



## 98TH GENERAL ASSEMBLY

### State of Illinois

2013 and 2014

SB1431

Introduced 2/6/2013, by Sen. Dave Syverson

#### SYNOPSIS AS INTRODUCED:

10 ILCS 5/25-11  
50 ILCS 105/1.2

from Ch. 46, par. 25-11

Amends the Election Code. Makes technical changes concerning the vacancies in a forest preserve district office and notifications of vacancies in county and forest preserve district offices. Provides that notification shall be given of each established political party within 3 days of the county board meeting where the vacancy was declared, rather than within 3 days of the occurrence of the vacancy. Amends the Public Officer Prohibited Activities Act. Authorizes a county board member in any county (now, in a county having fewer than 40,000 inhabitants), during his or her term of office, to concurrently hold the office of member of the board of education, regional board of school trustees, board of school directors, board of a community college district, or board of school inspectors. Effective immediately.

LRB098 08718 OMW 38842 b

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 Election Code is amended by changing Section  
5 25-11 as follows:

6 (10 ILCS 5/25-11) (from Ch. 46, par. 25-11)

7 Sec. 25-11. When a vacancy occurs in any elective county  
8 office, forest preserve district office, or in a county of less  
9 than 3,000,000 population in the office of clerk of the circuit  
10 court, in a county which is not a home rule unit, the county  
11 board, forest preserve district board of commissioners, or  
12 board of county commissioners shall at their next meeting  
13 declare that such vacancy exists and notification thereof shall  
14 be given to the county central committee or the appropriate  
15 county board or board of county commissioners district  
16 committee of each established political party within 3 days of  
17 the occurrence of the county board meeting where a vacancy was  
18 declared. The vacancy shall be filled within 60 days of the  
19 notification by appointment of the chairman of the county board  
20 or board of county commissioners with the advice and consent of  
21 the county board or board of county commissioners. In counties  
22 in which forest preserve district commissioners are elected by  
23 districts and are not also members of the county board,

1 however, vacancies in the office of forest preserve district  
2 commissioner shall be filled within 60 days of the notification  
3 by appointment of the president of the forest preserve district  
4 board of commissioners with the advice and consent of the  
5 forest preserve district board of commissioners. In counties in  
6 which the forest preserve district president is not also a  
7 member of the county board, vacancies in the office of forest  
8 preserve district president shall be filled within 60 days of  
9 the notification by the forest preserve district board of  
10 commissioners by appointing one of the commissioners to serve  
11 as president. The appointee shall be a member of the same  
12 political party as the person he succeeds was at the time of  
13 his election and shall be otherwise eligible to serve. The  
14 appointee shall serve the remainder of the unexpired term.  
15 However, if more than 28 months remain in the term, the  
16 appointment shall be until the next general election at which  
17 time the vacated office shall be filled by election for the  
18 remainder of the term. In the case of a vacancy in a seat on a  
19 county board or board of county commissioners which has been  
20 divided into districts under Section 2-3003 or 2-4006.5 of the  
21 Counties Code, the appointee must also be a resident of the  
22 county board or county commission district. If a county  
23 commissioner ceases to reside in the district that he or she  
24 represents, a vacancy in that office exists.

25 Except as otherwise provided by county ordinance or by law,  
26 in any county which is a home rule unit, vacancies in elective

1 county offices, other than the office of chief executive  
2 officer, and vacancies in the office of clerk of the circuit  
3 court in a county of less than 3,000,000 population, shall be  
4 filled by the county board or board of county commissioners.  
5 (Source: P.A. 92-189, eff. 8-1-01; 92-583, eff. 6-26-02.)

6 Section 10. The Public Officer Prohibited Activities Act is  
7 amended by changing Section 1.2 as follows:

8 (50 ILCS 105/1.2)

9 Sec. 1.2. County board member; education office. A member  
10 of the county board in any ~~a~~ county ~~having fewer than 40,000~~  
11 ~~inhabitants~~, during the term of office for which he or she is  
12 elected, may also hold the office of member of the board of  
13 education, regional board of school trustees, board of school  
14 directors, board of a community college district, board of a  
15 fire protection district, or board of school inspectors.  
16 (Source: P.A. 97-460, eff. 8-19-11.)

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