



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB4355

Introduced 1/5/2022, by Rep. Thaddeus Jones

SYNOPSIS AS INTRODUCED:

65 ILCS 5/3.1-10-65	from Ch. 24, par. 3.1-10-65
65 ILCS 5/3.1-10-75	from Ch. 24, par. 3.1-10-75
65 ILCS 5/3.1-15-40	from Ch. 24, par. 3.1-15-40
65 ILCS 5/3.1-20-22	from Ch. 24, par. 3.1-20-22

Amends the Illinois Municipal Code. Provides that no later than 30 days after the effective date of the amendatory Act, the corporate authorities of a municipality with a population of fewer than 40,000 inhabitants in which alderpersons or trustees are elected for 2-year terms shall adopt an ordinance providing that, at the first election of alderpersons or trustees that occurs after July 1, 2022 (if the effective date of the amendatory Act is on or before July 1, 2022) or July 1, 2023 (if the effective date of the amendatory Act is after July 1, 2022), one alderperson or trustee shall be elected from each even-numbered ward for a 2-year term and one alderperson or trustee shall be elected from each odd-numbered ward for a 4-year term, after which their successors shall be elected for 4-year terms. Provides that, if the municipality elects its alderpersons or trustees from at-large districts, then one-half of the alderpersons or trustees (plus one if there is an odd number of alderpersons or trustees) shall be elected to a 2-year term and one-half shall be elected to a 4-year term, after which their successors shall be elected to 4-year terms. Prohibits municipalities from reducing the length of the terms from 4 years to 2 years. Effective immediately.

LRB102 22697 AWJ 31843 b

1 AN ACT concerning local government.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Illinois Municipal Code is amended by
5 changing Sections 3.1-10-65, 3.1-10-75, 3.1-15-40, and
6 3.1-20-22 as follows:

7 (65 ILCS 5/3.1-10-65) (from Ch. 24, par. 3.1-10-65)

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

9 (a) Except as otherwise provided in subsection (c), in ~~in~~
10 any municipality of less than 500,000 inhabitants, a
11 proposition to reduce the terms of the elective officers of
12 the municipality from 4 years to 2 years may be submitted,
13 within the discretion of the corporate authorities, to the
14 electors of the municipality. The proposition shall also be
15 submitted if a petition requesting that action is signed by
16 electors of the municipality numbering not less than 10% of
17 the total vote cast at the last election for mayor or president
18 of the municipality and the petition is filed with the
19 municipal clerk and certified in accordance with the general
20 election law. The proposition shall be substantially in the
21 following form:

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

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

18 (c) No later than 30 days after the effective date of this
19 amendatory Act of the 102nd General Assembly, the corporate
20 authorities of a municipality with a population of fewer than
21 40,000 inhabitants in which alderpersons or trustees are
22 elected for 2-year terms shall adopt an ordinance providing
23 that, at the first election of alderpersons or trustees that
24 occurs after July 1, 2022 (if the effective date of this
25 amendatory Act of the 102nd General Assembly is on or before
26 July 1, 2022) or July 1, 2023 (if the effective date of this

1 amendatory Act of the 102nd General Assembly is after July 1,
2 2022), one alderperson or trustee shall be elected from each
3 even-numbered ward for a 2-year term and one alderperson or
4 trustee shall be elected from each odd-numbered ward for a
5 4-year term, after which their successors shall be elected for
6 4-year terms. If the municipality elects its alderpersons or
7 trustees from at-large districts, then one-half of the
8 alderpersons or trustees (plus one if there is an odd number of
9 alderpersons or trustees) shall be elected to a 2-year term
10 and one-half shall be elected to a 4-year term, after which
11 their successors shall be elected to 4-year terms.

12 Notwithstanding the provisions of subsections (a) and (b),
13 on and after the effective date of this amendatory Act of the
14 102nd General Assembly, a municipality with a population of
15 fewer than 40,000 may not reduce the length of terms of the
16 alderpersons or trustees of the municipality from 4 years to 2
17 years by referendum or otherwise.

18 (Source: P.A. 102-15, eff. 6-17-21.)

19 (65 ILCS 5/3.1-10-75) (from Ch. 24, par. 3.1-10-75)

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

21 (a) Except as otherwise provided in subsection (c), in ~~In~~
22 any municipality of less than 500,000 inhabitants that, under
23 Section 3.1-10-65, has voted to shorten the terms of elective
24 officers, a proposition to lengthen the terms of the elective
25 officers of the municipality from 2 years to 4 years may be

1 submitted, within the discretion of the corporate authorities,
2 to the electors of the municipality. The proposition shall be
3 certified by the municipal clerk to the appropriate election
4 authorities, who shall submit the proposition at an election
5 in accordance with the general election law. The proposition
6 shall also be submitted at an election if a petition
7 requesting that action is signed by electors of the
8 municipality numbering not less than 10% of the total vote
9 cast at the last election for mayor or president of the
10 municipality and the petition is filed with the municipal
11 clerk. The proposition shall be substantially in the following
12 form:

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

15 (b) If a majority of the electors voting on the
16 proposition vote against it, the terms of the officers shall
17 remain 2 years. If, however, a majority of those voting on the
18 proposition vote in favor of it, the officers elected at the
19 next regular election for officers in the municipality shall
20 hold their offices for a term of 4 years and until their
21 successors are elected and have qualified, except in the case
22 of trustees and alderpersons. In the case of alderpersons and
23 trustees: (i) if the first election for alderpersons or
24 trustees, after approval of the proposition, occurs in an even
25 numbered year, the alderpersons or trustees elected in that
26 even numbered year shall serve for terms of 3 years and until

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

24 (c) Notwithstanding the provisions of subsections (a) and
25 (b), no later than 30 days after the effective date of this
26 amendatory Act of the 102nd General Assembly, the corporate

1 authorities of a municipality with a population of fewer than
2 40,000 inhabitants in which alderpersons or trustees are
3 elected for 2-year terms shall adopt an ordinance providing
4 that, at the first election of alderpersons or trustees that
5 occurs after July 1, 2022 (if the effective date of this
6 amendatory Act of the 102nd General Assembly is on or before
7 July 1, 2022) or July 1, 2023 (if the effective date of this
8 amendatory Act of the 102nd General Assembly is after July 1,
9 2022), one alderperson or trustee shall be elected from each
10 even-numbered ward for a 2-year term and one alderperson or
11 trustee shall be elected from each odd-numbered ward for a
12 4-year term, after which their successors shall be elected for
13 4-year terms. If the municipality elects its alderpersons or
14 trustees from at-large districts, then one-half of the
15 alderpersons or trustees (plus one if there is an odd number of
16 alderpersons or trustees) shall be elected to a 2-year term
17 and one-half shall be elected to a 4-year term, after which
18 their successors shall be elected to 4-year terms.

19 (Source: P.A. 102-15, eff. 6-17-21.)

20 (65 ILCS 5/3.1-15-40) (from Ch. 24, par. 3.1-15-40)

21 Sec. 3.1-15-40. Staggered elections under minority plans.
22 In a municipality with a population of fewer than 40,000, the
23 corporate authorities shall, no later than 30 days after the
24 effective date of this amendatory Act of the 102nd General
25 Assembly, provide by ordinance that that at any ensuing

1 general municipal election for city officers the alderpersons
2 in every alternate district shall be elected for one term of 2
3 years and, at the expiration of that term of 2 years, for
4 regular terms of 4 years. If the municipality elects its
5 alderpersons or trustees from at-large districts, then
6 one-half of the alderpersons or trustees (plus one if there is
7 an odd number of alderpersons or trustees) shall be elected to
8 a 2-year term and one-half shall be elected to a 4-year term,
9 after which their successors shall be elected to 4-year terms.

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

21 (Source: P.A. 102-15, eff. 6-17-21.)

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

23 Sec. 3.1-20-22. Alderpersons; staggered terms.

24 (a) Except as otherwise provided in subsection (b), in ~~in~~
25 any city of less than 100,000 inhabitants, a proposition to

1 stagger the terms of alderpersons, with as nearly as possible
2 one-half of the alderpersons elected every 2 years, shall be
3 certified by the city clerk to the proper election authority,
4 who shall submit the proposition at an election in accordance
5 with the general election law, if a petition requesting that
6 action is signed by electors of the city numbering at least 10%
7 of the total vote cast at the last election for mayor of the
8 city and is filed with the city clerk.

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

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

16 Shall (name of city) adopt a system of staggered terms
17 for alderpersons?

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

25 (b) In a municipality with a population of fewer than
26 40,000, no later than 30 days after the effective date of this

1 amendatory Act of the 102nd General Assembly, the corporate
2 authorities of the municipality shall adopt an ordinance
3 providing that, at the first election of alderpersons that
4 occurs after July 1, 2022 (if the effective date of this
5 amendatory Act of the 102nd General Assembly is on or before
6 July 1, 2022) or July 1, 2023 (if the effective date of this
7 amendatory Act of the 102nd General Assembly is after July 1,
8 2022), one alderperson shall be elected from each
9 even-numbered ward for a 2-year term and one alderperson shall
10 be elected from each odd-numbered ward for a 4-year term,
11 after which their successors shall be elected for 4-year
12 terms. If the municipality elects its alderpersons or trustees
13 from at-large districts, then one-half of the alderpersons or
14 trustees (plus one if there is an odd number of alderpersons or
15 trustees) shall be elected to a 2-year term and one-half shall
16 be elected to a 4-year term, after which their successors
17 shall be elected to 4-year terms.

18 (Source: P.A. 102-15, eff. 6-17-21.)

19 Section 99. Effective date. This Act takes effect upon
20 becoming law.