



Sen. Laura M. Murphy

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10200HB4073sam004

LRB102 18168 AWJ 41726 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 Public Library District Act of 1991 is
6 amended by changing Sections 30-25 and 30-40 as follows:

7 (75 ILCS 16/30-25)

8 Sec. 30-25. Vacancies.

9 (a) Vacancies shall be declared in the office of trustee
10 by the board when an elected or appointed trustee (i)
11 declines, fails, or is unable to serve, (ii) becomes a
12 nonresident of the district, (iii) is convicted of a
13 misdemeanor by failing, neglecting, or refusing to discharge
14 any duty imposed upon him or her by this Act, or (iv) has
15 failed to pay the library taxes levied by the district.
16 Absence without cause from all regular board meetings for a

1 period of one year shall be a basis for declaring a vacancy.

2 (b) All vacancies shall be filled by appointment by the
3 remaining trustees until the next regular library election, at
4 which time a trustee shall be elected for the remainder of the
5 unexpired term. If, however, the vacancy occurs with less than
6 28 months remaining in the term, and if the vacancy occurs less
7 than 88 days before the next regular scheduled election for
8 this office, then the person so appointed shall serve the
9 remainder of the unexpired term and no election to fill the
10 vacancy shall be held. If the vacancy is in the office of a
11 trustee of a library district with an appointed board, the
12 vacancy shall be filled by appointment by the remaining
13 trustees. Vacancies shall be filled within 90 days after a
14 vacancy has been declared. If the trustees fail to appoint a
15 new member within 90 days after a vacancy has been declared,
16 the State Librarian shall appoint an individual to fill the
17 vacancy within 60 days after the trustees have failed to fill
18 the vacancy. If the State Librarian fails to fill the vacancy
19 within the 60 days after the trustees have failed to fill the
20 vacancy, the vacancy shall be filled at the next regularly
21 scheduled election. Notwithstanding any other provision of
22 this Section, if a vacancy occurred prior to May 27, 2022 and
23 that vacancy has not been filled by the trustees before the
24 effective date of this amendatory Act of the 102nd General
25 Assembly, the State Librarian shall fill the vacancy within 60
26 days after the effective date of this amendatory Act of the

1 102nd General Assembly.

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

3 (75 ILCS 16/30-40)

4 Sec. 30-40. Organization of board; qualification and oath
5 of trustees.

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

9 (b) The first action taken at the meeting shall be the
10 election of a president, a vice-president, a secretary, and a
11 treasurer from among the trustees. The secretary shall then
12 record the membership of the board. The board may, instead of
13 electing a treasurer from among the trustees, by majority vote
14 of the board, appoint and fix the compensation of a qualified
15 treasurer that is not a trustee of the board.

16 (c) Trustees duly elected or appointed as certified by the
17 appropriate election authority or appointing authority shall
18 be qualified to serve as trustees under this Act. The required
19 oath shall be taken and subscribed before a notary public or
20 the secretary of the board.

21 (d) Within 60 days after the organization of the board,
22 the secretary shall file, with the county clerk of the county
23 containing all or a larger portion of the district and with the
24 Illinois State Librarian, a statement listing the names and
25 addresses of the trustees and officers and their respective

1 terms in office. The secretary shall report a vacancy on the
2 board to the county clerk and the State Librarian within 60
3 days after it occurs and shall report the filling of a vacancy
4 within 60 days after it is filled.

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

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

13 Section 99. Effective date. This Act takes effect upon
14 becoming law."