their residences are situated. At this election a  
22 candidate for alder ~~alderman~~ may be elected from any ward that  
23 contains a part of the ward in which he or she resided at least  
24 one year next preceding the election that follows the  
25 redistricting, and, if elected, that person may be reelected  
26 from the new ward he or she represents if he or she resides in



1 that ward for at least one year next preceding reelection. If  
2 there are 2 or more alders ~~aldermen~~ with terms of office not  
3 expiring and residing in the same ward under the new  
4 redistricting, the alder ~~alderman~~ who holds over for that ward  
5 shall be determined by lot in the presence of the city council,  
6 in whatever manner the council shall direct and all other  
7 alders ~~aldermen~~ shall fill their unexpired terms as  
8 alders-at-large ~~aldermen-at-large~~. The alders-at-large  
9 ~~aldermen-at-large~~, if any, shall have the same power and  
10 duties as all other alders ~~aldermen~~ but upon expiration of  
11 their terms the offices of alders-at-large ~~aldermen-at-large~~  
12 shall be abolished.

13 If the re-districting results in one or more wards in  
14 which no alders ~~aldermen~~ reside whose terms of office have not  
15 expired, 2 alders ~~aldermen~~ shall be elected in accordance with  
16 the provisions of Section 5-2-8.

17 (Source: P.A. 93-847, eff. 7-30-04.)

18 (65 ILCS 5/5-2-3) (from Ch. 24, par. 5-2-3)

19 Sec. 5-2-3. In any city or village of less than 100,000  
20 inhabitants, a proposition to restrict the number of alders  
21 ~~aldermen~~ to one-half of the total authorized by Section 5-2-2,  
22 with one alder ~~alderman~~ representing each ward, shall be  
23 certified by the municipal clerk to the proper election  
24 authority who shall submit the proposition at an election in  
25 accordance with the general election law, if a petition

1 requesting such action is signed by electors of the  
 2 municipality numbering not less than 10% of the total vote  
 3 cast at the last election for mayor or president of the board  
 4 of trustees of the municipality, and is filed with the city or  
 5 village clerk in accordance with the general election law.

6 The proposition shall be substantially in the following  
 7 form:

8 -----  
 9 Shall the City (or Village) of  
 10 ..... restrict the number of YES  
 11 alders ~~aldermen~~ to one-half of the total  
 12 authorized by Section 5-2-2 of the -----  
 13 Illinois Municipal Code, with one NO  
 14 alder ~~alderman~~ representing each ward?  
 15 -----

16 If a majority of those voting upon the proposition vote in  
 17 favor of it, all existing aldermanic terms shall expire as of  
 18 the date of the next regular aldermanic election, at which  
 19 time a full complement of alders ~~aldermen~~ shall be elected for  
 20 the full term.

21 (Source: P.A. 81-1489.)

22 (65 ILCS 5/5-2-3.1) (from Ch. 24, par. 5-2-3.1)

23 Sec. 5-2-3.1. In any municipality in which only one alder  
 24 ~~alderman~~ is elected from each ward, a proposition to stagger  
 25 the terms of alders ~~aldermen~~, with as nearly as possible

1 one-half of the alders ~~aldermen~~ elected every 2 years, shall  
 2 be certified to the proper election authority who shall submit  
 3 the proposition at an election in accordance with the general  
 4 election law, if a petition requesting such action is signed  
 5 by electors of the municipality numbering at least 10% of the  
 6 total vote cast at the last election for mayor or president of  
 7 the board of trustees of the municipality and is filed with the  
 8 municipal clerk.

9 The proposition shall be substantially in the following  
 10 form:

11 -----  
 12 Shall the City (or Village) of YES  
 13 ..... adopt a system of -----  
 14 staggered terms for alders ~~aldermen~~? NO  
 15 -----

16 If a majority of those voting on the proposition vote in  
 17 favor of it, at the next regular election for alders ~~aldermen~~,  
 18 one alder ~~alderman~~ shall be elected from each even-numbered  
 19 ward for a term of 2 years, and one alder ~~alderman~~ shall be  
 20 elected from each odd-numbered ward for a term of 4 years.  
 21 Thereafter, their successors shall be elected for terms of 4  
 22 years.

23 (Source: P.A. 81-1489.)

24 (65 ILCS 5/5-2-4) (from Ch. 24, par. 5-2-4)  
 25 Sec. 5-2-4. Except as otherwise provided in Section 5-2-3,

1 every city shall have one-half as many wards as the total  
2 number of alders ~~aldermen~~ to which the city is entitled. The  
3 city council, from time to time shall divide the city into that  
4 number of wards. In the formation of wards the population of  
5 each shall be as nearly equal, and the wards shall be of as  
6 compact and contiguous territory, as practicable.

7 (Source: Laws 1961, p. 576.)

8 (65 ILCS 5/5-2-5) (from Ch. 24, par. 5-2-5)

9 Sec. 5-2-5. Whenever an official publication of any  
10 national, state, school, or city census shows that any city  
11 contains more or less wards than it is entitled to, the city  
12 council of the city, by ordinance, shall redistrict the city  
13 into as many wards only as the city is entitled. This  
14 redistricting shall be completed not less than 30 days before  
15 the first date fixed by law for the filing of candidate  
16 petitions for the next succeeding election for city officers.  
17 At this election there shall be elected the number of alders  
18 ~~aldermen~~ to which the city is entitled.

19 (Source: P.A. 81-1489.)

20 (65 ILCS 5/5-2-7) (from Ch. 24, par. 5-2-7)

21 Sec. 5-2-7. If, after a specified census is officially  
22 published, any city is divided into a greater number of wards  
23 and has elected a greater number of alders ~~aldermen~~ than the  
24 city is entitled, nevertheless such division and election

1 shall be valid and all acts, resolutions, and ordinances of  
2 the city council of such city, if in other respects in  
3 compliance with law, are valid.

4 (Source: Laws 1961, p. 576.)

5 (65 ILCS 5/5-2-8) (from Ch. 24, par. 5-2-8)

6 Sec. 5-2-8. Staggered terms; tenure.

7 (a) Alders ~~Aldermen~~ elected at the first election for city  
8 officers after the election of alders ~~aldermen~~ for the initial  
9 terms provided for in Section 2-2-11 shall draw lots to  
10 determine (i) which of the alders ~~aldermen~~ in each ward shall  
11 hold for a 4 year term and until a successor is elected and has  
12 qualified and (ii) which in each ward shall hold for a 2 year  
13 term and until a successor is elected and has qualified. All  
14 alders ~~aldermen~~ elected after that first election shall hold  
15 office for a term of 4 years and until their successors are  
16 elected and have qualified, except in cities that adopt a 2  
17 year term as provided in Section 3.1-10-65 and except as is  
18 otherwise provided in Section 5-2-3.

19 (b) If a city that has had the minority representation  
20 plan has voted not to retain the plan, then, at the first  
21 election for city officers following the vote, 2 alders  
22 ~~aldermen~~ shall be elected from each ward in the city. Their  
23 terms shall be staggered by the process specified in this  
24 Section. The tenure of these alders ~~aldermen~~ and their  
25 successors shall be the same as that stated in subsection (a).

1 (Source: P.A. 87-1119.)

2 (65 ILCS 5/5-2-11) (from Ch. 24, par. 5-2-11)

3 Sec. 5-2-11. In any village which adopts this Article 5,  
4 the board of trustees by ordinance shall divide and, whenever  
5 necessary thereafter, shall redistrict the village into 6  
6 compact and contiguous districts of approximately equal  
7 population.

8 Each of the districts shall be represented by one trustee  
9 who shall have been an actual resident of the district for at  
10 least 6 months prior to his election, unless the trustee is a  
11 resident of a newly incorporated municipality. Only the  
12 electors of a district shall elect the trustee from that  
13 district.

14 The provisions of Section 5-2-8 relating to terms of  
15 office of alders ~~aldermen~~ in cities shall also apply to the  
16 terms of office of trustees under this section.

17 (Source: P.A. 95-646, eff. 1-1-08.)

18 (65 ILCS 5/5-2-12) (from Ch. 24, par. 5-2-12)

19 Sec. 5-2-12. Alders ~~Aldermen~~ or trustees elected at large;  
20 vacancies; mayor or president to preside.

21 (a) If a city or village adopts the managerial form of  
22 municipal government but does not elect to choose alders  
23 ~~aldermen~~ or trustees from wards or districts, then the  
24 following provisions of this Section shall be applicable.

1           (b) The city council shall be elected at large. In cities  
2 of less than 50,000 population, the council shall consist of  
3 (i) the mayor and 4 councilmen or (ii) the mayor and 6  
4 councilmen if the size of the city council is increased under  
5 subsection (k). In cities of at least 50,000 but less than  
6 100,000 population, the council shall consist of the mayor and  
7 6 councilmen. In cities of at least 100,000 but not more than  
8 500,000 population, the council shall consist of the mayor and  
9 8 councilmen.

10           (c) Except in villages that were governed by Article 4  
11 immediately before the adoption of the managerial form of  
12 municipal government, the village board shall be elected at  
13 large and shall consist of a president and the number of  
14 trustees provided for in Section 5-2-15 or 5-2-17, whichever  
15 is applicable.

16           (d) The term of office of the mayor and councilmen shall be  
17 4 years, provided that in cities of less than 50,000, the 2  
18 councilmen receiving the lowest vote at the first election  
19 shall serve for 2 years only; in cities of at least 50,000 but  
20 less than 100,000, the 3 councilmen receiving the lowest vote  
21 at the first election shall serve for 2 years only; and in  
22 cities of at least 100,000 but not more than 500,000, the 4  
23 councilmen receiving the lowest vote at the first election  
24 shall serve for 2 years only.

25           (e) The election of councilmen shall be every 2 years.  
26 After the first election, only 2 councilmen in cities of less

1 than 50,000, 3 councilmen in cities of at least 50,000 but less  
2 than 100,000, or 4 councilmen in cities of at least 100,000 but  
3 not more than 500,000, shall be voted for by each elector at  
4 the primary elections, and only 2, 3, or 4 councilmen, as the  
5 case may be, shall be voted for by each elector at each  
6 biennial general municipal election, to serve for 4 years.

7 (f) In addition to the requirements of the general  
8 election law, the ballots shall be in the form set out in  
9 Section 5-2-13. In cities with less than 50,000, the form of  
10 ballot prescribed in Section 5-2-13 shall be further modified  
11 by printing in the place relating to councilmen the words  
12 "Vote for not more than Two", or "Vote for not more than Three"  
13 if the size of the city council is increased under subsection  
14 (k), instead of the words "Vote for not more than Four". In  
15 cities of at least 50,000 but less than 100,000, the ballot  
16 shall be modified in that place by printing the words "Vote for  
17 not more than Three" instead of the words "Vote for not more  
18 than Four". Sections 4-3-5 through 4-3-18, insofar as they may  
19 be applicable, shall govern the election of a mayor and  
20 councilmen under this Section.

21 (g) If a vacancy occurs in the office of mayor or  
22 councilman, the remaining members of the council, within 60  
23 days after the vacancy occurs, shall fill the vacancy by  
24 appointment of some person to the office for the balance of the  
25 unexpired term or until the vacancy is filled by interim  
26 election under Section 3.1-10-50, and until the successor is



1 elected and has qualified.

2 (h) Except in villages that were governed by Article 4  
3 immediately before the adoption of the managerial form of  
4 municipal government, in villages that have adopted this  
5 Article 5 the term of office of the president, the number of  
6 trustees to be elected, their terms of office, and the manner  
7 of filling vacancies shall be governed by Sections 5-2-14  
8 through 5-2-17.

9 (i) Any village that adopts the managerial form of  
10 municipal government under this Article 5 and that,  
11 immediately before that adoption, was governed by the  
12 provisions of Article 4, shall continue to elect a mayor and 4  
13 commissioners in accordance with Sections 4-3-5 through  
14 4-3-18, insofar as they may be applicable, except that the 2  
15 commissioners receiving the lowest vote among those elected at  
16 the first election after this Article 5 becomes effective in  
17 the village shall serve for 2 years only. After that first  
18 election, the election of commissioners shall be every 2  
19 years, and 2 commissioners shall be elected at each election  
20 to serve for 4 years.

21 (j) The mayor or president shall preside at all meetings  
22 of the council or board and on all ceremonial occasions.

23 (k) In cities of less than 50,000 population, the city  
24 council may, by ordinance, provide that the city council  
25 shall, after the next biennial general municipal election,  
26 consist of 6 instead of 4 councilmen. If the size of the

1 council is increased to 6 councilmen, then at the next  
2 biennial general municipal election, the electors shall vote  
3 for 4 instead of 2 councilmen. Of the 4 councilmen elected at  
4 that next election, the one receiving the lowest vote at that  
5 election shall serve a 2-year term. Thereafter, all terms  
6 shall be for 4 years.

7 (Source: P.A. 95-862, eff. 8-19-08.)

8 (65 ILCS 5/5-2-17) (from Ch. 24, par. 5-2-17)

9 Sec. 5-2-17. Trustees; certain villages incorporated under  
10 special Acts.

11 (a) In every village specified in Section 5-2-12  
12 incorporated and existing under any special Act that, before  
13 June 4, 1909, under any special Act, annually elected members  
14 of its legislative body, the electors of the village, instead  
15 of the legislative body now provided for by law, shall elect 6  
16 trustees. They shall hold their offices until their respective  
17 successors are elected and have qualified. At the first  
18 meeting of this board of 6 trustees, the terms of office of the  
19 trustees shall be staggered. Thereafter, the terms shall be  
20 for the same length of time as provided for alders ~~aldermen~~ in  
21 Section 3.1-20-35.

22 (b) The electors of a village or incorporated town  
23 described in subsection (a) may, however, adopt a 2 year term  
24 for their trustees as provided in Section 3.1-10-65. If this 2  
25 year term is adopted, then at the next general municipal

1 election in the adopting village, 3 trustees shall be elected,  
2 and they shall hold their offices for terms of one year each.  
3 In the next succeeding year, and in each year thereafter, 3  
4 trustees shall be elected in the adopting village, and they  
5 shall hold their offices for terms of 2 years each.

6 (c) Any village described in subsection (a) that, before  
7 January 2, 1942, has adopted a 2 year term for its trustees and  
8 is now electing 3 trustees each year shall continue to elect 3  
9 trustees each year for a term of 2 years each. Any village  
10 described in subsection (a) that, before January 2, 1942, has  
11 adopted a 2 year term for its trustees but is not now electing  
12 3 trustees each year shall elect 3 trustees at the next general  
13 municipal election in that village, and they shall hold their  
14 offices for terms of one year each. In the next succeeding  
15 year, and in each year thereafter, 3 trustees shall be  
16 elected, and they shall hold their offices for terms of 2 years  
17 each.

18 (Source: P.A. 87-1119.)

19 (65 ILCS 5/5-2-18) (from Ch. 24, par. 5-2-18)

20 Sec. 5-2-18. In any city which has adopted this Article 5  
21 and which elects a mayor and councilmen as provided in Section  
22 5-2-12, a proposition to elect alders ~~aldermen~~ from wards as  
23 provided in Article 3 of this Code, except that only one alder  
24 ~~alderman~~ may be elected from each ward, shall be certified by  
25 the city clerk to the proper election authority who shall

1 submit such proposition at the general municipal election in  
 2 accordance with the general election law, if a petition signed  
 3 by electors of the city numbering not less than 10% of the  
 4 total vote cast for mayor at the last preceding election, is  
 5 filed with the city clerk.

6 The proposition shall be substantially in the following  
 7 form:

8 -----

9 Shall the city of.... be divided  
 10 into wards with one alder ~~alderman~~ to be YES  
 11 elected from each ward, but with the -----  
 12 mayor to be elected from the city NO  
 13 at large?

14 -----

15 If a majority of those voting on the proposition vote  
 16 "yes", then the sitting city council shall proceed to divide  
 17 the city into wards in the manner provided in Article 3 and one  
 18 alder ~~alderman~~ shall be elected from each ward at the next  
 19 general municipal election of any city officer. Upon the  
 20 election and qualification of such alders ~~aldermen~~ the terms  
 21 of office of all sitting councilmen shall expire. After the  
 22 adoption of such proposition the provisions of Article 3 shall  
 23 be applicable to the division of the city into wards and to the  
 24 election of the mayor and alders ~~aldermen~~ of such city, except  
 25 that only one alder ~~alderman~~ shall be elected from each ward.

26 (Source: P.A. 81-1489.)

1 (65 ILCS 5/5-2-18.1) (from Ch. 24, par. 5-2-18.1)

2 Sec. 5-2-18.1. In any city or village which has adopted  
3 this Article and also has elected to choose alders ~~aldermen~~  
4 from wards or trustees from districts, as the case may be, a  
5 proposition to elect the city council at large shall be  
6 submitted to the electors in the manner herein provided.

7 Electors of such city or village, equal to not less than  
8 10% of the total vote cast for all candidates for mayor or  
9 president in the last preceding municipal election for such  
10 office, may petition for the submission to a vote of the  
11 electors of that city or village the proposition whether the  
12 city council shall be elected at large. The petition shall be  
13 in the same form as prescribed in Section 5-1-6, except that  
14 said petition shall be modified as to the wording of the  
15 proposition to be voted upon to conform to the wording of the  
16 proposition as hereinafter set forth, and shall be filed with  
17 the city clerk in accordance with the general election law.  
18 The clerk shall certify the proposition to the proper election  
19 authorities who shall submit the proposition at an election in  
20 accordance with the general election law.

21 However, such proposition shall not be submitted at the  
22 general primary election for the municipality.

23 The proposition shall be in substantially the following  
24 form:

25 -----

1            Shall the city (or village) of  
2        .... elect the city council at                      YES  
3        large instead of alders ~~aldermen~~ -----  
4        (or trustees) from wards (or                      NO  
5        districts)?

6        -----  
7            If a majority of those voting on the proposition vote  
8        "yes", then the city council shall be elected at large at the  
9        next general municipal election and the provisions of Section  
10       5-2-12 shall be applicable. Upon the election and  
11       qualification of such council men or trustees, the terms of  
12       all sitting alders ~~aldermen~~ shall expire.  
13       (Source: P.A. 81-1489.)

14            (65 ILCS 5/5-2-18.2) (from Ch. 24, par. 5-2-18.2)  
15            Sec. 5-2-18.2. In any city which has adopted this Article,  
16        and also has elected to choose alders ~~aldermen~~ from wards, a  
17        proposition to elect part of the city council at large and part  
18        from districts shall be submitted to the electors upon the  
19        petition herein provided.

20            Electors of such city, equal in number to not less than 10%  
21        of the total vote cast for all candidates for mayor in the last  
22        preceding municipal election for such office, may petition for  
23        the submission to a vote of the electors of that city the  
24        proposition whether part of the city council shall be elected  
25        at large and part from districts. The petition shall be in the

1 same form as prescribed in Section 5-1-6, except that said  
 2 petition shall be modified as to the wording of the  
 3 proposition to be voted upon, to conform to the wording of the  
 4 proposition as hereinafter set forth, and shall be filed with  
 5 the city clerk in accordance with the general election law.  
 6 The city clerk shall certify the proposition to the proper  
 7 election authorities who shall submit the proposition at an  
 8 election in accordance with the general election law.

9 However, such proposition shall not be submitted at the  
 10 general primary election for the municipality.

11 The proposition shall be substantially in the following  
 12 form:

13 -----  
 14 Shall the city of....  
 15 elect part of the councilmen YES  
 16 at large and part of -----  
 17 the councilmen from NO  
 18 districts?  
 19 -----

20 If a majority of those voting on the proposition vote  
 21 "yes", then at the next general municipal election and every 4  
 22 years thereafter, a mayor and part of the councilmen shall be  
 23 elected at large and part of the councilmen shall be elected  
 24 from wards, the total number of councilmen to be elected to  
 25 equal the number of alders ~~aldermen~~ authorized to be elected  
 26 prior to adoption of the proposition.

1           The city council shall divide the city, whenever necessary  
2 thereafter, into districts which shall be of as compact and  
3 contiguous territory as practicable and of approximately equal  
4 population. The number of such districts shall be equal to  
5 half the number of alders ~~aldermen~~ then authorized to be  
6 elected to office in such city. If there is an odd number of  
7 such alders ~~aldermen~~, the number of districts established  
8 shall be equal to the number which represents a majority of the  
9 number of such alders ~~aldermen~~.

10           One councilman, who is an actual resident of the district,  
11 shall be elected from each district. Only the electors of a  
12 district shall elect a councilman from that district. The rest  
13 of the number of councilmen authorized shall be elected at  
14 large.

15           The mayor and councilmen shall hold their respective  
16 offices for the term of 4 years and until their successors are  
17 elected and qualified. Upon the election and qualification of  
18 the councilmen, the terms of all sitting alders ~~aldermen~~ shall  
19 expire.

20           (Source: P.A. 81-1489.)

21           (65 ILCS 5/5-2-18.7) (from Ch. 24, par. 5-2-18.7)

22           Sec. 5-2-18.7. In any city which has adopted this Article,  
23 and is electing the city council at large or has elected to  
24 choose alders ~~aldermen~~ from wards, a proposition to elect part  
25 of the city council at large and part from districts with



1 staggered four year terms and biennial elections for  
2 councilmen shall be submitted to the electors upon initiation  
3 in the manner herein provided.

4 Electors of such city, equal in number to not less than 10%  
5 of the total vote cast for all candidates for mayor in the last  
6 preceding municipal election for such office, may petition for  
7 submission, or, in the alternative, the city council may by  
8 ordinance without a petition cause to be submitted, to a vote  
9 of the electors of that city the proposition whether part of  
10 the city council shall be elected at large and part from  
11 districts with staggered four year terms and biennial  
12 elections for councilmen. The petition shall be in the same  
13 form as prescribed in Section 5-1-6, except that the petition  
14 shall be modified as to the wording of the proposition to be  
15 voted upon, to conform to the wording of the proposition as  
16 hereinafter set forth, and shall be filed with the city clerk  
17 in accordance with the general election law. The city clerk  
18 shall certify the proposition to the proper election  
19 authorities who shall submit the proposition at an election in  
20 accordance with the general election law.

21 However, such proposition shall not be submitted at the  
22 general primary election for the municipality.

23 The proposition shall be substantially in the following  
24 form:

25 -----

26 Shall the city of....

1 elect part of the councilmen at large YES  
 2 and part of the councilmen from -----  
 3 districts with staggered four year NO  
 4 terms and biennial elections?

5 -----

6 If a majority of those voting on the proposition vote  
 7 "yes", then at the next general municipal election at which a  
 8 mayor is to be elected, a mayor and councilmen shall be elected  
 9 as hereinafter provided.

10 In cities of less than 50,000 population, the council  
 11 shall consist of the mayor and 6 councilmen, 2 councilmen  
 12 being elected at large and 4 councilmen being elected from  
 13 districts. In cities of 50,000 and not more than 500,000  
 14 population, the council shall consist of the mayor and 8  
 15 councilmen, 3 councilmen being elected at large and 5  
 16 councilmen being elected from districts.

17 The city council shall divide the city, whenever necessary  
 18 thereafter, into districts which shall be of as compact and  
 19 contiguous territory as practicable and of approximately equal  
 20 population. The number of such districts shall be the same as  
 21 the number of councilmen to be elected from districts.

22 One councilman who is an actual resident of the district,  
 23 shall be elected from each district. Only the electors of a  
 24 district shall elect a councilman from that district. The rest  
 25 of the number of councilmen authorized shall be elected at  
 26 large.

1           The term of office of the Mayor and Councilmen shall be 4  
2 years, provided that at the first election the Councilmen  
3 elected at large shall serve for 2 years only. Thereafter the  
4 election of Councilmen shall be biennial, and after the first  
5 election the Mayor and all Councilmen shall be elected for 4  
6 year terms to fill expiring terms of incumbents.

7           The Mayor and Councilmen shall hold their respective  
8 offices for the term of 4 years as herein provided, and until  
9 their successors are elected and qualified. Upon the election  
10 and qualification of the Councilmen, the terms of all sitting  
11 alders ~~aldermen~~ or councilmen elected at large pursuant to the  
12 provisions of Section 5-2-12 shall expire.

13           For the first primary election a distinct ballot shall be  
14 printed for each district. At the top of the ballot shall be  
15 the following: CANDIDATES FOR NOMINATION FOR MAYOR (when Mayor  
16 is to be elected) AND COUNCILMEN OF THE CITY OF.... AT THE  
17 PRIMARY ELECTION. Under the subtitle of FOR MAYOR (when  
18 applicable) shall be placed the following: (VOTE FOR ONE).  
19 There shall be placed below the names of the candidates for  
20 Mayor, if any, another subtitle as follows: FOR COUNCILMEN AT  
21 LARGE. Following this subtitle there shall be an instruction  
22 in this form, to be altered, however, to conform to the facts:  
23 (VOTE FOR NOT MORE THAN....) (Insert number of Councilmen  
24 being elected). Following the names of the candidates for  
25 councilmen at large, there shall be another subtitle in the  
26 following form: FOR DISTRICT COUNCILMAN. Following this

1 subtitle there shall be the following direction: (VOTE FOR  
2 ONE). In other respects the ballots shall conform to the  
3 applicable provisions of Sections 4-3-10 and 5-2-13.

4 To determine the number of nominees who shall be placed on  
5 the ballot under each subtitle at the general municipal  
6 election, the number of officers who will be chosen under each  
7 subtitle shall be multiplied by 2. Only those candidates at  
8 the primary election shall be nominees under each subtitle at  
9 the general municipal election and, where but one officer is  
10 to be elected, the 2 candidates receiving the highest number  
11 of votes shall be placed upon the ballot for the next  
12 succeeding general municipal election. Where 2 councilmen are  
13 to be elected, the 4 candidates receiving the highest number  
14 of votes shall be placed upon the ballot. Where 3 councilmen  
15 are to be elected, the names of the 6 candidates receiving the  
16 highest number of votes shall be placed upon the ballot.

17 The ballots for the election of officers at the first  
18 general municipal election shall be prepared in compliance  
19 with Section 4-3-16, with the following changes:

20 (1) Following the names of the candidates for Mayor (when  
21 applicable) there shall be printed a subtitle: FOR COUNCILMAN  
22 AT LARGE: following this subtitle shall be an instruction in  
23 this form: (VOTE FOR NOT MORE THAN ....) (Insert number of  
24 councilmen to be elected). The names of the nominees for  
25 councilmen at large shall follow the instruction.

26 (2) Following the names of the nominees for councilmen at

1 large shall be printed another subtitle: FOR DISTRICT  
2 COUNCILMAN. Following this subtitle shall be an instruction in  
3 this form: (VOTE FOR ONE) and following this instruction shall  
4 be printed the names of the 2 nominees.

5 Thereafter, the ballots for the biennial election shall be  
6 prepared as hereinafter provided.

7 For the primary election at which Councilmen at large are  
8 to be elected the form of the ballot shall be as follows:

9 At the top of the ballot shall be the following:  
10 CANDIDATES FOR NOMINATION FOR MAYOR (when Mayor is to be  
11 elected) AND COUNCILMEN OF THE CITY OF.... AT THE PRIMARY  
12 ELECTION. Under the subtitle of FOR MAYOR (when applicable)  
13 shall be placed the following: (VOTE FOR ONE). There shall be  
14 placed below the names of the candidates for Mayor, if any,  
15 another subtitle as follows: FOR COUNCILMEN AT LARGE.  
16 Following this subtitle there shall be an instruction in this  
17 form, to be altered, however, to conform to the facts: (VOTE  
18 FOR NOT MORE THAN....) (Insert number of Councilmen being  
19 elected).

20 For the primary election at which District Councilmen are  
21 to be elected, a distinct ballot shall be printed for each  
22 District. There shall be placed below the names of the  
23 candidates for Mayor (when applicable) another subtitle as  
24 follows: FOR DISTRICT COUNCILMAN. Following this subtitle  
25 there shall be an instruction in this form: VOTE FOR ONE. In  
26 all other respects the ballot shall conform to the applicable

1 provisions of Sections 4-3-10 and 5-2-13.

2 To determine the number of nominees who shall be placed on  
3 the ballot under each subtitle at the general municipal  
4 election, the number of officers who will be chosen under each  
5 subtitle shall be multiplied by 2. Only those candidates at  
6 the primary election shall be nominees under each subtitle at  
7 the general municipal election and, where but one officer is  
8 to be elected, the 2 candidates receiving the highest number  
9 of votes shall be placed upon the ballot for the next  
10 succeeding general municipal election. Where 2 councilmen are  
11 to be elected, the 4 candidates receiving the highest number  
12 of votes shall be placed upon the ballot. Where 3 councilmen  
13 are to be elected, the names of the 6 candidates receiving the  
14 highest number of votes shall be placed upon the ballot.

15 The ballots for the election of officers at the general  
16 municipal election shall be prepared in compliance with  
17 Section 4-3-16, with the following changes:

18 (1) For elections where candidates for Councilmen at large  
19 are being elected, following the names of candidates for Mayor  
20 (when applicable) there shall be printed a subtitle as  
21 follows: FOR COUNCILMEN AT LARGE. Following this subtitle  
22 there shall be an instruction in this form: (VOTE FOR NOT MORE  
23 THAN....) (Insert number of Councilmen to be elected). The  
24 names of the nominees for Councilmen at large shall follow the  
25 instruction.

26 (2) For elections where district Councilmen are to be

1 elected, a distinct ballot shall be printed for each district,  
2 and following the names of the candidates for Mayor (when  
3 applicable) there shall be printed a subtitle as follows: FOR  
4 DISTRICT COUNCILMAN. Following this subtitle there shall be an  
5 instruction in this form: (VOTE FOR ONE) and following this  
6 instruction shall be printed the names of the 2 nominees for  
7 district Councilman.

8 Vacancies shall be filled as prescribed in Section 5-2-12,  
9 provided that a vacancy in the office of a District Councilman  
10 shall be filled by a person who is an actual resident of the  
11 district in which the vacancy occurs.

12 (Source: P.A. 95-862, eff. 8-19-08.)

13 (65 ILCS 5/5-2-19) (from Ch. 24, par. 5-2-19)

14 Sec. 5-2-19. In any city which was operating under the  
15 aldermanic form of government as provided in Article 3 at the  
16 time of adoption of this Article 5 which did not also elect to  
17 continue to choose alders ~~aldermen~~ from wards, the city clerk  
18 and city treasurer shall be nominated and elected in the same  
19 manner as provided in this Article 5 for the nomination and  
20 election of the mayor and councilmen. To achieve this result:  
21 wherever the term "mayor or commissioners" appears in Sections  
22 4-3-7 through 4-3-18, it shall be construed to include the  
23 words "or clerk or treasurer". The names of candidates for  
24 nomination shall be placed on the primary election ballot  
25 prescribed in Section 5-2-13 and such ballot shall be modified

1 to include the heading "For Clerk--Vote for one" immediately  
2 following the names of candidates for councilmen and to  
3 include the heading "For Treasurer--Vote for one" immediately  
4 following the names of candidates for clerk. The names of the 4  
5 candidates receiving the highest number of votes for each of  
6 the respective offices shall be placed on the general  
7 municipal election ballot prescribed in Section 5-2-13 which  
8 ballot shall be modified to include such offices and names in  
9 the same manner as is provided in this section for the primary  
10 ballot. If any candidate nominated for the office of clerk or  
11 treasurer dies or withdraws before the general municipal  
12 election the name of the person receiving the fifth highest  
13 number of votes for nomination to that office shall be placed  
14 on the ballot for that election.

15 However, in any city not exceeding 100,000 inhabitants  
16 which adopts this Article 5 and elects a mayor and alders  
17 ~~aldermen~~ or councilmen as provided in Section 5-2-12, or  
18 Sections 5-2-18 through 5-2-18.8, the council may, in lieu of  
19 electing a clerk and treasurer as provided in the above  
20 paragraph, provide by ordinance that the clerk or treasurer or  
21 both for such city be appointed by the mayor with the approval  
22 of the city council. If such officers are appointed their  
23 terms of office, duties, compensation and amount of bond  
24 required shall be the same as if they were elected.

25 (Source: P.A. 95-699, eff. 11-9-07.)



1 (65 ILCS 5/5-3-1) (from Ch. 24, par. 5-3-1)

2 Sec. 5-3-1. In cities which do not elect to choose alders  
3 ~~aldermen~~ from wards and in cities which elect to choose  
4 councilmen as provided in Sections 5-2-18.1 through 5-2-18.7,  
5 the mayor shall have the right to vote on all questions coming  
6 before the council but shall have no power to veto. The mayor  
7 and president shall be recognized as the official head of the  
8 city or village by the courts for the purpose of serving civil  
9 process and by the Governor for all legal purposes.

10 The mayor or president of any city or village which adopts  
11 this Article 5, other than one which at the time of adoption  
12 was operating under or adopted the commission form of  
13 government as provided in Article 4 or which does not retain  
14 the election of alders ~~aldermen~~ by wards or trustees by  
15 districts, shall have veto power as provided in Sections 5-3-2  
16 through 5-3-4, and ordinances or measures may be passed over  
17 his veto as therein provided. Such mayor or president shall  
18 have the power to vote as provided in Section 5-3-5.

19 If any other Acts or any Article of this Code, other than  
20 Article 3 or Article 4, provides for the appointment of a  
21 board, commission, or other agency by the mayor or president,  
22 such appointments shall be made in manner so provided.

23 (Source: P.A. 100-863, eff. 8-14-18.)

24 (65 ILCS 5/5-3-3) (from Ch. 24, par. 5-3-3)

25 Sec. 5-3-3. Every resolution and motion, specified in

1 Section 5-3-2, and every ordinance, which is returned to the  
2 council or board by the mayor or president shall be  
3 reconsidered by the council or board. If, after such  
4 reconsideration, two-thirds of all the alders ~~aldermen~~ then  
5 holding office on the city council or two-thirds of all the  
6 trustees then holding office on the village board agree to  
7 pass an ordinance, resolution, or motion, notwithstanding the  
8 mayor's or president's refusal to approve it, then it shall be  
9 effective. The vote on the question of passage over the  
10 mayor's or president's veto shall be by yeas and nays, and  
11 shall be recorded in the journal.

12 (Source: Laws 1967, p. 3425.)

13 (65 ILCS 5/5-3-4) (from Ch. 24, par. 5-3-4)

14 Sec. 5-3-4. No vote of the city council or village board  
15 shall be reconsidered or rescinded at a special meeting,  
16 unless there are present at the special meeting as many alders  
17 ~~aldermen~~ or trustees as were present when the vote was taken.

18 (Source: Laws 1961, p. 576.)

19 (65 ILCS 5/5-3-5) (from Ch. 24, par. 5-3-5)

20 Sec. 5-3-5. The mayor or president of any city or village  
21 which elects alders ~~aldermen~~ by wards or trustees by districts  
22 shall not vote on any ordinance, resolution or motion except:  
23 (1) where the vote of the alders ~~aldermen~~ or trustees has  
24 resulted in a tie; (or) (2) where one-half of the alders

1 ~~aldermen~~ or trustees then holding office have voted in favor  
2 of an ordinance, resolution or motion even though there is no  
3 tie vote; or (3) where a vote greater than a majority of the  
4 corporate authorities is required by this Code to adopt an  
5 ordinance, resolution or motion. In each instance specified,  
6 the mayor or president shall vote. The following mayors and  
7 presidents may vote on all questions coming before the council  
8 or board: (1) mayors and presidents of cities and villages  
9 operating under this article and Article 4, and (2) mayors and  
10 presidents of cities and villages which do not elect alders  
11 ~~aldermen~~ by wards and trustees by districts.

12 Nothing in this section shall deprive an acting mayor or  
13 president or mayor or president pro tem from voting in his  
14 capacity as alder ~~alderman~~ or trustee, but he shall not be  
15 entitled to another vote in his capacity as acting mayor or  
16 president or mayor or president pro tem.

17 (Source: Laws 1967, p. 3425.)

18 (65 ILCS 5/5-3-7) (from Ch. 24, par. 5-3-7)

19 Sec. 5-3-7. The council or board of trustees, as the case  
20 may be, shall appoint a municipal manager, who shall be the  
21 administrative head of the municipal government and who shall  
22 be responsible for the efficient administration of all  
23 departments. He shall be appointed without regard to his  
24 political beliefs and need not be a resident of the city or  
25 village when appointed. The manager shall be appointed for an

1 indefinite term, and the conditions of the manager's  
2 employment may be set forth in an agreement. In the case of the  
3 absence or disability of the manager, the council or village  
4 board may designate a qualified administrative officer of the  
5 municipality to perform the duties of the manager during such  
6 absence or disability. The manager may at any time be removed  
7 from office by a majority vote of the members of the council or  
8 the board.

9 The powers and duties of the manager shall be:

10 (1) To enforce the laws and ordinances within the  
11 municipality;

12 (2) To appoint and remove all directors of departments. No  
13 appointment shall be made upon any basis other than that of  
14 merit and fitness except that if the chief of the fire  
15 department or the chief of the police department or both of  
16 them are appointed in the manner as provided by ordinance  
17 under Section 10-2.1-4 of this code, they may be removed or  
18 discharged by the appointing authority. In such case the  
19 appointing authority shall file with the corporate authorities  
20 the reasons for such removal or discharge, which removal or  
21 discharge shall not become effective unless confirmed by a  
22 majority vote of the corporate authorities;

23 (3) To exercise control of all departments and divisions  
24 thereof created in this Article 5, or that may be created by  
25 the council or board of trustees;

26 (4) If the city or village was subject to the aldermanic

1 form provisions of Article 3 at the time of adoption of this  
2 Article 5 to appoint and remove all officers who are not  
3 required to be elected by Article 3;

4 (5) To have all the powers and exercise all the duties  
5 granted elsewhere in this Code to municipal clerks and  
6 comptrollers with respect to the preparation of a report of  
7 estimated funds necessary to defray the expenses of the city  
8 or village for the fiscal year for the consideration of the  
9 corporate authorities prior to the preparation of the annual  
10 appropriation ordinance;

11 (6) To attend all meetings of the council or board of  
12 trustees with the right to take part in the discussions, but  
13 with no right to vote;

14 (7) To recommend to the council or board of trustees for  
15 adoption such measures as he may deem necessary or expedient;

16 (8) To perform such other duties as may be prescribed by  
17 this Article 5 or may be required of him by ordinance or  
18 resolution of the board of trustees or council.

19 (Source: P.A. 86-1023; 86-1039.)

20 (65 ILCS 5/5-3-8) (from Ch. 24, par. 5-3-8)

21 Sec. 5-3-8. Under the general supervision and  
22 administrative control of the manager, there shall be such  
23 departments as the council or village board may prescribe by  
24 ordinance.

25 All officers of any city or village shall take and

1 subscribe the oath required by Section 5-3-9. All such  
2 officers, except the mayor, president, alders ~~aldermen~~,  
3 councilmen, and trustees, shall execute bonds in the manner  
4 provided by Section 5-3-9, which bonds shall be filed with the  
5 clerk of the council or clerk of the village board.

6 (Source: Laws 1961, p. 576.)

7 (65 ILCS 5/5-4-1) (from Ch. 24, par. 5-4-1)

8 Sec. 5-4-1. The mayor and councilmen elected under the  
9 provisions of Section 5-2-12 shall each receive for the  
10 performance of their respective duties annual salaries fixed  
11 by the council or village board. The corporate authorities in  
12 cities which retain the election of alders ~~aldermen~~ by wards  
13 and the corporate authorities in villages shall receive  
14 salaries as allowed in Sections 3-13-4 through 3-13-7,  
15 whichever is appropriate.

16 (Source: Laws 1961, p. 576.)

17 (65 ILCS 5/5-4-3) (from Ch. 24, par. 5-4-3)

18 Sec. 5-4-3. In cities of not less than 100,000 and not more  
19 than 500,000 population which did not also elect to continue  
20 to choose alders ~~aldermen~~ from wards, the city clerk shall  
21 receive a salary of not less than \$8,500 per year and the city  
22 treasurer shall receive a salary of not less than \$7,000 per  
23 year.

24 (Source: Laws 1961, p. 576.)

1 (65 ILCS 5/5-5-1) (from Ch. 24, par. 5-5-1)

2 Sec. 5-5-1. Petition for abandonment of managerial form;  
3 referendum; succeeding elections of officers and alders  
4 ~~aldermen~~ or trustees.

5 (a) A city or village that has operated for 4 years or more  
6 under the managerial form of municipal government may abandon  
7 that organization as provided in this Section. For the  
8 purposes of this Article, the operation of the managerial form  
9 of municipal government shall be deemed to begin on the date of  
10 the appointment of the first manager in the city or village.  
11 When a petition for abandonment signed by electors of the  
12 municipality equal in number to at least 10% of the number of  
13 votes cast for candidates for mayor at the preceding general  
14 quadrennial municipal election is filed with the circuit court  
15 for the county in which that city or village is located, the  
16 court shall set a date not less than 10 nor more than 30 days  
17 thereafter for a hearing on the sufficiency of the petition.  
18 Notice of the filing of the petition and of the date of the  
19 hearing shall be given in writing to the city or village clerk  
20 and to the mayor or village president at least 7 days before  
21 the date of the hearing. If the petition is found sufficient,  
22 the court shall enter an order directing that the proposition  
23 be submitted at an election other than a primary election for  
24 the municipality. The clerk of the court shall certify the  
25 proposition to the proper election authorities for submission.

1 The proposition shall be in substantially the following form:

2 Shall (name of city or village) retain the managerial  
3 form of municipal government?

4 (b) If the majority of the votes at the election are "yes",  
5 then the proposition to abandon is rejected and the  
6 municipality shall continue operating under this Article 5. If  
7 the majority of the votes are "no", then the proposition to  
8 abandon operation under this Article 5 is approved.

9 (c) If the proposition for abandonment is approved, the  
10 city or village shall become subject to Article 3.1 or Article  
11 4, whichever Article was in force in the city or village  
12 immediately before the adoption of the plan authorized by this  
13 Article 5, upon the election and qualification of officers to  
14 be elected at the next succeeding general municipal election.  
15 Those officers shall be those prescribed by Article 3.1 or  
16 Article 4, as the case may be, but the change shall not in any  
17 manner or degree affect the property rights or liabilities of  
18 the city or village. The mayor, clerk, and treasurer and all  
19 other elected officers of a city or village in office at the  
20 time the proposition for abandonment is approved shall  
21 continue in office until the expiration of the term for which  
22 they were elected.

23 (d) If a city or village operating under this Article 5 has  
24 alders ~~aldermen~~ or trustees elected from wards or districts  
25 and a proposition to abandon operation under this Article 5 is  
26 approved, then the officers to be elected at the next



1 succeeding general municipal election shall be elected from  
2 the same wards or districts as exist immediately before the  
3 abandonment.

4 (e) If a city or village operating under this Article 5 has  
5 a council or village board elected from the municipality at  
6 large and a proposition to abandon operation under this  
7 Article 5 is approved, then the first group of alders  
8 ~~aldermen~~, board of trustees, or commissioners so elected shall  
9 be of the same number as was provided for in the municipality  
10 at the time of the adoption of a plan under this Article 5,  
11 with the same ward or district boundaries in cities or  
12 villages that immediately before the adoption of this Article  
13 5 had wards or districts, unless the municipal boundaries have  
14 been changed. If there has been such a change, the council or  
15 village board shall so alter the former ward or district  
16 boundaries so as to conform as nearly as possible to the former  
17 division. If the plan authorized by this Article 5 is  
18 abandoned, the next general municipal election for officers  
19 shall be held at the time specified in Section 3.1-10-75 or  
20 3.1-25-15 for that election. The alders ~~aldermen~~ or trustees  
21 elected at that election shall, if the city or village was  
22 operating under Article 3 at the time of adoption of this  
23 Article 5 and had at that time staggered 4 year terms of office  
24 for the alders ~~aldermen~~ or trustees, choose by lot which shall  
25 serve initial 2 year terms as provided by Section 3.1-20-35 or  
26 3.1-15-5, whichever may be applicable, in the case of election

1 of those officers at the first election after a municipality  
2 is incorporated.

3 (f) The proposition to abandon the managerial form of  
4 municipal government shall not be submitted in any city or  
5 village oftener than once in 46 months.

6 (Source: P.A. 93-847, eff. 7-30-04; 94-645, eff. 8-22-05.)

7 (65 ILCS 5/5-5-5) (from Ch. 24, par. 5-5-5)

8 Sec. 5-5-5. Any city or village which has adopted this  
9 Article 5 and was operating under Article 4 at the time of such  
10 adoption may upon abandonment of this Article 5 also abandon  
11 operation under Article 4, as provided in Section 4-10-1, and  
12 by so doing shall become subject to the aldermanic form  
13 provisions of Article 3 and shall be subject to the provisions  
14 of that Article 3 the same as if it had been operating under  
15 Article 3 at the time this Article 5 was adopted, except for  
16 any period of time after abandonment of this Article 5  
17 necessary to make the provisions of Article 3 fully and  
18 completely applicable.

19 Any city or village which has adopted this Article 5 and  
20 was operating under Article 3 at the time of such adoption may  
21 upon abandonment of this Article 5 also abandon operation  
22 under Article 3 by adopting Article 4, as provided in Sections  
23 4-2-2 through 4-2-9, and by so doing shall become subject to  
24 the provisions of Article 4 and shall be subject to the  
25 provisions of that Article 4 the same as if it had been

1 operating under Article 4 at the time this Article 5 was  
2 adopted, except for any period of time after abandonment of  
3 this Article 5 necessary to make the provisions of Article 4  
4 fully and completely applicable.

5 (Source: Laws 1961, p. 576.)

6 (65 ILCS 5/6-3-2) (from Ch. 24, par. 6-3-2)

7 Sec. 6-3-2. Termination of terms of office.

8 The terms of office of all elected municipal officers  
9 holding office at the time of the issuance of the certificate  
10 of adoption of the strong mayor form of government by the  
11 municipality pursuant to Division 2 of this Article 6 shall  
12 terminate upon the election and qualification for office of  
13 municipal officers pursuant to this Division 3 of Article 6,  
14 except that where an existing form of municipal government has  
15 the same number of wards as would be required hereunder, the  
16 alders ~~aldermen~~ holding office at the time of the issuance of  
17 the certificate of adoption shall serve until the expiration  
18 of the terms for which they were elected.

19 (Source: P.A. 76-746.)

20 (65 ILCS 5/6-3-3) (from Ch. 24, par. 6-3-3)

21 Sec. 6-3-3. Municipal officers - Terms.

22 The municipality shall have the following elected  
23 officers: one mayor, one municipal clerk and one municipal  
24 treasurer, all of whom shall be elected at large, and alders

1 ~~aldermen~~, the number of which shall be as follows: In cities  
2 not exceeding 25,000 inhabitants, 8 alders ~~aldermen~~; between  
3 25,001 and 40,000, 10 alders ~~aldermen~~; between 40,001 and  
4 60,000, 14 alders ~~aldermen~~; between 60,001 and 80,000, 16  
5 alders ~~aldermen~~; and exceeding 80,000, 20 alders ~~aldermen~~. Two  
6 alders ~~aldermen~~ shall be elected to represent each ward.

7 (Source: P.A. 76-746.)

8 (65 ILCS 5/6-3-4) (from Ch. 24, par. 6-3-4)

9 Sec. 6-3-4. Terms of office.

10 All terms of office of officials elected pursuant to this  
11 Division 3 of Article 6 shall be for terms of 4 years, except  
12 that alders ~~aldermen~~ elected at the first election for city  
13 officers held pursuant to this Article 6 shall draw lots so  
14 that one-half of the alders ~~aldermen~~ shall hold for a 4 year  
15 term, and until their successors are elected and qualified,  
16 and one-half of the alders ~~aldermen~~ shall hold for a 2 year  
17 term, and until their successors are elected and qualified.  
18 All alders ~~aldermen~~ thereafter elected shall hold office for a  
19 term of 4 years, and until their successors are elected and  
20 have qualified.

21 (Source: P.A. 76-746.)

22 (65 ILCS 5/6-3-5) (from Ch. 24, par. 6-3-5)

23 Sec. 6-3-5. Division into wards.

24 Every city shall have as many wards as one-half the total

1 number of alders ~~aldermen~~ to which the city is entitled. The  
2 city council, from time to time shall divide the city into that  
3 number of wards. In the formation of wards the population of  
4 each ward as determined by the latest city, state or national  
5 census shall be as nearly equal and the wards shall be of as  
6 compact and contiguous territory, as practicable.

7 (Source: P.A. 76-746.)

8 (65 ILCS 5/6-3-6) (from Ch. 24, par. 6-3-6)

9 Sec. 6-3-6. Redistricting of city. Whenever an official  
10 publication of any national, state, school, or city census  
11 shows that any city contains more or less wards than it is  
12 entitled to, the city council of the city, by ordinance, shall  
13 redistrict the city into as many wards only as the city is  
14 entitled. This redistricting shall be completed not less than  
15 30 days before the first date on which candidate petitions may  
16 be filed for the next succeeding general municipal election.  
17 At this election there shall be elected the number of alders  
18 ~~aldermen~~ to which the city is entitled.

19 (Source: P.A. 81-1489.)

20 (65 ILCS 5/6-3-7) (from Ch. 24, par. 6-3-7)

21 Sec. 6-3-7. Ward division and election of alders ~~aldermen~~  
22 - Validation.

23 If, after a census is officially published, any city is  
24 divided into a greater or lesser number of wards and has

1 elected a greater or lesser number of alders ~~aldermen~~ than the  
2 city is entitled, nevertheless such division and election  
3 shall be valid and all acts, resolutions and ordinances of the  
4 city council of such city, if in other respects in compliance  
5 with law, are valid.

6 (Source: P.A. 76-746.)

7 (65 ILCS 5/6-3-8) (from Ch. 24, par. 6-3-8)

8 Sec. 6-3-8. Resignation; vacancy. An alder ~~alderman~~ may  
9 resign from his or her office. A vacancy occurs in the office  
10 of alder ~~alderman~~ by reason of resignation, failure to elect  
11 or qualify, death, permanent physical or mental disability,  
12 conviction of a disqualifying crime, abandonment of office, or  
13 removal from office. If a vacancy occurs in the office of alder  
14 ~~alderman~~ in one of these ways or otherwise, the vacancy shall  
15 be filled as provided in Sections 3.1-10-50 and 3.1-10-55. An  
16 appointment to fill a vacancy shall be made within 60 days  
17 after the vacancy occurs. The requirement that an appointment  
18 be made within 60 days is an exclusive power and function of  
19 the State and is a denial and limitation under Article VII,  
20 Section 6, subsection (h) of the Illinois Constitution of the  
21 power of a home rule municipality to require that an  
22 appointment be made within a different period after the  
23 vacancy occurs.

24 (Source: P.A. 87-1052; 87-1119; 88-45.)

1 (65 ILCS 5/6-3-9) (from Ch. 24, par. 6-3-9)

2 Sec. 6-3-9. Qualifications of mayor, city clerk, city  
3 treasurer and alders ~~aldermen~~ - Eligibility for other office.

4 No person shall be eligible to the office of mayor, city  
5 clerk, city treasurer or alder ~~alderman~~:

6 (1) Unless he is a qualified elector of the municipality  
7 and has resided therein at least one year next preceding his  
8 election or appointment; or

9 (2) Unless, in the case of alders ~~aldermen~~, he resides  
10 within the ward for which he is elected; or

11 (3) If he is in arrears in the payment of any tax or other  
12 indebtedness due to the city; or

13 (4) If he has been convicted in Illinois state courts or in  
14 courts of the United States of malfeasance in office, bribery,  
15 or other infamous crime.

16 No alder ~~alderman~~ shall be eligible to any office, except  
17 that of acting mayor or mayor pro tem, the salary of which is  
18 payable out of the city treasury, if at the time of his  
19 appointment he is a member of the city council.

20 (Source: P.A. 76-746.)

21 (65 ILCS 5/6-3-10) (from Ch. 24, par. 6-3-10)

22 Sec. 6-3-10. General elections - Time for.

23 The first general election pursuant to this Division 3 of  
24 Article 6 shall be held at the time the next general municipal  
25 election would have been held had the municipality not adopted

1 this Article 6. At the first general election so held, one  
2 mayor, one municipal clerk, one municipal treasurer shall be  
3 elected at large and two alders ~~aldermen~~ shall be elected from  
4 each ward.

5 (Source: P.A. 76-746.)

6 (65 ILCS 5/6-4-3) (from Ch. 24, par. 6-4-3)

7 Sec. 6-4-3. Reconsideration - Passage over veto.

8 Every ordinance, which is returned to the council by the  
9 mayor shall be reconsidered by the council. If, after such  
10 reconsideration, three-fifths of all the alders ~~aldermen~~ then  
11 holding office on the city council agree to pass an ordinance,  
12 resolution, or motion, notwithstanding the mayor's refusal to  
13 approve it, then it shall be effective.

14 (Source: P.A. 76-746.)

15 (65 ILCS 5/6-4-4) (from Ch. 24, par. 6-4-4)

16 Sec. 6-4-4. Vote of city council - Reconsideration.

17 No vote of the city council shall be reconsidered or  
18 rescinded at a special meeting, unless there are present at  
19 the special meeting as many alders ~~aldermen~~ as were present  
20 when the vote was taken.

21 (Source: P.A. 76-746.)

22 (65 ILCS 5/6-5-1) (from Ch. 24, par. 6-5-1)

23 Sec. 6-5-1. Mayor, clerk, treasurer and alders ~~aldermen~~.



1           The mayor, clerk, treasurer and alders ~~aldermen~~ elected  
2 under the provisions of this Article 6 shall each receive for  
3 the performance of their respective duties annual salaries  
4 fixed by the city council. Such salaries shall not be  
5 increased or decreased during any term of office. They must be  
6 established six months prior to general municipal elections at  
7 which such officials are to be voted on.

8           (Source: P.A. 76-746.)

9           (65 ILCS 5/7-1-15) (from Ch. 24, par. 7-1-15)

10          Sec. 7-1-15. Any municipality may be annexed to another  
11 municipality to which it adjoins, by ordinances passed by a  
12 majority vote of all the alders ~~aldermen~~, trustees, or  
13 commissioners then holding office in each municipality  
14 desiring annexation. These ordinances shall specify the terms  
15 of the annexation, and they shall be a binding contract if, but  
16 only if:

17           (1) the annexation provided in these ordinances is  
18 certified by the clerk to the proper election authority who  
19 shall submit the question to a vote of the electors of both  
20 municipalities at an election in accordance with the general  
21 election law; and if

22           (2) the annexation is approved in each municipality by a  
23 majority of all the voters voting on that question in each  
24 municipality. If the ordinances fail to specify the terms of  
25 annexation or specify only partially the terms of annexation,

1 the provisions of this article relating to the annexation of  
 2 one municipality to another shall apply but not as to any terms  
 3 agreed to in the ordinances of annexation.

4 The proposition shall be in substantially the following  
 5 form:

6 -----  
 7 Shall the municipality of YES  
 8 .... be annexed to the municipality -----  
 9 of....? NO  
 10 -----

11 Annexation shall neither affect nor impair any rights or  
 12 liabilities either in favor of or against either municipality.  
 13 Actions founded upon any right or liability may be commenced  
 14 despite the annexation and, together with pending actions, may  
 15 be prosecuted to final judgment and the enforcement thereof as  
 16 if annexation had not taken place.

17 (Source: P.A. 84-546.)

18 (65 ILCS 5/7-1-39) (from Ch. 24, par. 7-1-39)

19 Sec. 7-1-39. After a part of a municipality is annexed to  
 20 another municipality, any mayor, president, alder ~~alderman~~,  
 21 trustee, clerk, treasurer, or attorney for the disconnecting  
 22 municipality, who resides in the detached territory, shall  
 23 continue in office as an officer of the disconnecting  
 24 municipality until his successor has been elected at the next  
 25 regular municipal election in this municipality and has

1 qualified for office, or has been appointed and has qualified  
2 following this election.

3 (Source: Laws 1961, p. 576.)

4 (65 ILCS 5/7-1-42) (from Ch. 24, par. 7-1-42)

5 Sec. 7-1-42. Redistricting after annexation.

6 (a) If the increase in population resulting from the  
7 annexation of any territory to a city under the aldermanic  
8 form of government is sufficient to entitle that city to an  
9 increase in the number of alders ~~aldermen~~ as provided in  
10 Section 3.1-20-10, the corporate authorities shall redistrict  
11 the city in accordance with Sections 3.1-20-15 and 3.1-20-25.  
12 Section 3.1-20-10 shall govern as to the hold-over alders  
13 ~~aldermen~~.

14 (b) If the increase in population is not sufficient to  
15 entitle the city to an increase in the number of alders  
16 ~~aldermen~~, the corporate authorities shall make the annexed  
17 territory a part of the ward or wards that it adjoins.

18 (c) If a village of over 25,000 population is divided into  
19 6 districts as provided in Section 3.1-25-75, the corporate  
20 authorities shall make any territory annexed to the village a  
21 part of the districts that the territory adjoins.

22 (d) Nothing contained in this Section 7-1-42 shall prevent  
23 the corporate authorities of any municipality from  
24 redistricting the municipality according to law. Whenever the  
25 enlarged annexing municipality is redistricted, the corporate

1 authorities are under no duty to treat the annexed territory  
2 as a unit and they may divide it as if it had always been a  
3 part of the municipality.

4 (e) The number of inhabitants determined by the last  
5 national, state, or school census in the annexed territory and  
6 in the annexing municipality controls in the application of  
7 this Section.

8 (Source: P.A. 87-1119.)

9 (65 ILCS 5/7-2-1) (from Ch. 24, par. 7-2-1)

10 Sec. 7-2-1. Any 2 or more incorporated contiguous  
11 municipalities wholly or substantially situated in a single  
12 county may be united into one incorporated city by a  
13 compliance with Sections 7-1-16 and 7-1-17, with the following  
14 exceptions:

15 (1) The petition (a) shall be signed by electors of each of  
16 the municipalities seeking a union, (b) shall state the name  
17 by which the united municipality is to be known, and (c) shall  
18 state the form of municipal government under which the united  
19 municipality is to be governed.

20 (2) The question shall be in substantially the following  
21 form:

22 -----

23 Shall the city, village, or  
24 incorporated town (as the  
25 case may be) of.....

1 and the city, village, or  
2 incorporated town (as the case YES  
3 may be) of....., (and  
4 in this manner as far as  
5 necessary, filling blanks with  
6 the names of the municipalities  
7 to be united), be united -----  
8 into a single municipality  
9 under the name of.....  
10 with the..... form of  
11 municipal government (filling  
12 the blank with the word NO  
13 "Aldermanic" or "Commission"  
14 or the words "Managerial With  
15 Alders ~~Aldermen~~ Chosen From Wards Or  
16 Districts" as the case may be)?

17 -----

18 No other proposition shall appear thereon.  
19 If the majority of the votes cast in each municipality  
20 specified in the petition is in favor of the proposition, the  
21 municipalities are united.  
22 (Source: P.A. 87-278.)

23 (65 ILCS 5/7-2-19) (from Ch. 24, par. 7-2-19)  
24 Sec. 7-2-19. Whenever a united city is formed by a  
25 compliance with Section 7-2-1 and the decision is in favor of

1 an aldermanic form of municipal government, the united city  
2 shall be governed, after the first election held in compliance  
3 with Section 7-2-7, by a council composed of a mayor and a  
4 board of alders ~~aldermen~~ selected by the electors of the  
5 united city as provided by the provisions of this Code  
6 relating to the election of city officers, except that all  
7 elections in a united city are controlled by the City Election  
8 Law as provided in Section 7-2-6.

9 (Source: Laws 1961, p. 576.)

10 (65 ILCS 5/7-2-28) (from Ch. 24, par. 7-2-28)

11 Sec. 7-2-28. Whenever a united city is formed by a  
12 compliance with Section 7-2-1 of municipal government with  
13 alders ~~aldermen~~ chosen from wards or districts, the united  
14 city shall be and the decision is in favor of a managerial form  
15 governed, after the first election held in compliance with  
16 Section 7-2-7, by a council composed of a mayor and a board of  
17 alders ~~aldermen~~ selected by the electors of the united city as  
18 provided by the provisions of this Code relating to the  
19 election of city officers, except all elections in a united  
20 city are controlled by the City Election Law as provided in  
21 Section 7-2-6, and by a municipal manager appointed by the  
22 council as provided in Article 5.

23 (Source: Laws 1965, p. 1267.)

24 (65 ILCS 5/8-9-1) (from Ch. 24, par. 8-9-1)

1           Sec. 8-9-1. In municipalities of less than 500,000 except  
2 as otherwise provided in Articles 4 and 5 any work or other  
3 public improvement which is not to be paid for in whole or in  
4 part by special assessment or special taxation, when the  
5 expense thereof will exceed \$25,000, shall be constructed  
6 either (1) by a contract let to the lowest responsible bidder  
7 after advertising for bids, in the manner prescribed by  
8 ordinance, except that any such contract may be entered into  
9 by the proper officers without advertising for bids, if  
10 authorized by a vote of two-thirds of all the alders ~~aldermen~~  
11 or trustees then holding office; or (2) in the following  
12 manner, if authorized by a vote of two-thirds of all the alders  
13 ~~aldermen~~ or trustees then holding office, to-wit: the  
14 commissioner of public works or other proper officers to be  
15 designated by ordinance, shall superintend and cause to be  
16 carried out the construction of the work or other public  
17 improvement and shall employ exclusively for the performance  
18 of all manual labor thereon, laborers and artisans whom the  
19 municipality shall pay by the day or hour; and all material of  
20 the value of \$25,000 and upward used in the construction of the  
21 work or other public improvement, shall be purchased by  
22 contract let to the lowest responsible bidder in the manner to  
23 be prescribed by ordinance. However, nothing contained in this  
24 section shall apply to any contract by a city, village or  
25 incorporated town with the federal government or any agency  
26 thereof.

1           In every city which has adopted Division 1 of Article 10,  
2 every such laborer or artisan shall be certified by the civil  
3 service commission to the commissioner of public works or  
4 other proper officers, in accordance with the requirement of  
5 that division.

6           In municipalities of 500,000 or more population the  
7 letting of contracts for work or other public improvements of  
8 the character described in this section shall be governed by  
9 the provisions of Division 10 of this Article 8.

10 (Source: P.A. 100-338, eff. 8-25-17.)

11           (65 ILCS 5/10-1-30) (from Ch. 24, par. 10-1-30)

12           Sec. 10-1-30. No officer or employee in the service of  
13 such municipality shall, directly or indirectly, give or hand  
14 over to any officer or employee in such service, or to any  
15 senator or representative or alder ~~alderman~~, councilman,  
16 trustee or commissioner, any money or other valuable thing, on  
17 account of or to be applied to the promotion of any party or  
18 political object whatever.

19 (Source: Laws 1961, p. 3252.)

20           (65 ILCS 5/10-3-5) (from Ch. 24, par. 10-3-5)

21           Sec. 10-3-5. Any mayor, president, commissioner, alder  
22 ~~alderman~~, or trustee, who violates the provisions of Section  
23 10-3-3, is guilty of a Class B misdemeanor.

24 (Source: P.A. 77-2500.)



1 (65 ILCS 5/11-13-1.1) (from Ch. 24, par. 11-13-1.1)

2 Sec. 11-13-1.1. The corporate authorities of any  
3 municipality may in its ordinances passed under the authority  
4 of this Division 13 provide for the classification of special  
5 uses. Such uses may include but are not limited to public and  
6 quasi-public uses affected with the public interest, uses  
7 which may have a unique, special or unusual impact upon the use  
8 or enjoyment of neighboring property, and planned  
9 developments. A use may be a permitted use in one or more  
10 zoning districts, and a special use in one or more other zoning  
11 districts. A special use shall be permitted only after a  
12 public hearing before some commission or committee designated  
13 by the corporate authorities, with prior notice thereof given  
14 in the manner as provided in Section 11-13-6 and 11-13-7. Any  
15 notice required by this Section need not include a metes and  
16 bounds legal description of the area classified for special  
17 uses, provided that the notice includes: (i) the common street  
18 address or addresses and (ii) the property index number  
19 ("PIN") or numbers of all the parcels of real property  
20 contained in the area classified for special uses. A special  
21 use shall be permitted only upon evidence that such use meets  
22 standards established for such classification in the  
23 ordinances, and the granting of permission therefor may be  
24 subject to conditions reasonably necessary to meet such  
25 standards. In addition, any proposed special use which fails

1 to receive the approval of the commission or committee  
2 designated by the corporate authorities to hold the public  
3 hearing shall not be approved by the corporate authorities  
4 except by a favorable majority vote of all alders ~~aldermen~~,  
5 commissioners or trustees of the municipality then holding  
6 office; however, the corporate authorities may by ordinance  
7 increase the vote requirement to two-thirds of all alders  
8 ~~aldermen~~, commissioners or trustees of the municipality then  
9 holding office.

10 (Source: P.A. 97-336, eff. 8-12-11.)

11 (65 ILCS 5/11-13-10) (from Ch. 24, par. 11-13-10)

12 Sec. 11-13-10. In municipalities of less than 500,000  
13 population, where a variation is to be made by ordinance, upon  
14 the report of the board of appeals, the corporate authorities,  
15 by ordinance, without further public hearing, may adopt any  
16 proposed variation or may refer it back to the board for  
17 further consideration, and any proposed variation which fails  
18 to receive the approval of the board of appeals shall not be  
19 passed except by the favorable vote of two-thirds of all  
20 alders ~~aldermen~~ or trustees of the municipality.

21 (Source: Laws 1961, p. 576.)

22 (65 ILCS 5/11-13-14) (from Ch. 24, par. 11-13-14)

23 Sec. 11-13-14. The regulations imposed and the districts  
24 created under the authority of this Division 13 may be amended

1 from time to time by ordinance after the ordinance  
2 establishing them has gone into effect, but no such amendments  
3 shall be made without a hearing before some commission or  
4 committee designated by the corporate authorities. Notice  
5 shall be given of the time and place of the hearing, not more  
6 than 30 nor less than 15 days before the hearing, by publishing  
7 a notice thereof at least once in one or more newspapers  
8 published in the municipality, or, if no newspaper is  
9 published therein, then in one or more newspapers with a  
10 general circulation within the municipality. In municipalities  
11 with less than 500 population in which no newspaper is  
12 published, publication may be made instead by posting a notice  
13 in 3 prominent places within municipality. In case of a  
14 written protest against any proposed amendment of the  
15 regulations or districts, signed and acknowledged by the  
16 owners of 20% of the frontage proposed to be altered, or by the  
17 owners of 20% of the frontage immediately adjoining or across  
18 an alley therefrom, or by the owners of the 20% of the frontage  
19 directly opposite the frontage proposed to be altered, is  
20 filed with the clerk of the municipality, the amendment shall  
21 not be passed except by a favorable vote of two-thirds of the  
22 alders ~~aldermen~~ or trustees of the municipality then holding  
23 office. In such cases, a copy of the written protest shall be  
24 served by the protestor or protestors on the applicant for the  
25 proposed amendments and a copy upon the applicant's attorney,  
26 if any, by certified mail at the address of such applicant and

1 attorney shown in the application for the proposed amendment.  
2 Any notice required by this Section need not include a metes  
3 and bounds legal description, provided that the notice  
4 includes: (i) the common street address or addresses and (ii)  
5 the property index number ("PIN") or numbers of all the  
6 parcels of real property contained in the affected area.

7 (Source: P.A. 97-336, eff. 8-12-11.)

8 (65 ILCS 5/11-13-14.1) (from Ch. 24, par. 11-13-14.1)

9 Sec. 11-13-14.1. Notwithstanding any other provision to  
10 the contrary in this Division 13:

11 (A) The corporate authorities of any municipality may by  
12 ordinance establish the position of hearing officer and  
13 delegate to a hearing officer the authority to: (i) conduct  
14 any public hearing -- other than a public hearing provided for  
15 in Section 11-13-2 -- required to be held under this Division  
16 13 in connection with applications for any special use,  
17 variation, amendment or other change or modification in any  
18 ordinance of the municipality adopted pursuant to this  
19 Division 13; and (ii) hear and decide appeals from and review  
20 any order, requirement, decision or determination made by an  
21 administrative official charged with the enforcement of any  
22 ordinance adopted pursuant to this Division 13.

23 (B) When a hearing officer is designated to conduct a  
24 public hearing in a matter otherwise required to be heard in  
25 accordance with this Division 13 by some commission or

1 committee designated by the corporate authorities of the  
2 municipality: (i) notice of such hearing shall be given in the  
3 same time and manner as is provided by this Division 13 for the  
4 giving of notice of hearing when any such matter is to be heard  
5 by some commission or committee designated by the corporate  
6 authorities; (ii) the hearing officer shall exercise and  
7 perform the same powers and duties as such commission or  
8 committee is required to exercise and perform when conducting  
9 a public hearing in any such matter; and (iii) the hearing  
10 officer shall render a written recommendation to the corporate  
11 authorities within such time and in such manner and form as the  
12 corporate authorities shall require.

13 (C) When a hearing officer is designated to conduct a  
14 public hearing in a matter otherwise required to be heard in  
15 accordance with this Division 13 by the board of appeals, or  
16 when a hearing officer is designated to hear and decide  
17 appeals from and review any order, requirement, decision or  
18 determination made by an administrative official charged with  
19 the enforcement of any ordinance adopted pursuant to this  
20 Division 13: (i) notice of hearing shall be given in the same  
21 time and manner as is provided by this Division 13 for the  
22 giving of notice of hearing when any such matter is to be heard  
23 by the board of appeals; (ii) the hearing officer in passing  
24 upon and determining any matter otherwise within the  
25 jurisdiction of the board of appeals shall be governed by all  
26 of the standards, rules and conditions imposed by this

1 Division 13 to govern the board of appeals when it passes upon  
2 and determines any such matter; and (iii) the hearing officer  
3 shall exercise and perform all of the powers and duties of the  
4 board of appeals in the same manner and to the same effect as  
5 provided in this Division 13 with respect to the board of  
6 appeals, provided that:

7 1. When the hearing officer is passing upon an application  
8 for variation or special use and the power to determine and  
9 approve such variation or special use is reserved to the  
10 corporate authorities, then upon report of the hearing officer  
11 the corporate authorities may by ordinance without further  
12 public hearing adopt any proposed variation or special use or  
13 may refer it back to the hearing officer for further  
14 consideration, and any proposed variation or special use which  
15 fails to receive the approval of the hearing officer shall not  
16 be passed except by the favorable vote of 2/3 of all alder  
17 ~~alderman~~ or trustees of the municipality;

18 2. When the hearing officer is passing upon an application  
19 for variation or special use and the power to determine and  
20 approve such variation or special use is not reserved to the  
21 corporate authorities, or when the hearing officer is hearing  
22 and deciding appeals from or reviewing any order, requirement,  
23 decision or determination made by an administrative official  
24 charged with the enforcement of any ordinance adopted pursuant  
25 to this Division 13, the determination made by the hearing  
26 officer with respect to any such matter shall constitute a

1 final administrative decision which is subject to judicial  
2 review pursuant to the provisions of the "Administrative  
3 Review Law", as now or hereafter amended.

4 (D) The corporate authorities of the municipality may  
5 provide general or specific rules implementing but not  
6 inconsistent with the provisions of this Section, including  
7 rules relative to the time and manner in which hearing  
8 officers are designated to conduct public hearings and rules  
9 governing the manner in which such hearings are conducted and  
10 matters heard therein passed upon and determined.

11 (E) Hearing officers shall be appointed on the basis of  
12 training and experience which qualifies them to conduct  
13 hearings, make recommendations or findings of fact and  
14 conclusions on the matters heard and otherwise exercise and  
15 perform the powers, duties and functions delegated in  
16 accordance with this Section. Hearing officers shall receive  
17 such compensation as the corporate authorities of the  
18 municipality shall provide, and any municipality may establish  
19 a schedule of fees to defray the costs of providing a hearing  
20 officer.

21 (F) This Section is intended to furnish an alternative or  
22 supplemental procedure which a municipality in its discretion  
23 may provide for hearing, determining, reviewing and deciding  
24 matters which arise under any ordinance adopted by the  
25 municipality pursuant to this Division 13, but nothing in this  
26 Section shall be deemed to limit or prevent the use of any

1 existing procedure available to a municipality under this  
2 Division 13 for hearing, approving or denying applications for  
3 a special use, variation, amendment or other change or  
4 modification of any such ordinance, or for hearing and  
5 deciding appeals from and reviewing any order, requirement,  
6 decision or determination made by an administrative official  
7 charged with the enforcement of any such ordinance.

8 (Source: P.A. 84-960.)

9 (65 ILCS 5/11-80-5) (from Ch. 24, par. 11-80-5)

10 Sec. 11-80-5. The corporate authorities of each  
11 municipality, with the concurrence of two-thirds of all of the  
12 alders ~~aldermen~~, trustees or commissioners elected therein,  
13 may levy and collect annually, in addition to all other taxes  
14 now authorized by law, a tax of not to exceed .05% of the  
15 value, as equalized or assessed by the Department of Revenue,  
16 of the taxable property in the municipality, to be used  
17 exclusively for the purpose of lighting streets. The tax  
18 authorized by this Section is in addition to taxes for general  
19 corporate purposes authorized by Section 8-3-1.

20 The foregoing tax rate limitation, insofar as it is  
21 applicable to municipalities of less than 500,000 population,  
22 may be increased or decreased under the referendum provisions  
23 of the General Revenue Law of Illinois.

24 (Source: P.A. 86-280.)



1 (65 ILCS 5/11-91-1) (from Ch. 24, par. 11-91-1)

2 Sec. 11-91-1. Whenever the corporate authorities of any  
3 municipality, whether incorporated by special act or under any  
4 general law, determine that the public interest will be  
5 subserved by vacating any street or alley, or part thereof,  
6 within their jurisdiction in any incorporated area, they may  
7 vacate that street or alley, or part thereof, by an ordinance.  
8 The ordinance shall provide the legal description or permanent  
9 index number of the particular parcel or parcels of property  
10 acquiring title to the vacated property. But this ordinance  
11 shall be passed by the affirmative vote of at least  
12 three-fourths of the alders ~~aldermen~~, trustees or  
13 commissioners then holding office. This vote shall be taken by  
14 ayes and noes and entered on the records of the corporate  
15 authorities.

16 No ordinance shall be passed vacating any street or alley  
17 under a municipality's jurisdiction and within an  
18 unincorporated area without notice thereof and a hearing  
19 thereon. At least 15 days prior to such a hearing, notice of  
20 its time, place and subject matter shall be published in a  
21 newspaper of general circulation within the unincorporated  
22 area which the street or alley proposed for vacation serves.  
23 At the hearing all interested persons shall be heard  
24 concerning the proposal for vacation.

25 The ordinance may provide that it shall not become  
26 effective until the owners of all property or the owner or

1 owners of a particular parcel or parcels of property abutting  
2 upon the street or alley, or part thereof so vacated, shall pay  
3 compensation in an amount which, in the judgment of the  
4 corporate authorities, shall be the fair market value of the  
5 property acquired or of the benefits which will accrue to them  
6 by reason of that vacation, and if there are any public service  
7 facilities in such street or alley, or part thereof, the  
8 ordinance shall also reserve to the municipality or to the  
9 public utility, as the case may be, owning such facilities,  
10 such property, rights of way and easements as, in the judgment  
11 of the corporate authorities, are necessary or desirable for  
12 continuing public service by means of those facilities and for  
13 the maintenance, renewal and reconstruction thereof. If the  
14 ordinance provides that only the owner or owners of one  
15 particular parcel of abutting property shall make payment,  
16 then the owner or owners of the particular parcel shall  
17 acquire title to the entire vacated street or alley, or the  
18 part thereof vacated.

19 The determination of the corporate authorities that the  
20 nature and extent of the public use or public interest to be  
21 subserved in such as to warrant the vacation of any street or  
22 alley, or part thereof, is conclusive, and the passage of such  
23 an ordinance is sufficient evidence of that determination,  
24 whether so recited in the ordinance or not. The relief to the  
25 public from further burden and responsibility of maintaining  
26 any street or alley, or part thereof, constitutes a public use

1 or public interest authorizing the vacation.

2 When property is damaged by the vacation or closing of any  
3 street or alley, the damage shall be ascertained and paid as  
4 provided by law.

5 (Source: P.A. 93-383, eff. 7-25-03; 93-703, eff. 7-9-04.)

6 (65 ILCS 5/11-101-2) (from Ch. 24, par. 11-101-2)

7 Sec. 11-101-2. Whenever the corporate authorities of any  
8 municipality have established an airport outside the corporate  
9 limits of the municipality and have determined that it is  
10 essential to the proper and safe construction and maintenance  
11 of such airport to vacate any roads, highways, streets,  
12 alleys, or parts thereof in unincorporated territory lying  
13 within the airport area or any enlargement thereof, and have  
14 determined that the public interest will be subserved by such  
15 vacation, they may vacate such roads, highways, streets,  
16 alleys, or parts thereof, by an ordinance. Provided however,  
17 that such municipality shall have first acquired the land on  
18 both sides of such roads, highways, streets, alleys, or parts  
19 thereof; provided, also, that in the case of a road, highway,  
20 street or alley or part thereof, under the jurisdiction of the  
21 Department of Transportation, the consent of the Department  
22 shall be obtained before the ordinance shall become effective.  
23 Such ordinance shall be passed by the affirmative vote of at  
24 least 3/4 of all alders ~~aldermen~~, trustees or commissioners  
25 authorized by law to be elected. Such vacation shall be

1 effective upon passage of the ordinance and recording of a  
2 certified copy thereof with the recorder of the county within  
3 which the roads, highways, streets, alleys, or parts thereof  
4 are situated.

5 (Source: P.A. 83-358.)

6 Section 30. The Revised Cities and Villages Act of 1941 is  
7 amended by changing the heading of Article prec. Sec. 21-22  
8 and Sections 21-5.1, 21-7, 21-14, 21-22, 21-23, 21-24, 21-25,  
9 21-26, 21-27, 21-28, 21-29, 21-30, 21-32, 21-33, 21-34, 21-38,  
10 21-39, 21-40, and 21-41 as follows:

11 (65 ILCS 20/21-5.1) (from Ch. 24, par. 21-5.1)

12 Sec. 21-5.1. Vice Mayor - Election - Duties -  
13 Compensation.) Following election and qualification of alders  
14 ~~aldermen~~ at a general election as provided by Section 21-22 of  
15 this Act, the City Council shall elect, from among its  
16 members, a Vice Mayor, to serve as interim Mayor of Chicago in  
17 the event that a vacancy occurs in the office of Mayor or in  
18 the event that the Council determines, by 3/5 vote, that the  
19 Mayor is under a permanent or protracted disability caused by  
20 illness or injury which renders the Mayor unable to serve. The  
21 Vice Mayor shall serve as interim Mayor. He will serve until  
22 the City Council shall elect one of its members acting Mayor or  
23 until the mayoral term expires.

24 The Vice Mayor shall receive no compensation as such, but

1 shall receive compensation as an alder ~~alderman~~ even while  
2 serving as interim Mayor. While serving as interim Mayor, the  
3 Vice Mayor shall possess all rights and powers and shall  
4 perform the duties of Mayor.

5 (Source: P.A. 80-308.)

6 (65 ILCS 20/21-7) (from Ch. 24, par. 21-7)

7 Sec. 21-7. Compensation of officers.

8 The compensation of all officers shall be by salary. No  
9 officer shall be allowed any fees, perquisites or emoluments  
10 or any reward or compensation aside from his salary, but all  
11 fees and earnings of his office or department shall be paid by  
12 him into the city treasury. The city council shall fix the  
13 salaries of all officers, except those who are elected or  
14 appointed for a definite term fixed by statute, in the annual  
15 appropriation ordinance and those salaries shall not be  
16 altered during the same fiscal year. The city council, by  
17 ordinance other than the appropriation ordinance, shall fix  
18 the compensation of each officer who is elected or appointed  
19 for a definite term fixed by statute and his salary shall not  
20 be increased or diminished during his term of office. The  
21 chairman of the finance committee of the city council shall  
22 receive in addition to his salary as an alder ~~alderman~~ such  
23 additional compensation, not exceeding \$3,500.00 per annum, as  
24 may be provided in the annual appropriation ordinance for his  
25 services as chairman of said committee.

1 (Source: Laws 1947, p. 497.)

2 (65 ILCS 20/21-14) (from Ch. 24, par. 21-14)

3 Sec. 21-14. Member residency before election; member not  
4 to hold other office.

5 (a) No member may be elected or appointed to the city  
6 council after the effective date of this amendatory Act of the  
7 93rd General Assembly unless he or she has resided in the ward  
8 he or she seeks to represent at least one year next preceding  
9 the date of the election or appointment. In the election  
10 following redistricting, a candidate for alder ~~alderman~~ may be  
11 elected from any ward containing a part of the ward in which he  
12 or she resided for at least one year next preceding the  
13 election that follows the redistricting, and, if elected, that  
14 person may be reelected from the new ward he or she represents  
15 if he or she resides in that ward for at least one year next  
16 preceding the reelection.

17 (b) No member of the city council shall at the same time  
18 hold any other civil service office under the federal, state  
19 or city government, except if such member is granted a leave of  
20 absence from such civil service office, or except in the  
21 National Guard, or as a notary public, and except such  
22 honorary offices as go by appointment without compensation.

23 (Source: P.A. 93-847, eff. 7-30-04.)

24 (65 ILCS 20/prec. Sec. 21-22 heading)

1 ELECTION OF ALDERS ~~ALDERMEN~~

2 (65 ILCS 20/21-22) (from Ch. 24, par. 21-22)

3 Sec. 21-22. General election for alders ~~aldermen~~;  
4 vacancies.5 (a) A general election for alders ~~aldermen~~ shall be held  
6 in the year 1943 and every 4 years thereafter, at which one  
7 alder ~~alderman~~ shall be elected from each of the 50 wards  
8 provided for by this Article. The alders ~~aldermen~~ elected  
9 shall serve for a term of 4 years beginning at noon on the  
10 third Monday in May following the election of city officers,  
11 and until their successors are elected and have qualified. All  
12 elections for alders ~~aldermen~~ shall be in accordance with the  
13 provisions of law in force and operative in the City of Chicago  
14 for such elections at the time the elections are held.15 (b) Vacancies occurring in the office of alder ~~alderman~~  
16 shall be filled in the manner prescribed for filling vacancies  
17 in Section 3.1-10-51 of the Illinois Municipal Code. An  
18 appointment to fill a vacancy shall be made within 60 days  
19 after the vacancy occurs. The requirement that an appointment  
20 be made within 60 days is an exclusive power and function of  
21 the State and is a denial and limitation under Article VII,  
22 Section 6, subsection (h) of the Illinois Constitution of the  
23 power of a home rule municipality to require that an  
24 appointment be made within a different period after the  
25 vacancy occurs.

1 (Source: P.A. 95-1041, eff. 3-25-09.)

2 (65 ILCS 20/21-23) (from Ch. 24, par. 21-23)

3 Sec. 21-23. Salaries of alders ~~aldermen~~.

4 The alders ~~aldermen~~ in office when this article is adopted  
5 and the alders ~~aldermen~~ elected under the provisions of this  
6 article may receive for their services such compensation as  
7 shall be fixed by ordinance, at the rate of not to exceed eight  
8 thousand dollars per annum for each alder ~~alderman~~.

9 (Source: Laws 1953, p. 1781.)

10 (65 ILCS 20/21-24) (from Ch. 24, par. 21-24)

11 Sec. 21-24. Application - Recall elections. The provisions  
12 of this Article shall apply to all elections for alders  
13 ~~aldermen~~ in the city of Chicago. The name of no person shall be  
14 printed upon the official ballot as a candidate for alder  
15 ~~alderman~~, unless the terms of this Article shall have been  
16 complied with. If recall elections are provided for, to be  
17 held within the city of Chicago, the provisions of this  
18 Article shall apply to such elections, except to the extent  
19 that provisions inconsistent herewith are made by the law  
20 providing for such recall elections.

21 (Source: Laws 1941, vol. 2, p. 19.)

22 (65 ILCS 20/21-25) (from Ch. 24, par. 21-25)

23 Sec. 21-25. Times for elections.) General elections for



1 alders ~~aldermen~~ shall be held in the year or years fixed by law  
2 for holding the same, on the last Tuesday of February of such  
3 year. Any supplementary election for alders ~~aldermen~~ held  
4 under the provisions of this article shall be held on the first  
5 Tuesday of April next following the holding of such general  
6 aldermanic election.

7 (Source: P.A. 80-1469.)

8 (65 ILCS 20/21-26) (from Ch. 24, par. 21-26)

9 Sec. 21-26. Candidates receiving majority elected -  
10 Supplementary elections.

11 The candidate receiving a majority of the votes cast for  
12 alder ~~alderman~~ in each ward at any general or special election  
13 shall be declared elected. In the event that no candidate  
14 receives a majority of such votes in any ward or wards a  
15 supplementary election shall be held at the time prescribed in  
16 Section 21-25. At such supplementary election the names of the  
17 candidates in each of such wards receiving the highest and  
18 second highest number of votes at the preceding general or  
19 special election and no others shall be placed on the official  
20 ballot: Provided, however, that if there be any candidate who,  
21 under the provisions of this Section would have been entitled  
22 to a place on the ballot at the supplementary election except  
23 for the fact that some other candidate received an equal  
24 number of votes, then all such candidates receiving such equal  
25 number of votes shall have their names printed on the ballot as

1 candidates at such succeeding supplementary election. The  
2 candidate receiving the highest number of votes at such  
3 supplementary election shall be declared elected. Such  
4 supplementary election shall be deemed a special election  
5 under the election and ballot laws in force in the city of  
6 Chicago and shall be governed thereby except in so far as such  
7 laws are inconsistent with the provisions of this article.

8 (Source: Laws 1941, vol. 2, p. 19.)

9 (65 ILCS 20/21-27) (from Ch. 24, par. 21-27)

10 Sec. 21-27. Election contest-Complaint. Any candidate  
11 whose name appears on the ballots used in any ward of the city  
12 at any election for alder ~~alderman~~, may contest the election  
13 of the candidate who appears to be elected from such ward on  
14 the face of the returns, or may contest the right of the  
15 candidates who appear to have received the highest and second  
16 highest number of votes to places on the official ballot at any  
17 supplementary election, by filing within 5 days after such  
18 election with the Clerk of the Circuit Court of Cook County, a  
19 complaint in writing, verified by the candidate making the  
20 contest, setting forth the grounds of the contest. The  
21 contestant in each contest shall also serve notice on all  
22 persons who were candidates for alder ~~alderman~~ of such ward at  
23 the election, within such 5 days, informing them that such  
24 complaint has been or will be filed. The Circuit Court of Cook  
25 County shall have jurisdiction to hear and determine such

1 contest. All proceedings in relation to such contest after the  
2 filing of such complaint shall be the same, as near as may be,  
3 as provided for in the case of a contest at a primary election  
4 in such city. In case the court shall decide that the complaint  
5 is insufficient in law, or that the candidate who appears to  
6 have been elected on the face of the return has been duly  
7 elected, the complaint shall be dismissed. If it shall appear  
8 to the satisfaction of the court that the face of the returns  
9 are not correct, and that the candidate who appears thereby to  
10 have been elected was not in fact elected, then the candidates  
11 having the highest and second highest number of votes as  
12 determined by such contest shall be candidates at the  
13 subsequent supplementary election as provided for in section  
14 21-26.

15 (Source: P.A. 83-334.)

16 (65 ILCS 20/21-28) (from Ch. 24, par. 21-28)

17 Sec. 21-28. Nomination by petition.

18 (a) All nominations for alder ~~alderman~~ of any ward in the  
19 city shall be by petition. Each petition for nomination of a  
20 candidate shall be signed by at least 473 legal voters of the  
21 ward.

22 (b) All nominations for mayor, city clerk, and city  
23 treasurer in the city shall be by petition. Each petition for  
24 nomination of a candidate must be signed by at least 12,500  
25 legal voters of the city.

1 (c) All such petitions, and procedure with respect  
2 thereto, shall conform in other respects to the provisions of  
3 the election and ballot laws then in force in the city of  
4 Chicago concerning the nomination of independent candidates  
5 for public office by petition. The method of nomination herein  
6 provided is exclusive of and replaces all other methods  
7 heretofore provided by law.

8 (Source: P.A. 98-115, eff. 7-29-13; 98-1171, eff. 6-1-15.)

9 (65 ILCS 20/21-29) (from Ch. 24, par. 21-29)

10 Sec. 21-29. Withdrawals and substitution of candidates.

11 Any candidate for alder ~~alderman~~ under the provisions of  
12 this article may withdraw his name as a candidate by filing  
13 with the board of election commissioners of the city of  
14 Chicago not later than the date of certification of the ballot  
15 his written request signed by him and duly acknowledged before  
16 an officer qualified to take acknowledgements of deeds,  
17 whereupon his name shall not be printed as a candidate upon the  
18 official ballot.

19 If any candidate at an aldermanic election who was not  
20 elected as provided for in this article but who shall have  
21 received sufficient votes to entitle him to a place on the  
22 official ballot at the ensuing supplementary election shall  
23 die or withdraw his candidacy before such supplementary  
24 election, the name of the candidate who shall receive the next  
25 highest number of votes shall be printed on the ballot in lieu

1 of the name of the candidate who shall have died or withdrawn  
2 his candidacy.

3 (Source: P.A. 96-1008, eff. 7-6-10.)

4 (65 ILCS 20/21-30) (from Ch. 24, par. 21-30)

5 Sec. 21-30. Form of ballot. Ballots to be used at any  
6 general, supplementary or special election for alders ~~aldermen~~  
7 held under the provisions of this Article, in addition to  
8 other requirements of law, shall conform to the following  
9 requirements:

10 (1) At the top of the ballots shall be printed in  
11 capital letters the words designating the ballot. If a  
12 general aldermanic election the words shall be "Official  
13 aldermanic election ballot"; if a supplementary election  
14 the designating words shall be "Official supplementary  
15 aldermanic election ballot"; if a special aldermanic  
16 election, the words shall be "Special aldermanic election  
17 ballot."

18 (2) Beginning not less than one inch below such  
19 designating words and extending across the face of the  
20 ballot, the title of each office to be filled shall be  
21 printed in capital letters.

22 (3) The names of candidates for different terms of  
23 service therein (if any there be), shall be arranged and  
24 printed in groups according to the length of such terms.

25 (4) Immediately below the title of each office or

1 group heading indicating the term of office, shall be  
2 printed in small letters the directions to voters, "Vote  
3 for one."

4 (5) Following thereupon shall be printed the names of  
5 the candidates for such office according to the title and  
6 the term thereof and below the name of each candidate  
7 shall be printed his place of residence, stating the  
8 street and number (if any). The names of candidates shall  
9 be printed in capital letters not less than one-eighth nor  
10 more than one-quarter of an inch in height, and  
11 immediately at the left of the name of each candidate  
12 shall be printed a square, the sides of which shall not be  
13 less than one-quarter of an inch in length. The names of  
14 all the candidates for each office shall be printed in a  
15 column and arranged in the order hereinafter designated;  
16 all names of candidates shall be printed in uniform type;  
17 the places of residence of such candidates shall be  
18 printed in uniform type; and squares upon said ballots  
19 shall be of uniform size; and spaces between the names of  
20 the candidates for the same office shall be of uniform  
21 size.

22 (6) The names of the candidates for alder ~~alderman~~  
23 shall appear upon the ballot in the order in which  
24 petitions for nomination have been filed in the office of  
25 the board of election commissioners. However, 2 or more  
26 petitions filed within the last hour of the filing

1 deadline shall be deemed filed simultaneously. Where 2 or  
2 more petitions are received simultaneously, the board of  
3 election commissioners shall break ties and determine the  
4 order of filing by means of a lottery or other fair and  
5 impartial method of random selection approved by the board  
6 of election commissioners. Such lottery shall be conducted  
7 within 9 days following the last day for petition filing  
8 and shall be open to the public. Seven days written notice  
9 of the time and place of conducting such random selection  
10 shall be given, by the board of election commissioners, to  
11 the Chairman of each political party and to each  
12 organization of citizens within the city which was  
13 entitled, under the Election Code, at the next preceding  
14 election, to have pollwatchers present on the day of  
15 election. The board of election commissioners shall post  
16 in a conspicuous, open and public place, at the entrance  
17 of the office, notice of the time and place of such  
18 lottery. The board of election commissioners shall adopt  
19 rules and regulations governing the procedures for the  
20 conduct of such lottery.

21 (Source: P.A. 98-115, eff. 7-29-13.)

22 (65 ILCS 20/21-32) (from Ch. 24, par. 21-32)

23 Sec. 21-32. Party designations prohibited - Ballot to be  
24 separate from other ballots. No party name, party initial,  
25 party circle platform, principle, appellation or

1 distinguishing mark of any kind shall be printed upon any  
2 election ballot used at any election for mayor, city clerk,  
3 city treasurer, or alder ~~alderman~~ held under the provisions of  
4 this Article.

5 (Source: P.A. 98-115, eff. 7-29-13.)

6 (65 ILCS 20/21-33) (from Ch. 24, par. 21-33)

7 Sec. 21-33. Challengers and watchers.

8 Any candidate for alder ~~alderman~~ under the terms of this  
9 article may appoint in writing over his signature not more  
10 than one representative for each place of voting, who shall  
11 have the right to act as challenger and watcher for such  
12 candidate at any election at which his name is being voted  
13 upon. Such challenger and watcher shall have the same powers  
14 and privileges as a challenger and watcher under the election  
15 laws of this State applicable to Chicago. No political party  
16 shall have the right to keep any challenger or watcher at any  
17 polling place at any election held under the provisions of  
18 this article unless candidates for some office other than  
19 alder ~~alderman~~ are to be voted for at the same time.

20 (Source: Laws 1941, vol. 2, p. 19.)

21 (65 ILCS 20/21-34) (from Ch. 24, par. 21-34)

22 Sec. 21-34. Certificate of election.

23 No certificate of election shall be given to any candidate  
24 who shall be declared elected at any general aldermanic



1 election until after the date fixed by this Article for the  
2 holding of the supplementary election provided for in this  
3 Article.

4 (Source: Laws 1941, vol. 2, p. 19.)

5 (65 ILCS 20/21-38) (from Ch. 24, par. 21-38)

6 Sec. 21-38. Redistricting every ten years.

7 If the city council has not redistricted the city of  
8 Chicago since the taking of the national census of 1940, then  
9 within three months after the adoption of this article by the  
10 voters it shall be the duty of the city council to pass an  
11 ordinance redistricting the city into fifty wards in  
12 accordance with the provisions of this article.

13 On or before the first day of December, of the year  
14 following the year in which the national census is taken, and  
15 every ten years thereafter, the city council shall by  
16 ordinance redistrict the city on the basis of the national  
17 census of the preceding year. All elections of alders ~~aldermen~~  
18 shall be held from the existing wards until a redistricting is  
19 had as provided for in this article.

20 (Source: Laws 1941, vol. 2, p. 19.)

21 (65 ILCS 20/21-39) (from Ch. 24, par. 21-39)

22 Sec. 21-39. When redistricting ordinance takes effect -  
23 Substitute ordinance may be submitted. No such redistricting  
24 ordinance shall take effect until the expiration of 15 days

1 after its passage. If within such 15 days 1/5 or more of the  
2 alders ~~aldermen~~ elected, who did not vote to pass such  
3 redistricting ordinance, file with the city clerk a proposed  
4 substitute ordinance redistricting the city in accordance with  
5 the provisions of this article, together with a petition  
6 signed by them demanding that the question of the adoption of  
7 the redistricting ordinance passed by the city council,  
8 together with the question of the adoption of such substitute  
9 ordinance, be submitted to the voters, then such redistricting  
10 ordinance passed by the city council shall not go into effect  
11 until the question of this adoption shall have been submitted  
12 to a popular vote: Provided, that no alder ~~alderman~~ shall have  
13 the right to sign more than one such petition. Upon the  
14 expiration of such 15 days the city clerk shall promptly  
15 certify to the board of election commissioners of the city of  
16 Chicago, the ordinance passed by the city council and such  
17 substitute ordinance or ordinances and petition or petitions,  
18 and it shall thereupon be the duty of the board of election  
19 commissioners to submit the ordinances so certified to a  
20 popular vote at the next general or municipal election, to be  
21 held in and for the entire city not less than 40 days after the  
22 passage of such redistricting ordinance by the city council.

23 (Source: P.A. 81-1489.)

24 (65 ILCS 20/21-40) (from Ch. 24, par. 21-40)

25 Sec. 21-40. Failure of council to act - One-fifth of the

1 alders ~~aldermen~~ may submit redistricting ordinance.

2       If the city council shall fail at any time to pass a  
3 redistricting ordinance as required in this article, one-fifth  
4 or more of the alders ~~aldermen~~ elected shall have the right to  
5 file with the city clerk, not less than 40 days before the date  
6 of holding any general, municipal, or special election, to be  
7 held in and for the entire city, an ordinance redistricting  
8 the city in accordance with the provisions of this article,  
9 together with a petition signed by them demanding that such  
10 ordinance be submitted to the legal voters at the next such  
11 election in and for the entire city to be held not less than 40  
12 days after the filing of such ordinance and petition:  
13 Provided, that no alder ~~alderman~~ shall have the right to sign  
14 more than one such petition. Upon the expiration of the time  
15 for filing any such ordinance the city clerk shall promptly  
16 certify to the board of election commissioners of the city of  
17 Chicago any ordinance or ordinances, together with any  
18 petition or petitions, so filed and thereupon it shall be the  
19 duty of the board of election commissioners to submit such  
20 ordinance or ordinances to a popular vote at the election  
21 specified in such petition or petitions: Provided, that if,  
22 after the filing of any such ordinance and petition and not  
23 less than 40 days prior to such election, the city council  
24 shall pass an ordinance redistricting the city, then the  
25 question of the adoption of any ordinance or ordinances filed  
26 with the city clerk in accordance with the provisions of this

1 section shall not be submitted to a popular vote. However,  
2 after such action by the city council, a substitute ordinance  
3 or ordinances may be proposed in the manner provided in this  
4 article.

5 (Source: Laws 1941, vol. 2, p. 19.)

6 (65 ILCS 20/21-41) (from Ch. 24, par. 21-41)

7 Sec. 21-41. Redistricting ordinance submitted - Form of  
8 ballot.

9 If the question of the adoption of one of two or more  
10 redistricting ordinances is submitted to the voters at any  
11 election, the ballots used for the submission of such  
12 proposition shall, in addition to the other requirements of  
13 law, conform substantially to the following requirements:

14 1. Above the propositions submitted the following words  
15 shall be printed in capital letters:

16 "PROPOSITIONS FOR THE REDISTRICTING OF THE CITY OF  
17 CHICAGO."

18 2. Immediately below said words shall be printed in small  
19 letters the direction to voters:

20 "Vote for One."

21 3. Following thereupon shall be printed each proposition  
22 to be voted upon in substantially the following form:

23 -----

24 For the adoption of an ordinance for the redistricting

1 of the City of Chicago (here insert "passed by the city  
 2 council" or "proposed by Alders ~~Aldermen~~ (here insert  
 3 names of the alders ~~aldermen~~ signing petition)" as the  
 4 case may require.

5 -----  
 6 For the adoption of an ordinance for the redistricting  
 7 of the City of Chicago proposed by Alders ~~Aldermen~~ (here  
 8 insert names of the alders ~~aldermen~~ signing the petition).  
 9 -----

10 Whenever the question of the adoption of but one  
 11 redistricting ordinance shall be submitted to the voters, the  
 12 form of the ballot shall be substantially as follows:

13 -----  
 14 Shall the ordinance proposed by Alders ~~Aldermen~~ (Here  
 15 insert the names of the alders ~~aldermen~~ signing the  
 16 petition) be adopted?  
 17 -----  
 18 YES NO  
 19 -----

20 4. All the propositions shall be printed in uniform type.  
 21 (Source: Laws 1941, vol. 2, p. 19.)

22 Section 35. The Civic Center Code is amended by changing

1 Sections 210-20, 210-25, 270-20, and 270-25 as follows:

2 (70 ILCS 200/210-20)

3 Sec. 210-20. Board members designated. The mayor and  
4 alders ~~aldermen~~, ex officio, of the City of Pontiac shall be  
5 the members of the Board. Before entering upon the duties of  
6 his office, each member of the Board shall take and subscribe  
7 the constitutional oath of office and file it in the office of  
8 the Secretary of State.

9 (Source: P.A. 90-328, eff. 1-1-98.)

10 (70 ILCS 200/210-25)

11 Sec. 210-25. Board members; terms. Members of the Board  
12 shall hold office until their respective successors as mayor  
13 alders ~~aldermen~~ of the City of Pontiac have been appointed and  
14 qualified.

15 (Source: P.A. 90-328, eff. 1-1-98.)

16 (70 ILCS 200/270-20)

17 Sec. 270-20. Board members. The mayor and alders ~~aldermen~~,  
18 ex officio, of the City of Waukegan shall be the members of the  
19 Board. Before entering upon the duties of his office, each  
20 member of the Board shall take and subscribe the  
21 constitutional oath of office and file it in the office of the  
22 Secretary of State.

23 (Source: P.A. 90-328, eff. 1-1-98.)

1 (70 ILCS 200/270-25)

2 Sec. 270-25. Board member terms. Members of the Board  
3 shall hold office until their respective successors as mayor  
4 or alders ~~aldermen~~ of the City of Waukegan have been appointed  
5 and qualified.

6 (Source: P.A. 90-328, eff. 1-1-98.)

7 Section 40. The Metropolitan Pier and Exposition Authority  
8 Act is amended by changing Section 5.6 as follows:

9 (70 ILCS 210/5.6)

10 Sec. 5.6. Marketing agreement.

11 (a) The Authority shall enter into a marketing agreement  
12 with a not-for-profit organization headquartered in Chicago  
13 and recognized by the Department of Commerce and Economic  
14 Opportunity as a certified local tourism and convention bureau  
15 entitled to receive State tourism grant funds, provided the  
16 bylaws of the organization establish a board of the  
17 organization that is comprised of 35 members serving 3-year  
18 staggered terms, including the following:

19 (1) no less than 8 members appointed by the Mayor of  
20 Chicago, to include:

21 (A) a Chair of the board of the organization  
22 appointed by the Mayor of the City of Chicago from  
23 among the business and civic leaders of Chicago who

1 are not engaged in the hospitality business or who  
2 have not served as a member of the Board or as chief  
3 executive officer of the Authority; and

4 (B) 7 members from among the cultural, economic  
5 development, or civic leaders of Chicago;

6 (2) the chairperson of the interim board or Board of  
7 the Authority, or his or her designee;

8 (3) a representative from the department in the City  
9 of Chicago that is responsible for the operation of  
10 Chicago-area airports;

11 (4) a representative from the department in the City  
12 of Chicago that is responsible for the regulation of  
13 Chicago-area livery vehicles;

14 (5) at least 1, but no more than:

15 (A) 5 members from the hotel industry;

16 (B) 5 members representing Chicago arts and  
17 cultural institutions or projects;

18 (C) 2 members from the restaurant industry;

19 (D) 2 members employed by or representing an  
20 entity responsible for a trade show;

21 (E) 2 members representing unions;

22 (F) 2 members from the attractions industry; and

23 (6) the Director of the Illinois Department of  
24 Commerce and Economic Opportunity, ex officio.

25 The bylaws of the organization may provide for the  
26 appointment of a City of Chicago alder ~~alderman~~ as an ex



1 officio member, and may provide for other ex officio members  
2 who shall serve terms of one year.

3 Persons with a real or apparent conflict of interest shall  
4 not be appointed to the board. Members of the board of the  
5 organization shall not serve more than 2 terms. The bylaws  
6 shall require the following: (i) that the Chair of the  
7 organization name no less than 5 and no more than 9 members to  
8 the Executive Committee of the organization, one of whom must  
9 be the chairperson of the interim board or Board of the  
10 Authority, and (ii) a provision concerning conflict of  
11 interest and a requirement that a member abstain from  
12 participating in board action if there is a threat to the  
13 independence of judgment created by any conflict of interest  
14 or if participation is likely to have a negative effect on  
15 public confidence in the integrity of the board.

16 (b) The Authority shall notify the Department of Revenue  
17 within 10 days after entering into a contract pursuant to this  
18 Section.

19 (Source: P.A. 96-898, eff. 5-27-10; 96-899, eff. 5-28-10;  
20 97-1122, eff. 8-27-12.)

21 Section 45. The Beardstown Regional Flood Prevention  
22 District Act is amended by changing Section 10 as follows:

23 (70 ILCS 755/10)

24 Sec. 10. Commissioners.

1           (a) The affairs of the district shall be managed by a board  
2 of 7 commissioners: one shall be appointed by the chairperson  
3 of the county board; one shall be appointed by the Mayor of the  
4 City of Beardstown; one shall be appointed by the Beardstown  
5 Sanitary District; one shall be appointed by the South  
6 Beardstown Levee and Drainage District; one shall be appointed  
7 by the Valley Levee and Drainage District; one shall be  
8 appointed by the Lost Creek Levee and Drainage District; and  
9 one shall be appointed by a majority vote of the other 6  
10 commissioners. All initial appointments under this Section  
11 must be made within 60 days after the district is organized.

12           (b) Of the initial appointments, 3 commissioners shall  
13 serve a 2-year term and 4 commissioners shall serve a 4-year  
14 term, as determined by lot. Their successors shall be  
15 appointed for 4-year terms. No commissioner may serve for more  
16 than 20 years. Vacancies shall be filled in the same manner as  
17 original appointments.

18           (c) Each commissioner must be a legal voter in Cass  
19 County, and all commissioners shall reside in and own property  
20 that is located within the district. Commissioners shall serve  
21 without compensation, but may be reimbursed for reasonable  
22 expenses incurred in the performance of their duties.

23           (d) A majority of the commissioners shall constitute a  
24 quorum of the board for the transaction of business. An  
25 affirmative vote of a majority of the commissioners shall be  
26 sufficient to approve any action or expenditure.

1 (e) An alder ~~alderman~~ of the City of Beardstown, a member  
2 of the county board, and a commissioner of each of the  
3 aforementioned drainage districts and sanitation district may  
4 be appointed to serve concurrently as commissioners of the  
5 district, and the appointment shall be deemed lawful and not  
6 to constitute a violation of the Public Officer Prohibited  
7 Activities Act, nor to create an impermissible conflict of  
8 interest or incompatibility of offices.

9 (Source: P.A. 97-309, eff. 8-11-11.)

10 Section 50. The Park System Civil Service Act is amended  
11 by changing Section 23 as follows:

12 (70 ILCS 1210/23) (from Ch. 24 1/2, par. 102)

13 Sec. 23. No officer or employee in the service of any such  
14 park district shall, directly or indirectly, give or hand over  
15 to any officer or employee in said classified civil service,  
16 or to any senator or representative or alder ~~alderman~~,  
17 councilman or park commissioner, any money or other valuable  
18 thing on account of or to be applied to the promotion of any  
19 party or political object whatever.

20 (Source: Laws 1911, p. 211.)

21 Section 55. The Park Annuity and Benefit Fund Civil  
22 Service Act is amended by changing Section 25 as follows:

1 (70 ILCS 1215/25) (from Ch. 24 1/2, par. 138)

2 Sec. 25. No officer or employee in the service of such Park  
3 Employees' and Retirement Board Employees' Annuity and Benefit  
4 Fund shall, directly or indirectly, give or hand over to any  
5 officer or employee in said classified civil service, or to  
6 any senator, representative, alder ~~alderman~~, councilman, park  
7 commissioner or trustee, any money or other valuable thing on  
8 account of or to be applied to the promotion of any party or  
9 political object whatever.

10 (Source: Laws 1963, p. 138.)

11 Section 60. The Metropolitan Water Reclamation District  
12 Act is amended by changing Section 4.25 as follows:

13 (70 ILCS 2605/4.25) (from Ch. 42, par. 323.25)

14 Sec. 4.25. Political contributions and campaigns.

15 (a) During a commissioner's or an employee's compensated  
16 time, other than vacation, personal, holiday, or compensatory  
17 time off, a commissioner or an employee in the service of the  
18 sanitary district shall not, directly or indirectly, give or  
19 hand over to any commissioner or employee, or to any senator,  
20 representative, alder ~~alderman~~, councilman, or trustee, any  
21 money or other valuable thing on account of or to be applied to  
22 the promotion of any party or political object whatever.

23 (b) During an employee's compensated time, other than  
24 vacation, personal, holiday, or compensatory time off, an

1 employee shall not take any part in the management or affairs  
2 of any political party or in any political campaign, except to  
3 exercise his or her right as a citizen privately to express his  
4 or her opinion, and to cast his or her vote, provided, however,  
5 that an employee shall have the right to hold any public  
6 office, either by appointment or election, that is not  
7 incompatible with his or her duties as an employee of the  
8 District, and provided further that the employee does not  
9 campaign or otherwise engage in political activity during his  
10 or her compensated time other than vacation, personal,  
11 holiday, or compensatory time off.

12 (c) This Section shall not be deemed to authorize conduct  
13 prohibited by the Federal Hatch Act by employees subject to  
14 that Act.

15 (d) For the purposes of this Section, "compensated time"  
16 means any time worked by or credited to an employee that counts  
17 toward any minimum work time requirement imposed as a  
18 condition of employment with the sanitary district, but does  
19 not include any designated holidays or any period when the  
20 employee is on a leave of absence. With respect to  
21 commissioners, "compensated time" means any period of time  
22 when the commissioner is on the premises under the control of  
23 the sanitary district and any other time when the commissioner  
24 is executing his or her official duties, regardless of  
25 location.

26 For the purposes of this Section, "compensatory time off"

1 means authorized time off earned by or awarded to an employee  
2 to compensate in whole or in part for time worked in excess of  
3 the minimum work time required of that employee as a condition  
4 of employment with the sanitary district.

5 (Source: P.A. 97-125, eff. 7-14-11.)

6 Section 65. The School Code is amended by changing  
7 Sections 34-210, 34-230, and 34-235 as follows:

8 (105 ILCS 5/34-210)

9 Sec. 34-210. The Educational Facility Master Plan.

10 (a) In accordance with the schedule set forth in this  
11 Article, the chief executive officer or his or her designee  
12 shall prepare a 10-year educational facility master plan every  
13 5 years, with updates 2 1/2 years after the approval of the  
14 initial 10-year plan, with the first such educational facility  
15 master plan to be approved on or before October 1, 2013.

16 (b) The educational facility master plan shall provide  
17 community area level plans and individual school master plans  
18 with options for addressing the facility and space needs for  
19 each facility operated by the district over a 10-year period.

20 (c) The data, information, and analysis that shall inform  
21 the educational facility master plan shall be published on the  
22 district's Internet website and shall include the following:

23 (1) a description of the district's guiding  
24 educational goals and standards;

1           (2) a brief description of the types of instructional  
2 programs and services delivered in each school, including  
3 specific plans for special education programs, early  
4 childhood education programs, career and technical  
5 education programs, and any other programs that are space  
6 sensitive to avoid space irregularities;

7           (3) a description of the process, procedure, and  
8 timeline for community participation in the development of  
9 the plan;

10           (3.5) A description of a communications and community  
11 involvement plan for each community in the City of Chicago  
12 that includes the engagement of students, school  
13 personnel, parents, and key stakeholders throughout the  
14 community and all of the following:

15                   (A) community action councils;

16                   (B) local school councils or, if not present,  
17 alternative parent and community governance for that  
18 school;

19                   (C) the Chicago Teachers Union; and

20                   (D) all current principals.

21           (4) the enrollment capacity of each school and its  
22 rate of enrollment and historical and projected  
23 enrollment, and current and projected demographic  
24 information for the neighborhood surrounding the district  
25 based on census data;

26           (5) a report on the assessment of individual building

1 and site conditions;

2 (6) a data table with historical and projected  
3 enrollment data by school by grade;

4 (7) community analysis, including a study of current  
5 and projected demographics, land usage, transportation  
6 plans, residential housing and commercial development,  
7 private schools, plans for water and sewage service  
8 expansion or redevelopment, and institutions of higher  
9 education;

10 (8) an analysis of the facility needs and requirements  
11 and a process to address critical facility capital needs  
12 of every school building, which shall be publicly  
13 available on the district's Internet website for schools  
14 and communities to have access to the information;

15 (9) identification of potential sources of funding for  
16 the implementation of the Educational Facility Master  
17 Plan, including financial options through tax increment  
18 financing, property tax levies for schools, and bonds that  
19 address critical facility needs; and

20 (10) any school building disposition, including a plan  
21 delineating the process through which citizen involvement  
22 is facilitated and establishing the criteria that is  
23 utilized in building disposition decisions, one of which  
24 shall be consideration of the impact of any proposed new  
25 use of a school building on the neighborhood in which the  
26 school building is located and how it may impact



1 enrollment of schools in that community area.

2 (d) On or before May 1, 2013, the chief executive officer  
3 or his or her designee shall prepare and distribute for  
4 comment a preliminary draft of the Educational Facility Master  
5 Plan. The draft plan shall be distributed to the City of  
6 Chicago, the County of Cook, the Chicago Park District, the  
7 Chicago Housing Authority, the Chicago Transit Authority,  
8 attendance centers operated by the district, and charter  
9 schools operating within the district. Each attendance center  
10 shall make the draft plan available to the local school  
11 council at the annual organizational meeting or to an  
12 alternative advisory body and to the parents, guardians, and  
13 staff of the school. The draft plan also shall be distributed  
14 to each State Senator and State Representative with a district  
15 in the City of Chicago, to the Mayor of the City of Chicago,  
16 and to each alder ~~alderman~~ of the City.

17 (e) The chief executive or his or her designee shall  
18 publish a procedure for conducting regional public hearings  
19 and submitting public comments on the draft plan and an annual  
20 capital improvement hearing that shall discuss the district's  
21 annual capital budget and that is not in conjunction with  
22 operating budget hearings.

23 (f) After consideration of public input on the draft plan,  
24 the chief executive officer or his or her designee shall  
25 prepare and publish a report describing the public input  
26 gathered and the process used to incorporate public input in

1 the development of the final plan to be recommended to the  
2 Board.

3 (g) The chief executive officer shall present the final  
4 plan and report to the Board for final consideration and  
5 approval.

6 (h) The final approved Educational Facility Master Plan  
7 shall be published on the district's website.

8 (i) No later than July 1, 2016, and every 5 years  
9 thereafter, the chief executive officer or his or her designee  
10 shall prepare and submit for public comment a draft revised  
11 Educational Facility Master Plan following the procedures  
12 required for development of the original plan.

13 (j) This proposed revised plan shall reflect the progress  
14 achieved during the first 2 1/2 years of the Educational  
15 Facility Master Plan.

16 (k) On or before December 1, 2018, the Board shall adopt a  
17 policy to address under-enrolled schools. The policy must  
18 contain a list of potential interventions to address schools  
19 with declining enrollment, including, but not limited to,  
20 action by the district to: (i) create a request for proposals  
21 for joint use of the school with an intergovernmental rental  
22 or other outside entity rental, (ii) except for a charter  
23 school, cease any potential plans for school expansion that  
24 may negatively impact enrollment at the under-enrolled school,  
25 (iii) redraft attendance boundaries to maximize enrollment of  
26 additional students, or (iv) work with under-enrolled schools

1 to identify opportunities to increase enrollment and lower the  
2 costs of occupancy through joint use agreements.

3 (Source: P.A. 99-531, eff. 7-8-16; 100-965, eff. 8-19-18.)

4 (105 ILCS 5/34-230)

5 Sec. 34-230. School action public meetings and hearings.

6 (a) By October 1 of each year, the chief executive officer  
7 shall prepare and publish guidelines for school actions. The  
8 guidelines shall outline the academic and non-academic  
9 criteria for a school action. These guidelines shall be  
10 created with the involvement of local school councils,  
11 parents, educators, and community organizations. These  
12 guidelines, and each subsequent revision, shall be subject to  
13 a public comment period of at least 21 days before their  
14 approval.

15 (b) The chief executive officer shall announce all  
16 proposed school actions to be taken at the close of the current  
17 academic year consistent with the guidelines by December 1 of  
18 each year.

19 (c) On or before December 1 of each year, the chief  
20 executive officer shall publish notice of the proposed school  
21 actions.

22 (1) Notice of the proposal for a school action shall  
23 include a written statement of the basis for the school  
24 action, an explanation of how the school action meets the  
25 criteria set forth in the guidelines, and a draft School

1 Transition Plan identifying the items required in Section  
2 34-225 of this Code for all schools affected by the school  
3 action. The notice shall state the date, time, and place  
4 of the hearing or meeting. For a school closure only, 8  
5 months after notice is given, the chief executive officer  
6 must publish on the district's website a full financial  
7 report on the closure that includes an analysis of the  
8 closure's costs and benefits to the district.

9 (2) The chief executive officer or his or her designee  
10 shall provide notice to the principal, staff, local school  
11 council, and parents or guardians of any school that is  
12 subject to the proposed school action.

13 (3) The chief executive officer shall provide written  
14 notice of any proposed school action to the State Senator,  
15 State Representative, and alder ~~alderman~~ for the school or  
16 schools that are subject to the proposed school action.

17 (4) The chief executive officer shall publish notice  
18 of proposed school actions on the district's Internet  
19 website.

20 (5) The chief executive officer shall provide notice  
21 of proposed school actions at least 30 calendar days in  
22 advance of a public hearing or meeting. The notice shall  
23 state the date, time, and place of the hearing or meeting.  
24 No Board decision regarding a proposed school action may  
25 take place less than 60 days after the announcement of the  
26 proposed school action.

1 (d) The chief executive officer shall publish a brief  
2 summary of the proposed school actions and the date, time, and  
3 place of the hearings or meetings in a newspaper of general  
4 circulation.

5 (e) The chief executive officer shall designate at least 3  
6 opportunities to elicit public comment at a hearing or meeting  
7 on a proposed school action and shall do the following:

8 (1) Convene at least one public hearing at the  
9 centrally located office of the Board.

10 (2) Convene at least 2 additional public hearings or  
11 meetings at a location convenient to the school community  
12 subject to the proposed school action.

13 (f) Public hearings shall be conducted by a qualified  
14 independent hearing officer chosen from a list of independent  
15 hearing officers. The general counsel shall compile and  
16 publish a list of independent hearing officers by November 1  
17 of each school year. The independent hearing officer shall  
18 have the following qualifications:

19 (1) he or she must be a licensed attorney eligible to  
20 practice law in Illinois;

21 (2) he or she must not be an employee of the Board; and

22 (3) he or she must not have represented the Board, its  
23 employees or any labor organization representing its  
24 employees, any local school council, or any charter or  
25 contract school in any capacity within the last year.

26 The independent hearing officer shall issue a written

1 report that summarizes the hearing and determines whether the  
2 chief executive officer complied with the requirements of this  
3 Section and the guidelines.

4 The chief executive officer shall publish the report on  
5 the district's Internet website within 5 calendar days after  
6 receiving the report and at least 15 days prior to any Board  
7 action being taken.

8 (g) Public meetings shall be conducted by a representative  
9 of the chief executive officer. A summary of the public  
10 meeting shall be published on the district's Internet website  
11 within 5 calendar days after the meeting.

12 (h) If the chief executive officer proposes a school  
13 action without following the mandates set forth in this  
14 Section, the proposed school action shall not be approved by  
15 the Board during the school year in which the school action was  
16 proposed.

17 (Source: P.A. 101-133, eff. 7-26-19.)

18 (105 ILCS 5/34-235)

19 (Text of Section from P.A. 97-473)

20 Sec. 34-235. Emergencies. Nothing in Sections 34-200  
21 through 34-235 of this Code prevents the district from taking  
22 emergency action to protect the health and safety of students  
23 and staff in an attendance center. In the event of an emergency  
24 that requires the district to close all or part of a school  
25 facility, including compliance with a directive of a duly

1 authorized public safety agency, the chief executive officer  
2 or his or her designees are authorized to take all steps  
3 necessary to protect the safety of students and staff,  
4 including relocation of the attendance center to another  
5 location or closing the attendance center. In such cases, the  
6 chief executive officer shall provide written notice of the  
7 basis for the emergency action within 3 days after declaring  
8 the emergency and shall publish the steps that have been taken  
9 or will be taken to address the emergency within 10 days after  
10 declaring the emergency. The notice shall be posted on the  
11 district's website and provided to the principal, the local  
12 school council, and the State Senator, the State  
13 Representative, and the Alder ~~Alderman~~ of the school that is  
14 the subject of the emergency action. The notice shall explain  
15 why the district could not comply with the provisions in  
16 Sections 34-200 through 34-235 of this Code.

17 (Source: P.A. 97-473, eff. 1-1-12.)

18 (Text of Section from P.A. 97-474)

19 Sec. 34-235. Emergencies. Nothing in Sections 34-200  
20 through 34-235 of this Code prevents the district from taking  
21 emergency action to protect the health and safety of students  
22 and staff in an attendance center. In the event of an emergency  
23 that requires the district to close all or part of a school  
24 facility, including compliance with a directive of a duly  
25 authorized public safety agency, the chief executive officer

1 or his or her designees are authorized to take all steps  
2 necessary to protect the safety of students and staff,  
3 including relocation of the attendance center to another  
4 location or closing the attendance center. In such cases, the  
5 chief executive officer shall provide written notice of the  
6 basis for the emergency action within 3 days after declaring  
7 the emergency and shall publish the steps that have been taken  
8 or will be taken to address the emergency within 10 days after  
9 declaring the emergency. The notice shall be posted on the  
10 district's website and provided to the principal, the local  
11 school council, and the State Senator, the State  
12 Representative, and the alder ~~alderman~~ of the school that is  
13 the subject of the emergency action. The notice shall explain  
14 why the district could not comply with the provisions in  
15 Sections 34-200 through 34-235 of this Code.

16 (Source: P.A. 97-474, eff. 8-22-11.)

17 Section 70. The Liquor Control Act of 1934 is amended by  
18 changing Sections 4-1, 6-2, and 6-11 as follows:

19 (235 ILCS 5/4-1) (from Ch. 43, par. 110)

20 Sec. 4-1. In every city, village or incorporated town, the  
21 city council or president and board of trustees, and in  
22 counties in respect of territory outside the limits of any  
23 such city, village or incorporated town the county board shall  
24 have the power by general ordinance or resolution to determine



1 the number, kind and classification of licenses, for sale at  
2 retail of alcoholic liquor not inconsistent with this Act and  
3 the amount of the local licensee fees to be paid for the  
4 various kinds of licenses to be issued in their political  
5 subdivision, except those issued to the specific non-beverage  
6 users exempt from payment of license fees under Section 5-3  
7 which shall be issued without payment of any local license  
8 fees, and the manner of distribution of such fees after their  
9 collection; to regulate or prohibit the presence of persons  
10 under the age of 21 on the premises of licensed retail  
11 establishments of various kinds and classifications where  
12 alcoholic liquor is drawn, poured, mixed or otherwise served  
13 for consumption on the premises; to prohibit any minor from  
14 drawing, pouring, or mixing any alcoholic liquor as an  
15 employee of any retail licensee; and to prohibit any minor  
16 from at any time attending any bar and from drawing, pouring or  
17 mixing any alcoholic liquor in any licensed retail premises;  
18 and to establish such further regulations and restrictions  
19 upon the issuance of and operations under local licenses not  
20 inconsistent with law as the public good and convenience may  
21 require; and to provide penalties for the violation of  
22 regulations and restrictions, including those made by county  
23 boards, relative to operation under local licenses; provided,  
24 however, that in the exercise of any of the powers granted in  
25 this section, the issuance of such licenses shall not be  
26 prohibited except for reasons specifically enumerated in

1 Sections 6-2, 6-11, 6-12 and 6-25 of this Act.

2       However, in any municipality with a population exceeding  
3 1,000,000 that has adopted the form of government authorized  
4 under "An Act concerning cities, villages, and incorporated  
5 towns, and to repeal certain Acts herein named", approved  
6 August 15, 1941, as amended, no person shall be granted any  
7 license or privilege to sell alcoholic liquors between the  
8 hours of two o'clock a.m. and seven o'clock a.m. on week days  
9 unless such person has given at least 14 days prior written  
10 notice to the alder ~~alderman~~ of the ward in which such person's  
11 licensed premises are located stating his intention to make  
12 application for such license or privilege and unless evidence  
13 confirming service of such written notice is included in such  
14 application. Any license or privilege granted in violation of  
15 this paragraph shall be null and void.

16 (Source: P.A. 99-46, eff. 7-15-15.)

17 (235 ILCS 5/6-2) (from Ch. 43, par. 120)

18 Sec. 6-2. Issuance of licenses to certain persons  
19 prohibited.

20 (a) Except as otherwise provided in subsection (b) of this  
21 Section and in paragraph (1) of subsection (a) of Section  
22 3-12, no license of any kind issued by the State Commission or  
23 any local commission shall be issued to:

24 (1) A person who is not a resident of any city, village  
25 or county in which the premises covered by the license are

1 located; except in case of railroad or boat licenses.

2 (2) A person who is not of good character and  
3 reputation in the community in which he resides.

4 (3) (Blank).

5 (4) A person who has been convicted of a felony under  
6 any Federal or State law, unless the Commission determines  
7 that such person will not be impaired by the conviction in  
8 engaging in the licensed practice after considering  
9 matters set forth in such person's application in  
10 accordance with Section 6-2.5 of this Act and the  
11 Commission's investigation.

12 (5) A person who has been convicted of keeping a place  
13 of prostitution or keeping a place of juvenile  
14 prostitution, promoting prostitution that involves keeping  
15 a place of prostitution, or promoting juvenile  
16 prostitution that involves keeping a place of juvenile  
17 prostitution.

18 (6) A person who has been convicted of pandering.

19 (7) A person whose license issued under this Act has  
20 been revoked for cause.

21 (8) A person who at the time of application for  
22 renewal of any license issued hereunder would not be  
23 eligible for such license upon a first application.

24 (9) A copartnership, if any general partnership  
25 thereof, or any limited partnership thereof, owning more  
26 than 5% of the aggregate limited partner interest in such

1 copartnership would not be eligible to receive a license  
2 hereunder for any reason other than residence within the  
3 political subdivision, unless residency is required by  
4 local ordinance.

5 (10) A corporation or limited liability company, if  
6 any member, officer, manager or director thereof, or any  
7 stockholder or stockholders owning in the aggregate more  
8 than 5% of the stock of such corporation, would not be  
9 eligible to receive a license hereunder for any reason  
10 other than residence within the political subdivision.

11 (10a) A corporation or limited liability company  
12 unless it is incorporated or organized in Illinois, or  
13 unless it is a foreign corporation or foreign limited  
14 liability company which is qualified under the Business  
15 Corporation Act of 1983 or the Limited Liability Company  
16 Act to transact business in Illinois. The Commission shall  
17 permit and accept from an applicant for a license under  
18 this Act proof prepared from the Secretary of State's  
19 website that the corporation or limited liability company  
20 is in good standing and is qualified under the Business  
21 Corporation Act of 1983 or the Limited Liability Company  
22 Act to transact business in Illinois.

23 (11) A person whose place of business is conducted by  
24 a manager or agent unless the manager or agent possesses  
25 the same qualifications required by the licensee.

26 (12) A person who has been convicted of a violation of

1 any Federal or State law concerning the manufacture,  
2 possession or sale of alcoholic liquor, subsequent to the  
3 passage of this Act or has forfeited his bond to appear in  
4 court to answer charges for any such violation, unless the  
5 Commission determines, in accordance with Section 6-2.5 of  
6 this Act, that the person will not be impaired by the  
7 conviction in engaging in the licensed practice.

8 (13) A person who does not beneficially own the  
9 premises for which a license is sought, or does not have a  
10 lease thereon for the full period for which the license is  
11 to be issued.

12 (14) Any law enforcing public official, including  
13 members of local liquor control commissions, any mayor,  
14 alder ~~alderman~~, or member of the city council or  
15 commission, any president of the village board of  
16 trustees, any member of a village board of trustees, or  
17 any president or member of a county board; and no such  
18 official shall have a direct interest in the manufacture,  
19 sale, or distribution of alcoholic liquor, except that a  
20 license may be granted to such official in relation to  
21 premises that are not located within the territory subject  
22 to the jurisdiction of that official if the issuance of  
23 such license is approved by the State Liquor Control  
24 Commission and except that a license may be granted, in a  
25 city or village with a population of 55,000 or less, to any  
26 alder ~~alderman~~, member of a city council, or member of a

1 village board of trustees in relation to premises that are  
2 located within the territory subject to the jurisdiction  
3 of that official if (i) the sale of alcoholic liquor  
4 pursuant to the license is incidental to the selling of  
5 food, (ii) the issuance of the license is approved by the  
6 State Commission, (iii) the issuance of the license is in  
7 accordance with all applicable local ordinances in effect  
8 where the premises are located, and (iv) the official  
9 granted a license does not vote on alcoholic liquor issues  
10 pending before the board or council to which the license  
11 holder is elected. Notwithstanding any provision of this  
12 paragraph (14) to the contrary, an alder ~~alderman~~ or  
13 member of a city council or commission, a member of a  
14 village board of trustees other than the president of the  
15 village board of trustees, or a member of a county board  
16 other than the president of a county board may have a  
17 direct interest in the manufacture, sale, or distribution  
18 of alcoholic liquor as long as he or she is not a law  
19 enforcing public official, a mayor, a village board  
20 president, or president of a county board. To prevent any  
21 conflict of interest, the elected official with the direct  
22 interest in the manufacture, sale, or distribution of  
23 alcoholic liquor shall not participate in any meetings,  
24 hearings, or decisions on matters impacting the  
25 manufacture, sale, or distribution of alcoholic liquor.  
26 Furthermore, the mayor of a city with a population of

1 55,000 or less or the president of a village with a  
2 population of 55,000 or less may have an interest in the  
3 manufacture, sale, or distribution of alcoholic liquor as  
4 long as the council or board over which he or she presides  
5 has made a local liquor control commissioner appointment  
6 that complies with the requirements of Section 4-2 of this  
7 Act.

8 (15) A person who is not a beneficial owner of the  
9 business to be operated by the licensee.

10 (16) A person who has been convicted of a gambling  
11 offense as proscribed by any of subsections (a) (3)  
12 through (a) (11) of Section 28-1 of, or as proscribed by  
13 Section 28-1.1 or 28-3 of, the Criminal Code of 1961 or the  
14 Criminal Code of 2012, or as proscribed by a statute  
15 replaced by any of the aforesaid statutory provisions.

16 (17) A person or entity to whom a federal wagering  
17 stamp has been issued by the federal government, unless  
18 the person or entity is eligible to be issued a license  
19 under the Raffles and Poker Runs Act or the Illinois Pull  
20 Tabs and Jar Games Act.

21 (18) A person who intends to sell alcoholic liquors  
22 for use or consumption on his or her licensed retail  
23 premises who does not have liquor liability insurance  
24 coverage for that premises in an amount that is at least  
25 equal to the maximum liability amounts set out in  
26 subsection (a) of Section 6-21.

1           (19) A person who is licensed by any licensing  
2 authority as a manufacturer of beer, or any partnership,  
3 corporation, limited liability company, or trust or any  
4 subsidiary, affiliate, or agent thereof, or any other form  
5 of business enterprise licensed as a manufacturer of beer,  
6 having any legal, equitable, or beneficial interest,  
7 directly or indirectly, in a person licensed in this State  
8 as a distributor or importing distributor. For purposes of  
9 this paragraph (19), a person who is licensed by any  
10 licensing authority as a "manufacturer of beer" shall also  
11 mean a brewer and a non-resident dealer who is also a  
12 manufacturer of beer, including a partnership,  
13 corporation, limited liability company, or trust or any  
14 subsidiary, affiliate, or agent thereof, or any other form  
15 of business enterprise licensed as a manufacturer of beer.

16           (20) A person who is licensed in this State as a  
17 distributor or importing distributor, or any partnership,  
18 corporation, limited liability company, or trust or any  
19 subsidiary, affiliate, or agent thereof, or any other form  
20 of business enterprise licensed in this State as a  
21 distributor or importing distributor having any legal,  
22 equitable, or beneficial interest, directly or indirectly,  
23 in a person licensed as a manufacturer of beer by any  
24 licensing authority, or any partnership, corporation,  
25 limited liability company, or trust or any subsidiary,  
26 affiliate, or agent thereof, or any other form of business



1 enterprise, except for a person who owns, on or after the  
2 effective date of this amendatory Act of the 98th General  
3 Assembly, no more than 5% of the outstanding shares of a  
4 manufacturer of beer whose shares are publicly traded on  
5 an exchange within the meaning of the Securities Exchange  
6 Act of 1934. For the purposes of this paragraph (20), a  
7 person who is licensed by any licensing authority as a  
8 "manufacturer of beer" shall also mean a brewer and a  
9 non-resident dealer who is also a manufacturer of beer,  
10 including a partnership, corporation, limited liability  
11 company, or trust or any subsidiary, affiliate, or agent  
12 thereof, or any other form of business enterprise licensed  
13 as a manufacturer of beer.

14 (b) A criminal conviction of a corporation is not grounds  
15 for the denial, suspension, or revocation of a license applied  
16 for or held by the corporation if the criminal conviction was  
17 not the result of a violation of any federal or State law  
18 concerning the manufacture, possession or sale of alcoholic  
19 liquor, the offense that led to the conviction did not result  
20 in any financial gain to the corporation and the corporation  
21 has terminated its relationship with each director, officer,  
22 employee, or controlling shareholder whose actions directly  
23 contributed to the conviction of the corporation. The  
24 Commission shall determine if all provisions of this  
25 subsection (b) have been met before any action on the  
26 corporation's license is initiated.

1 (Source: P.A. 100-286, eff. 1-1-18; 101-541, eff. 8-23-19.)

2 (235 ILCS 5/6-11)

3 Sec. 6-11. Sale near churches, schools, and hospitals.

4 (a) No license shall be issued for the sale at retail of  
5 any alcoholic liquor within 100 feet of any church, school  
6 other than an institution of higher learning, hospital, home  
7 for aged or indigent persons or for veterans, their spouses or  
8 children or any military or naval station, provided, that this  
9 prohibition shall not apply to hotels offering restaurant  
10 service, regularly organized clubs, or to restaurants, food  
11 shops or other places where sale of alcoholic liquors is not  
12 the principal business carried on if the place of business so  
13 exempted is not located in a municipality of more than 500,000  
14 persons, unless required by local ordinance; nor to the  
15 renewal of a license for the sale at retail of alcoholic liquor  
16 on premises within 100 feet of any church or school where the  
17 church or school has been established within such 100 feet  
18 since the issuance of the original license. In the case of a  
19 church, the distance of 100 feet shall be measured to the  
20 nearest part of any building used for worship services or  
21 educational programs and not to property boundaries.

22 (a-5) Notwithstanding any provision of this Section to the  
23 contrary, a local liquor control commissioner may grant an  
24 exemption to the prohibition in subsection (a) of this Section  
25 if a local rule or ordinance authorizes the local liquor

1 control commissioner to grant that exemption.

2 (b) Nothing in this Section shall prohibit the issuance of  
3 a retail license authorizing the sale of alcoholic liquor to a  
4 restaurant, the primary business of which is the sale of goods  
5 baked on the premises if (i) the restaurant is newly  
6 constructed and located on a lot of not less than 10,000 square  
7 feet, (ii) the restaurant costs at least \$1,000,000 to  
8 construct, (iii) the licensee is the titleholder to the  
9 premises and resides on the premises, and (iv) the  
10 construction of the restaurant is completed within 18 months  
11 of July 10, 1998 (the effective date of Public Act 90-617).

12 (c) Nothing in this Section shall prohibit the issuance of  
13 a retail license authorizing the sale of alcoholic liquor  
14 incidental to a restaurant if (1) the primary business of the  
15 restaurant consists of the sale of food where the sale of  
16 liquor is incidental to the sale of food and the applicant is a  
17 completely new owner of the restaurant, (2) the immediately  
18 prior owner or operator of the premises where the restaurant  
19 is located operated the premises as a restaurant and held a  
20 valid retail license authorizing the sale of alcoholic liquor  
21 at the restaurant for at least part of the 24 months before the  
22 change of ownership, and (3) the restaurant is located 75 or  
23 more feet from a school.

24 (d) In the interest of further developing Illinois'  
25 economy in the area of commerce, tourism, convention, and  
26 banquet business, nothing in this Section shall prohibit

1 issuance of a retail license authorizing the sale of alcoholic  
2 beverages to a restaurant, banquet facility, grocery store, or  
3 hotel having not fewer than 150 guest room accommodations  
4 located in a municipality of more than 500,000 persons,  
5 notwithstanding the proximity of such hotel, restaurant,  
6 banquet facility, or grocery store to any church or school, if  
7 the licensed premises described on the license are located  
8 within an enclosed mall or building of a height of at least 6  
9 stories, or 60 feet in the case of a building that has been  
10 registered as a national landmark, or in a grocery store  
11 having a minimum of 56,010 square feet of floor space in a  
12 single story building in an open mall of at least 3.96 acres  
13 that is adjacent to a public school that opened as a boys  
14 technical high school in 1934, or in a grocery store having a  
15 minimum of 31,000 square feet of floor space in a single story  
16 building located a distance of more than 90 feet but less than  
17 100 feet from a high school that opened in 1928 as a junior  
18 high school and became a senior high school in 1933, and in  
19 each of these cases if the sale of alcoholic liquors is not the  
20 principal business carried on by the licensee.

21 For purposes of this Section, a "banquet facility" is any  
22 part of a building that caters to private parties and where the  
23 sale of alcoholic liquors is not the principal business.

24 (e) Nothing in this Section shall prohibit the issuance of  
25 a license to a church or private school to sell at retail  
26 alcoholic liquor if any such sales are limited to periods when

1 groups are assembled on the premises solely for the promotion  
2 of some common object other than the sale or consumption of  
3 alcoholic liquors.

4 (f) Nothing in this Section shall prohibit a church or  
5 church affiliated school located in a home rule municipality  
6 or in a municipality with 75,000 or more inhabitants from  
7 locating within 100 feet of a property for which there is a  
8 preexisting license to sell alcoholic liquor at retail. In  
9 these instances, the local zoning authority may, by ordinance  
10 adopted simultaneously with the granting of an initial special  
11 use zoning permit for the church or church affiliated school,  
12 provide that the 100-foot restriction in this Section shall  
13 not apply to that church or church affiliated school and  
14 future retail liquor licenses.

15 (g) Nothing in this Section shall prohibit the issuance of  
16 a retail license authorizing the sale of alcoholic liquor at  
17 premises within 100 feet, but not less than 90 feet, of a  
18 public school if (1) the premises have been continuously  
19 licensed to sell alcoholic liquor for a period of at least 50  
20 years, (2) the premises are located in a municipality having a  
21 population of over 500,000 inhabitants, (3) the licensee is an  
22 individual who is a member of a family that has held the  
23 previous 3 licenses for that location for more than 25 years,  
24 (4) the principal of the school and the alder ~~alderman~~ of the  
25 ward in which the school is located have delivered a written  
26 statement to the local liquor control commissioner stating

1 that they do not object to the issuance of a license under this  
2 subsection (g), and (5) the local liquor control commissioner  
3 has received the written consent of a majority of the  
4 registered voters who live within 200 feet of the premises.

5 (h) Notwithstanding any provision of this Section to the  
6 contrary, nothing in this Section shall prohibit the issuance  
7 or renewal of a license authorizing the sale of alcoholic  
8 liquor within premises and at an outdoor patio area attached  
9 to premises that are located in a municipality with a  
10 population in excess of 300,000 inhabitants and that are  
11 within 100 feet of a church if:

12 (1) the sale of alcoholic liquor at the premises is  
13 incidental to the sale of food,

14 (2) the sale of liquor is not the principal business  
15 carried on by the licensee at the premises,

16 (3) the premises are less than 1,000 square feet,

17 (4) the premises are owned by the University of  
18 Illinois,

19 (5) the premises are immediately adjacent to property  
20 owned by a church and are not less than 20 nor more than 40  
21 feet from the church space used for worship services, and

22 (6) the principal religious leader at the place of  
23 worship has indicated his or her support for the issuance  
24 of the license in writing.

25 (i) Notwithstanding any provision in this Section to the  
26 contrary, nothing in this Section shall prohibit the issuance

1 or renewal of a license to sell alcoholic liquor at a premises  
2 that is located within a municipality with a population in  
3 excess of 300,000 inhabitants and is within 100 feet of a  
4 church, synagogue, or other place of worship if:

5 (1) the primary entrance of the premises and the  
6 primary entrance of the church, synagogue, or other place  
7 of worship are at least 100 feet apart, on parallel  
8 streets, and separated by an alley; and

9 (2) the principal religious leader at the place of  
10 worship has not indicated his or her opposition to the  
11 issuance or renewal of the license in writing.

12 (j) Notwithstanding any provision in this Section to the  
13 contrary, nothing in this Section shall prohibit the issuance  
14 of a retail license authorizing the sale of alcoholic liquor  
15 at a theater that is within 100 feet of a church if (1) the  
16 church owns the theater, (2) the church leases the theater to  
17 one or more entities, and (3) the theater is used by at least 5  
18 different not-for-profit theater groups.

19 (k) Notwithstanding any provision in this Section to the  
20 contrary, nothing in this Section shall prohibit the issuance  
21 or renewal of a license authorizing the sale of alcoholic  
22 liquor at a premises that is located within a municipality  
23 with a population in excess of 1,000,000 inhabitants and is  
24 within 100 feet of a school if:

25 (1) the primary entrance of the premises and the  
26 primary entrance of the school are parallel, on different

1 streets, and separated by an alley;

2 (2) the southeast corner of the premises are at least  
3 350 feet from the southwest corner of the school;

4 (3) the school was built in 1978;

5 (4) the sale of alcoholic liquor at the premises is  
6 incidental to the sale of food;

7 (5) the sale of alcoholic liquor is not the principal  
8 business carried on by the licensee at the premises;

9 (6) the applicant is the owner of the restaurant and  
10 has held a valid license authorizing the sale of alcoholic  
11 liquor for the business to be conducted on the premises at  
12 a different location for more than 7 years; and

13 (7) the premises is at least 2,300 square feet and  
14 sits on a lot that is between 6,100 and 6,150 square feet.

15 (1) Notwithstanding any provision in this Section to the  
16 contrary, nothing in this Section shall prohibit the issuance  
17 or renewal of a license authorizing the sale of alcoholic  
18 liquor at a premises that is located within a municipality  
19 with a population in excess of 1,000,000 inhabitants and is  
20 within 100 feet of a church or school if:

21 (1) the primary entrance of the premises and the  
22 closest entrance of the church or school is at least 90  
23 feet apart and no greater than 95 feet apart;

24 (2) the shortest distance between the premises and the  
25 church or school is at least 80 feet apart and no greater  
26 than 85 feet apart;



1           (3) the applicant is the owner of the restaurant and  
2           on November 15, 2006 held a valid license authorizing the  
3           sale of alcoholic liquor for the business to be conducted  
4           on the premises for at least 14 different locations;

5           (4) the sale of alcoholic liquor at the premises is  
6           incidental to the sale of food;

7           (5) the sale of alcoholic liquor is not the principal  
8           business carried on by the licensee at the premises;

9           (6) the premises is at least 3,200 square feet and  
10          sits on a lot that is between 7,150 and 7,200 square feet;  
11          and

12          (7) the principal religious leader at the place of  
13          worship has not indicated his or her opposition to the  
14          issuance or renewal of the license in writing.

15          (m) Notwithstanding any provision in this Section to the  
16          contrary, nothing in this Section shall prohibit the issuance  
17          or renewal of a license authorizing the sale of alcoholic  
18          liquor at a premises that is located within a municipality  
19          with a population in excess of 1,000,000 inhabitants and is  
20          within 100 feet of a church if:

21               (1) the premises and the church are perpendicular, and  
22               the primary entrance of the premises faces South while the  
23               primary entrance of the church faces West and the distance  
24               between the two entrances is more than 100 feet;

25               (2) the shortest distance between the premises lot  
26               line and the exterior wall of the church is at least 80

1 feet;

2 (3) the church was established at the current location  
3 in 1916 and the present structure was erected in 1925;

4 (4) the premises is a single story, single use  
5 building with at least 1,750 square feet and no more than  
6 2,000 square feet;

7 (5) the sale of alcoholic liquor at the premises is  
8 incidental to the sale of food;

9 (6) the sale of alcoholic liquor is not the principal  
10 business carried on by the licensee at the premises; and

11 (7) the principal religious leader at the place of  
12 worship has not indicated his or her opposition to the  
13 issuance or renewal of the license in writing.

14 (n) Notwithstanding any provision in this Section to the  
15 contrary, nothing in this Section shall prohibit the issuance  
16 or renewal of a license authorizing the sale of alcoholic  
17 liquor at a premises that is located within a municipality  
18 with a population in excess of 1,000,000 inhabitants and is  
19 within 100 feet of a school if:

20 (1) the school is a City of Chicago School District  
21 299 school;

22 (2) the school is located within subarea E of City of  
23 Chicago Residential Business Planned Development Number  
24 70;

25 (3) the sale of alcoholic liquor is not the principal  
26 business carried on by the licensee on the premises;

1 (4) the sale of alcoholic liquor at the premises is  
2 incidental to the sale of food; and

3 (5) the administration of City of Chicago School  
4 District 299 has expressed, in writing, its support for  
5 the issuance of the license.

6 (o) Notwithstanding any provision of this Section to the  
7 contrary, nothing in this Section shall prohibit the issuance  
8 or renewal of a retail license authorizing the sale of  
9 alcoholic liquor at a premises that is located within a  
10 municipality in excess of 1,000,000 inhabitants and within 100  
11 feet of a church if:

12 (1) the sale of alcoholic liquor at the premises is  
13 incidental to the sale of food;

14 (2) the sale of alcoholic liquor is not the principal  
15 business carried on by the licensee at the premises;

16 (3) the premises is located on a street that runs  
17 perpendicular to the street on which the church is  
18 located;

19 (4) the primary entrance of the premises is at least  
20 100 feet from the primary entrance of the church;

21 (5) the shortest distance between any part of the  
22 premises and any part of the church is at least 60 feet;

23 (6) the premises is between 3,600 and 4,000 square  
24 feet and sits on a lot that is between 3,600 and 4,000  
25 square feet; and

26 (7) the premises was built in the year 1909.

1           For purposes of this subsection (o), "premises" means a  
2 place of business together with a privately owned outdoor  
3 location that is adjacent to the place of business.

4           (p) Notwithstanding any provision in this Section to the  
5 contrary, nothing in this Section shall prohibit the issuance  
6 or renewal of a license authorizing the sale of alcoholic  
7 liquor at a premises that is located within a municipality  
8 with a population in excess of 1,000,000 inhabitants and  
9 within 100 feet of a church if:

10           (1) the shortest distance between the backdoor of the  
11 premises, which is used as an emergency exit, and the  
12 church is at least 80 feet;

13           (2) the church was established at the current location  
14 in 1889; and

15           (3) liquor has been sold on the premises since at  
16 least 1985.

17           (q) Notwithstanding any provision of this Section to the  
18 contrary, nothing in this Section shall prohibit the issuance  
19 or renewal of a license authorizing the sale of alcoholic  
20 liquor within a premises that is located in a municipality  
21 with a population in excess of 1,000,000 inhabitants and  
22 within 100 feet of a church-owned property if:

23           (1) the premises is located within a larger building  
24 operated as a grocery store;

25           (2) the area of the premises does not exceed 720  
26 square feet and the area of the larger building exceeds

1 18,000 square feet;

2 (3) the larger building containing the premises is  
3 within 100 feet of the nearest property line of a  
4 church-owned property on which a church-affiliated school  
5 is located;

6 (4) the sale of liquor is not the principal business  
7 carried on within the larger building;

8 (5) the primary entrance of the larger building and  
9 the premises and the primary entrance of the  
10 church-affiliated school are on different, parallel  
11 streets, and the distance between the 2 primary entrances  
12 is more than 100 feet;

13 (6) the larger building is separated from the  
14 church-owned property and church-affiliated school by an  
15 alley;

16 (7) the larger building containing the premises and  
17 the church building front are on perpendicular streets and  
18 are separated by a street; and

19 (8) (Blank).

20 (r) Notwithstanding any provision of this Section to the  
21 contrary, nothing in this Section shall prohibit the issuance,  
22 renewal, or maintenance of a license authorizing the sale of  
23 alcoholic liquor incidental to the sale of food within a  
24 restaurant established in a premises that is located in a  
25 municipality with a population in excess of 1,000,000  
26 inhabitants and within 100 feet of a church if:

1 (1) the primary entrance of the church and the primary  
2 entrance of the restaurant are at least 100 feet apart;

3 (2) the restaurant has operated on the ground floor  
4 and lower level of a multi-story, multi-use building for  
5 more than 40 years;

6 (3) the primary business of the restaurant consists of  
7 the sale of food where the sale of liquor is incidental to  
8 the sale of food;

9 (4) the sale of alcoholic liquor is conducted  
10 primarily in the below-grade level of the restaurant to  
11 which the only public access is by a staircase located  
12 inside the restaurant; and

13 (5) the restaurant has held a license authorizing the  
14 sale of alcoholic liquor on the premises for more than 40  
15 years.

16 (s) Notwithstanding any provision of this Section to the  
17 contrary, nothing in this Section shall prohibit renewal of a  
18 license authorizing the sale of alcoholic liquor at a premises  
19 that is located within a municipality with a population more  
20 than 5,000 and less than 10,000 and is within 100 feet of a  
21 church if:

22 (1) the church was established at the location within  
23 100 feet of the premises after a license for the sale of  
24 alcoholic liquor at the premises was first issued;

25 (2) a license for sale of alcoholic liquor at the  
26 premises was first issued before January 1, 2007; and

1           (3) a license for the sale of alcoholic liquor on the  
2 premises has been continuously in effect since January 1,  
3 2007, except for interruptions between licenses of no more  
4 than 90 days.

5           (t) Notwithstanding any provision of this Section to the  
6 contrary, nothing in this Section shall prohibit the issuance  
7 or renewal of a license authorizing the sale of alcoholic  
8 liquor incidental to the sale of food within a restaurant that  
9 is established in a premises that is located in a municipality  
10 with a population in excess of 1,000,000 inhabitants and  
11 within 100 feet of a school and a church if:

12           (1) the restaurant is located inside a five-story  
13 building with over 16,800 square feet of commercial space;

14           (2) the area of the premises does not exceed 31,050  
15 square feet;

16           (3) the area of the restaurant does not exceed 5,800  
17 square feet;

18           (4) the building has no less than 78 condominium  
19 units;

20           (5) the construction of the building in which the  
21 restaurant is located was completed in 2006;

22           (6) the building has 10 storefront properties, 3 of  
23 which are used for the restaurant;

24           (7) the restaurant will open for business in 2010;

25           (8) the building is north of the school and separated  
26 by an alley; and

1           (9) the principal religious leader of the church and  
2 either the alder ~~alderman~~ of the ward in which the school  
3 is located or the principal of the school have delivered a  
4 written statement to the local liquor control commissioner  
5 stating that he or she does not object to the issuance of a  
6 license under this subsection (t).

7           (u) Notwithstanding any provision in this Section to the  
8 contrary, nothing in this Section shall prohibit the issuance  
9 or renewal of a license to sell alcoholic liquor at a premises  
10 that is located within a municipality with a population in  
11 excess of 1,000,000 inhabitants and within 100 feet of a  
12 school if:

13           (1) the premises operates as a restaurant and has been  
14 in operation since February 2008;

15           (2) the applicant is the owner of the premises;

16           (3) the sale of alcoholic liquor is incidental to the  
17 sale of food;

18           (4) the sale of alcoholic liquor is not the principal  
19 business carried on by the licensee on the premises;

20           (5) the premises occupy the first floor of a 3-story  
21 building that is at least 90 years old;

22           (6) the rear lot of the school and the rear corner of  
23 the building that the premises occupy are separated by an  
24 alley;

25           (7) the distance from the southwest corner of the  
26 property line of the school and the northeast corner of



1 the building that the premises occupy is at least 16 feet,  
2 5 inches;

3 (8) the distance from the rear door of the premises to  
4 the southwest corner of the property line of the school is  
5 at least 93 feet;

6 (9) the school is a City of Chicago School District  
7 299 school;

8 (10) the school's main structure was erected in 1902  
9 and an addition was built to the main structure in 1959;  
10 and

11 (11) the principal of the school and the alder  
12 ~~alderman~~ in whose district the premises are located have  
13 expressed, in writing, their support for the issuance of  
14 the license.

15 (v) Notwithstanding any provision in this Section to the  
16 contrary, nothing in this Section shall prohibit the issuance  
17 or renewal of a license authorizing the sale of alcoholic  
18 liquor at a premises that is located within a municipality  
19 with a population in excess of 1,000,000 inhabitants and is  
20 within 100 feet of a school if:

21 (1) the total land area of the premises for which the  
22 license or renewal is sought is more than 600,000 square  
23 feet;

24 (2) the premises for which the license or renewal is  
25 sought has more than 600 parking stalls;

26 (3) the total area of all buildings on the premises

1 for which the license or renewal is sought exceeds 140,000  
2 square feet;

3 (4) the property line of the premises for which the  
4 license or renewal is sought is separated from the  
5 property line of the school by a street;

6 (5) the distance from the school's property line to  
7 the property line of the premises for which the license or  
8 renewal is sought is at least 60 feet;

9 (6) as of June 14, 2011 (the effective date of Public  
10 Act 97-9), the premises for which the license or renewal  
11 is sought is located in the Illinois Medical District.

12 (w) Notwithstanding any provision in this Section to the  
13 contrary, nothing in this Section shall prohibit the issuance  
14 or renewal of a license to sell alcoholic liquor at a premises  
15 that is located within a municipality with a population in  
16 excess of 1,000,000 inhabitants and within 100 feet of a  
17 church if:

18 (1) the sale of alcoholic liquor at the premises is  
19 incidental to the sale of food;

20 (2) the sale of alcoholic liquor is not the principal  
21 business carried on by the licensee at the premises;

22 (3) the premises occupy the first floor and basement  
23 of a 2-story building that is 106 years old;

24 (4) the premises is at least 7,000 square feet and  
25 located on a lot that is at least 11,000 square feet;

26 (5) the premises is located directly west of the

1 church, on perpendicular streets, and separated by an  
2 alley;

3 (6) the distance between the property line of the  
4 premises and the property line of the church is at least 20  
5 feet;

6 (7) the distance between the primary entrance of the  
7 premises and the primary entrance of the church is at  
8 least 130 feet; and

9 (8) the church has been at its location for at least 40  
10 years.

11 (x) Notwithstanding any provision of this Section to the  
12 contrary, nothing in this Section shall prohibit the issuance  
13 or renewal of a license authorizing the sale of alcoholic  
14 liquor at a premises that is located within a municipality  
15 with a population in excess of 1,000,000 inhabitants and  
16 within 100 feet of a church if:

17 (1) the sale of alcoholic liquor is not the principal  
18 business carried on by the licensee at the premises;

19 (2) the church has been operating in its current  
20 location since 1973;

21 (3) the premises has been operating in its current  
22 location since 1988;

23 (4) the church and the premises are owned by the same  
24 parish;

25 (5) the premises is used for cultural and educational  
26 purposes;

1           (6) the primary entrance to the premises and the  
2 primary entrance to the church are located on the same  
3 street;

4           (7) the principal religious leader of the church has  
5 indicated his support of the issuance of the license;

6           (8) the premises is a 2-story building of  
7 approximately 23,000 square feet; and

8           (9) the premises houses a ballroom on its ground floor  
9 of approximately 5,000 square feet.

10          (y) Notwithstanding any provision of this Section to the  
11 contrary, nothing in this Section shall prohibit the issuance  
12 or renewal of a license authorizing the sale of alcoholic  
13 liquor at a premises that is located within a municipality  
14 with a population in excess of 1,000,000 inhabitants and  
15 within 100 feet of a school if:

16           (1) the sale of alcoholic liquor is not the principal  
17 business carried on by the licensee at the premises;

18           (2) the sale of alcoholic liquor at the premises is  
19 incidental to the sale of food;

20           (3) according to the municipality, the distance  
21 between the east property line of the premises and the  
22 west property line of the school is 97.8 feet;

23           (4) the school is a City of Chicago School District  
24 299 school;

25           (5) the school has been operating since 1959;

26           (6) the primary entrance to the premises and the

1 primary entrance to the school are located on the same  
2 street;

3 (7) the street on which the entrances of the premises  
4 and the school are located is a major diagonal  
5 thoroughfare;

6 (8) the premises is a single-story building of  
7 approximately 2,900 square feet; and

8 (9) the premises is used for commercial purposes only.

9 (z) Notwithstanding any provision of this Section to the  
10 contrary, nothing in this Section shall prohibit the issuance  
11 or renewal of a license authorizing the sale of alcoholic  
12 liquor at a premises that is located within a municipality  
13 with a population in excess of 1,000,000 inhabitants and  
14 within 100 feet of a mosque if:

15 (1) the sale of alcoholic liquor is not the principal  
16 business carried on by the licensee at the premises;

17 (2) the licensee shall only sell packaged liquors at  
18 the premises;

19 (3) the licensee is a national retail chain having  
20 over 100 locations within the municipality;

21 (4) the licensee has over 8,000 locations nationwide;

22 (5) the licensee has locations in all 50 states;

23 (6) the premises is located in the North-East quadrant  
24 of the municipality;

25 (7) the premises is a free-standing building that has  
26 "drive-through" pharmacy service;

1 (8) the premises has approximately 14,490 square feet  
2 of retail space;

3 (9) the premises has approximately 799 square feet of  
4 pharmacy space;

5 (10) the premises is located on a major arterial  
6 street that runs east-west and accepts truck traffic; and

7 (11) the alder ~~alderman~~ of the ward in which the  
8 premises is located has expressed, in writing, his or her  
9 support for the issuance of the license.

10 (aa) Notwithstanding any provision of this Section to the  
11 contrary, nothing in this Section shall prohibit the issuance  
12 or renewal of a license authorizing the sale of alcoholic  
13 liquor at a premises that is located within a municipality  
14 with a population in excess of 1,000,000 inhabitants and  
15 within 100 feet of a church if:

16 (1) the sale of alcoholic liquor is not the principal  
17 business carried on by the licensee at the premises;

18 (2) the licensee shall only sell packaged liquors at  
19 the premises;

20 (3) the licensee is a national retail chain having  
21 over 100 locations within the municipality;

22 (4) the licensee has over 8,000 locations nationwide;

23 (5) the licensee has locations in all 50 states;

24 (6) the premises is located in the North-East quadrant  
25 of the municipality;

26 (7) the premises is located across the street from a

1 national grocery chain outlet;

2 (8) the premises has approximately 16,148 square feet  
3 of retail space;

4 (9) the premises has approximately 992 square feet of  
5 pharmacy space;

6 (10) the premises is located on a major arterial  
7 street that runs north-south and accepts truck traffic;  
8 and

9 (11) the alder ~~alderman~~ of the ward in which the  
10 premises is located has expressed, in writing, his or her  
11 support for the issuance of the license.

12 (bb) Notwithstanding any provision of this Section to the  
13 contrary, nothing in this Section shall prohibit the issuance  
14 or renewal of a license authorizing the sale of alcoholic  
15 liquor at a premises that is located within a municipality  
16 with a population in excess of 1,000,000 inhabitants and  
17 within 100 feet of a church if:

18 (1) the sale of alcoholic liquor is not the principal  
19 business carried on by the licensee at the premises;

20 (2) the sale of alcoholic liquor at the premises is  
21 incidental to the sale of food;

22 (3) the primary entrance to the premises and the  
23 primary entrance to the church are located on the same  
24 street;

25 (4) the premises is across the street from the church;

26 (5) the street on which the premises and the church

1 are located is a major arterial street that runs  
2 east-west;

3 (6) the church is an elder-led and Bible-based  
4 Assyrian church;

5 (7) the premises and the church are both single-story  
6 buildings;

7 (8) the storefront directly west of the church is  
8 being used as a restaurant; and

9 (9) the distance between the northern-most property  
10 line of the premises and the southern-most property line  
11 of the church is 65 feet.

12 (cc) Notwithstanding any provision of this Section to the  
13 contrary, nothing in this Section shall prohibit the issuance  
14 or renewal of a license authorizing the sale of alcoholic  
15 liquor at a premises that is located within a municipality  
16 with a population in excess of 1,000,000 inhabitants and  
17 within 100 feet of a school if:

18 (1) the sale of alcoholic liquor is not the principal  
19 business carried on by the licensee at the premises;

20 (2) the licensee shall only sell packaged liquors at  
21 the premises;

22 (3) the licensee is a national retail chain;

23 (4) as of October 25, 2011, the licensee has 1,767  
24 stores operating nationwide, 87 stores operating in the  
25 State, and 10 stores operating within the municipality;

26 (5) the licensee shall occupy approximately 124,000



1 square feet of space in the basement and first and second  
2 floors of a building located across the street from a  
3 school;

4 (6) the school opened in August of 2009 and occupies  
5 approximately 67,000 square feet of space; and

6 (7) the building in which the premises shall be  
7 located has been listed on the National Register of  
8 Historic Places since April 17, 1970.

9 (dd) Notwithstanding any provision in this Section to the  
10 contrary, nothing in this Section shall prohibit the issuance  
11 or renewal of a license authorizing the sale of alcoholic  
12 liquor within a full-service grocery store at a premises that  
13 is located within a municipality with a population in excess  
14 of 1,000,000 inhabitants and is within 100 feet of a school if:

15 (1) the premises is constructed on land that was  
16 purchased from the municipality at a fair market price;

17 (2) the premises is constructed on land that was  
18 previously used as a parking facility for public safety  
19 employees;

20 (3) the sale of alcoholic liquor is not the principal  
21 business carried on by the licensee at the premises;

22 (4) the main entrance to the store is more than 100  
23 feet from the main entrance to the school;

24 (5) the premises is to be new construction;

25 (6) the school is a private school;

26 (7) the principal of the school has given written

1 approval for the license;

2 (8) the alder ~~alderman~~ of the ward where the premises  
3 is located has given written approval of the issuance of  
4 the license;

5 (9) the grocery store level of the premises is between  
6 60,000 and 70,000 square feet; and

7 (10) the owner and operator of the grocery store  
8 operates 2 other grocery stores that have alcoholic liquor  
9 licenses within the same municipality.

10 (ee) Notwithstanding any provision in this Section to the  
11 contrary, nothing in this Section shall prohibit the issuance  
12 or renewal of a license authorizing the sale of alcoholic  
13 liquor within a full-service grocery store at a premises that  
14 is located within a municipality with a population in excess  
15 of 1,000,000 inhabitants and is within 100 feet of a school if:

16 (1) the premises is constructed on land that once  
17 contained an industrial steel facility;

18 (2) the premises is located on land that has undergone  
19 environmental remediation;

20 (3) the premises is located within a retail complex  
21 containing retail stores where some of the stores sell  
22 alcoholic beverages;

23 (4) the principal activity of any restaurant in the  
24 retail complex is the sale of food, and the sale of  
25 alcoholic liquor is incidental to the sale of food;

26 (5) the sale of alcoholic liquor is not the principal

1 business carried on by the grocery store;

2 (6) the entrance to any business that sells alcoholic  
3 liquor is more than 100 feet from the entrance to the  
4 school;

5 (7) the alder ~~alderman~~ of the ward where the premises  
6 is located has given written approval of the issuance of  
7 the license; and

8 (8) the principal of the school has given written  
9 consent to the issuance of the license.

10 (ff) Notwithstanding any provision of this Section to the  
11 contrary, nothing in this Section shall prohibit the issuance  
12 or renewal of a license authorizing the sale of alcoholic  
13 liquor at a premises that is located within a municipality  
14 with a population in excess of 1,000,000 inhabitants and  
15 within 100 feet of a school if:

16 (1) the sale of alcoholic liquor is not the principal  
17 business carried on at the premises;

18 (2) the sale of alcoholic liquor at the premises is  
19 incidental to the operation of a theater;

20 (3) the premises is a one and one-half-story building  
21 of approximately 10,000 square feet;

22 (4) the school is a City of Chicago School District  
23 299 school;

24 (5) the primary entrance of the premises and the  
25 primary entrance of the school are at least 300 feet apart  
26 and no more than 400 feet apart;

1           (6) the alder ~~alderman~~ of the ward in which the  
2 premises is located has expressed, in writing, his support  
3 for the issuance of the license; and

4           (7) the principal of the school has expressed, in  
5 writing, that there is no objection to the issuance of a  
6 license under this subsection (ff).

7           (gg) Notwithstanding any provision of this Section to the  
8 contrary, nothing in this Section shall prohibit the issuance  
9 or renewal of a license authorizing the sale of alcoholic  
10 liquor incidental to the sale of food within a restaurant or  
11 banquet facility established in a premises that is located in  
12 a municipality with a population in excess of 1,000,000  
13 inhabitants and within 100 feet of a church if:

14           (1) the sale of alcoholic liquor is not the principal  
15 business carried on by the licensee at the premises;

16           (2) the property on which the church is located and  
17 the property on which the premises are located are both  
18 within a district originally listed on the National  
19 Register of Historic Places on February 14, 1979;

20           (3) the property on which the premises are located  
21 contains one or more multi-story buildings that are at  
22 least 95 years old and have no more than three stories;

23           (4) the building in which the church is located is at  
24 least 120 years old;

25           (5) the property on which the church is located is  
26 immediately adjacent to and west of the property on which

1 the premises are located;

2 (6) the western boundary of the property on which the  
3 premises are located is no less than 118 feet in length and  
4 no more than 122 feet in length;

5 (7) as of December 31, 2012, both the church property  
6 and the property on which the premises are located are  
7 within 250 feet of City of Chicago Business-Residential  
8 Planned Development Number 38;

9 (8) the principal religious leader at the place of  
10 worship has indicated his or her support for the issuance  
11 of the license in writing; and

12 (9) the alder ~~alderman~~ in whose district the premises  
13 are located has expressed his or her support for the  
14 issuance of the license in writing.

15 For the purposes of this subsection, "banquet facility"  
16 means the part of the building that is located on the floor  
17 above a restaurant and caters to private parties and where the  
18 sale of alcoholic liquors is not the principal business.

19 (hh) Notwithstanding any provision of this Section to the  
20 contrary, nothing in this Section shall prohibit the issuance  
21 or renewal of a license authorizing the sale of alcoholic  
22 liquor within a hotel and at an outdoor patio area attached to  
23 the hotel that are located in a municipality with a population  
24 in excess of 1,000,000 inhabitants and that are within 100  
25 feet of a hospital if:

26 (1) the sale of alcoholic liquor is not the principal

1 business carried on by the licensee at the hotel;

2 (2) the hotel is located within the City of Chicago  
3 Business Planned Development Number 468; and

4 (3) the hospital is located within the City of Chicago  
5 Institutional Planned Development Number 3.

6 (ii) Notwithstanding any provision of this Section to the  
7 contrary, nothing in this Section shall prohibit the issuance  
8 or renewal of a license authorizing the sale of alcoholic  
9 liquor within a restaurant and at an outdoor patio area  
10 attached to the restaurant that are located in a municipality  
11 with a population in excess of 1,000,000 inhabitants and that  
12 are within 100 feet of a church if:

13 (1) the sale of alcoholic liquor at the premises is  
14 not the principal business carried on by the licensee and  
15 is incidental to the sale of food;

16 (2) the restaurant has been operated on the street  
17 level of a 2-story building located on a corner lot since  
18 2008;

19 (3) the restaurant is between 3,700 and 4,000 square  
20 feet and sits on a lot that is no more than 6,200 square  
21 feet;

22 (4) the primary entrance to the restaurant and the  
23 primary entrance to the church are located on the same  
24 street;

25 (5) the street on which the restaurant and the church  
26 are located is a major east-west street;

1           (6) the restaurant and the church are separated by a  
2 one-way northbound street;

3           (7) the church is located to the west of and no more  
4 than 65 feet from the restaurant; and

5           (8) the principal religious leader at the place of  
6 worship has indicated his or her consent to the issuance  
7 of the license in writing.

8           (jj) Notwithstanding any provision of this Section to the  
9 contrary, nothing in this Section shall prohibit the issuance  
10 or renewal of a license authorizing the sale of alcoholic  
11 liquor at premises located within a municipality with a  
12 population in excess of 1,000,000 inhabitants and within 100  
13 feet of a church if:

14           (1) the sale of alcoholic liquor is not the principal  
15 business carried on by the licensee at the premises;

16           (2) the sale of alcoholic liquor is incidental to the  
17 sale of food;

18           (3) the premises are located east of the church, on  
19 perpendicular streets, and separated by an alley;

20           (4) the distance between the primary entrance of the  
21 premises and the primary entrance of the church is at  
22 least 175 feet;

23           (5) the distance between the property line of the  
24 premises and the property line of the church is at least 40  
25 feet;

26           (6) the licensee has been operating at the premises

1 since 2012;

2 (7) the church was constructed in 1904;

3 (8) the alder ~~alderman~~ of the ward in which the  
4 premises is located has expressed, in writing, his or her  
5 support for the issuance of the license; and

6 (9) the principal religious leader of the church has  
7 delivered a written statement that he or she does not  
8 object to the issuance of a license under this subsection  
9 (jj).

10 (kk) Notwithstanding any provision of this Section to the  
11 contrary, nothing in this Section shall prohibit the issuance  
12 or renewal of a license authorizing the sale of alcoholic  
13 liquor at a premises that is located within a municipality  
14 with a population in excess of 1,000,000 inhabitants and  
15 within 100 feet of a school if:

16 (1) the sale of alcoholic liquor is not the principal  
17 business carried on by the licensee at the premises;

18 (2) the licensee shall only sell packaged liquors on  
19 the premises;

20 (3) the licensee is a national retail chain;

21 (4) as of February 27, 2013, the licensee had 1,778  
22 stores operating nationwide, 89 operating in this State,  
23 and 11 stores operating within the municipality;

24 (5) the licensee shall occupy approximately 169,048  
25 square feet of space within a building that is located  
26 across the street from a tuition-based preschool; and



1           (6) the alder ~~alderman~~ of the ward in which the  
2 premises is located has expressed, in writing, his or her  
3 support for the issuance of the license.

4           (11) Notwithstanding any provision of this Section to the  
5 contrary, nothing in this Section shall prohibit the issuance  
6 or renewal of a license authorizing the sale of alcoholic  
7 liquor at a premises that is located within a municipality  
8 with a population in excess of 1,000,000 inhabitants and  
9 within 100 feet of a school if:

10           (1) the sale of alcoholic liquor is not the principal  
11 business carried on by the licensee at the premises;

12           (2) the licensee shall only sell packaged liquors on  
13 the premises;

14           (3) the licensee is a national retail chain;

15           (4) as of February 27, 2013, the licensee had 1,778  
16 stores operating nationwide, 89 operating in this State,  
17 and 11 stores operating within the municipality;

18           (5) the licensee shall occupy approximately 191,535  
19 square feet of space within a building that is located  
20 across the street from an elementary school; and

21           (6) the alder ~~alderman~~ of the ward in which the  
22 premises is located has expressed, in writing, his or her  
23 support for the issuance of the license.

24           (mm) Notwithstanding any provision of this Section to the  
25 contrary, nothing in this Section shall prohibit the issuance  
26 or renewal of a license authorizing the sale of alcoholic

1 liquor within premises and at an outdoor patio or sidewalk  
2 cafe, or both, attached to premises that are located in a  
3 municipality with a population in excess of 1,000,000  
4 inhabitants and that are within 100 feet of a hospital if:

5 (1) the primary business of the restaurant consists of  
6 the sale of food where the sale of liquor is incidental to  
7 the sale of food;

8 (2) as a restaurant, the premises may or may not offer  
9 catering as an incidental part of food service;

10 (3) the primary business of the restaurant is  
11 conducted in space owned by a hospital or an entity owned  
12 or controlled by, under common control with, or that  
13 controls a hospital, and the chief hospital administrator  
14 has expressed his or her support for the issuance of the  
15 license in writing; and

16 (4) the hospital is an adult acute care facility  
17 primarily located within the City of Chicago Institutional  
18 Planned Development Number 3.

19 (nn) Notwithstanding any provision of this Section to the  
20 contrary, nothing in this Section shall prohibit the issuance  
21 or renewal of a license authorizing the sale of alcoholic  
22 liquor at a premises that is located within a municipality  
23 with a population in excess of 1,000,000 inhabitants and  
24 within 100 feet of a church if:

25 (1) the sale of alcoholic liquor is not the principal  
26 business carried out on the premises;

1           (2) the sale of alcoholic liquor at the premises is  
2 incidental to the operation of a theater;

3           (3) the premises are a building that was constructed  
4 in 1913 and opened on May 24, 1915 as a vaudeville theater,  
5 and the premises were converted to a motion picture  
6 theater in 1935;

7           (4) the church was constructed in 1889 with a stone  
8 exterior;

9           (5) the primary entrance of the premises and the  
10 primary entrance of the church are at least 100 feet  
11 apart;

12           (6) the principal religious leader at the place of  
13 worship has indicated his or her consent to the issuance  
14 of the license in writing; and

15           (7) the alder ~~alderman~~ in whose ward the premises are  
16 located has expressed his or her support for the issuance  
17 of the license in writing.

18           (oo) Notwithstanding any provision of this Section to the  
19 contrary, nothing in this Section shall prohibit the issuance  
20 or renewal of a license authorizing the sale of alcoholic  
21 liquor at a premises that is located within a municipality  
22 with a population in excess of 1,000,000 inhabitants and  
23 within 100 feet of a mosque, church, or other place of worship  
24 if:

25           (1) the primary entrance of the premises and the  
26 primary entrance of the mosque, church, or other place of

1 worship are perpendicular and are on different streets;

2 (2) the primary entrance to the premises faces West  
3 and the primary entrance to the mosque, church, or other  
4 place of worship faces South;

5 (3) the distance between the 2 primary entrances is at  
6 least 100 feet;

7 (4) the mosque, church, or other place of worship was  
8 established in a location within 100 feet of the premises  
9 after a license for the sale of alcohol at the premises was  
10 first issued;

11 (5) the mosque, church, or other place of worship was  
12 established on or around January 1, 2011;

13 (6) a license for the sale of alcohol at the premises  
14 was first issued on or before January 1, 1985;

15 (7) a license for the sale of alcohol at the premises  
16 has been continuously in effect since January 1, 1985,  
17 except for interruptions between licenses of no more than  
18 90 days; and

19 (8) the premises are a single-story, single-use  
20 building of at least 3,000 square feet and no more than  
21 3,380 square feet.

22 (pp) Notwithstanding any provision of this Section to the  
23 contrary, nothing in this Section shall prohibit the issuance  
24 or renewal of a license authorizing the sale of alcoholic  
25 liquor incidental to the sale of food within a restaurant or  
26 banquet facility established on premises that are located in a

1 municipality with a population in excess of 1,000,000  
2 inhabitants and within 100 feet of at least one church if:

3 (1) the sale of liquor shall not be the principal  
4 business carried on by the licensee at the premises;

5 (2) the premises are at least 2,000 square feet and no  
6 more than 10,000 square feet and is located in a  
7 single-story building;

8 (3) the property on which the premises are located is  
9 within an area that, as of 2009, was designated as a  
10 Renewal Community by the United States Department of  
11 Housing and Urban Development;

12 (4) the property on which the premises are located and  
13 the properties on which the churches are located are on  
14 the same street;

15 (5) the property on which the premises are located is  
16 immediately adjacent to and east of the property on which  
17 at least one of the churches is located;

18 (6) the property on which the premises are located is  
19 across the street and southwest of the property on which  
20 another church is located;

21 (7) the principal religious leaders of the churches  
22 have indicated their support for the issuance of the  
23 license in writing; and

24 (8) the alder ~~alderman~~ in whose ward the premises are  
25 located has expressed his or her support for the issuance  
26 of the license in writing.

1           For purposes of this subsection (pp), "banquet facility"  
2 means the part of the building that caters to private parties  
3 and where the sale of alcoholic liquors is not the principal  
4 business.

5           (qq) Notwithstanding any provision of this Section to the  
6 contrary, nothing in this Section shall prohibit the issuance  
7 or renewal of a license authorizing the sale of alcoholic  
8 liquor on premises that are located within a municipality with  
9 a population in excess of 1,000,000 inhabitants and within 100  
10 feet of a church or school if:

11           (1) the primary entrance of the premises and the  
12 closest entrance of the church or school are at least 200  
13 feet apart and no greater than 300 feet apart;

14           (2) the shortest distance between the premises and the  
15 church or school is at least 66 feet apart and no greater  
16 than 81 feet apart;

17           (3) the premises are a single-story, steel-framed  
18 commercial building with at least 18,042 square feet, and  
19 was constructed in 1925 and 1997;

20           (4) the owner of the business operated within the  
21 premises has been the general manager of a similar  
22 supermarket within one mile from the premises, which has  
23 had a valid license authorizing the sale of alcoholic  
24 liquor since 2002, and is in good standing with the City of  
25 Chicago;

26           (5) the principal religious leader at the place of

1 worship has indicated his or her support to the issuance  
2 or renewal of the license in writing;

3 (6) the alder ~~alderman~~ of the ward has indicated his  
4 or her support to the issuance or renewal of the license in  
5 writing; and

6 (7) the principal of the school has indicated his or  
7 her support to the issuance or renewal of the license in  
8 writing.

9 (rr) Notwithstanding any provision of this Section to the  
10 contrary, nothing in this Section shall prohibit the issuance  
11 or renewal of a license authorizing the sale of alcoholic  
12 liquor at premises located within a municipality with a  
13 population in excess of 1,000,000 inhabitants and within 100  
14 feet of a club that leases space to a school if:

15 (1) the sale of alcoholic liquor is not the principal  
16 business carried out on the premises;

17 (2) the sale of alcoholic liquor at the premises is  
18 incidental to the operation of a grocery store;

19 (3) the premises are a building of approximately 1,750  
20 square feet and is rented by the owners of the grocery  
21 store from a family member;

22 (4) the property line of the premises is approximately  
23 68 feet from the property line of the club;

24 (5) the primary entrance of the premises and the  
25 primary entrance of the club where the school leases space  
26 are at least 100 feet apart;

1           (6) the director of the club renting space to the  
2 school has indicated his or her consent to the issuance of  
3 the license in writing; and

4           (7) the alder ~~alderman~~ in whose district the premises  
5 are located has expressed his or her support for the  
6 issuance of the license in writing.

7           (ss) Notwithstanding any provision of this Section to the  
8 contrary, nothing in this Section shall prohibit the issuance  
9 or renewal of a license authorizing the sale of alcoholic  
10 liquor at premises located within a municipality with a  
11 population in excess of 1,000,000 inhabitants and within 100  
12 feet of a church if:

13           (1) the premises are located within a 15 unit building  
14 with 13 residential apartments and 2 commercial spaces,  
15 and the licensee will occupy both commercial spaces;

16           (2) a restaurant has been operated on the premises  
17 since June 2011;

18           (3) the restaurant currently occupies 1,075 square  
19 feet, but will be expanding to include 975 additional  
20 square feet;

21           (4) the sale of alcoholic liquor is not the principal  
22 business carried on by the licensee at the premises;

23           (5) the premises are located south of the church and  
24 on the same street and are separated by a one-way  
25 westbound street;

26           (6) the primary entrance of the premises is at least



1 93 feet from the primary entrance of the church;

2 (7) the shortest distance between any part of the  
3 premises and any part of the church is at least 72 feet;

4 (8) the building in which the restaurant is located  
5 was built in 1910;

6 (9) the alder ~~alderman~~ of the ward in which the  
7 premises are located has expressed, in writing, his or her  
8 support for the issuance of the license; and

9 (10) the principal religious leader of the church has  
10 delivered a written statement that he or she does not  
11 object to the issuance of a license under this subsection  
12 (ss).

13 (tt) Notwithstanding any provision of this Section to the  
14 contrary, nothing in this Section shall prohibit the issuance  
15 or renewal of a license authorizing the sale of alcoholic  
16 liquor at premises located within a municipality with a  
17 population in excess of 1,000,000 inhabitants and within 100  
18 feet of a church if:

19 (1) the sale of alcoholic liquor is not the principal  
20 business carried on by the licensee at the premises;

21 (2) the sale of alcoholic liquor is incidental to the  
22 sale of food;

23 (3) the sale of alcoholic liquor at the premises was  
24 previously authorized by a package goods liquor license;

25 (4) the premises are at least 40,000 square feet with  
26 25 parking spaces in the contiguous surface lot to the

1 north of the store and 93 parking spaces on the roof;

2 (5) the shortest distance between the lot line of the  
3 parking lot of the premises and the exterior wall of the  
4 church is at least 80 feet;

5 (6) the distance between the building in which the  
6 church is located and the building in which the premises  
7 are located is at least 180 feet;

8 (7) the main entrance to the church faces west and is  
9 at least 257 feet from the main entrance of the premises;  
10 and

11 (8) the applicant is the owner of 10 similar grocery  
12 stores within the City of Chicago and the surrounding area  
13 and has been in business for more than 30 years.

14 (uu) Notwithstanding any provision of this Section to the  
15 contrary, nothing in this Section shall prohibit the issuance  
16 or renewal of a license authorizing the sale of alcoholic  
17 liquor at premises located within a municipality with a  
18 population in excess of 1,000,000 inhabitants and within 100  
19 feet of a church if:

20 (1) the sale of alcoholic liquor is not the principal  
21 business carried on by the licensee at the premises;

22 (2) the sale of alcoholic liquor is incidental to the  
23 operation of a grocery store;

24 (3) the premises are located in a building that is  
25 approximately 68,000 square feet with 157 parking spaces  
26 on property that was previously vacant land;

1 (4) the main entrance to the church faces west and is  
2 at least 500 feet from the entrance of the premises, which  
3 faces north;

4 (5) the church and the premises are separated by an  
5 alley;

6 (6) the applicant is the owner of 9 similar grocery  
7 stores in the City of Chicago and the surrounding area and  
8 has been in business for more than 40 years; and

9 (7) the alder ~~alderman~~ of the ward in which the  
10 premises are located has expressed, in writing, his or her  
11 support for the issuance of the license.

12 (vv) Notwithstanding any provision of this Section to the  
13 contrary, nothing in this Section shall prohibit the issuance  
14 or renewal of a license authorizing the sale of alcoholic  
15 liquor at premises located within a municipality with a  
16 population in excess of 1,000,000 inhabitants and within 100  
17 feet of a church if:

18 (1) the sale of alcoholic liquor is the principal  
19 business carried on by the licensee at the premises;

20 (2) the sale of alcoholic liquor is primary to the  
21 sale of food;

22 (3) the premises are located south of the church and  
23 on perpendicular streets and are separated by a driveway;

24 (4) the primary entrance of the premises is at least  
25 100 feet from the primary entrance of the church;

26 (5) the shortest distance between any part of the

1 premises and any part of the church is at least 15 feet;

2 (6) the premises are less than 100 feet from the  
3 church center, but greater than 100 feet from the area  
4 within the building where church services are held;

5 (7) the premises are 25,830 square feet and sit on a  
6 lot that is 0.48 acres;

7 (8) the premises were once designated as a Korean  
8 American Presbyterian Church and were once used as a  
9 Masonic Temple;

10 (9) the premises were built in 1910;

11 (10) the alder ~~alderman~~ of the ward in which the  
12 premises are located has expressed, in writing, his or her  
13 support for the issuance of the license; and

14 (11) the principal religious leader of the church has  
15 delivered a written statement that he or she does not  
16 object to the issuance of a license under this subsection  
17 (vv).

18 For the purposes of this subsection (vv), "premises" means  
19 a place of business together with a privately owned outdoor  
20 location that is adjacent to the place of business.

21 (ww) Notwithstanding any provision of this Section to the  
22 contrary, nothing in this Section shall prohibit the issuance  
23 or renewal of a license authorizing the sale of alcoholic  
24 liquor at premises located within a municipality with a  
25 population in excess of 1,000,000 inhabitants and within 100  
26 feet of a school if:

1           (1) the school is located within Sub Area III of City  
2 of Chicago Residential-Business Planned Development Number  
3 523, as amended; and

4           (2) the premises are located within Sub Area I, Sub  
5 Area II, or Sub Area IV of City of Chicago  
6 Residential-Business Planned Development Number 523, as  
7 amended.

8           (xx) Notwithstanding any provision of this Section to the  
9 contrary, nothing in this Section shall prohibit the issuance  
10 or renewal of a license authorizing the sale of alcoholic  
11 liquor at premises located within a municipality with a  
12 population in excess of 1,000,000 inhabitants and within 100  
13 feet of a church if:

14           (1) the sale of wine or wine-related products is the  
15 exclusive business carried on by the licensee at the  
16 premises;

17           (2) the primary entrance of the premises and the  
18 primary entrance of the church are at least 100 feet apart  
19 and are located on different streets;

20           (3) the building in which the premises are located and  
21 the building in which the church is located are separated  
22 by an alley;

23           (4) the premises consists of less than 2,000 square  
24 feet of floor area dedicated to the sale of wine or  
25 wine-related products;

26           (5) the premises are located on the first floor of a

1 2-story building that is at least 99 years old and has a  
2 residential unit on the second floor; and

3 (6) the principal religious leader at the church has  
4 indicated his or her support for the issuance or renewal  
5 of the license in writing.

6 (yy) Notwithstanding any provision of this Section to the  
7 contrary, nothing in this Section shall prohibit the issuance  
8 or renewal of a license authorizing the sale of alcoholic  
9 liquor at premises located within a municipality with a  
10 population in excess of 1,000,000 inhabitants and within 100  
11 feet of a church if:

12 (1) the premises are a 27-story hotel containing 191  
13 guest rooms;

14 (2) the sale of alcoholic liquor is not the principal  
15 business carried on by the licensee at the premises and is  
16 limited to a restaurant located on the first floor of the  
17 hotel;

18 (3) the hotel is adjacent to the church;

19 (4) the site is zoned as DX-16;

20 (5) the principal religious leader of the church has  
21 delivered a written statement that he or she does not  
22 object to the issuance of a license under this subsection  
23 (yy); and

24 (6) the alder ~~alderman~~ of the ward in which the  
25 premises are located has expressed, in writing, his or her  
26 support for the issuance of the license.

1           (zz) Notwithstanding any provision of this Section to the  
2 contrary, nothing in this Section shall prohibit the issuance  
3 or renewal of a license authorizing the sale of alcoholic  
4 liquor at premises located within a municipality with a  
5 population in excess of 1,000,000 inhabitants and within 100  
6 feet of a church if:

7           (1) the premises are a 15-story hotel containing 143  
8 guest rooms;

9           (2) the premises are approximately 85,691 square feet;

10          (3) a restaurant is operated on the premises;

11          (4) the restaurant is located in the first floor lobby  
12 of the hotel;

13          (5) the sale of alcoholic liquor is not the principal  
14 business carried on by the licensee at the premises;

15          (6) the hotel is located approximately 50 feet from  
16 the church and is separated from the church by a public  
17 street on the ground level and by air space on the upper  
18 level, which is where the public entrances are located;

19          (7) the site is zoned as DX-16;

20          (8) the principal religious leader of the church has  
21 delivered a written statement that he or she does not  
22 object to the issuance of a license under this subsection  
23 (zz); and

24          (9) the alder ~~alderman~~ of the ward in which the  
25 premises are located has expressed, in writing, his or her  
26 support for the issuance of the license.

1           (aaa) Notwithstanding any provision in this Section to the  
2 contrary, nothing in this Section shall prohibit the issuance  
3 or renewal of a license authorizing the sale of alcoholic  
4 liquor within a full-service grocery store at premises located  
5 within a municipality with a population in excess of 1,000,000  
6 inhabitants and within 100 feet of a school if:

7           (1) the sale of alcoholic liquor is not the primary  
8 business activity of the grocery store;

9           (2) the premises are newly constructed on land that  
10 was formerly used by the Young Men's Christian  
11 Association;

12           (3) the grocery store is located within a planned  
13 development that was approved by the municipality in 2007;

14           (4) the premises are located in a multi-building,  
15 mixed-use complex;

16           (5) the entrance to the grocery store is located more  
17 than 200 feet from the entrance to the school;

18           (6) the entrance to the grocery store is located  
19 across the street from the back of the school building,  
20 which is not used for student or public access;

21           (7) the grocery store executed a binding lease for the  
22 property in 2008;

23           (8) the premises consist of 2 levels and occupy more  
24 than 80,000 square feet;

25           (9) the owner and operator of the grocery store  
26 operates at least 10 other grocery stores that have



1 alcoholic liquor licenses within the same municipality;  
2 and

3 (10) the director of the school has expressed, in  
4 writing, his or her support for the issuance of the  
5 license.

6 (bbb) Notwithstanding any provision of this Section to the  
7 contrary, nothing in this Section shall prohibit the issuance  
8 or renewal of a license authorizing the sale of alcoholic  
9 liquor at premises located within a municipality with a  
10 population in excess of 1,000,000 inhabitants and within 100  
11 feet of a church if:

12 (1) the sale of alcoholic liquor at the premises is  
13 incidental to the sale of food;

14 (2) the premises are located in a single-story  
15 building of primarily brick construction containing at  
16 least 6 commercial units constructed before 1940;

17 (3) the premises are located in a B3-2 zoning  
18 district;

19 (4) the premises are less than 4,000 square feet;

20 (5) the church established its congregation in 1891  
21 and completed construction of the church building in 1990;

22 (6) the premises are located south of the church;

23 (7) the premises and church are located on the same  
24 street and are separated by a one-way westbound street;  
25 and

26 (8) the principal religious leader of the church has

1 not indicated his or her opposition to the issuance or  
2 renewal of the license in writing.

3 (ccc) Notwithstanding any provision of this Section to the  
4 contrary, nothing in this Section shall prohibit the issuance  
5 or renewal of a license authorizing the sale of alcoholic  
6 liquor within a full-service grocery store at premises located  
7 within a municipality with a population in excess of 1,000,000  
8 inhabitants and within 100 feet of a church and school if:

9 (1) as of March 14, 2007, the premises are located in a  
10 City of Chicago Residential-Business Planned Development  
11 No. 1052;

12 (2) the sale of alcoholic liquor is not the principal  
13 business carried on by the licensee at the premises;

14 (3) the sale of alcoholic liquor is incidental to the  
15 operation of a grocery store and comprises no more than  
16 10% of the total in-store sales;

17 (4) the owner and operator of the grocery store  
18 operates at least 10 other grocery stores that have  
19 alcoholic liquor licenses within the same municipality;

20 (5) the premises are new construction when the license  
21 is first issued;

22 (6) the constructed premises are to be no less than  
23 50,000 square feet;

24 (7) the school is a private church-affiliated school;

25 (8) the premises and the property containing the  
26 church and church-affiliated school are located on

1 perpendicular streets and the school and church are  
2 adjacent to one another;

3 (9) the pastor of the church and school has expressed,  
4 in writing, support for the issuance of the license; and

5 (10) the alder ~~alderman~~ of the ward in which the  
6 premises are located has expressed, in writing, his or her  
7 support for the issuance of the license.

8 (ddd) Notwithstanding any provision of this Section to the  
9 contrary, nothing in this Section shall prohibit the issuance  
10 or renewal of a license authorizing the sale of alcoholic  
11 liquor at premises located within a municipality with a  
12 population in excess of 1,000,000 inhabitants and within 100  
13 feet of a church or school if:

14 (1) the business has been issued a license from the  
15 municipality to allow the business to operate a theater on  
16 the premises;

17 (2) the theater has less than 200 seats;

18 (3) the premises are approximately 2,700 to 3,100  
19 square feet of space;

20 (4) the premises are located to the north of the  
21 church;

22 (5) the primary entrance of the premises and the  
23 primary entrance of any church within 100 feet of the  
24 premises are located either on a different street or  
25 across a right-of-way from the premises;

26 (6) the primary entrance of the premises and the

1 primary entrance of any school within 100 feet of the  
2 premises are located either on a different street or  
3 across a right-of-way from the premises;

4 (7) the premises are located in a building that is at  
5 least 100 years old; and

6 (8) any church or school located within 100 feet of  
7 the premises has indicated its support for the issuance or  
8 renewal of the license to the premises in writing.

9 (eee) Notwithstanding any provision of this Section to the  
10 contrary, nothing in this Section shall prohibit the issuance  
11 or renewal of a license authorizing the sale of alcoholic  
12 liquor at premises located within a municipality with a  
13 population in excess of 1,000,000 inhabitants and within 100  
14 feet of a church and school if:

15 (1) the sale of alcoholic liquor is incidental to the  
16 sale of food;

17 (2) the sale of alcoholic liquor is not the principal  
18 business carried on by the applicant on the premises;

19 (3) a family-owned restaurant has operated on the  
20 premises since 1957;

21 (4) the premises occupy the first floor of a 3-story  
22 building that is at least 90 years old;

23 (5) the distance between the property line of the  
24 premises and the property line of the church is at least 20  
25 feet;

26 (6) the church was established at its current location

1 and the present structure was erected before 1900;

2 (7) the primary entrance of the premises is at least  
3 75 feet from the primary entrance of the church;

4 (8) the school is affiliated with the church;

5 (9) the principal religious leader at the place of  
6 worship has indicated his or her support for the issuance  
7 of the license in writing;

8 (10) the principal of the school has indicated in  
9 writing that he or she is not opposed to the issuance of  
10 the license; and

11 (11) the alder ~~alderman~~ of the ward in which the  
12 premises are located has expressed, in writing, his or her  
13 lack of an objection to the issuance of the license.

14 (fff) Notwithstanding any provision of this Section to the  
15 contrary, nothing in this Section shall prohibit the issuance  
16 or renewal of a license authorizing the sale of alcoholic  
17 liquor at premises located within a municipality with a  
18 population in excess of 1,000,000 inhabitants and within 100  
19 feet of a church if:

20 (1) the sale of alcoholic liquor is not the principal  
21 business carried on by the licensee at the premises;

22 (2) the sale of alcoholic liquor at the premises is  
23 incidental to the operation of a grocery store;

24 (3) the premises are a one-story building containing  
25 approximately 10,000 square feet and are rented by the  
26 owners of the grocery store;

1           (4) the sale of alcoholic liquor at the premises  
2 occurs in a retail area of the grocery store that is  
3 approximately 3,500 square feet;

4           (5) the grocery store has operated at the location  
5 since 1984;

6           (6) the grocery store is closed on Sundays;

7           (7) the property on which the premises are located is  
8 a corner lot that is bound by 3 streets and an alley, where  
9 one street is a one-way street that runs north-south, one  
10 street runs east-west, and one street runs  
11 northwest-southeast;

12           (8) the property line of the premises is approximately  
13 16 feet from the property line of the building where the  
14 church is located;

15           (9) the premises are separated from the building  
16 containing the church by a public alley;

17           (10) the primary entrance of the premises and the  
18 primary entrance of the church are at least 100 feet  
19 apart;

20           (11) representatives of the church have delivered a  
21 written statement that the church does not object to the  
22 issuance of a license under this subsection (fff); and

23           (12) the alder ~~alderman~~ of the ward in which the  
24 grocery store is located has expressed, in writing, his or  
25 her support for the issuance of the license.

26           (ggg) Notwithstanding any provision of this Section to the

1 contrary, nothing in this Section shall prohibit the issuance  
2 or renewal of licenses authorizing the sale of alcoholic  
3 liquor within a restaurant or lobby coffee house at premises  
4 located within a municipality with a population in excess of  
5 1,000,000 inhabitants and within 100 feet of a church and  
6 school if:

7 (1) a residential retirement home formerly operated on  
8 the premises and the premises are being converted into a  
9 new apartment living complex containing studio and  
10 one-bedroom apartments with ground floor retail space;

11 (2) the restaurant and lobby coffee house are located  
12 within a Community Shopping District within the  
13 municipality;

14 (3) the premises are located in a single-building,  
15 mixed-use complex that, in addition to the restaurant and  
16 lobby coffee house, contains apartment residences, a  
17 fitness center for the residents of the apartment  
18 building, a lobby designed as a social center for the  
19 residents, a rooftop deck, and a patio with a dog run for  
20 the exclusive use of the residents;

21 (4) the sale of alcoholic liquor is not the primary  
22 business activity of the apartment complex, restaurant, or  
23 lobby coffee house;

24 (5) the entrance to the apartment residence is more  
25 than 310 feet from the entrance to the school and church;

26 (6) the entrance to the apartment residence is located

1 at the end of the block around the corner from the south  
2 side of the school building;

3 (7) the school is affiliated with the church;

4 (8) the pastor of the parish, principal of the school,  
5 and the titleholder to the church and school have given  
6 written consent to the issuance of the license;

7 (9) the alder ~~alderman~~ of the ward in which the  
8 premises are located has given written consent to the  
9 issuance of the license; and

10 (10) the neighborhood block club has given written  
11 consent to the issuance of the license.

12 (hhh) Notwithstanding any provision of this Section to the  
13 contrary, nothing in this Section shall prohibit the issuance  
14 or renewal of a license to sell alcoholic liquor at premises  
15 located within a municipality with a population in excess of  
16 1,000,000 inhabitants and within 100 feet of a home for  
17 indigent persons or a church if:

18 (1) a restaurant operates on the premises and has been  
19 in operation since January of 2014;

20 (2) the sale of alcoholic liquor is incidental to the  
21 sale of food;

22 (3) the sale of alcoholic liquor is not the principal  
23 business carried on by the licensee on the premises;

24 (4) the premises occupy the first floor of a 3-story  
25 building that is at least 100 years old;

26 (5) the primary entrance to the premises is more than



1 100 feet from the primary entrance to the home for  
2 indigent persons, which opened in 1989 and is operated to  
3 address homelessness and provide shelter;

4 (6) the primary entrance to the premises and the  
5 primary entrance to the home for indigent persons are  
6 located on different streets;

7 (7) the executive director of the home for indigent  
8 persons has given written consent to the issuance of the  
9 license;

10 (8) the entrance to the premises is located within 100  
11 feet of a Buddhist temple;

12 (9) the entrance to the premises is more than 100 feet  
13 from where any worship or educational programming is  
14 conducted by the Buddhist temple and is located in an area  
15 used only for other purposes; and

16 (10) the president and the board of directors of the  
17 Buddhist temple have given written consent to the issuance  
18 of the license.

19 (iii) Notwithstanding any provision of this Section to the  
20 contrary, nothing in this Section shall prohibit the issuance  
21 or renewal of a license authorizing the sale of alcoholic  
22 liquor at premises located within a municipality in excess of  
23 1,000,000 inhabitants and within 100 feet of a home for the  
24 aged if:

25 (1) the sale of alcoholic liquor is not the principal  
26 business carried on by the licensee on the premises;

1           (2) the sale of alcoholic liquor at the premises is  
2 incidental to the operation of a restaurant;

3           (3) the premises are on the ground floor of a  
4 multi-floor, university-affiliated housing facility;

5           (4) the premises occupy 1,916 square feet of space,  
6 with the total square footage from which liquor will be  
7 sold, served, and consumed to be 900 square feet;

8           (5) the premises are separated from the home for the  
9 aged by an alley;

10           (6) the primary entrance to the premises and the  
11 primary entrance to the home for the aged are at least 500  
12 feet apart and located on different streets;

13           (7) representatives of the home for the aged have  
14 expressed, in writing, that the home does not object to  
15 the issuance of a license under this subsection; and

16           (8) the alder ~~alderman~~ of the ward in which the  
17 restaurant is located has expressed, in writing, his or  
18 her support for the issuance of the license.

19           (jjj) Notwithstanding any provision of this Section to the  
20 contrary, nothing in this Section shall prohibit the issuance  
21 or renewal of a license authorizing the sale of alcoholic  
22 liquor at premises located within a municipality with a  
23 population in excess of 1,000,000 inhabitants and within 100  
24 feet of a school if:

25           (1) as of January 1, 2016, the premises were used for  
26 the sale of alcoholic liquor for consumption on the

1 premises and were authorized to do so pursuant to a retail  
2 tavern license held by an individual as the sole  
3 proprietor of the premises;

4 (2) the primary entrance to the school and the primary  
5 entrance to the premises are on the same street;

6 (3) the school was founded in 1949;

7 (4) the building in which the premises are situated  
8 was constructed before 1930;

9 (5) the building in which the premises are situated is  
10 immediately across the street from the school; and

11 (6) the school has not indicated its opposition to the  
12 issuance or renewal of the license in writing.

13 (kkk) (Blank).

14 (lll) Notwithstanding any provision of this Section to the  
15 contrary, nothing in this Section shall prohibit the issuance  
16 or renewal of a license authorizing the sale of alcoholic  
17 liquor at premises located within a municipality with a  
18 population in excess of 1,000,000 inhabitants and within 100  
19 feet of a synagogue or school if:

20 (1) the sale of alcoholic liquor at the premises is  
21 incidental to the sale of food;

22 (2) the sale of alcoholic liquor is not the principal  
23 business carried on by the licensee at the premises;

24 (3) the premises are located on the same street on  
25 which the synagogue or school is located;

26 (4) the primary entrance to the premises and the

1 closest entrance to the synagogue or school is at least  
2 100 feet apart;

3 (5) the shortest distance between the premises and the  
4 synagogue or school is at least 65 feet apart and no  
5 greater than 70 feet apart;

6 (6) the premises are between 1,800 and 2,000 square  
7 feet;

8 (7) the synagogue was founded in 1861; and

9 (8) the leader of the synagogue has indicated, in  
10 writing, the synagogue's support for the issuance or  
11 renewal of the license.

12 (mmm) Notwithstanding any provision of this Section to the  
13 contrary, nothing in this Section shall prohibit the issuance  
14 or renewal of licenses authorizing the sale of alcoholic  
15 liquor within a restaurant or lobby coffee house at premises  
16 located within a municipality with a population in excess of  
17 1,000,000 inhabitants and within 100 feet of a church if:

18 (1) the sale of alcoholic liquor is not the principal  
19 business carried on by the licensee at the premises;

20 (2) the sale of alcoholic liquor at the premises is  
21 incidental to the sale of food in a restaurant;

22 (3) the restaurant has been run by the same family for  
23 at least 19 consecutive years;

24 (4) the premises are located in a 3-story building in  
25 the most easterly part of the first floor;

26 (5) the building in which the premises are located has

1 residential housing on the second and third floors;

2 (6) the primary entrance to the premises is on a  
3 north-south street around the corner and across an alley  
4 from the primary entrance to the church, which is on an  
5 east-west street;

6 (7) the primary entrance to the church and the primary  
7 entrance to the premises are more than 160 feet apart; and

8 (8) the church has expressed, in writing, its support  
9 for the issuance of a license under this subsection.

10 (nnn) Notwithstanding any provision of this Section to the  
11 contrary, nothing in this Section shall prohibit the issuance  
12 or renewal of licenses authorizing the sale of alcoholic  
13 liquor within a restaurant or lobby coffee house at premises  
14 located within a municipality with a population in excess of  
15 1,000,000 inhabitants and within 100 feet of a school and  
16 church or synagogue if:

17 (1) the sale of alcoholic liquor is not the principal  
18 business carried on by the licensee at the premises;

19 (2) the sale of alcoholic liquor at the premises is  
20 incidental to the sale of food in a restaurant;

21 (3) the front door of the synagogue faces east on the  
22 next north-south street east of and parallel to the  
23 north-south street on which the restaurant is located  
24 where the restaurant's front door faces west;

25 (4) the closest exterior pedestrian entrance that  
26 leads to the school or the synagogue is across an

1 east-west street and at least 300 feet from the primary  
2 entrance to the restaurant;

3 (5) the nearest church-related or school-related  
4 building is a community center building;

5 (6) the restaurant is on the ground floor of a 3-story  
6 building constructed in 1896 with a brick facade;

7 (7) the restaurant shares the ground floor with a  
8 theater, and the second and third floors of the building  
9 in which the restaurant is located consists of residential  
10 housing;

11 (8) the leader of the synagogue and school has  
12 expressed, in writing, that the synagogue does not object  
13 to the issuance of a license under this subsection; and

14 (9) the alder ~~alderman~~ of the ward in which the  
15 premises is located has expressed, in writing, his or her  
16 support for the issuance of the license.

17 (ooo) Notwithstanding any provision of this Section to the  
18 contrary, nothing in this Section shall prohibit the issuance  
19 or renewal of a license authorizing the sale of alcoholic  
20 liquor at premises located within a municipality with a  
21 population in excess of 2,000 but less than 5,000 inhabitants  
22 in a county with a population in excess of 3,000,000 and within  
23 100 feet of a home for the aged if:

24 (1) as of March 1, 2016, the premises were used to sell  
25 alcohol pursuant to a retail tavern and packaged goods  
26 license issued by the municipality and held by a limited

1 liability company as the proprietor of the premises;

2 (2) the home for the aged was completed in 2015;

3 (3) the home for the aged is a 5-story structure;

4 (4) the building in which the premises are situated is  
5 directly adjacent to the home for the aged;

6 (5) the building in which the premises are situated  
7 was constructed before 1950;

8 (6) the home for the aged has not indicated its  
9 opposition to the issuance or renewal of the license; and

10 (7) the president of the municipality has expressed in  
11 writing that he or she does not object to the issuance or  
12 renewal of the license.

13 (ppp) Notwithstanding any provision of this Section to the  
14 contrary, nothing in this Section shall prohibit the issuance  
15 or renewal of a license authorizing the sale of alcoholic  
16 liquor at premises located within a municipality with a  
17 population in excess of 1,000,000 inhabitants and within 100  
18 feet of a church or churches if:

19 (1) the shortest distance between the premises and a  
20 church is at least 78 feet apart and no greater than 95  
21 feet apart;

22 (2) the premises are a single-story, brick commercial  
23 building and between 3,600 to 4,000 square feet and the  
24 original building was built before 1922;

25 (3) the premises are located in a B3-2 zoning  
26 district;

1 (4) the premises are separated from the buildings  
2 containing the churches by a street;

3 (5) the previous owners of the business located on the  
4 premises held a liquor license for at least 10 years;

5 (6) the new owner of the business located on the  
6 premises has managed 2 other food and liquor stores since  
7 1997;

8 (7) the principal religious leaders at the places of  
9 worship have indicated their support for the issuance or  
10 renewal of the license in writing; and

11 (8) the alder ~~alderman~~ of the ward in which the  
12 premises are located has indicated his or her support for  
13 the issuance or renewal of the license in writing.

14 (qqq) Notwithstanding any provision of this Section to the  
15 contrary, nothing in this Section shall prohibit the issuance  
16 or renewal of a license authorizing the sale of alcoholic  
17 liquor at premises located within a municipality with a  
18 population in excess of 1,000,000 inhabitants and within 100  
19 feet of a church if:

20 (1) the sale of alcoholic liquor at the premises is  
21 incidental to the sale of food;

22 (2) the sale of alcoholic liquor is not the principal  
23 business carried on by the licensee at the premises;

24 (3) the premises are located on the opposite side of  
25 the same street on which the church is located;

26 (4) the church is located on a corner lot;



1           (5) the shortest distance between the premises and the  
2 church is at least 90 feet apart and no greater than 95  
3 feet apart;

4           (6) the premises are at least 3,000 but no more than  
5 5,000 square feet;

6           (7) the church's original chapel was built in 1858;

7           (8) the church's first congregation was organized in  
8 1860; and

9           (9) the leaders of the church and the alder ~~alderman~~  
10 of the ward in which the premises are located has  
11 expressed, in writing, their support for the issuance of  
12 the license.

13           (rrr) Notwithstanding any provision of this Section to the  
14 contrary, nothing in this Section shall prohibit the issuance  
15 or renewal of a license authorizing the sale of alcoholic  
16 liquor at a restaurant or banquet facility established within  
17 premises located within a municipality with a population in  
18 excess of 1,000,000 inhabitants and within 100 feet of a  
19 church or school if:

20           (1) the sale of alcoholic liquor at the premises is  
21 incidental to the sale of food;

22           (2) the sale of alcoholic liquor is not the principal  
23 business carried on by the licensee at the premises;

24           (3) the immediately prior owner or the operator of the  
25 restaurant or banquet facility held a valid retail license  
26 authorizing the sale of alcoholic liquor at the premises

1 for at least part of the 24 months before a change of  
2 ownership;

3 (4) the premises are located immediately east and  
4 across the street from an elementary school;

5 (5) the premises and elementary school are part of an  
6 approximately 100-acre campus owned by the church;

7 (6) the school opened in 1999 and was named after the  
8 founder of the church; and

9 (7) the alder ~~alderman~~ of the ward in which the  
10 premises are located has expressed, in writing, his or her  
11 support for the issuance of the license.

12 (sss) Notwithstanding any provision of this Section to the  
13 contrary, nothing in this Section shall prohibit the issuance  
14 or renewal of a license authorizing the sale of alcoholic  
15 liquor at premises located within a municipality with a  
16 population in excess of 1,000,000 inhabitants and within 100  
17 feet of a church or school if:

18 (1) the premises are at least 5,300 square feet and  
19 located in a building that was built prior to 1940;

20 (2) the shortest distance between the property line of  
21 the premises and the exterior wall of the building in  
22 which the church is located is at least 109 feet;

23 (3) the distance between the building in which the  
24 church is located and the building in which the premises  
25 are located is at least 118 feet;

26 (4) the main entrance to the church faces west and is

1 at least 602 feet from the main entrance of the premises;

2 (5) the shortest distance between the property line of  
3 the premises and the property line of the school is at  
4 least 177 feet;

5 (6) the applicant has been in business for more than  
6 10 years;

7 (7) the principal religious leader of the church has  
8 indicated his or her support for the issuance or renewal  
9 of the license in writing;

10 (8) the principal of the school has indicated in  
11 writing that he or she is not opposed to the issuance of  
12 the license; and

13 (9) the alder ~~alderman~~ of the ward in which the  
14 premises are located has expressed, in writing, his or her  
15 support for the issuance of the license.

16 (ttt) Notwithstanding any provision of this Section to the  
17 contrary, nothing in this Section shall prohibit the issuance  
18 or renewal of a license authorizing the sale of alcoholic  
19 liquor at premises located within a municipality with a  
20 population in excess of 1,000,000 inhabitants and within 100  
21 feet of a church or school if:

22 (1) the premises are at least 59,000 square feet and  
23 located in a building that was built prior to 1940;

24 (2) the shortest distance between the west property  
25 line of the premises and the exterior wall of the church is  
26 at least 99 feet;

1           (3) the distance between the building in which the  
2 church is located and the building in which the premises  
3 are located is at least 102 feet;

4           (4) the main entrance to the church faces west and is  
5 at least 457 feet from the main entrance of the premises;

6           (5) the shortest distance between the property line of  
7 the premises and the property line of the school is at  
8 least 66 feet;

9           (6) the applicant has been in business for more than  
10 10 years;

11           (7) the principal religious leader of the church has  
12 indicated his or her support for the issuance or renewal  
13 of the license in writing;

14           (8) the principal of the school has indicated in  
15 writing that he or she is not opposed to the issuance of  
16 the license; and

17           (9) the alder ~~alderman~~ of the ward in which the  
18 premises are located has expressed, in writing, his or her  
19 support for the issuance of the license.

20           (uuu) Notwithstanding any provision of this Section to the  
21 contrary, nothing in this Section shall prohibit the issuance  
22 or renewal of a license authorizing the sale of alcoholic  
23 liquor at premises located within a municipality with a  
24 population in excess of 1,000,000 inhabitants and within 100  
25 feet of a place of worship if:

26           (1) the sale of liquor is incidental to the sale of

1 food;

2 (2) the premises are at least 7,100 square feet;

3 (3) the shortest distance between the north property  
4 line of the premises and the nearest exterior wall of the  
5 place of worship is at least 86 feet;

6 (4) the main entrance to the place of worship faces  
7 north and is more than 150 feet from the main entrance of  
8 the premises;

9 (5) the applicant has been in business for more than  
10 20 years at the location;

11 (6) the principal religious leader of the place of  
12 worship has indicated his or her support for the issuance  
13 or renewal of the license in writing; and

14 (7) the alder ~~alderman~~ of the ward in which the  
15 premises are located has expressed, in writing, his or her  
16 support for the issuance of the license.

17 (vvv) Notwithstanding any provision of this Section to the  
18 contrary, nothing in this Section shall prohibit the issuance  
19 or renewal of a license authorizing the sale of alcoholic  
20 liquor at premises located within a municipality with a  
21 population in excess of 1,000,000 inhabitants and within 100  
22 feet of 2 churches if:

23 (1) as of January 1, 2015, the premises were used for  
24 the sale of alcoholic liquor for consumption on the  
25 premises and the sale was authorized pursuant to a retail  
26 tavern license held by an individual as the sole

1 proprietor of the premises;

2 (2) a primary entrance of the church situated to the  
3 south of the premises is located on a street running  
4 perpendicular to the street upon which a primary entrance  
5 of the premises is situated;

6 (3) the church located to the south of the premises is  
7 a 3-story structure that was constructed in 2006;

8 (4) a parking lot separates the premises from the  
9 church located to the south of the premises;

10 (5) the building in which the premises are situated  
11 was constructed before 1930;

12 (6) the building in which the premises are situated is  
13 a 2-story, mixed-use commercial and residential structure  
14 containing more than 20,000 total square feet and  
15 containing at least 7 residential units on the second  
16 floor and 3 commercial units on the first floor;

17 (7) the building in which the premises are situated is  
18 immediately adjacent to the church located to the north of  
19 the premises;

20 (8) the primary entrance of the church located to the  
21 north of the premises and the primary entrance of the  
22 premises are located on the same street;

23 (9) the churches have not indicated their opposition  
24 to the issuance or renewal of the license in writing; and

25 (10) the alder ~~alderman~~ of the ward in which the  
26 premises are located has expressed, in writing, his or her

1 support for the issuance of the license.

2 (www) Notwithstanding any provision of this Section to the  
3 contrary, nothing in this Section shall prohibit the issuance  
4 or renewal of licenses authorizing the sale of alcoholic  
5 liquor within a restaurant at premises located within a  
6 municipality with a population in excess of 1,000,000  
7 inhabitants and within 100 feet of a school if:

8 (1) the sale of alcoholic liquor is incidental to the  
9 sale of food and is not the principal business of the  
10 restaurant;

11 (2) the building in which the restaurant is located  
12 was constructed in 1909 and is a 2-story structure;

13 (3) the restaurant has been operating continuously  
14 since 1962, has been located at the existing premises  
15 since 1989, and has been owned and operated by the same  
16 family, which also operates a deli in a building located  
17 immediately to the east and adjacent and connected to the  
18 restaurant;

19 (4) the entrance to the restaurant is more than 200  
20 feet from the entrance to the school;

21 (5) the building in which the restaurant is located  
22 and the building in which the school is located are  
23 separated by a traffic-congested major street;

24 (6) the building in which the restaurant is located  
25 faces a public park located to the east of the school,  
26 cannot be seen from the windows of the school, and is not

1 directly across the street from the school;

2 (7) the school building is located 2 blocks from a  
3 major private university;

4 (8) the school is a public school that has  
5 pre-kindergarten through eighth grade classes, is an open  
6 enrollment school, and has a preschool program that has  
7 earned a Gold Circle of Quality award;

8 (9) the local school council has given written consent  
9 for the issuance of the liquor license; and

10 (10) the alder ~~alderman~~ of the ward in which the  
11 premises are located has given written consent for the  
12 issuance of the liquor license.

13 (xxx) (Blank).

14 (yyy) Notwithstanding any provision in this Section to the  
15 contrary, nothing in this Section shall prohibit the issuance  
16 or renewal of a license authorizing the sale of alcoholic  
17 liquor at a store that is located within a municipality with a  
18 population in excess of 1,000,000 inhabitants and within 100  
19 feet of a church if:

20 (1) the premises are primarily used for the sale of  
21 alcoholic liquor;

22 (2) on January 1, 2017, the store was authorized to  
23 sell alcoholic liquor pursuant to a package goods liquor  
24 license;

25 (3) on January 1, 2017, the store occupied  
26 approximately 5,560 square feet and will be expanded to



1 include 440 additional square feet for the purpose of  
2 storage;

3 (4) the store was in existence before the church;

4 (5) the building in which the store is located was  
5 built in 1956 and is immediately south of the church;

6 (6) the store and church are separated by an east-west  
7 street;

8 (7) the owner of the store received his first liquor  
9 license in 1986;

10 (8) the church has not indicated its opposition to the  
11 issuance or renewal of the license in writing; and

12 (9) the alder ~~alderman~~ of the ward in which the store  
13 is located has expressed his or her support for the  
14 issuance or renewal of the license.

15 (zzz) Notwithstanding any provision of this Section to the  
16 contrary, nothing in this Section shall prohibit the issuance  
17 or renewal of a license authorizing the sale of alcoholic  
18 liquor at premises located within a municipality with a  
19 population in excess of 1,000,000 inhabitants and within 100  
20 feet of a church if:

21 (1) the premises are approximately 2,800 square feet  
22 with east frontage on South Allport Street and north  
23 frontage on West 18th Street in the City of Chicago;

24 (2) the shortest distance between the north property  
25 line of the premises and the nearest exterior wall of the  
26 church is 95 feet;

1           (3) the main entrance to the church is on West 18th  
2 Street, faces south, and is more than 100 feet from the  
3 main entrance to the premises;

4           (4) the sale of alcoholic liquor is incidental to the  
5 sale of food in a restaurant;

6           (5) the principal religious leader of the church has  
7 not indicated his or her opposition to the issuance or  
8 renewal of the license in writing; and

9           (6) the alder ~~alderman~~ of the ward in which the  
10 premises are located has indicated his or her support for  
11 the issuance or renewal of the license in writing.

12           (aaaa) Notwithstanding any provision of this Section to  
13 the contrary, nothing in this Section shall prohibit the  
14 issuance or renewal of a license authorizing the sale of  
15 alcoholic liquor at premises located within a municipality  
16 with a population in excess of 1,000,000 inhabitants and  
17 within 100 feet of a church if:

18           (1) the shortest distance between the premises and the  
19 church is at least 65 feet apart and no greater than 70  
20 feet apart;

21           (2) the premises are located on the ground floor of a  
22 freestanding, 3-story building of brick construction with  
23 2 stories of residential apartments above the premises;

24           (3) the premises are approximately 2,557 square feet;

25           (4) the premises and the church are located on  
26 opposite corners and are separated by sidewalks and a

1 street;

2 (5) the sale of alcohol is not the principal business  
3 carried on by the licensee at the premises;

4 (6) the pastor of the church has not indicated his or  
5 her opposition to the issuance or renewal of the license  
6 in writing; and

7 (7) the alder ~~alderman~~ of the ward in which the  
8 premises are located has not indicated his or her  
9 opposition to the issuance or renewal of the license in  
10 writing.

11 (bbbb) Notwithstanding any other provision of this Section  
12 to the contrary, nothing in this Section shall prohibit the  
13 issuance or renewal of a license authorizing the sale of  
14 alcoholic liquor at premises or an outdoor location at the  
15 premises located within a municipality with a population in  
16 excess of 1,000,000 inhabitants and that are within 100 feet  
17 of a church or school if:

18 (1) the church was a Catholic cathedral on January 1,  
19 2018;

20 (2) the church has been in existence for at least 150  
21 years;

22 (3) the school is affiliated with the church;

23 (4) the premises are bordered by State Street on the  
24 east, Superior Street on the south, Dearborn Street on the  
25 west, and Chicago Avenue on the north;

26 (5) the premises are located within 2 miles of Lake

1 Michigan and the Chicago River;

2 (6) the premises are located in and adjacent to a  
3 building for which construction commenced after January 1,  
4 2018;

5 (7) the alder ~~alderman~~ who represents the district in  
6 which the premises are located has written a letter of  
7 support for the issuance of a license; and

8 (8) the principal religious leader of the church and  
9 the principal of the school have both signed a letter of  
10 support for the issuance of a license.

11 (cccc) Notwithstanding any other provision of this Section  
12 to the contrary, nothing in this Section shall prohibit the  
13 issuance or renewal of a license authorizing the sale of  
14 alcoholic liquor within a restaurant at premises located  
15 within a municipality with a population in excess of 1,000,000  
16 inhabitants and within 100 feet of a school if:

17 (1) the sale of alcoholic liquor is incidental to the  
18 sale of food and is not the principal business of the  
19 restaurant;

20 (2) the building in which the restaurant is located  
21 was constructed in 1912 and is a 3-story structure;

22 (3) the restaurant has been in operation since 2015  
23 and its entrance faces North Western Avenue;

24 (4) the entrance to the school faces West Augusta  
25 Boulevard;

26 (5) the entrance to the restaurant is more than 100

1 feet from the entrance to the school;

2 (6) the school is a Catholic school affiliated with  
3 the nearby Catholic Parish church;

4 (7) the building in which the restaurant is located  
5 and the building in which the school is located are  
6 separated by an alley;

7 (8) the principal of the school has not indicated his  
8 or her opposition to the issuance or renewal of the  
9 license in writing; and

10 (9) the alder ~~alderman~~ of the ward in which the  
11 restaurant is located has expressed his or her support for  
12 the issuance or renewal of the license.

13 (dddd) Notwithstanding any provision of this Section to  
14 the contrary, nothing in this Section shall prohibit the  
15 issuance or renewal of a license authorizing the sale of  
16 alcoholic liquor at premises located within a municipality  
17 with a population in excess of 1,000,000 inhabitants and  
18 within 100 feet of a school if:

19 (1) the premises are approximately 6,250 square feet  
20 with south frontage on Bryn Mawr Avenue and north frontage  
21 on the alley 125 feet north of Bryn Mawr Avenue in the City  
22 of Chicago;

23 (2) the shortest distance between the south property  
24 line of the premises and the nearest exterior wall of the  
25 school is 248 feet;

26 (3) the main entrance to the school is on Christiana

1 Avenue, faces east, and is more than 100 feet from the main  
2 entrance to the premises;

3 (4) the sale of alcoholic liquor is incidental to the  
4 sale of food in a restaurant;

5 (5) the principal of the school has not indicated his  
6 or her opposition to the issuance or renewal of the  
7 license in writing; and

8 (6) the alder ~~alderman~~ of the ward in which the  
9 premises are located has indicated his or her support for  
10 the issuance or renewal of the license in writing.

11 (eee) Notwithstanding any provision of this Section to  
12 the contrary, nothing in this Section shall prohibit the  
13 issuance or renewal of a license authorizing the sale of  
14 alcoholic liquor at premises located within a municipality  
15 with a population in excess of 1,000,000 inhabitants and  
16 within 100 feet of a school if:

17 (1) the premises are approximately 2,300 square feet  
18 with south frontage on 53rd Street in the City of Chicago  
19 and the eastern property line of the premises abuts a  
20 private alleyway;

21 (2) the shortest distance between the south property  
22 line of the premises and the nearest exterior wall of the  
23 school is approximately 187 feet;

24 (3) the main entrance to the school is on Cornell  
25 Avenue, faces west, and is more than 100 feet from the main  
26 entrance to the premises;

1 (4) the sale of alcoholic liquor is incidental to the  
2 sale of food in a restaurant;

3 (5) the principal of the school has not indicated his  
4 or her opposition to the issuance or renewal of the  
5 license in writing; and

6 (6) the alder ~~alderman~~ of the ward in which the  
7 premises are located has indicated his or her support for  
8 the issuance or renewal of the license in writing.

9 (Source: P.A. 100-36, eff. 8-4-17; 100-38, eff. 8-4-17;  
10 100-201, eff. 8-18-17; 100-579, eff. 2-13-18; 100-663, eff.  
11 8-2-18; 100-863, eff. 8-14-18; 100-1036, eff. 8-22-18; 101-81,  
12 eff. 7-12-19.)

13 Section 75. The Cannabis Regulation and Tax Act is amended  
14 by changing Section 55-28 as follows:

15 (410 ILCS 705/55-28)

16 Sec. 55-28. Restricted cannabis zones.

17 (a) As used in this Section:

18 "Legal voter" means a person:

19 (1) who is duly registered to vote in a municipality  
20 with a population of over 500,000;

21 (2) whose name appears on a poll list compiled by the  
22 city board of election commissioners since the last  
23 preceding election, regardless of whether the election was  
24 a primary, general, or special election;

1           (3) who, at the relevant time, is a resident of the  
2 address at which he or she is registered to vote; and

3           (4) whose address, at the relevant time, is located in  
4 the precinct where such person seeks to file a notice of  
5 intent to initiate a petition process, circulate a  
6 petition, or sign a petition under this Section.

7           As used in the definition of "legal voter", "relevant  
8 time" means any time that:

9           (i) a notice of intent is filed, pursuant to  
10 subsection (c) of this Section, to initiate the petition  
11 process under this Section;

12           (ii) the petition is circulated for signature in the  
13 applicable precinct; or

14           (iii) the petition is signed by registered voters in  
15 the applicable precinct.

16           "Petition" means the petition described in this Section.

17           "Precinct" means the smallest constituent territory within  
18 a municipality with a population of over 500,000 in which  
19 electors vote as a unit at the same polling place in any  
20 election governed by the Election Code.

21           "Restricted cannabis zone" means a precinct within which  
22 home cultivation, one or more types of cannabis business  
23 establishments, or both has been prohibited pursuant to an  
24 ordinance initiated by a petition under this Section.

25           (b) The legal voters of any precinct within a municipality  
26 with a population of over 500,000 may petition their local



1 alder ~~alderman~~, using a petition form made available online by  
2 the city clerk, to introduce an ordinance establishing the  
3 precinct as a restricted zone. Such petition shall specify  
4 whether it seeks an ordinance to prohibit, within the  
5 precinct: (i) home cultivation; (ii) one or more types of  
6 cannabis business establishments; or (iii) home cultivation  
7 and one or more types of cannabis business establishments.

8 Upon receiving a petition containing the signatures of at  
9 least 25% of the registered voters of the precinct, and  
10 concluding that the petition is legally sufficient following  
11 the posting and review process in subsection (c) of this  
12 Section, the city clerk shall notify the local alder ~~alderman~~  
13 of the ward in which the precinct is located. Upon being  
14 notified, that alder ~~alderman~~, following an assessment of  
15 relevant factors within the precinct, including but not  
16 limited to, its geography, density and character, the  
17 prevalence of residentially zoned property, current licensed  
18 cannabis business establishments in the precinct, the current  
19 amount of home cultivation in the precinct, and the prevailing  
20 viewpoint with regard to the issue raised in the petition, may  
21 introduce an ordinance to the municipality's governing body  
22 creating a restricted cannabis zone in that precinct.

23 (c) A person seeking to initiate the petition process  
24 described in this Section shall first submit to the city clerk  
25 notice of intent to do so, on a form made available online by  
26 the city clerk. That notice shall include a description of the

1 potentially affected area and the scope of the restriction  
2 sought. The city clerk shall publicly post the submitted  
3 notice online.

4 To be legally sufficient, a petition must contain the  
5 requisite number of valid signatures and all such signatures  
6 must be obtained within 90 days of the date that the city clerk  
7 publicly posts the notice of intent. Upon receipt, the city  
8 clerk shall post the petition on the municipality's website  
9 for a 30-day comment period. The city clerk is authorized to  
10 take all necessary and appropriate steps to verify the legal  
11 sufficiency of a submitted petition. Following the petition  
12 review and comment period, the city clerk shall publicly post  
13 online the status of the petition as accepted or rejected, and  
14 if rejected, the reasons therefor. If the city clerk rejects a  
15 petition as legally insufficient, a minimum of 12 months must  
16 elapse from the time the city clerk posts the rejection notice  
17 before a new notice of intent for that same precinct may be  
18 submitted.

19 (c-5) Within 3 days after receiving an application for  
20 zoning approval to locate a cannabis business establishment  
21 within a municipality with a population of over 500,000, the  
22 municipality shall post a public notice of the filing on its  
23 website and notify the alder ~~alderman~~ of the ward in which the  
24 proposed cannabis business establishment is to be located of  
25 the filing. No action shall be taken on the zoning application  
26 for 7 business days following the notice of the filing for

1 zoning approval.

2 If a notice of intent to initiate the petition process to  
3 prohibit the type of cannabis business establishment proposed  
4 in the precinct of the proposed cannabis business  
5 establishment is filed prior to the filing of the application  
6 or within the 7-day period after the filing of the  
7 application, the municipality shall not approve the  
8 application for at least 90 days after the city clerk publicly  
9 posts the notice of intent to initiate the petition process.  
10 If a petition is filed within the 90-day petition-gathering  
11 period described in subsection (c), the municipality shall not  
12 approve the application for an additional 90 days after the  
13 city clerk's receipt of the petition; provided that if the  
14 city clerk rejects a petition as legally insufficient, the  
15 municipality may approve the application prior to the end of  
16 the 90 days. If a petition is not submitted within the 90-day  
17 petition-gathering period described in subsection (c), the  
18 municipality may approve the application unless the approval  
19 is otherwise stayed pursuant to this subsection by a separate  
20 notice of intent to initiate the petition process filed timely  
21 within the 7-day period.

22 If no legally sufficient petition is timely filed, a  
23 minimum of 12 months must elapse before a new notice of intent  
24 for that same precinct may be submitted.

25 (d) Notwithstanding any law to the contrary, the  
26 municipality may enact an ordinance creating a restricted

1 cannabis zone. The ordinance shall:

2 (1) identify the applicable precinct boundaries as of  
3 the date of the petition;

4 (2) state whether the ordinance prohibits within the  
5 defined boundaries of the precinct, and in what  
6 combination: (A) one or more types of cannabis business  
7 establishments; or (B) home cultivation;

8 (3) be in effect for 4 years, unless repealed earlier;  
9 and

10 (4) once in effect, be subject to renewal by ordinance  
11 at the expiration of the 4-year period without the need  
12 for another supporting petition.

13 (Source: P.A. 101-27, eff. 6-25-19; 101-593, eff. 12-4-19.)

14 Section 80. The Code of Civil Procedure is amended by  
15 changing Section 15-1503 as follows:

16 (735 ILCS 5/15-1503) (from Ch. 110, par. 15-1503)

17 Sec. 15-1503. Notice of foreclosure.

18 (a) A notice of foreclosure, whether the foreclosure is  
19 initiated by complaint or counterclaim, made in accordance  
20 with this Section and recorded in the county in which the  
21 mortgaged real estate is located shall be constructive notice  
22 of the pendency of the foreclosure to every person claiming an  
23 interest in or lien on the mortgaged real estate, whose  
24 interest or lien has not been recorded prior to the recording

1 of such notice of foreclosure. Such notice of foreclosure must  
2 be executed by any party or any party's attorney and shall  
3 include (i) the names of all plaintiffs and the case number,  
4 (ii) the court in which the action was brought, (iii) the names  
5 of title holders of record, (iv) a legal description of the  
6 real estate sufficient to identify it with reasonable  
7 certainty, (v) a common address or description of the location  
8 of the real estate and (vi) identification of the mortgage  
9 sought to be foreclosed. An incorrect common address or  
10 description of the location, or an immaterial error in the  
11 identification of a plaintiff or title holder of record, shall  
12 not invalidate the lis pendens effect of the notice under this  
13 Section. A notice which complies with this Section shall be  
14 deemed to comply with Section 2-1901 of the Code of Civil  
15 Procedure and shall have the same effect as a notice filed  
16 pursuant to that Section; however, a notice which complies  
17 with Section 2-1901 shall not be constructive notice unless it  
18 also complies with the requirements of this Section.

19 (b) With respect to residential real estate, a copy of the  
20 notice of foreclosure described in subsection (a) of Section  
21 15-1503 shall be sent by first class mail, postage prepaid, to  
22 the municipality within the boundary of which the mortgaged  
23 real estate is located, or to the county within the boundary of  
24 which the mortgaged real estate is located if the mortgaged  
25 real estate is located in an unincorporated territory. A  
26 municipality or county must clearly publish on its website a

1 single address to which such notice shall be sent. If a  
2 municipality or county does not maintain a website, then the  
3 municipality or county must publicly post in its main office a  
4 single address to which such notice shall be sent. In the event  
5 that a municipality or county has not complied with the  
6 publication requirement in this subsection (b), then the copy  
7 of the notice to the municipality or county shall be sent by  
8 first class mail, postage prepaid, to the chairperson of the  
9 county board or county clerk in the case of a county, to the  
10 mayor or city clerk in the case of a city, to the president of  
11 the board of trustees or village clerk in the case of a  
12 village, or to the president or town clerk in the case of a  
13 town. Additionally, if the real estate is located in a city  
14 with a population of more than 2,000,000, regardless of  
15 whether that city has complied with the publication  
16 requirement in this subsection (b), the party must, within 10  
17 days after filing the complaint or counterclaim: (i) send by  
18 first class mail, postage prepaid, a copy of the notice of  
19 foreclosure to the alder ~~alderman~~ for the ward in which the  
20 real estate is located and (ii) file an affidavit with the  
21 court attesting to the fact that the notice was sent to the  
22 alder ~~alderman~~ for the ward in which the real estate is  
23 located. The failure to send a copy of the notice to the alder  
24 ~~alderman~~ or to file an affidavit as required shall result in a  
25 stay of the foreclosure action on a motion of a party or the  
26 court. If the foreclosure action has been stayed by an order of

1 the court, the plaintiff or the plaintiff's representative  
2 shall send the notice by certified mail, return receipt  
3 requested, or by private carrier that provides proof of  
4 delivery, and tender the return receipt or the proof of  
5 delivery to the court. After proof of delivery is tendered to  
6 the court, the court shall lift the stay of the foreclosure  
7 action.

8 (Source: P.A. 101-399, eff. 8-16-19.)

9 Section 85. The City Sale or Lease of Land for Cemeteries  
10 Act is amended by changing the title of the Act and Section 1  
11 as follows:

12 (765 ILCS 825/Act title)

13 An Act to enable the mayor and alders ~~aldermen~~ of certain  
14 cities to lease or convey real estate.

15 (765 ILCS 825/1) (from Ch. 21, par. 7)

16 Sec. 1. That in all cities of which the mayor and alders  
17 ~~aldermen~~ have heretofore been incorporated by any special act,  
18 as a cemetery association or body politic, it shall be lawful,  
19 a majority of their number assenting thereto, for such  
20 association or body politic to demise for a term of years, or  
21 to convey in perpetuity any real estate which it may have  
22 acquired by purchase or otherwise; and the real estate so  
23 conveyed shall be devoted exclusively for burial or cemetery

1 purposes by the grantee or lessee thereof.

2 (Source: Laws 1875, p. 40.)".