

# SB1393



## 103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

SB1393

Introduced 2/6/2023, by Sen. Paul Faraci

### SYNOPSIS AS INTRODUCED:

55 ILCS 5/3-1001  
55 ILCS 5/3-1002

from Ch. 34, par. 3-1001  
from Ch. 34, par. 3-1002

Amends the Officers and Employees Article of the Counties Code. Decreases the minimum number of inhabitants that must reside in a county for the county to be required to create the office of county auditor from 75,000 inhabitants to 70,000 inhabitants.

LRB103 28486 AWJ 54867 b

A BILL FOR

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 Counties Code is amended by changing  
5 Sections 3-1001 and 3-1002 as follows:

6 (55 ILCS 5/3-1001) (from Ch. 34, par. 3-1001)

7 Sec. 3-1001. Auditors in counties of 70,000 ~~75,000~~ to  
8 3,000,000. In all counties containing less than 3,000,000 and  
9 over 70,000 ~~75,000~~ inhabitants by the last federal census,  
10 there is created the office of county auditor, whose term of  
11 office shall be 4 years and until his or her successor is  
12 elected and qualified. The nomination and election shall be  
13 subject to the general election laws of the State. Each county  
14 auditor shall take office the first day of the month following  
15 the month of his or her election on which the office of the  
16 county auditor is required, by statute or by action of the  
17 county board, to be open. The qualifications and oath of  
18 office shall be the same as apply to other county officers.  
19 Each county auditor shall, before entering upon the duties of  
20 the office, give bond (or, if the county is self-insured, the  
21 county through its self-insurance program may provide bonding)  
22 in such penalty and with such security as the county board  
23 deems sufficient, which bond shall be substantially in the

1 form required by law to be given by the county clerk. Such bond  
2 shall be filed with the county clerk on or before the day the  
3 county auditor takes office. In case of a vacancy in the office  
4 of county auditor caused by death, resignation, or removal  
5 from office, the vacancy shall be filled as provided for  
6 filling vacancies of other county offices. If the auditor is  
7 temporarily unable to perform his or her duties for any  
8 reason, the deputy auditor, if there is one, shall assume the  
9 duties of the auditor until the auditor is able to resume his  
10 or her duties or until a replacement for the auditor is chosen.  
11 (Source: P.A. 87-401; 88-387.)

12 (55 ILCS 5/3-1002) (from Ch. 34, par. 3-1002)

13 Sec. 3-1002. Auditors in counties of 70,000 ~~75,000~~  
14 population or less. In counties of 70,000 ~~75,000~~ population or  
15 less, as determined by the last federal census preceding the  
16 date of appointment, the presiding officer of the county board  
17 with the advice and consent of the county board may appoint and  
18 employ a county auditor whose term of office shall be 4 years  
19 and until a successor is appointed and qualified. Every county  
20 auditor appointed pursuant to the provisions of this Section  
21 shall hold office until the first Tuesday of May, 1961, and  
22 until a successor is appointed and qualified. A successor  
23 shall be appointed and take office on the first Tuesday of May,  
24 1961, and every 4 years thereafter, for a term of 4 years and  
25 until another successor is appointed and qualified. The

1 qualifications and oath of office of such county auditor shall  
2 be the same as apply to other county officers. Each county  
3 auditor shall, before entering upon the duties of the office,  
4 give bond in such penalty and with such security as the county  
5 board shall deem sufficient, which bond shall be substantially  
6 in the form required by law to be given by the county clerk.  
7 Said bond shall be filed with the county clerk on or before the  
8 date the county auditor enters into the duties of the office.  
9 In case of a vacancy in the office of county auditor caused by  
10 death, resignation, or removal from office, the vacancy shall  
11 be filled by appointment by the presiding officer of the  
12 county board with the advice and consent of the county board.  
13 If the auditor is temporarily unable to perform his or her  
14 duties for any reason, the deputy auditor, if there is one,  
15 shall assume the duties of the auditor until the auditor is  
16 able to resume his or her duties or until a replacement for the  
17 auditor is chosen.

18 (Source: P.A. 86-962; 87-401.)