

**SB2797**



**96TH GENERAL ASSEMBLY**

**State of Illinois**

**2009 and 2010**

**SB2797**

Introduced 1/28/2010, by Sen. Iris Y. Martinez

**SYNOPSIS AS INTRODUCED:**

55 ILCS 5/5-25012

from Ch. 34, par. 5-25012

Amends the Counties Code. Provides that the county health department of specified counties shall be managed by a board of health consisting of 9 members (now, 8 members). Requires that at least one member of the board of health be a chiropractic physician licensed in Illinois. Provides that a board member who is required to be a chiropractic physician may reside outside the county if no physician who resides in the county is willing and able to serve on the board. Makes conforming changes. Effective immediately.

LRB096 18007 RLJ 33379 b

FISCAL NOTE ACT  
MAY APPLY

**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 5-25012 as follows:

6 (55 ILCS 5/5-25012) (from Ch. 34, par. 5-25012)

7 Sec. 5-25012. Board of health. Except in those cases where  
8 a board of 10 or 12 members is provided for as authorized in  
9 this Section, each county health department shall be managed by  
10 a board of health consisting of 9 & members appointed by the  
11 president or chairman of the county board, with the approval of  
12 the county board, for a 3 year term, except that of the first  
13 appointees 2 shall serve for one year, 2 for 2 years, 3 for 3  
14 years and the term of the member appointed from the county  
15 board, as provided in this Section, shall be one year and shall  
16 continue until reappointment or until a successor is appointed.  
17 Within 60 days after the effective date of this amendatory Act  
18 of the 96th General Assembly, the president or chairperson of  
19 the county board, with the approval of the county board, shall  
20 appoint one additional member of the board for a 3-year term.  
21 Each board of health which has 9 & members, may have one  
22 additional member appointed by the president or chairman of the  
23 county board, with the approval of the county board. The

1 additional member shall first be appointed within 90 days after  
2 the effective date of this amendatory Act for a term ending  
3 July 1, 2002.

4 The county health department in a county having a  
5 population of 200,000 or more may, if the county board, by  
6 resolution, so provides, be managed by a board of health  
7 consisting of 12 members appointed by the president or chairman  
8 of the county board, with the approval of the county board, for  
9 a 3 year term, except that of the first appointees 3 shall  
10 serve for one year, 4 for 2 years, 4 for 3 years and the term of  
11 the member appointed from the county board, as provided in this  
12 Section, shall be one year and shall continue until  
13 reappointment or until a successor is appointed. In counties  
14 with a population of 200,000 or more which have a board of  
15 health of 9 ~~8~~ members, the county board may, by resolution,  
16 increase the size of the board of health to 12 members, in  
17 which case the 3 ~~4~~ members added shall be appointed, as of the  
18 next anniversary of the present appointments, one for a term ~~2~~  
19 ~~for terms~~ of 3 years, one for 2 years, 1 and one for one year.

20 The county board in counties with a population of more than  
21 100,000 but less than 3,000,000 inhabitants and contiguous to  
22 any county with a metropolitan area with more than 1,000,000  
23 inhabitants, may establish compensation for the board of  
24 health, as remuneration for their services as members of the  
25 board of health. Monthly compensation shall not exceed \$200  
26 except in the case of the president of the board of health

1 whose monthly compensation shall not exceed \$400.

2 When a county board of health consisting of 9 ~~8~~ members  
3 assumes the responsibilities of a municipal department of  
4 public health, and both the county board and the city council  
5 adopt resolutions or ordinances to that effect, the county  
6 board may, by resolution or ordinance, increase the membership  
7 of the county board of health to 10 members. The additional  
8 member ~~2 members~~ shall initially be appointed by the mayor of  
9 the municipality, with the approval of the city council, the  
10 ~~each such~~ member to serve for a term of 2 years; thereafter the  
11 successors shall be appointed by the president or chairman of  
12 the county board, with the approval of the county board, for  
13 terms of 2 years.

14 Each multiple-county health department shall be managed by  
15 a board of health consisting of 4 members appointed from each  
16 county by the president or chairman of the county board with  
17 the approval of the county board for a 3 year term, except that  
18 of the first appointees from each county one shall serve for  
19 one year, one for 2 years, one for 3 years and the term of the  
20 member appointed from the county board of each member county,  
21 as hereinafter provided, shall be one year and shall continue  
22 until reappointment or until a successor is appointed.

23 The term of office of original appointees shall begin on  
24 July 1 following their appointment, and the term of all members  
25 shall continue until their successors are appointed. All  
26 members shall serve without compensation but may be reimbursed

1 for actual necessary expenses incurred in the performance of  
2 their duties. At least 2 members of each county board of health  
3 shall be physicians licensed in Illinois to practice medicine  
4 in all of its branches, at least one member shall be a  
5 chiropractic physician licensed in Illinois, and at least one  
6 member shall be a dentist licensed in Illinois. In counties  
7 with a population under 500,000, one member shall be chosen  
8 from the county board or the board of county commissioners as  
9 the case may be. In counties with a population over 500,000,  
10 two members shall be chosen from the county board or the board  
11 of county commissioners as the case may be. At least one member  
12 from each county on each multiple-county board of health shall  
13 be a physician licensed in Illinois to practice medicine in all  
14 of its branches, one member from each county on each  
15 multiple-county board of health shall be chosen from the county  
16 board or the board of county commissioners, as the case may be,  
17 at least one member of the board of health shall be a  
18 chiropractic physician licensed in Illinois, and at least one  
19 member of the board of health shall be a dentist licensed in  
20 Illinois. Whenever possible, at least one member shall have  
21 experience in the field of mental health. All members shall be  
22 chosen for their special fitness for membership on the board.

23 Any member may be removed for misconduct or neglect of duty  
24 by the chairman or president of the county board, with the  
25 approval of the county board, of the county which appointed  
26 him.

1           Vacancies shall be filled as in the case of appointment for  
2 a full term.

3           Notwithstanding any other provision of this Act to the  
4 contrary, a county with a population of 240,000 or more  
5 inhabitants that does not currently have a county health  
6 department may, by resolution of the county board, establish a  
7 board of health consisting of the members of such board. Such  
8 board of health shall be advised by a committee which shall  
9 consist of at least 5 members appointed by the president or  
10 chairman of the county board with the approval of the county  
11 board for terms of 3 years; except that of the first appointees  
12 at least 2 shall serve for 3 years, at least 2 shall serve for 2  
13 years and at least one shall serve for one year. At least one  
14 member of the advisory committee shall be a physician licensed  
15 in Illinois to practice medicine in all its branches, at least  
16 one shall be a chiropractic physician licensed in Illinois, at  
17 least one shall be a dentist licensed in Illinois, and one  
18 shall be a nurse licensed in Illinois. All members shall be  
19 chosen for their special fitness for membership on the advisory  
20 committee.

21           All members of a board established under this Section must  
22 be residents of the county, except that a member who is  
23 required to be a physician, chiropractic physician, dentist, or  
24 nurse may reside outside the county if no physician,  
25 chiropractic physician, dentist, or nurse, as applicable, who  
26 resides in the county is willing and able to serve.

1 (Source: P.A. 94-457, eff. 1-1-06; 94-791, eff. 1-1-07.)

2 Section 99. Effective date. This Act takes effect upon  
3 becoming law.