



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

HB1401

by Rep. Thaddeus Jones

SYNOPSIS AS INTRODUCED:

65 ILCS 5/3.1-10-65	from Ch. 24, par. 3.1-10-65
65 ILCS 5/3.1-10-75	from Ch. 24, par. 3.1-10-75
65 ILCS 5/3.1-15-40	from Ch. 24, par. 3.1-15-40
65 ILCS 5/3.1-20-22	from Ch. 24, par. 3.1-20-22

Amends the Illinois Municipal Code. Requires the corporate authorities of a municipality with a population of less than 40,000 to adopt an ordinance staggering the terms of its aldermen or trustees by July 1, 2015. Provides that the staggered terms of aldermen or trustees shall go into effect at the first election after July 1, 2015. Prohibits municipalities from reducing the length of the terms from 4 years to 2 years.

LRB099 00146 JLK 20146 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 Illinois Municipal Code is amended by
5 changing Sections 3.1-10-65, 3.1-10-75, 3.1-15-40, and
6 3.1-20-22 as follows:

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

8 Sec. 3.1-10-65. Referendum to reduce terms.

9 (a) Except as otherwise provided in subsection (c), in ~~in~~
10 any municipality of less than 500,000 inhabitants, a
11 proposition to reduce the terms of the elective officers of the
12 municipality from 4 years to 2 years may be submitted, within
13 the discretion of the corporate authorities, to the electors of
14 the municipality. The proposition shall also be submitted if a
15 petition requesting that action is signed by electors of the
16 municipality numbering not less than 10% of the total vote cast
17 at the last election for mayor or president of the municipality
18 and the petition is filed with the municipal clerk and
19 certified in accordance with the general election law. The
20 proposition shall be substantially in the following form:

21 Shall the term of the elective officers of (name of
22 municipality) be reduced from 4 years to 2 years?

23 (b) If a majority of the electors voting on the proposition

1 vote against it, the terms of the officers shall remain 4
2 years. If, however, a majority of those voting on the
3 proposition vote in favor of it, the officers elected at the
4 next regular election for officers in the municipality shall
5 hold their offices for a term of 2 years and until their
6 successors are elected and have qualified, except in the case
7 of trustees and aldermen. In the case of aldermen and trustees:
8 (i) at the first election of aldermen or trustees that occurs
9 in an odd numbered year following the vote to reduce the length
10 of terms, successors to aldermen or trustees whose terms expire
11 in that year shall be elected for a term of one year and until
12 their successors are elected and have qualified and (ii)
13 thereafter, one-half of the aldermen or trustees shall be
14 elected each year for terms of 2 years and until their
15 successors are elected and have qualified.

16 (c) On or before July 1, 2015, the corporate authorities of
17 each municipality with a population of less than 40,000, where
18 the length of the terms of aldermen or trustees are 2 years,
19 shall adopt an ordinance reflecting the term lengths and
20 election cycles set forth as follows: on the date of the next
21 election of aldermen and trustees that occurs after July 1,
22 2015, one alderman shall be elected from each even-numbered
23 ward for a term of 2 years and one alderman shall be elected
24 from each odd-numbered ward for a term of 4 years. Thereafter,
25 their successors shall be elected for terms of 4 years.

26 Notwithstanding the provisions of subsections (a) and (b),

1 on and after the effective date of this amendatory Act of the
2 99th General Assembly, no municipality with a population of
3 less than 40,000 may reduce the length of terms of the aldermen
4 or trustees of the municipality from 4 years to 2 terms by
5 referendum or otherwise.

6 (Source: P.A. 87-1119.)

7 (65 ILCS 5/3.1-10-75) (from Ch. 24, par. 3.1-10-75)

8 Sec. 3.1-10-75. Referendum to lengthen terms.

9 (a) Except as otherwise provided in subsection (c), in ~~in~~
10 any municipality of less than 500,000 inhabitants that, under
11 Section 3.1-10-65, has voted to shorten the terms of elective
12 officers, a proposition to lengthen the terms of the elective
13 officers of the municipality from 2 years to 4 years may be
14 submitted, within the discretion of the corporate authorities,
15 to the electors of the municipality. The proposition shall be
16 certified by the municipal clerk to the appropriate election
17 authorities, who shall submit the proposition at an election in
18 accordance with the general election law. The proposition shall
19 also be submitted at an election if a petition requesting that
20 action is signed by electors of the municipality numbering not
21 less than 10% of the total vote cast at the last election for
22 mayor or president of the municipality and the petition is
23 filed with the municipal clerk. The proposition shall be
24 substantially in the following form:

25 Shall the term of the elective officers of (name of

1 municipality) be lengthened from 2 years to 4 years?

2 (b) If a majority of the electors voting on the proposition
3 vote against it, the terms of the officers shall remain 2
4 years. If, however, a majority of those voting on the
5 proposition vote in favor of it, the officers elected at the
6 next regular election for officers in the municipality shall
7 hold their offices for a term of 4 years and until their
8 successors are elected and have qualified, except in the case
9 of trustees and aldermen. In the case of aldermen and trustees:
10 (i) if the first election for aldermen or trustees, after
11 approval of the proposition, occurs in an even numbered year,
12 the aldermen or trustees elected in that even numbered year
13 shall serve for terms of 3 years and until their successors are
14 elected and have qualified, the terms for successors to those
15 elected at the first even numbered year election shall be 4
16 years and until successors are elected and have qualified, the
17 aldermen or trustees elected at the first odd numbered year
18 election next following the first even numbered year election
19 shall serve for terms of 4 years and until successors are
20 elected and have qualified, and successors elected after the
21 first odd numbered year shall also serve 4 year terms and until
22 their successors are elected and have qualified and (ii) if the
23 first election for aldermen or trustees, after approval of the
24 proposition, occurs in an odd numbered year, the aldermen or
25 trustees elected in that odd numbered year shall serve for
26 terms of 4 years and until their successors are elected and

1 have qualified, the terms for successors to those elected at
2 the first odd numbered year election shall be for 4 years and
3 until successors are elected and have qualified, the aldermen
4 or trustees elected at the first even numbered year election
5 next following the first odd numbered year election shall serve
6 for terms of one year and until their successors are elected
7 and have qualified, and the terms for successors to those
8 elected at the first odd numbered year election shall be 4
9 years and until their successors are elected and have
10 qualified.

11 (c) Notwithstanding the provisions of subsections (a) and
12 (b), on or before July 1, 2015 the corporate authorities of a
13 municipality with a population of less than 40,000 shall adopt
14 an ordinance reflecting the term lengths and election cycles
15 set forth as follows: beginning with the first election after
16 July 1, 2015, one alderman shall be elected from each
17 even-numbered ward for a term of 2 years and one alderman shall
18 be elected from each odd-numbered ward for a term of 4 years.
19 Thereafter, their successors shall be elected for terms of 4
20 years.

21 (Source: P.A. 87-1119.)

22 (65 ILCS 5/3.1-15-40) (from Ch. 24, par. 3.1-15-40)

23 Sec. 3.1-15-40. Staggered elections under minority plans.
24 In municipalities with a population of less than 40,000, the
25 corporate authorities shall, by July 1, 2015, provide by

1 ordinance that that at any ensuing general municipal election
2 for city officers the aldermen in every alternate district
3 shall be elected for one term of 2 years and, at the expiration
4 of that term of 2 years, for regular terms of 4 years. In all
5 other cities that adopt or have adopted the minority
6 representation plan for the election of aldermen and have not
7 already staggered the terms of their aldermen, the city council
8 may provide by ordinance that at any ensuing general municipal
9 election for city officers the aldermen in every alternate
10 district shall be elected for one term of 2 years and, at the
11 expiration of that term of 2 years, for regular terms of 4
12 years. This Section does not prohibit a city from voting in
13 favor of a 2 year term for city officers as provided in Section
14 3.1-10-65. The provisions of the general election law shall
15 govern elections under this Section.

16 (Source: P.A. 87-1119.)

17 (65 ILCS 5/3.1-20-22) (from Ch. 24, par. 3.1-20-22)

18 Sec. 3.1-20-22. Aldermen; staggered terms.

19 (a) Except as otherwise provided in subsection (b), in ~~in~~
20 any city of less than 100,000 inhabitants, a proposition to
21 stagger the terms of aldermen, with as nearly as possible
22 one-half of the aldermen elected every 2 years, shall be
23 certified by the city clerk to the proper election authority,
24 who shall submit the proposition at an election in accordance
25 with the general election law, if a petition requesting that

1 action is signed by electors of the city numbering at least 10%
2 of the total vote cast at the last election for mayor of the
3 city and is filed with the city clerk.

4 The ballot shall have printed on it, but not as a part of
5 the proposition submitted, the following information for
6 voters: one alderman elected from each even-numbered ward shall
7 serve a term of 2 years; one alderman elected from each
8 odd-numbered ward shall serve a term of 4 years.

9 The proposition shall be substantially in the following
10 form:

11 Shall (name of city) adopt a system of staggered terms
12 for aldermen?

13 If a majority of those voting on the proposition vote in
14 favor of it, then at the next regular election for aldermen one
15 alderman shall be elected from each even-numbered ward for a
16 term of 2 years and one alderman shall be elected from each
17 odd-numbered ward for a term of 4 years. Thereafter, their
18 successors shall be elected for terms of 4 years.

19 (b) In any municipality with a population of less than
20 40,000, the corporate authorities of the municipality shall
21 adopt an ordinance reflecting the term lengths of aldermen and
22 election cycles set forth as follows: beginning with the first
23 election after July 1, 2015, one alderman shall be elected from
24 each even-numbered ward for a term of 2 years and one alderman
25 shall be elected from each odd-numbered ward for a term of 4
26 years. Thereafter, their successors shall be elected for terms

1 of 4 years.

2 (Source: P.A. 87-1119.)