



Rep. Mike Fortner

Filed: 5/15/2012

09700SB3576ham001

LRB097 18596 KMW 69582 a

1 AMENDMENT TO SENATE BILL 3576

2 AMENDMENT NO. _____. Amend Senate Bill 3576 by replacing
3 everything after the enacting clause with the following:

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

1 other indebtedness due to the municipality or has been
2 convicted in any court located in the United States of any
3 infamous crime, bribery, perjury, or other felony.

4 (c) A person is not eligible for the office of alderman of
5 a ward unless that person has resided in the ward that the
6 person seeks to represent, and a person is not eligible for the
7 office of trustee of a district unless that person has resided
8 in the municipality, at least one year next preceding the
9 election or appointment, except as provided in ~~subsection (c)~~
10 ~~of~~ Section 3.1-20-25, subsection (b) of Section 3.1-25-75,
11 Section 5-2-2, or Section 5-2-11.

12 (d) If a person (i) is a resident of a municipality
13 immediately prior to the active duty military service of that
14 person or that person's spouse, (ii) resides anywhere outside
15 of the municipality during that active duty military service,
16 and (iii) immediately upon completion of that active duty
17 military service is again a resident of the municipality, then
18 the time during which the person resides outside the
19 municipality during the active duty military service is deemed
20 to be time during which the person is a resident of the
21 municipality for purposes of determining the residency
22 requirement under subsection (a).

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

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

2 (a) Except as otherwise provided in ~~subsections (b) and (c)~~
3 ~~of~~ this Section, Section 3.1-20-20, or as otherwise provided in
4 the case of aldermen-at-large, the number of aldermen, when not
5 elected by the minority representation plan, shall be
6 determined using the most recent federal decennial census
7 results as follows:

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

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

11 (3) in cities exceeding 15,000 but not exceeding 20,000, 10
12 aldermen;

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

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

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

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

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

23 (b) Instead of the number of aldermen set forth in
24 subsection (a), a municipality with 15,000 or more inhabitants
25 may adopt, either by ordinance or by resolution, not more than
26 one year after the municipality's receipt of the new federal

1 decennial census results, the following number of aldermen: in
2 cities exceeding 15,000 but not exceeding 20,000, 8 aldermen;
3 exceeding 20,000 but not exceeding 50,000, 10 aldermen;
4 exceeding 50,000 but not exceeding 70,000, 14 aldermen;
5 exceeding 70,000 but not exceeding 90,000, 16 aldermen; and
6 exceeding 90,000 but not exceeding 500,000, 18 aldermen.

7 (c) Instead of the number of aldermen set forth in
8 subsection (a), a municipality with 40,000 or more inhabitants
9 may adopt, either by ordinance or by resolution, not more than
10 one year after the municipality's receipt of the new federal
11 decennial census results, the following number of aldermen: in
12 cities exceeding 40,000 but not exceeding 50,000, 16 aldermen.

13 (d) If, according to the most recent federal decennial
14 census results, the population of a municipality increases or
15 decreases under this Section, then the municipality may adopt
16 an ordinance or resolution to retain the number of aldermen
17 that existed before the most recent federal decennial census
18 results. The ordinance or resolution may not be adopted more
19 than one year after the municipality's receipt of the most
20 recent federal decennial census results.

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

22 (65 ILCS 5/3.1-20-25) (from Ch. 24, par. 3.1-20-25)

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

24 (a) In the formation of wards, the number of inhabitants of
25 the city immediately preceding the division of the city into

1 wards shall be as nearly equal in population, and the wards
2 shall be of as compact and contiguous territory, as
3 practicable. Wards shall be created in a manner so that, as far
4 as practicable, no precinct shall be divided between 2 or more
5 wards.

6 (b) Whenever an official decennial census shows that a city
7 contains more or fewer wards than it is entitled to, the city
8 council of the city, by ordinance, shall redistrict the city
9 into as many wards as the city is entitled. This redistricting
10 shall be completed not less than 30 days before the first day
11 set by the general election law for the filing of candidate
12 petitions for the next succeeding election for city officers.
13 At this election there shall be elected the number of aldermen
14 to which the city is entitled, except as provided in subsection
15 (c).

16 (c) If it appears from any official decennial census that
17 it is necessary to redistrict under subsection (b) or for any
18 other reason ~~a city has the requisite number of inhabitants to~~
19 ~~authorize it to increase the number of aldermen,~~ the city
20 council shall immediately proceed to redistrict the city and
21 shall hold the next city election in accordance with the new
22 redistricting. At this election the aldermen whose terms of
23 office are not expiring shall be considered aldermen for the
24 new wards respectively in which their residences are situated.
25 At this election, in a municipality that is not a newly
26 incorporated municipality, a candidate for alderman may be

1 elected from any ward that contains a part of the ward in which
2 he or she resided at least one year next preceding the election
3 that follows the redistricting, and, if elected, that person
4 may be reelected from the new ward he or she represents if he
5 or she resides in that ward for at least one year next
6 preceding reelection. If there are 2 or more aldermen with
7 terms of office not expiring and residing in the same ward
8 under the new redistricting, the alderman who holds over for
9 that ward shall be determined by lot in the presence of the
10 city council, in the manner directed by the council, and all
11 other aldermen shall fill their unexpired terms as
12 aldermen-at-large. The aldermen-at-large, if any, shall have
13 the same powers and duties as all other aldermen, but upon the
14 expiration of their terms the offices of aldermen-at-large
15 shall be abolished.

16 (d) If the redistricting results in one or more wards in
17 which no aldermen reside whose terms of office have not
18 expired, 2 aldermen shall be elected in accordance with Section
19 3.1-20-35, unless the city elected only one alderman per ward
20 pursuant to a referendum under subsection (a) of Section
21 3.1-20-20.

22 (e) A redistricting ordinance that has decreased the number
23 of wards of a city because of a decrease in population of the
24 city shall not be effective if, not less than 60 days before
25 the time fixed for the next succeeding general municipal
26 election, an official census is officially published that shows

1 that the city has regained a population that entitles it to the
2 number of wards that it had just before the passage of the last
3 redistricting ordinance.

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

5 Section 99. Effective date. This Act takes effect upon
6 becoming law.".