



## 103RD GENERAL ASSEMBLY

### State of Illinois

2023 and 2024

SB2131

Introduced 2/10/2023, by Sen. Doris Turner

#### SYNOPSIS AS INTRODUCED:

55 ILCS 5/4-6001	from Ch. 34, par. 4-6001
55 ILCS 5/Div. 4-8 heading	
55 ILCS 5/4-8001.5 new	
55 ILCS 5/4-8002	from Ch. 34, par. 4-8002

Amends the Counties Code. Provides that the salary (exclusive of any other compensation or benefits) of a clerk or recorder who is elected or appointed after the effective date of the amendatory Act shall not be less than 80% of the salary set for the State's Attorney for the county in which the county clerk or recorder is elected or appointed. Provides that the State shall furnish 66 2/3% of the total annual salary to be paid to a clerk or recorder, and the county shall furnish 33 1/3% of the total annual salary. Limits the concurrent exercise of home rule powers. Makes conforming changes, including removing outdated salary references.

LRB103 27686 AWJ 54063 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 Counties Code is amended by changing  
5 Sections 4-6001 and 4-8002 and the heading of Division 4-8 and  
6 by adding Section 4-8001.5 as follows:

7 (55 ILCS 5/4-6001) (from Ch. 34, par. 4-6001)

8 Sec. 4-6001. Officers in counties of less than 2,000,000.

9 (a) In all counties of less than 2,000,000 inhabitants,  
10 the compensation of Coroners, County Treasurers, County  
11 Clerks, Recorders and Auditors shall be determined under this  
12 Section. The County Board in those counties shall fix the  
13 amount of the necessary clerk hire, stationery, fuel and other  
14 expenses of those officers. The compensation of those officers  
15 shall be separate from the necessary clerk hire, stationery,  
16 fuel and other expenses, and such compensation (except for  
17 coroners in those counties with less than 2,000,000 population  
18 in which the coroner's compensation is set in accordance with  
19 Section 4-6002 and except for county clerks or recorders that  
20 is set under subsection (d-5)) shall be fixed within the  
21 following limits:

22 To each such officer in counties containing less than  
23 14,000 inhabitants, not less than \$13,500 per annum.

1 To each such officer in counties containing 14,000 or more  
2 inhabitants, but less than 30,000 inhabitants, not less than  
3 \$14,500 per annum.

4 To each such officer in counties containing 30,000 or more  
5 inhabitants but less than 60,000 inhabitants, not less than  
6 \$15,000 per annum.

7 To each such officer in counties containing 60,000 or more  
8 inhabitants but less than 100,000 inhabitants, not less than  
9 \$15,000 per annum.

10 To each such officer in counties containing 100,000 or  
11 more inhabitants but less than 200,000 inhabitants, not less  
12 than \$16,500 per annum.

13 To each such officer in counties containing 200,000 or  
14 more inhabitants but less than 300,000 inhabitants, not less  
15 than \$18,000 per annum.

16 To each such officer in counties containing 300,000 or  
17 more inhabitants but less than 2,000,000 inhabitants, not less  
18 than \$20,000 per annum.

19 (b) (Blank). ~~Those officers beginning a term of office~~  
20 ~~before December 1, 1990 shall be compensated at the rate of~~  
21 ~~their base salary. "Base salary" is the compensation paid for~~  
22 ~~each of those offices, respectively, before July 1, 1989.~~

23 (c) Those officers whose compensation is fixed under  
24 subsection (a) ~~beginning a term of office on or after December~~  
25 ~~1, 1990~~ shall be compensated at base salary plus at least 12%  
26 of base salary. ~~as follows:~~

1           ~~(1) Beginning December 1, 1990, base salary plus at~~  
2           ~~least 3% of base salary.~~

3           ~~(2) Beginning December 1, 1991, base salary plus at~~  
4           ~~least 6% of base salary.~~

5           ~~(3) Beginning December 1, 1992, base salary plus at~~  
6           ~~least 9% of base salary.~~

7           ~~(4) Beginning December 1, 1993, base salary plus at~~  
8           ~~least 12% of base salary.~~

9           (d) In addition to but separate and apart from the  
10          compensation provided in this Section, the county clerk of  
11          each county, the recorder of each county, and the chief clerk  
12          of each county board of election commissioners shall receive  
13          an award of \$6,500 per year. as follows:

14           ~~(1) \$4,500 per year after January 1, 1998;~~

15           ~~(2) \$5,500 per year after January 1, 1999; and~~

16           ~~(3) \$6,500 per year after January 1, 2000.~~

17          The total amount required for such awards each year shall be  
18          appropriated by the General Assembly to the State Board of  
19          Elections which shall distribute the awards in annual lump sum  
20          payments to the several county clerks, recorders, and chief  
21          election clerks. This ~~Beginning December 1, 1990,~~ this annual  
22          award, and any other award or stipend paid out of State funds  
23          to county officers, shall not affect any other compensation  
24          provided by law to be paid to county officers.

25           (d-5) The salary of a clerk or recorder who is elected or  
26           appointed after the effective date of this amendatory Act of

1 the 103rd General Assembly shall not be less than 80% of the  
2 salary set for the State's Attorney under Section 4-2001 for  
3 the county in which the county clerk or recorder is elected or  
4 appointed.

5 The State shall furnish 66 2/3% of the total annual salary  
6 to be paid to a clerk or recorder. The amounts furnished by the  
7 State shall be payable monthly by the Department of Revenue  
8 out of the Personal Property Tax Replacement Fund or the  
9 General Revenue Fund to the county in which the county clerk or  
10 recorder is elected or appointed. The county shall furnish 33  
11 1/3% of the total annual salary.

12 As used in this subsection, "salary" is exclusive of any  
13 other compensation or benefits.

14 (e) ~~No Beginning December 1, 1990, no~~ county board may  
15 reduce or otherwise impair the compensation payable from  
16 county funds to a county officer if the reduction or  
17 impairment is the result of the county officer receiving an  
18 award or stipend payable from State funds.

19 (f) The compensation, necessary clerk hire, stationery,  
20 fuel and other expenses of the county auditor, as fixed by the  
21 county board, shall be paid by the county.

22 (g) The population of all counties for the purpose of  
23 fixing compensation, as herein provided, shall be based upon  
24 the last Federal census immediately previous to the election  
25 of the officer in question in each county.

26 (h) ~~An~~ With respect to an auditor who takes office on or

1 ~~after the effective date of this amendatory Act of the 95th~~  
2 ~~General Assembly, the~~ auditor shall receive an annual stipend  
3 of \$6,500 per year. The General Assembly shall appropriate the  
4 total amount required for the stipend each year from the  
5 Personal Property Tax Replacement Fund to the Department of  
6 Revenue, and the Department of Revenue shall distribute the  
7 awards in an annual lump sum payment to each county auditor.  
8 The stipend shall be in addition to, but separate and apart  
9 from, the compensation provided in this Section. No county  
10 board may reduce or otherwise impair the compensation payable  
11 from county funds to the auditor if the reduction or  
12 impairment is the result of the auditor receiving an award or  
13 stipend pursuant to this subsection.

14 (Source: P.A. 97-72, eff. 7-1-11.)

15 (55 ILCS 5/Div. 4-8 heading)

16 Division 4-8. Officers' Salaries in Counties of 2,000,000 or  
17 More Inhabitants ~~Cook County~~

18 (Source: P.A. 96-328, eff. 8-11-09.)

19 (55 ILCS 5/4-8001.5 new)

20 Sec. 4-8001.5. County clerk and recorder salaries in  
21 counties of 2,000,000 or more inhabitants.

22 (a) As used in this Section, "salary" is exclusive of any  
23 other compensation or benefits.

24 (b) The salary of a clerk or recorder who is elected or

1 appointed after the effective date of this amendatory Act of  
2 the 103rd General Assembly shall not be less than 80% of the  
3 salary set for the State's Attorney under Section 4-2001 for  
4 the county in which the county clerk or recorder is elected or  
5 appointed.

6 (c) The State shall furnish 66 2/3% of the total annual  
7 salary to be paid to a clerk or recorder. The amounts furnished  
8 by the State shall be payable monthly by the Department of  
9 Revenue out of the Personal Property Tax Replacement Fund or  
10 the General Revenue Fund to the county in which the county  
11 clerk or recorder is elected or appointed. The county shall  
12 furnish 33 1/3% of the total annual salary.

13 (d) A home rule county may not regulate salaries in a  
14 manner inconsistent with this Section. This Section is a  
15 limitation under subsection (i) of Section 6 of Article VII of  
16 the Illinois Constitution on the concurrent exercise by home  
17 rule units of powers and functions exercised by the State.

18 (55 ILCS 5/4-8002) (from Ch. 34, par. 4-8002)

19 Sec. 4-8002. Additional compensation of the Cook County  
20 sheriff and recorder.

21 (a) In addition to any salary otherwise provided by law,  
22 ~~beginning December 1, 1998,~~ subject to appropriation, the  
23 sheriff of Cook County for the sheriff's ~~his or her~~ additional  
24 duties imposed by other statutes or laws shall receive an  
25 annual stipend to be paid by the Illinois Department of

1 Revenue out of the Personal Property Tax Replacement Fund in  
2 the amount of \$6,500. The county board shall not reduce or  
3 otherwise impair the compensation payable from county funds to  
4 the sheriff if the reduction or impairment is the result of the  
5 sheriff receiving a stipend payable from State funds.

6 (b) In addition to any salary otherwise provided by law,  
7 ~~beginning December 1, 2000,~~ subject to appropriation, the  
8 recorder of deeds of Cook County for the recorder's ~~his or her~~  
9 additional duties imposed by law shall receive an annual  
10 stipend to be paid by the State in an amount equal to the  
11 stipend paid to each recorder in other counties under  
12 subsection (d) of Section 4-6001 of this Code. The county  
13 board may not reduce or otherwise impair the compensation  
14 payable from county funds to the recorder of deeds if the  
15 reduction or impairment is the result of the recorder of deeds  
16 receiving a stipend payable from State funds.

17 (Source: P.A. 97-72, eff. 7-1-11; 97-619, eff. 11-14-11.)