



Sen. Laura M. Murphy

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10200HB4073sam003

LRB102 18168 AWJ 41643 a

1 AMENDMENT TO HOUSE BILL 4073

2 AMENDMENT NO. _____. Amend House Bill 4073, AS AMENDED,
3 by replacing everything after the enacting clause with the
4 following:

5 "Section 5. The Decennial Committees on Local Government
6 Efficiency Act is amended by changing Sections 5, 10, and 20 as
7 follows:

8 (50 ILCS 70/5)

9 Sec. 5. Definition. As used in this Act:7

10 "Governing board" means the governing body of a
11 governmental unit. If the governmental unit is a road
12 district, then "governing board" means the governing body of
13 the road district, as provided in Division 1 of Article 6 of
14 the Illinois Highway Code, including, but not limited to, the
15 highway board of auditors, the township board of trustees, the
16 city council, the municipal president and board of trustees,

1 or the county board, as applicable.

2 "Governmental unit" means ~~governmental unit~~ includes all
3 units of local government that may levy any tax, except
4 municipalities and counties. "Governmental unit" does not
5 include any governmental entity that is not a unit of local
6 government, as that term is defined in Section 1 of Article VII
7 of the Illinois Constitution, including school districts.

8 (Source: P.A. 102-1088, eff. 6-10-22.)

9 (50 ILCS 70/10)

10 Sec. 10. Formation of committee; members; vacancy;
11 administrative support.

12 (a) By no later than one year after June 10, 2022 (~~Within~~
13 one year after the effective date of this Act) and at least
14 once every 10 years after June 10, 2022 ~~thereafter~~, each
15 governmental unit must form a committee to study local
16 efficiencies and report recommendations regarding efficiencies
17 and increased accountability to the county board in which the
18 governmental unit is located.

19 (b) Each committee's membership shall include the elected
20 or appointed members of the governing board of the
21 governmental unit; at least 2 residents within the territory
22 served by ~~of~~ the governmental unit, who are appointed by the
23 chair of the governing board ~~of the governmental unit~~, with
24 the advice and consent of the governing board; and any chief
25 executive officer or other officer of the governmental unit.

1 The committee shall be chaired by the president or chief
2 elected or appointed official of the governing board ~~of the~~
3 ~~governmental unit,~~ or his or her designee. The chairperson may
4 appoint additional members to the committee as the chairperson
5 ~~he or she~~ deems appropriate.

6 Committee members shall serve without compensation but may
7 be reimbursed by the governmental unit for their expenses
8 incurred in performing their duties.

9 (c) A committee may employ or use the services of
10 specialists in public administration and governmental
11 management and any other trained consultants, analysts,
12 investigators, and assistants it considers appropriate, and it
13 may seek assistance from community colleges and universities
14 as necessary to prepare the report required under Section 25.

15 (d) If a vacancy occurs in the committee membership, the
16 vacancy shall be filled in the same manner as the appointments
17 under subsection (b).

18 (e) Each governmental unit shall provide administrative
19 and other support to its committee.

20 (Source: P.A. 102-1088, eff. 6-10-22.)

21 (50 ILCS 70/20)

22 Sec. 20. Meetings. Each committee shall meet at least 3
23 times. The committee may meet during a regularly scheduled
24 meeting of the governmental unit as long as: (1) separate
25 notice is given in conformance with the Open Meetings Act; (2)

1 the committee meeting is listed as part of the governing
2 board's ~~board of the governmental unit's~~ agenda; and (3) at
3 least a majority of the members of the committee are present at
4 the committee's meeting. Each meeting of the committee shall
5 be public, and the committee shall provide an opportunity for
6 any person to be heard at the public hearings for at least 3
7 minutes. The committee may require speakers to register. The
8 committee shall meet in accordance with the Open Meetings Act,
9 and the committee shall be a public body to which the Freedom
10 of Information Act applies.

11 At the conclusion of each meeting, the committee shall
12 conduct a survey of residents who attended asking for input on
13 the matters discussed at the meeting.

14 (Source: P.A. 102-1088, eff. 6-10-22.)

15 Section 10. The State Mandates Act is amended by adding
16 Section 8.47 as follows:

17 (30 ILCS 805/8.47 new)

18 Sec. 8.47. Exempt mandate. Notwithstanding Sections 6 and
19 8 of this Act, no reimbursement by the State is required for
20 the implementation of any mandate created by the Decennial
21 Committees on Local Government Efficiency Act.

22 Section 15. The Public Library District Act of 1991 is
23 amended by changing Sections 30-25 and 30-40 as follows:

1 (75 ILCS 16/30-25)

2 Sec. 30-25. Vacancies.

3 (a) Vacancies shall be declared in the office of trustee
4 by the board when an elected or appointed trustee (i)
5 declines, fails, or is unable to serve, (ii) becomes a
6 nonresident of the district, (iii) is convicted of a
7 misdemeanor by failing, neglecting, or refusing to discharge
8 any duty imposed upon him or her by this Act, or (iv) has
9 failed to pay the library taxes levied by the district.
10 Absence without cause from all regular board meetings for a
11 period of one year shall be a basis for declaring a vacancy.

12 (b) All vacancies shall be filled by appointment by the
13 remaining trustees until the next regular library election, at
14 which time a trustee shall be elected for the remainder of the
15 unexpired term. If, however, the vacancy occurs with less than
16 28 months remaining in the term, and if the vacancy occurs less
17 than 88 days before the next regular scheduled election for
18 this office, then the person so appointed shall serve the
19 remainder of the unexpired term and no election to fill the
20 vacancy shall be held. If the vacancy is in the office of a
21 trustee of a library district with an appointed board, the
22 vacancy shall be filled by appointment by the remaining
23 trustees. Vacancies shall be filled within 90 days after a
24 vacancy has been declared. If the trustees fail to appoint a
25 new member within 90 days after a vacancy has been declared,

1 the State Librarian shall appoint an individual to fill the
2 vacancy within 60 days after the trustees have failed to fill
3 the vacancy. If the State Librarian fails to fill the vacancy
4 within the 60 days after the trustees have failed to fill the
5 vacancy, the vacancy shall be filled at the next regularly
6 scheduled election. Notwithstanding any other provision of
7 this Section, if a vacancy occurred prior to May 27, 2022 and
8 that vacancy has not been filled by the trustees before the
9 effective date of this amendatory Act of the 102nd General
10 Assembly, the State Librarian shall fill the vacancy within 60
11 days after the effective date of this amendatory Act of the
12 102nd General Assembly.

13 (Source: P.A. 102-977, eff. 5-27-22.)

14 (75 ILCS 16/30-40)

15 Sec. 30-40. Organization of board; qualification and oath
16 of trustees.

17 (a) Within 74 days after their election or appointment,
18 the incumbent and new trustees shall take their oath of office
19 as prescribed by law and meet to organize the board.

20 (b) The first action taken at the meeting shall be the
21 election of a president, a vice-president, a secretary, and a
22 treasurer from among the trustees. The secretary shall then
23 record the membership of the board. The board may, instead of
24 electing a treasurer from among the trustees, by majority vote
25 of the board, appoint and fix the compensation of a qualified

1 treasurer that is not a trustee of the board.

2 (c) Trustees duly elected or appointed as certified by the
3 appropriate election authority or appointing authority shall
4 be qualified to serve as trustees under this Act. The required
5 oath shall be taken and subscribed before a notary public or
6 the secretary of the board.

7 (d) Within 60 days after the organization of the board,
8 the secretary shall file, with the county clerk of the county
9 containing all or a larger portion of the district and with the
10 Illinois State Librarian, a statement listing the names and
11 addresses of the trustees and officers and their respective
12 terms in office. The secretary shall report a vacancy on the
13 board to the county clerk and the State Librarian within 60
14 days after it occurs and shall report the filling of a vacancy
15 within 60 days after it is filled.

16 (e) The first officers shall serve until the next regular
17 election of trustees. Thereafter, officers shall serve for
18 terms set by ordinance but not to exceed 2 years, ending on the
19 third Monday of the month following each regular election or
20 until their successors are duly elected by the board. A
21 vacancy in any office shall be filled ~~by the board~~ for the
22 unexpired term under Section 30-25.

23 (Source: P.A. 102-977, eff. 5-27-22.)

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