



Sen. Don Harmon

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09700HB5078sam002

LRB097 16349 JWD 69094 a

1 AMENDMENT TO HOUSE BILL 5078

2 AMENDMENT NO. _____. Amend House Bill 5078 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Public Officer Prohibited Activities Act is
5 amended by changing Section 1 as follows:

6 (50 ILCS 105/1) (from Ch. 102, par. 1)

7 Sec. 1. County board. An elected county official may not
8 hold elected office in another unit of local government, if
9 there is a disqualifying contractual relationship between the
10 county and the other unit of local government. A disqualifying
11 contractual relationship is a contractual relationship that is
12 not available to other units of local government in that
13 county. A general contractual relationship that is available to
14 other units of local government in that county, including but
15 not limited to contracts involving Homeland Security programs,
16 emergency management and assistance, storm water management

1 and assistance, environmental protection or enhancement,
2 energy conservation programs, mutual aid agreements regarding
3 crime prevention or law enforcement activities, or any grants
4 that are administered by a county or unit of local government
5 funded by either the federal or State government, is not a
6 disqualifying contractual relationship. No member of a county
7 board, during the term of office for which he or she is
8 elected, may be appointed to, accept, or hold any office other
9 than (i) chairman of the county board or member of the regional
10 planning commission by appointment or election of the board of
11 which he or she is a member, (ii) alderman of a city or member
12 of the board of trustees of a village or incorporated town if
13 the city, village, or incorporated town has fewer than 1,000
14 inhabitants and is located in a county having fewer than 50,000
15 inhabitants, or (iii) trustee of a forest preserve district
16 created under Section 18.5 of the Conservation District Act,
17 unless he or she first resigns from the office of county board
18 member or unless the holding of another office is authorized by
19 law. Any such prohibited appointment or election is void. This
20 Section shall not preclude a member of the county board from
21 being selected or from serving as a member of a County
22 Extension Board as provided in Section 7 of the County
23 Cooperative Extension Law, as a member of an Emergency
24 Telephone System Board as provided in Section 15.4 of the
25 Emergency Telephone System Act, or as appointed members of the
26 board of review as provided in Section 6-30 of the Property Tax

1 Code. Nothing in this Act shall be construed to prohibit an
2 elected county official from holding elected office in another
3 unit of local government unless there is a disqualifying ~~so~~
4 ~~long as there is no~~ contractual relationship between the county
5 and the other unit of local government. This amendatory Act of
6 1995 is declarative of existing law and is not a new enactment.

7 On or after the effective date of this amendatory Act of
8 the 97th General Assembly, any individual who holds elected
9 office in a unit of local government may not enter into an
10 additional elected office in another unit of local government
11 if he or she is: (i) earning service credit under the Illinois
12 Pension Code as a result of holding the first elected office
13 and (ii) will earn service credit under the Illinois Pension
14 Code as a result of simultaneously holding the second elected
15 office.

16 (Source: P.A. 94-617, eff. 8-18-05.)

17 Section 99. Effective date. This Act takes effect upon
18 becoming law."