

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 Illinois Municipal Code is amended by  
5 changing Sections 3.1-10-5, 3.1-20-10, and 3.1-20-25 as  
6 follows:

7 (65 ILCS 5/3.1-10-5) (from Ch. 24, par. 3.1-10-5)

8 Sec. 3.1-10-5. Qualifications; elective office.

9 (a) A person is not eligible for an elective municipal  
10 office unless that person is a qualified elector of the  
11 municipality and has resided in the municipality at least one  
12 year next preceding the election or appointment, except as  
13 provided in ~~subsection (c) of~~ Section 3.1-20-25, subsection (b)  
14 of Section 3.1-25-75, Section 5-2-2, or Section 5-2-11.

15 (b) A person is not eligible for an elective municipal  
16 office if that person is in arrears in the payment of a tax or  
17 other indebtedness due to the municipality or has been  
18 convicted in any court located in the United States of any  
19 infamous crime, bribery, perjury, or other felony.

20 (c) A person is not eligible for the office of alderman of  
21 a ward unless that person has resided in the ward that the  
22 person seeks to represent, and a person is not eligible for the  
23 office of trustee of a district unless that person has resided

1 in the municipality, at least one year next preceding the  
2 election or appointment, except as provided in ~~subsection (c)~~  
3 ~~of~~ Section 3.1-20-25, subsection (b) of Section 3.1-25-75,  
4 Section 5-2-2, or Section 5-2-11.

5 (d) If a person (i) is a resident of a municipality  
6 immediately prior to the active duty military service of that  
7 person or that person's spouse, (ii) resides anywhere outside  
8 of the municipality during that active duty military service,  
9 and (iii) immediately upon completion of that active duty  
10 military service is again a resident of the municipality, then  
11 the time during which the person resides outside the  
12 municipality during the active duty military service is deemed  
13 to be time during which the person is a resident of the  
14 municipality for purposes of determining the residency  
15 requirement under subsection (a).

16 (Source: P.A. 95-61, eff. 8-13-07; 95-646, eff. 1-1-08; 95-876,  
17 eff. 8-21-08.)

18 (65 ILCS 5/3.1-20-10) (from Ch. 24, par. 3.1-20-10)

19 Sec. 3.1-20-10. Aldermen; number.

20 (a) Except as otherwise provided in subsections (b) and (c)  
21 of this Section, Section 3.1-20-20, or as otherwise provided in  
22 the case of aldermen-at-large, the number of aldermen, when not  
23 elected by the minority representation plan, shall be  
24 determined using the most recent federal decennial census  
25 results as follows:

1           (1) in cities not exceeding 3,000 inhabitants, 6 aldermen;

2           (2) in cities exceeding 3,000 but not exceeding 15,000, 8  
3 aldermen;

4           (3) in cities exceeding 15,000 but not exceeding 20,000, 10  
5 aldermen;

6           (4) in cities exceeding 20,000 but not exceeding 50,000, 14  
7 aldermen;

8           (5) in cities exceeding 50,000 but not exceeding 70,000, 16  
9 aldermen;

10           (6) in cities exceeding 70,000 but not exceeding 90,000, 18  
11 aldermen; and

12           (7) in cities exceeding from 90,000 but not exceeding to  
13 500,000, 20 aldermen.

14           ~~No redistricting shall be required in order to reduce the~~  
15 ~~number of aldermen in order to comply with this Section.~~

16           (b) Instead of the number of aldermen set forth in  
17 subsection (a), a municipality with 15,000 or more inhabitants  
18 may adopt, either by ordinance or by resolution, not more than  
19 one year after the municipality's receipt of the new federal  
20 decennial census results, the following number of aldermen: in  
21 cities exceeding 15,000 but not exceeding 20,000, 8 aldermen;  
22 exceeding 20,000 but not exceeding 50,000, 10 aldermen;  
23 exceeding 50,000 but not exceeding 70,000, 14 aldermen;  
24 exceeding 70,000 but not exceeding 90,000, 16 aldermen; and  
25 exceeding 90,000 but not exceeding 500,000, 18 aldermen.

26           (c) Instead of the number of aldermen set forth in

1 subsection (a), a municipality with 40,000 or more inhabitants  
2 may adopt, either by ordinance or by resolution, not more than  
3 one year after the municipality's receipt of the new federal  
4 decennial census results, the following number of aldermen: in  
5 cities exceeding 40,000 but not exceeding 50,000, 16 aldermen.

6 (d) If, according to the most recent federal decennial  
7 census results, the population of a municipality increases or  
8 decreases under this Section, then the municipality may adopt  
9 an ordinance or resolution to retain the number of aldermen  
10 that existed before the most recent federal decennial census  
11 results. The ordinance or resolution may not be adopted more  
12 than one year after the municipality's receipt of the most  
13 recent federal decennial census results.

14 (Source: P.A. 96-1156, eff. 7-21-10; 97-301, eff. 8-11-11.)

15 (65 ILCS 5/3.1-20-25) (from Ch. 24, par. 3.1-20-25)

16 Sec. 3.1-20-25. Redistricting a city.

17 (a) In the formation of wards, the number of inhabitants of  
18 the city immediately preceding the division of the city into  
19 wards shall be as nearly equal in population, and the wards  
20 shall be of as compact and contiguous territory, as  
21 practicable. Wards shall be created in a manner so that, as far  
22 as practicable, no precinct shall be divided between 2 or more  
23 wards.

24 (b) Whenever an official decennial census shows that a city  
25 contains more or fewer wards than it is entitled to, the city

1 council of the city, by ordinance, shall redistrict the city  
2 into as many wards as the city is entitled. This redistricting  
3 shall be completed not less than 30 days before the first day  
4 set by the general election law for the filing of candidate  
5 petitions for the next succeeding election for city officers.  
6 At this election there shall be elected the number of aldermen  
7 to which the city is entitled, except as provided in subsection  
8 (c).

9 (c) If it appears from any official decennial census that  
10 it is necessary to redistrict under subsection (b) or for any  
11 other reason ~~a city has the requisite number of inhabitants to~~  
12 ~~authorize it to increase the number of aldermen,~~ the city  
13 council shall immediately proceed to redistrict the city and  
14 shall hold the next city election in accordance with the new  
15 redistricting. At this election, the aldermen whose terms of  
16 office are not expiring shall be considered aldermen for the  
17 new wards respectively in which their residences are situated.  
18 At this election and at the next election, in a municipality  
19 that is not a newly incorporated municipality, a candidate for  
20 alderman may be elected from any ward that contains a part of  
21 the ward in which he or she resided at least one year next  
22 preceding the election that follows the redistricting, and, if  
23 elected, that person may be reelected from the new ward he or  
24 she represents if he or she resides in that ward for at least  
25 one year next preceding reelection. If there are 2 or more  
26 aldermen with terms of office not expiring and residing in the

1 same ward under the new redistricting, the alderman who holds  
2 over for that ward shall be determined by lot in the presence  
3 of the city council, in the manner directed by the council, and  
4 all other aldermen shall fill their unexpired terms as  
5 aldermen-at-large. The aldermen-at-large, if any, shall have  
6 the same powers and duties as all other aldermen, but upon the  
7 expiration of their terms the offices of aldermen-at-large  
8 shall be abolished.

9 (d) If the redistricting results in one or more wards in  
10 which no aldermen reside whose terms of office have not  
11 expired, 2 aldermen shall be elected in accordance with Section  
12 3.1-20-35, unless the city elected only one alderman per ward  
13 pursuant to a referendum under subsection (a) of Section  
14 3.1-20-20.

15 (e) A redistricting ordinance that has decreased the number  
16 of wards of a city because of a decrease in population of the  
17 city shall not be effective if, not less than 60 days before  
18 the time fixed for the next succeeding general municipal  
19 election, an official census is officially published that shows  
20 that the city has regained a population that entitles it to the  
21 number of wards that it had just before the passage of the last  
22 redistricting ordinance.

23 (Source: P.A. 95-646, eff. 1-1-08.)

24 Section 99. Effective date. This Act takes effect upon  
25 becoming law.