

SB3031



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

SB3031

Introduced 2/18/2016, by Sen. Julie A. Morrison

SYNOPSIS AS INTRODUCED:

55 ILCS 5/Div. 2-4 heading
55 ILCS 5/2-4006
60 ILCS 1/25-15
60 ILCS 1/25-25
60 ILCS 1/25-20 rep.

Amends the Township Code. Provides that counties which discontinue township organization will keep their form of government after the discontinuance. Amends the Counties Code making conforming changes. Effective immediately.

LRB099 18134 AWJ 42500 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 Counties Code is amended by changing the
5 heading of Article Div. 2-4 and Section 2-4006 as follows:

6 (55 ILCS 5/Div. 2-4 heading)

7 Division 2-4. Counties not under Township Organization
8 Organized as a Commission Form of Government

9 (55 ILCS 5/2-4006)

10 Sec. 2-4006. Terms of commissioners.

11 (a) In every county not under township organization that is
12 organized as commission form of government having 3
13 commissioners elected at large as described in subsection (b)
14 or (c), the commissioners shall be elected as provided in this
15 Section.

16 (b) In a county in which one commissioner was elected at
17 the general election in 1992 to serve for a term of 4 years and
18 in which 2 commissioners will be elected at the general
19 election in 1994, the commissioner elected in 1994 and
20 receiving the greatest number of votes shall serve for a term
21 of 6 years. The other commissioner elected in 1994 shall serve
22 for a term of 4 years. At the general election in 1996 and at

1 each general election thereafter, one commissioner shall be
2 elected to serve for a term of 6 years.

3 (c) In a county in which 2 commissioners were elected at
4 the general election in 1992 to serve for terms of 4 years and
5 in which one commissioner will be elected at the general
6 election in 1994, the commissioner elected in 1994 shall serve
7 for a term of 4 years. The commissioner elected in 1996 and
8 receiving the greatest number of votes shall serve for a term
9 of 6 years. The other commissioner elected in 1996 shall serve
10 for a term of 4 years. At the general election in 1998 and at
11 each general election thereafter, one commissioner shall be
12 elected to serve for a term of 6 years.

13 (c-5) In Calhoun County, Edwards County, and Union County,
14 the registered voters of the county may, upon referendum
15 initiated by (i) the adoption of a resolution of the board of
16 county commissioners or (ii) a petition signed by not less than
17 10% of the registered voters in the county, determine that the
18 board of county commissioners shall consist of 5 commissioners
19 elected at large. The commissioners must certify the question
20 to the proper election authority, which must submit the
21 question at an election in accordance with the general election
22 law.

23 The question shall be submitted in substantially the
24 following form:

25 "Shall the board of county commissioners of (county)
26 consist of 5 commissioners elected at large?"

1 Votes must be recorded as "Yes" or "No". If a majority of
2 the electors voting on the question vote in the affirmative,
3 then a 5-member board of county commissioners shall be
4 established beginning with the next general election. The
5 County Clerk, in consultation with the State's Attorney for the
6 county, shall develop and present to the board of county
7 commissioners, to implement by the adoption of a resolution,
8 the transition of terms for the current 3-member board of
9 commissioners and the addition of 2 commissioners for 6-year
10 terms. Thereafter, commissioners shall be elected at each
11 general election to fill expired terms.

12 (d) The provisions of this Section do not apply to
13 commissioners elected under Section 2-4006.5 of this Code.

14 (Source: P.A. 96-175, eff. 8-10-09.)

15 Section 10. The Township Code is amended by changing
16 Sections 25-15 and 25-25 as follows:

17 (60 ILCS 1/25-15)

18 Sec. 25-15. County form ~~Election of county commissioners.~~
19 When township organization ceases in any county as provided in
20 this Article, the county's form of government shall not change.
21 ~~an election shall be held in the county at the next general~~
22 ~~election in an even-numbered year for 3 county commissioners~~
23 ~~who shall hold office for 2, 4, and 6 years, respectively, and~~
24 ~~until their successors are elected and qualified. Terms shall~~

1 ~~be determined by lot. At each succeeding general election after~~
2 ~~the first, one commissioner shall be elected.~~

3 (Source: P.A. 82-783; 88-62.)

4 (60 ILCS 1/25-25)

5 Sec. 25-25. Disposal of township records and property. When
6 township organization is discontinued in any county, the
7 records of the several townships shall be deposited in the
8 county clerk's office. The county board or board of county
9 commissioners of the county may close up all unfinished
10 business of the several townships and sell and dispose of any
11 of the property belonging to a township for the benefit of the
12 inhabitants of the township, as fully as might have been done
13 by the townships themselves. The county board or board of
14 county commissioners may pay all the indebtedness of any
15 township existing at the time of the discontinuance of township
16 organization and cause the amount of the indebtedness, or so
17 much as may be necessary, to be levied upon the property of the
18 township.

19 (Source: P.A. 82-783; 88-62.)

20 (60 ILCS 1/25-20 rep.)

21 Section 15. The Township Code is amended by repealing
22 Section 25-20.

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