



Sen. Don Harmon

Filed: 5/22/2012

09700HB5078sam003

LRB097 16349 KMW 69929 a

1 AMENDMENT TO HOUSE BILL 5078

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

5 "Section 5. The Public Officer Prohibited Activities Act is
6 amended by changing Section 1 and by adding Section 1.4 as
7 follows:

8 (50 ILCS 105/1) (from Ch. 102, par. 1)

9 Sec. 1. County board. No member of a county board, during
10 the term of office for which he or she is elected, may be
11 appointed to, accept, or hold any office by appointment of the
12 county board chairman, with the advice and consent of the
13 county board, or by election of the county board of which he or
14 she is a member other than: (i) chairman of the county board,
15 (ii) ~~or~~ member of the regional planning commission ~~by~~
16 ~~appointment or election of the board of which he or she is a~~

1 ~~member, (ii) alderman of a city or member of the board of~~
2 ~~trustees of a village or incorporated town if the city,~~
3 ~~village, or incorporated town has fewer than 1,000 inhabitants~~
4 ~~and is located in a county having fewer than 50,000~~
5 ~~inhabitants, or (iii) trustee of a forest preserve district~~
6 ~~created under Section 18.5 of the Conservation District Act,~~
7 ~~unless he or she first resigns from the office of county board~~
8 ~~member or unless the holding of another office is authorized by~~
9 ~~law. Any such prohibited appointment or election is void. This~~
10 ~~Section shall not preclude a member of the county board from~~
11 ~~being selected or from serving as a member of a County~~
12 ~~Extension Board as provided in Section 7 of the County~~
13 ~~Cooperative Extension Law, as a member of an Emergency~~
14 ~~Telephone System Board as provided in Section 15.4 of the~~
15 ~~Emergency Telephone System Act, or as appointed members of the~~
16 ~~board of review as provided in Section 6-30 of the Property Tax~~
17 ~~Code. Nothing in this Act shall be construed to prohibit an~~
18 ~~elected county official from holding elected office in another~~
19 ~~unit of local government so long as there is no contractual~~
20 ~~relationship between the county and the other unit of local~~
21 ~~government. This amendatory Act of 1995 is declarative of~~
22 ~~existing law and is not a new enactment.~~

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

24 (50 ILCS 105/1.4 new)

25 Sec. 1.4. Elected officials; other offices.

1 An elected county board member may serve as: (i) an elected
2 mayor of a city or an elected president of the board of
3 trustees of a village or incorporated town or (ii) an elected
4 alderman of a city or an elected member of the board of
5 trustees of a village or incorporated town, provided that the
6 elected county board member and elected municipal officer must
7 abstain from acting, voting, sponsoring, discussing, or
8 participating in any way in the consideration of any specific
9 contract or agreement between the county and the city, village,
10 or incorporated town or in any other matter in which the
11 interests of the county and the city, village, or incorporated
12 town may conflict. County board members and municipal officers
13 are not disqualified from acting on, voting on, sponsoring,
14 discussing, or participating in the adoption of the county's or
15 municipality's annual appropriations ordinance.

16 On or after the effective date of this amendatory Act of
17 the 97th General Assembly, any individual who holds elected
18 office in a unit of local government may not first enter into
19 an additional elected office in another unit of local
20 government if he or she is: (i) earning service credit under
21 the Illinois Pension Code as a result of holding the first
22 elected office and (ii) will earn service credit under the
23 Illinois Pension Code as a result of simultaneously holding the
24 second elected office.

25 Section 99. Effective date. This Act takes effect upon

1 becoming law.".