



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

HB5630

by Rep. Keith Wheeler

SYNOPSIS AS INTRODUCED:

New Act

Creates the Representative Special District Act. Provides that all members of a governing board of a special district with the authority to levy any tax or assessment must be elected and not appointed except due to death, disability, resignation, or other inability of a member to perform his or her duties. Provides for election procedures to elect members to replace appointed members. Further provides that an appointed member's term will terminate after his or her successor is elected and qualified. Effective immediately.

LRB099 18665 AWJ 43047 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 1. Short title. This Act may be cited as the
5 Representative Special District Act.

6 Section 5. Definitions. As used in this Act:

7 "Governing board" means the board of trustees, board of
8 commissioners, board of directors, or similar body governing a
9 special district.

10 "Member" means a trustee, commissioner, director, or
11 similar person elected or appointed to a governing board.

12 "Special district" means any political subdivision with
13 the authority to levy any tax or assessment, other than a
14 county, municipality, township, school district, or community
15 college district.

16 Section 10. Appointments prohibited. Notwithstanding any
17 law to the contrary, and except as provided for in this Act, on
18 or after the effective date of this Act no person may be
19 appointed to a governing board of a special district and all
20 members shall be elected by the electors of the special
21 district. This Section shall not apply to appointments to
22 replace a member of a governing board due to death, disability,

1 resignation, or other inability of a member to perform his or
2 her duties.

3 Section 15. Electing members of governing boards.
4 Notwithstanding any law to the contrary, at the next regular
5 election after the effective date of this Act, members will be
6 elected to replace appointed members on the governing boards of
7 all special districts. The elected members shall be elected as
8 follows: 2 shall be elected for terms of 2 years, 2 for terms
9 of 4 years, and one for a term of 6 years. Except as otherwise
10 provided in Section 2A-54 of the Election Code, the term of
11 each elected member shall commence on the third Monday of the
12 month following the month of his or her election and until his
13 or her successor is elected and qualified. The length of the
14 terms of the members first elected shall be determined by lot
15 at their first meeting. Thereafter, except as otherwise
16 provided in Section 2A-54 of the Election Code, each member
17 shall be elected to serve for a term of 4 years commencing on
18 the third Monday of the month following the month of his or her
19 election and until his or her successor is elected and
20 qualified.

21 Section 20. Terms of appointed members. Notwithstanding
22 any law to the contrary, appointed members shall continue to
23 serve until the third Monday of the month following the month
24 of the first election of members. If the term of office of any

1 appointed member expires before his or her successor is elected
2 and qualified, the authority which appointed that member shall
3 appoint a successor to serve until a member is elected and
4 qualified.

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