

# HB4930



## 95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

HB4930

by Rep. Brandon W. Phelps

### SYNOPSIS AS INTRODUCED:

55 ILCS 5/2-4006

Amends the Counties Code. Provides that a county having a 3-member board of county commissioners may, by referendum, establish a 5-member board of county commissioners. Effective immediately.

LRB095 15444 HLH 41436 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 Section  
5 2-4006 as follows:

6 (55 ILCS 5/2-4006)

7 Sec. 2-4006. Terms of commissioners.

8 (a) In every county not under township organization having  
9 3 commissioners elected at large as described in subsection (b)  
10 or (c), the commissioners shall be elected as provided in this  
11 Section.

12 (b) In a county in which one commissioner was elected at  
13 the general election in 1992 to serve for a term of 4 years and  
14 in which 2 commissioners will be elected at the general  
15 election in 1994, the commissioner elected in 1994 and  
16 receiving the greatest number of votes shall serve for a term  
17 of 6 years. The other commissioner elected in 1994 shall serve  
18 for a term of 4 years. At the general election in 1996 and at  
19 each general election thereafter, one commissioner shall be  
20 elected to serve for a term of 6 years.

21 (c) In a county in which 2 commissioners were elected at  
22 the general election in 1992 to serve for terms of 4 years and  
23 in which one commissioner will be elected at the general

1 election in 1994, the commissioner elected in 1994 shall serve  
2 for a term of 4 years. The commissioner elected in 1996 and  
3 receiving the greatest number of votes shall serve for a term  
4 of 6 years. The other commissioner elected in 1996 shall serve  
5 for a term of 4 years. At the general election in 1998 and at  
6 each general election thereafter, one commissioner shall be  
7 elected to serve for a term of 6 years.

8 (c-5) The registered voters of any county with a 3-member  
9 board of commissioners elected at large under this Section may,  
10 upon referendum initiated by (i) the adoption of a resolution  
11 by the board of county commissioners or (ii) a petition signed  
12 by not less than 10% of the registered voters of the county,  
13 determine that the board of county commissioners shall consist  
14 of 5 commissioners elected at large. The commissioners must  
15 certify the question to the proper election authority, which  
16 must submit the question at an election in accordance with the  
17 general election law.

18 The question must be in substantially the following form:

19 "Shall the board of county commissioners of (county)  
20 consist of 5 commissioners elected at large?"

21 Votes must be recorded as "yes" or "no". If a majority of  
22 the electors voting on the question vote in the affirmative,  
23 then a 5-member board of county commissioners shall be  
24 established beginning with the next general election. Two  
25 additional commissioners shall be elected at the next general  
26 election and shall serve for 6-year terms. Thereafter,

1 commissioners shall be elected at each general election to fill  
2 expired terms.

3 (d) The provisions of this Section do not apply to  
4 commissioners elected under Section 2-4006.5 of this Code.

5 (Source: P.A. 92-189, eff. 8-1-01.)

6 Section 99. Effective date. This Act takes effect upon  
7 becoming law.