



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB5622

Introduced 2/9/2024, by Rep. Barbara Hernandez

SYNOPSIS AS INTRODUCED:

50 ILCS 105/1.1	from Ch. 102, par. 1.1
50 ILCS 105/2a	from Ch. 102, par. 2a
50 ILCS 105/4	from Ch. 102, par. 4
50 ILCS 110/2	from Ch. 102, par. 4.11

Amends the Public Officer Prohibited Activities Act. Provides that, in a township in a county with a population equal to or greater than 600,000, a person may not simultaneously hold an elected township office and another local elected office. Makes conforming changes in the Public Officer Prohibited Activities Act and Public Officer Simultaneous Tenure Act.

LRB103 39107 AWJ 69247 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 Public Officer Prohibited Activities Act is
5 amended by changing Sections 1.1, 2a, and 4 as follows:

6 (50 ILCS 105/1.1) (from Ch. 102, par. 1.1)

7 Sec. 1.1. A member of the county board in a county having
8 fewer than 600,000 ~~550,000~~ inhabitants, during the term of
9 office for which the member ~~he~~ is elected, may also hold the
10 office of township highway commissioner.

11 (Source: P.A. 86-1330.)

12 (50 ILCS 105/2a) (from Ch. 102, par. 2a)

13 Sec. 2a. Township officials.

14 (a) No township supervisor or trustee, during the term of
15 office for which he or she is elected, may accept, be appointed
16 to, or hold any office by the appointment of the board of
17 township trustees unless he or she first resigns from the
18 office of supervisor or trustee or unless the appointment is
19 specifically authorized by law. A supervisor or trustee may,
20 however, serve as a volunteer firefighter and receive
21 compensation for that service. Any appointment in violation of
22 this Section is void. Nothing in this Act shall be construed to

1 prohibit an elected township official from holding elected
2 office in another unit of local government as long as there is
3 no contractual relationship between the township and the other
4 unit of local government. This amendatory Act of 1995 is
5 declarative of existing law and is not a new enactment.

6 (b) On and after the effective date of this amendatory Act
7 of the 100th General Assembly, a person elected to or
8 appointed to fill a vacancy in an elected township position,
9 including, but not limited to, a trustee, a supervisor, a
10 highway commissioner, a clerk, an assessor, or a collector,
11 shall not be employed by the township, except that a
12 supervisor or trustee may serve as a volunteer firefighter and
13 receive compensation for that service as provided in
14 subsection (a).

15 (c) In a township in a county with a population equal to or
16 greater than 600,000, a person may not simultaneously hold an
17 elected township office and another local elected office.

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

19 (50 ILCS 105/4) (from Ch. 102, par. 4)

20 Sec. 4. Any alderperson, member of a board of trustees,
21 supervisor or county commissioner, or other person holding any
22 office, either by election or appointment under the laws or
23 constitution of this state, who violates any provision of the
24 preceding sections, is guilty of a Class 4 felony and in
25 addition thereto, any office or official position held by any

1 person so convicted shall become vacant, and shall be so
2 declared as part of the judgment of court. This Section does
3 not apply to a violation of subsection (b) or (c) of Section
4 2a.

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

6 Section 10. The Public Officer Simultaneous Tenure Act is
7 amended by changing Section 2 as follows:

8 (50 ILCS 110/2) (from Ch. 102, par. 4.11)

9 Sec. 2. Simultaneous tenure declared to be lawful. It is
10 lawful for any person to hold the office of county board member
11 and township supervisor in counties with a population under
12 600,000, and, in counties of less than 100,000 population, the
13 office of county board member and township trustee,
14 simultaneously. It is lawful for any person to hold the office
15 of county board member and the office of township assessor or
16 town clerk, simultaneously, in counties of less than 300,000
17 population.

18 (Source: P.A. 90-748, eff. 8-14-98.)