

HB5839



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

HB5839

by Rep. Al Riley

SYNOPSIS AS INTRODUCED:

65 ILCS 5/3.1-10-5

from Ch. 24, par. 3.1-10-5

Amends the Illinois Municipal Code. Eliminates a provision preventing a person from holding municipal office if that person, at any time during the term of office, owes any payment to the municipality or has been convicted of a felony in any court located in the United States. Effective immediately.

LRB098 18352 JLK 55623 b

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 Illinois Municipal Code is amended by
5 changing Section 3.1-10-5 as follows:

6 (65 ILCS 5/3.1-10-5) (from Ch. 24, par. 3.1-10-5)

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

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

14 (b) A person is not eligible to take the oath of office for
15 a municipal office if that person is, at the time required for
16 taking the oath of office, in arrears in the payment of a tax
17 or 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 (b-5) (Blank) ~~A person is not eligible to hold a municipal~~
21 ~~office, if that person is, at any time during the term of~~
22 ~~office, in arrears in the payment of a tax or other~~
23 ~~indebtedness due to the municipality or has been convicted in~~

1 ~~any court located in the United States of any infamous crime,~~
2 ~~bribery, perjury, or other felony.~~

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

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

22 (Source: P.A. 97-1091, eff. 8-24-12; 98-115, eff. 7-29-13.)

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