

HB0704



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

HB0704

Introduced 2/6/2009, by Rep. Brandon W. Phelps

SYNOPSIS AS INTRODUCED:

55 ILCS 5/2-4006

Amends the Counties Code. Provides that a county with a population of 50,000 or less with a 3-member board of commissioners may, upon referendum initiated by (i) the adoption of a resolution by the board of county commissioners or (ii) a petition signed by not less than 10% of the registered voters in the county, establish a 5-member board of county commissioners. Sets forth requirements for the referendum. Effective immediately.

LRB096 03416 RLJ 13440 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 a county with a population
9 of 50,000 or less with a 3-member board of commissioners
10 elected at large under this Section may, upon referendum
11 initiated by (i) the adoption of a resolution of the board of
12 county commissioners or (ii) a petition signed by not less than
13 10% of the registered voters in the county, determine that the
14 board of county commissioners shall consist of 5 commissioners
15 elected at large. The commissioners must certify the question
16 to the proper election authority, which must submit the
17 question at an election in accordance with the general election
18 law.

19 The question shall be submitted in substantially the
20 following form:

21 "Shall the board of county commissioners of (county)
22 consist of 5 commissioners elected at large?"

23 Votes must be recorded as "Yes" or "No". If a majority of
24 the electors voting on the question vote in the affirmative,
25 then a 5-member board of county commissioners shall be
26 established beginning with the next general election. The

1 County Clerk, in consultation with the State's Attorney for the
2 county, shall develop and present to the board of county
3 commissioners, to implement by the adoption of a resolution,
4 the transition of terms for the current 3-member board of
5 commissioners and the addition of 2 commissioners for 6-year
6 terms. Thereafter, commissioners shall be elected at each
7 general election to fill expired terms.

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

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

11 Section 99. Effective date. This Act takes effect upon
12 becoming law.