

HB3127



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

HB3127

Introduced 2/23/2011, by Rep. Kay Hatcher

SYNOPSIS AS INTRODUCED:

70 ILCS 2805/3.05 new

Amends the Sanitary District Act of 1936. Provides that any appointed 3-member board of trustees of a sanitary district may increased to a 5-member board of trustees. Sets forth the procedure for increasing the size of the board by ordinance or referendum. Specifies the terms of the trustees. Effective immediately.

LRB097 09444 RLJ 49579 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 Sanitary District Act of 1936 is amended by
5 adding Section 3.05 as follows:

6 (70 ILCS 2805/3.05 new)

7 Sec. 3.05. Five-member board.

8 (a) Any appointed board of trustees of a sanitary district
9 may, by ordinance, provide for the establishment of a 5-member
10 board of trustees. An appointed board of trustees shall also be
11 increased to a 5-member board upon the adoption of a
12 proposition to increase the board as provided in subsection (b)
13 of this Section. When such an ordinance or proposition has been
14 adopted, the appropriate appointing authority shall, within 60
15 days after the date of the adoption of the ordinance or
16 proposition, appoint 2 additional trustees to the board of
17 trustees, one to hold office for 2 years and one to hold office
18 for 3 years from the first Monday of May next after their
19 appointment and until their successors are appointed and have
20 qualified. The terms of these 2 additional members shall be
21 determined by lot at the first meeting of the board of trustees
22 held after the 2 additional members take office. The 3 trustees
23 already holding office in the sanitary district shall continue

1 to hold office for the remainder of their respective terms.
2 Thereafter, on or before the second Monday in April of each
3 year the appropriate appointing authority shall appoint one
4 trustee or 2 trustees, as shall be necessary to maintain a
5 5-member board of trustees, whose terms shall be for 3 years
6 commencing the first Monday in May of the year in which they
7 are respectively appointed.

8 (b) Upon presentation to an appointed 3-member board of
9 trustees of a petition, signed by not less than 5% of the
10 electors of the sanitary district, requesting that a
11 proposition to increase the board of trustees to a 5-member
12 board be submitted to the electors of the sanitary district,
13 the board of trustees shall certify the proposition to the
14 appropriate election authorities who shall submit the
15 proposition at a regular election in accordance with the
16 general election law. The general election law shall apply to
17 and govern the election. The proposition shall be in
18 substantially the following form:

19 Shall the number of trustees of (insert name of the
20 sanitary district) be increased from 3 to 5?

21 The election authority must record the votes as "Yes" or "No".

22 If a majority of the votes cast on the proposition are in
23 the affirmative, the board of trustees of the sanitary district
24 shall thereafter be increased to a 5-member board and the 2

1 additional trustees shall be appointed as provided in
2 subsection (a).

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