



## 99TH GENERAL ASSEMBLY

### State of Illinois

2015 and 2016

HB4312

by Rep. Robert F. Martwick

#### SYNOPSIS AS INTRODUCED:

110 ILCS 805/3-7	from Ch. 122, par. 103-7
110 ILCS 805/7-1	from Ch. 122, par. 107-1
110 ILCS 805/7-2	from Ch. 122, par. 107-2
110 ILCS 805/7-3	from Ch. 122, par. 107-3

Amends the Public Community College Act. Provides for the election (instead of appointment) of members of the Board of Trustees of Community College District No. 508 (City Colleges of Chicago). Effective immediately.

LRB099 14062 NHT 38088 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning education.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Public Community College Act is amended by  
5 changing Sections 3-7, 7-1, 7-2, and 7-3 as follows:

6 (110 ILCS 805/3-7) (from Ch. 122, par. 103-7)

7 Sec. 3-7. (a) The election of the members of the board of  
8 trustees shall be nonpartisan and shall be held at the time and  
9 in the manner provided in the general election law.

10 (b) Unless otherwise provided in this Act, members shall be  
11 elected to serve 6 year terms. The term of members elected in  
12 1985 and thereafter shall be from the date the member is  
13 officially determined to be elected to the board by a canvass  
14 conducted pursuant to the Election Code, to the date that the  
15 winner of the seat is officially determined by the canvass  
16 conducted pursuant to the Election Code the next time the seat  
17 on the board is to be filled by election.

18 (c) Each member must on the date of his election be a  
19 citizen of the United States, of the age of 18 years or over,  
20 and a resident of the State and the territory which on the date  
21 of the election is included in the community college district  
22 for at least one year immediately preceding his election. In  
23 Community College District No. 526, each member elected at the

1 consolidated election in 2005 or thereafter must also be a  
2 resident of the trustee district he or she represents for at  
3 least one year immediately preceding his or her election,  
4 except that in the first consolidated election for each trustee  
5 district following reapportionment, a candidate for the board  
6 may be elected from any trustee district that contains a part  
7 of the trustee district in which he or she resided at the time  
8 of the reapportionment and may be reelected if a resident of  
9 the new trustee district he or she represents for one year  
10 prior to reelection. In the event a person who is a member of a  
11 common school board is elected or appointed to a board of  
12 trustees of a community college district, that person shall be  
13 permitted to serve the remainder of his or her term of office  
14 as a member of the common school board. Upon the expiration of  
15 the common school board term, that person shall not be eligible  
16 for election or appointment to a common school board during the  
17 term of office with the community college district board of  
18 trustees.

19 (d) Whenever a vacancy occurs, the remaining members shall  
20 fill the vacancy, and the person so appointed shall serve until  
21 a successor is elected at the next regular election for board  
22 members and is certified in accordance with Sections 22-17 and  
23 22-18 of the Election Code. If the remaining members fail so to  
24 act within 60 days after the vacancy occurs, the chairman of  
25 the State Board shall fill that vacancy, and the person so  
26 appointed shall serve until a successor is elected at the next

1 regular election for board members and is certified in  
2 accordance with Sections 22-17 and 22-18 of the Election Code.  
3 The person appointed to fill the vacancy shall have the same  
4 residential qualifications as his predecessor in office was  
5 required to have. In either instance, if the vacancy occurs  
6 with less than 4 months remaining before the next scheduled  
7 consolidated election, and the term of office of the board  
8 member vacating the position is not scheduled to expire at that  
9 election, then the term of the person so appointed shall extend  
10 through that election and until the succeeding consolidated  
11 election. If the term of office of the board member vacating  
12 the position is scheduled to expire at the upcoming  
13 consolidated election, the appointed member shall serve only  
14 until a successor is elected and qualified at that election.

15 (e) Members of the board shall serve without compensation  
16 but shall be reimbursed for their reasonable expenses incurred  
17 in connection with their service as members. Compensation, for  
18 purposes of this Section, means any salary or other benefits  
19 not expressly authorized by this Act to be provided or paid to,  
20 for or on behalf of members of the board. The board of each  
21 community college district may adopt a policy providing for the  
22 issuance of bank credit cards, for use by any board member who  
23 requests the same in writing and agrees to use the card only  
24 for the reasonable expenses which he or she incurs in  
25 connection with his or her service as a board member. Expenses  
26 charged to such credit cards shall be accounted for separately

1 and shall be submitted to the chief financial officer of the  
2 district for review prior to being reported to the board at its  
3 next regular meeting.

4 (f) Except in an election of the initial board for a new  
5 community college district created pursuant to Section 6-6.1 of  
6 this Act or the election on April 4, 2017 of a new board under  
7 Section 7-2 of this Act, the ballot for the election of members  
8 of the board for a community college district shall indicate  
9 the length of term for each office to be filled. In the  
10 election of a board for any community college district, the  
11 ballot shall not contain any political party designation.

12 (Source: P.A. 97-539, eff. 8-23-11.)

13 (110 ILCS 805/7-1) (from Ch. 122, par. 107-1)

14 Sec. 7-1. This Article applies only to community college  
15 districts in cities having a population of 500,000 or more  
16 inhabitants. Each such community college district shall  
17 maintain a system of community colleges under the charge of a  
18 board, ~~which is appointed~~ as provided in Section 7-2. Except as  
19 otherwise provided in this Article, such a community college  
20 district and its board have all the rights, duties, powers and  
21 responsibilities and are subject to the same limitations as are  
22 provided for other community college districts in this Act, as  
23 now or hereafter amended.

24 (Source: P.A. 78-669.)

1 (110 ILCS 805/7-2) (from Ch. 122, par. 107-2)

2 Sec. 7-2. (a) This subsection (a) applies until April 4,  
3 2017. The board shall consist of 7 members, appointed by the  
4 mayor with the approval of the city council. Prior to the  
5 expiration of the term of any member his successor shall be  
6 appointed in like manner and shall hold office for a term of 3  
7 years from July 1 of the year in which he is appointed and  
8 until his successor is appointed and qualified. Any vacancy in  
9 the membership of the board shall be filled through appointment  
10 by the mayor, with the approval of the city council, for the  
11 unexpired term. If any appointee fails to qualify within 30  
12 days after his appointment, the office shall be filled by a new  
13 appointment for the unexpired term. To be eligible for  
14 appointment to a board under this Section, a person must  
15 possess the same qualifications and meet the same requirements  
16 as are prescribed by this Act for members of an elected board  
17 of a community college district.

18 (b) On April 4, 2017, the terms of all members of the board  
19 appointed under subsection (a) of this Section are abolished  
20 when the new board, consisting of 7 members, is elected at  
21 large by the electors of the community college district as  
22 provided in this subsection (b) and takes office.

23 Beginning on April 4, 2017, the community college district  
24 shall be governed by a board consisting of 7 members. An  
25 election shall be held at the consolidated election in April of  
26 2017 and every second year thereafter under Article III of this

1 Act. Each member shall be elected for a term of 6 years as  
2 provided under Section 3-7 of this Act, except that members of  
3 the board elected to terms commencing on April 4, 2017 shall  
4 organize on the date their terms commence and on that date  
5 shall determine by lot 4 to serve for terms of 6 years and 3 to  
6 serve for terms of 4 years.

7 Any vacancy in the membership of the board shall be filled  
8 as provided under Section 3-7 of this Act.

9 (Source: P.A. 78-669.)

10 (110 ILCS 805/7-3) (from Ch. 122, par. 107-3)

11 Sec. 7-3. The organization of the board and election of  
12 officers for the a board ~~appointed under Section 7-2~~ shall be  
13 conducted in accordance with the general election law and this  
14 Act.

15 (Source: P.A. 81-1489.)

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