

1 AN ACT concerning municipalities.

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 3.1-15-30, 3.1-15-35, and 3.1-15-40 as
6 follows:

7 (65 ILCS 5/3.1-15-30) (from Ch. 24, par. 3.1-15-30)
8 Sec. 3.1-15-30. Minority representation.

9 (a) Whenever the question of incorporation as a city
10 under this Code is submitted for adoption to the electors of
11 any territory, village, incorporated town, or city under
12 special charter, there may be submitted at the same time for
13 adoption or rejection the question of minority representation
14 in the city council. The proposition shall be in the
15 following form:

16 Shall minority representation in the city council be
17 adopted?

18 (a-5) Whenever the question of incorporation as a village
19 under this Code is submitted for adoption to the electors of
20 any territory, incorporated town, city, or city under special
21 charter, there may be submitted at the same time for adoption
22 or rejection the question of minority representation in the
23 village board. The proposition shall be in the following
24 form:

25 Shall minority representation in the village board
26 be adopted?

27 (a-10) Whenever the question of incorporation as an
28 incorporated town under this Code is submitted for adoption
29 to the electors of any territory, village, city, or city
30 under special charter, there may be submitted at the same
31 time for adoption or rejection the question of minority

1 representation in the town board. The proposition shall be
2 in the following form:

3 Shall minority representation in the town board be
4 adopted?

5 (b) If a majority of the votes cast on the question at
6 any election are for minority representation in the city
7 council or board, the members of the city council or board,
8 except as otherwise provided, thereafter shall be elected as
9 provided in Section 3.1-15-35.

10 (c) The city council or board, at least 30 days before
11 the first day fixed by law for the filing of candidate
12 petitions for the next general municipal election, shall
13 apportion the municipality city by dividing its population,
14 as ascertained by an official publication of any national,
15 state, school, or local city census, by any number not less
16 than 2 nor more than 17 6. The quotient shall be the ratio of
17 representation in the city council or board. Districts shall
18 be formed of contiguous and compact territory and contain, as
19 near as practicable, an equal number of inhabitants.

20 (d) If a majority of the votes cast on the question at
21 any election are against minority representation in the city
22 council or board, the members of the city council or board
23 shall be elected as otherwise provided in this Code.

24 (e) At any time after the incorporation of any form of
25 municipality a-city under this Code, on petition of electors
26 equal in number to one-eighth the number of legal votes cast
27 at the next preceding general municipal election, the city
28 clerk shall certify the question of the adoption or retention
29 of minority representation to the proper election authority
30 for submission to the electors of that municipality city. The
31 proposition shall be in the same form as provided in this
32 Section, except that the word "retained" shall be substituted
33 for the word "adopted" when appropriate. A question of
34 minority representation, however, shall not be submitted more

1 than once within 32 months.

2 (f) If the eity council or board of any municipality
3 eity adopting minority representation as provided in this
4 Section has not fixed a ratio of representation and formed
5 the districts by the time specified in this Section, those
6 acts may be done by any later eity or village council. All
7 official acts done and ordinances passed by a eity council or
8 board elected at large by the electors of a municipality eity
9 that has adopted a minority representation plan shall be as
10 valid and binding as if the aldermen had been elected from
11 districts.

12 (Source: P.A. 87-1119.)

13 (65 ILCS 5/3.1-15-35) (from Ch. 24, par. 3.1-15-35)

14 Sec. 3.1-15-35. Aldermen and board members under
15 minority representation plan. Every district under a
16 minority representation plan shall be entitled to 3 aldermen
17 or board members. Aldermen and board members shall hold their
18 offices for 4 years and until their successors have been
19 elected and qualified, except in municipalities eities that
20 have adopted a 2 year term under Section 3.1-10-65. There
21 shall be elected in each district as many aldermen or board
22 members as the district is entitled to. In all of these
23 elections for aldermen or board members, each elector may
24 cast as many votes as there are aldermen or board members to
25 be elected in the elector's district, or may distribute his
26 or her votes, or equal parts of the votes, among the
27 candidates as the elector sees fit. The candidate highest in
28 votes is elected if only one alderman or board member is
29 elected; the candidates highest and next highest in votes are
30 elected if only 2 aldermen or board members are elected; and
31 the 3 highest candidates in votes are elected when 3 aldermen
32 or board members are elected. Vacancies shall be filled as
33 provided in Sections 3.1-10-50 and 3.1-10-55 by either

1 interim election or appointment. An appointment to fill a
2 vacancy shall be made within 60 days after the vacancy
3 occurs. The requirement that an appointment be made within
4 60 days is an exclusive power and function of the State and
5 is a denial and limitation under Article VII, Section 6,
6 subsection (h) of the Illinois Constitution of the power of a
7 home rule municipality to require that an appointment be made
8 within a different period after the vacancy occurs.

9 (Source: P.A. 87-1052; 87-1119; 88-45.)

10 (65 ILCS 5/3.1-15-40) (from Ch. 24, par. 3.1-15-40)

11 Sec. 3.1-15-40. Staggered elections under minority
12 plans. In all municipalities ~~cities~~ that adopt or have
13 adopted the minority representation plan for the election of
14 aldermen or board members and have not already staggered the
15 terms of their aldermen or board members, the ~~city~~ council
16 may provide by ordinance that at any ensuing general
17 municipal election for municipal ~~city~~ officers the aldermen
18 or board members in every alternate district shall be elected
19 for one term of 2 years and, at the expiration of that term
20 of 2 years, for regular terms of 4 years. This Section does
21 not prohibit a municipality ~~city~~ from voting in favor of a 2
22 year term for municipal ~~city~~ officers as provided in Section
23 3.1-10-65. The provisions of the general election law shall
24 govern elections under this Section.

25 (Source: P.A. 87-1119.)