



## 103RD GENERAL ASSEMBLY

### State of Illinois

### 2023 and 2024

### SB2183

Introduced 2/10/2023, by Sen. Chapin Rose

#### SYNOPSIS AS INTRODUCED:

50 ILCS 105/1	from Ch. 102, par. 1
50 ILCS 105/1.4 new	
50 ILCS 105/2	from Ch. 102, par. 2
50 ILCS 105/2a	from Ch. 102, par. 2a

Amends the Public Officer Prohibited Activities Act. Provides that a resident of a county having fewer than 50,000 inhabitants is not prohibited from serving simultaneously on the governing bodies of more than one State or local governmental unit. Makes conforming changes.

LRB103 30596 AMC 57036 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 by changing Sections 1, 2, and 2a and by adding  
6 Section 1.4 as follows:

7 (50 ILCS 105/1) (from Ch. 102, par. 1)

8 Sec. 1. County board. Except as provided in Section 1.4,  
9 no ~~no~~ member of a county board, during the term of office for  
10 which he or she is elected, may be appointed to, accept, or  
11 hold any office other than (i) chairman of the county board or  
12 member of the regional planning commission by appointment or  
13 election of the board of which he or she is a member or~~7~~ (ii)  
14 ~~alderperson of a city or member of the board of trustees of a~~  
15 ~~village or incorporated town if the city, village, or~~  
16 ~~incorporated town has fewer than 1,000 inhabitants and is~~  
17 ~~located in a county having fewer than 50,000 inhabitants, or~~  
18 ~~(iii)~~ trustee of a forest preserve district created under  
19 Section 18.5 of the Conservation District Act, unless he or  
20 she first resigns from the office of county board member or  
21 unless the holding of another office is authorized by law. Any  
22 such prohibited appointment or election is void. This Section  
23 shall not preclude a member of the county board from being

1 appointed or selected to serve as (i) a member of a County  
2 Extension Board as provided in Section 7 of the County  
3 Cooperative Extension Law, (ii) a member of an Emergency  
4 Telephone System Board as provided in Section 15.4 of the  
5 Emergency Telephone System Act, (iii) a member of the board of  
6 review as provided in Section 6-30 of the Property Tax Code, or  
7 (iv) a public administrator or public guardian as provided in  
8 Section 13-1 of the Probate Act of 1975. Nothing in this Act  
9 shall be construed to prohibit an elected county official from  
10 holding elected office in another unit of local government so  
11 long as there is no contractual relationship between the  
12 county and the other unit of local government. This amendatory  
13 Act of 1995 is declarative of existing law and is not a new  
14 enactment.

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

16 (50 ILCS 105/1.4 new)

17 Sec. 1.4. Simultaneous service. Notwithstanding any other  
18 provision of law, a resident of a county having fewer than  
19 50,000 inhabitants is not prohibited from serving  
20 simultaneously on the governing bodies of more than one State  
21 or local governmental unit.

22 (50 ILCS 105/2) (from Ch. 102, par. 2)

23 Sec. 2. Except as provided in Section 1.4, no ~~no~~  
24 alderperson of any city, or member of the board of trustees of

1 any village, during the term of office for which he or she is  
2 elected, may accept, be appointed to, or hold any office by the  
3 appointment of the mayor or president of the board of  
4 trustees, unless the alderperson or board member is granted a  
5 leave of absence from such office, or unless he or she first  
6 resigns from the office of alderperson or member of the board  
7 of trustees, or unless the holding of another office is  
8 authorized by law. The alderperson or board member may,  
9 however, serve as a volunteer fireman and receive compensation  
10 for that service. The alderperson may also serve as a  
11 commissioner of the Beardstown Regional Flood Prevention  
12 District board. Any appointment in violation of this Section  
13 is void. Nothing in this Act shall be construed to prohibit an  
14 elected municipal official from holding elected office in  
15 another unit of local government as long as there is no  
16 contractual relationship between the municipality and the  
17 other unit of local government. This amendatory Act of 1995 is  
18 declarative of existing law and is not a new enactment.

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

20 (50 ILCS 105/2a) (from Ch. 102, par. 2a)

21 Sec. 2a. Township officials.

22 (a) Except as provided in Section 1.4, no ~~No~~ township  
23 supervisor or trustee, during the term of office for which he  
24 or she is elected, may accept, be appointed to, or hold any  
25 office by the appointment of the board of township trustees

1 unless he or she first resigns from the office of supervisor or  
2 trustee or unless the appointment is specifically authorized  
3 by law. A supervisor or trustee may, however, serve as a  
4 volunteer firefighter and receive compensation for that  
5 service. Any appointment in violation of this Section is void.  
6 Nothing in this Act shall be construed to prohibit an elected  
7 township official from holding elected office in another unit  
8 of local government as long as there is no contractual  
9 relationship between the township and the other unit of local  
10 government. This amendatory Act of 1995 is declarative of  
11 existing law and is not a new enactment.

12 (b) Except as provided in Section 1.4, ~~On and after the~~  
13 ~~effective date of this amendatory Act of the 100th General~~  
14 ~~Assembly,~~ a person elected to or appointed to fill a vacancy in  
15 an elected township position, including, but not limited to, a  
16 trustee, a supervisor, a highway commissioner, a clerk, an  
17 assessor, or a collector, shall not be employed by the  
18 township, except that a supervisor or trustee may serve as a  
19 volunteer firefighter and receive compensation for that  
20 service as provided in subsection (a).

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