



100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

HB3402

by Rep. Joe Sosnowski

SYNOPSIS AS INTRODUCED:

35 ILCS 200/3-40	
55 ILCS 5/3-10007	from Ch. 34, par. 3-10007
55 ILCS 5/4-6001	from Ch. 34, par. 4-6001
55 ILCS 5/4-6002	from Ch. 34, par. 4-6002
55 ILCS 5/4-6003	from Ch. 34, par. 4-6003
55 ILCS 5/4-8002	from Ch. 34, par. 4-8002
705 ILCS 105/27.3	from Ch. 25, par. 27.3
30 ILCS 805/8.41 new	

Amends the Property Tax Code, the Counties Code, and the Clerks of Courts Act. Makes changes to provisions concerning stipends paid to supervisors of assessments, county treasurers, county coroners, county recorders, county auditors, sheriffs, and clerks of the circuit court to provide that: (1) in counties with a population under 100,000, those officials shall receive a full stipend amount; (2) in counties with a population of 100,000 or more but less than 400,000, those officials shall receive 50% of the stipend amount; and (3) in counties with a population of 400,000 or more, those officials shall receive no stipend. Amends the State Mandates Act to require implementation without reimbursement. Effective immediately.

LRB100 05970 AWJ 15998 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning revenue.

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

4 Section 5. The Property Tax Code is amended by changing
5 Section 3-40 as follows:

6 (35 ILCS 200/3-40)

7 Sec. 3-40. Compensation of supervisors of assessments.

8 (a) A supervisor of assessments shall receive annual
9 compensation in an amount fixed by the county board subject to
10 the following minimum amounts:

11 In counties with less than 14,000 inhabitants, not less
12 than \$7,500;

13 In counties with 14,000 or more but less than 30,000
14 inhabitants, not less than \$8,000;

15 In counties with 30,000 or more but less than 60,000
16 inhabitants, not less than \$9,000;

17 In counties with 60,000 or more but less than 100,000
18 inhabitants, not less than \$10,000;

19 In counties with 100,000 or more but less than 200,000
20 inhabitants, not less than \$11,500;

21 In counties with 200,000 or more but less than 300,000
22 inhabitants, not less than \$13,000;

23 In counties with 300,000 or more but less than

1 1,000,000 inhabitants, not less than \$15,000.

2 For purposes of this subsection, the number of inhabitants
3 shall be determined by the latest Federal decennial or special
4 census of the county.

5 (b) Elected supervisors of assessments who began a term of
6 office before December 1, 1990 shall be compensated at the rate
7 of their base salary. "Base salary" is the compensation paid
8 for their position before July 1, 1989.

9 (c) Elected supervisors of assessments beginning a term of
10 office on or after December 1, 1990 shall, beginning December
11 1, 1993, receive their base salary plus at least 12% of base
12 salary.

13 Any supervisor of assessments who has been presented a
14 Certified Assessing Evaluator Certificate by the International
15 Association of Assessing Officers shall receive an additional
16 compensation of \$500 per year to be paid out of funds
17 appropriated to the Department from the Personal Property Tax
18 Replacement Fund. Notwithstanding any other provision of law,
19 supervisors of assessments in counties with a population of
20 100,000 or more but less than 400,000 whose terms of office
21 begin on or after the effective date of this amendatory Act of
22 the 100th General Assembly shall receive 50% of the stipend
23 amount set forth in this Section, and supervisors of
24 assessments in counties with a population of 400,000 or more
25 whose terms of office begin on or after the effective date of
26 this amendatory Act of the 100th General Assembly shall receive

1 no stipend.

2 The salary set by the county board shall be paid in equal
3 monthly installments out of the treasury of the county in which
4 he or she is appointed or elected. If the Department has
5 determined that the total assessed value of property in a
6 county, as equalized by the supervisor of assessments under
7 Section 9-210, is between 31 1/3% and 35 1/3% of the total fair
8 cash value of property in the county, subject to appropriation,
9 the Department shall reimburse the county monthly from the
10 Personal Property Tax Replacement Fund 50% of the amount of
11 salary the county paid to the officer for the preceding month.

12 The county board shall provide necessary office space for
13 the officer and pay all necessary expenses of the office out of
14 the county treasury.

15 Each supervisor of assessments may, with the advice and
16 consent of the county board, appoint necessary deputies and
17 clerks, their compensation to be fixed by the county board and
18 paid by the county.

19 (Source: P.A. 97-72, eff. 7-1-11.)

20 Section 10. The Counties Code is amended by changing
21 Sections 3-10007, 4-6001, 4-6002, 4-6003, and 4-8002 as
22 follows:

23 (55 ILCS 5/3-10007) (from Ch. 34, par. 3-10007)

24 Sec. 3-10007. Annual stipend. In addition to all other

1 compensation provided by law, every elected county treasurer,
2 for additional duties mandated by State law, shall receive an
3 annual stipend of (i) \$5,000 if his or her term begins before
4 December 1, 1998, (ii) \$5,500 after December 1, 1998 and \$6,500
5 after December 1, 1999 if his or her term begins on or after
6 December 1, 1998 but before December 1, 2000, and (iii) \$6,500
7 if his or her term begins December 1, 2000 or thereafter, to be
8 annually appropriated from the Personal Property Tax
9 Replacement Fund by the General Assembly to the Department of
10 Revenue which shall distribute the awards in annual lump sum
11 payments to every elected county treasurer. Notwithstanding
12 any other provision of law, treasurers in counties with a
13 population of 100,000 or more but less than 400,000 whose terms
14 of office begin on or after the effective date of this
15 amendatory Act of the 100th General Assembly shall receive 50%
16 of the full stipend amount set forth in this Section, and
17 treasurers in counties with a population of 400,000 or more
18 whose terms of office begin on or after the effective date of
19 this amendatory Act of the 100th General Assembly shall receive
20 no stipend. This annual stipend shall not affect any other
21 compensation provided by law to be paid to elected county
22 treasurers. No county board may reduce or otherwise impair the
23 compensation payable from county funds to an elected county
24 treasurer if such reduction or impairment is the result of his
25 receiving an annual stipend under this Section.

26 (Source: P.A. 97-72, eff. 7-1-11.)

1 (55 ILCS 5/4-6001) (from Ch. 34, par. 4-6001)

2 Sec. 4-6001. Officers in counties of less than 2,000,000.

3 (a) In all counties of less than 2,000,000 inhabitants, the
4 compensation of Coroners, County Treasurers, County Clerks,
5 Recorders and Auditors shall be determined under this Section.
6 The County Board in those counties shall fix the amount of the
7 necessary clerk hire, stationery, fuel and other expenses of
8 those officers. The compensation of those officers shall be
9 separate from the necessary clerk hire, stationery, fuel and
10 other expenses, and such compensation (except for coroners in
11 those counties with less than 2,000,000 population in which the
12 coroner's compensation is set in accordance with Section
13 4-6002) shall be fixed within the following limits:

14 To each such officer in counties containing less than
15 14,000 inhabitants, not less than \$13,500 per annum.

16 To each such officer in counties containing 14,000 or more
17 inhabitants, but less than 30,000 inhabitants, not less than
18 \$14,500 per annum.

19 To each such officer in counties containing 30,000 or more
20 inhabitants but less than 60,000 inhabitants, not less than
21 \$15,000 per annum.

22 To each such officer in counties containing 60,000 or more
23 inhabitants but less than 100,000 inhabitants, not less than
24 \$15,000 per annum.

25 To each such officer in counties containing 100,000 or more

1 inhabitants but less than 200,000 inhabitants, not less than
2 \$16,500 per annum.

3 To each such officer in counties containing 200,000 or more
4 inhabitants but less than 300,000 inhabitants, not less than
5 \$18,000 per annum.

6 To each such officer in counties containing 300,000 or more
7 inhabitants but less than 2,000,000 inhabitants, not less than
8 \$20,000 per annum.

9 (b) Those officers beginning a term of office before
10 December 1, 1990 shall be compensated at the rate of their base
11 salary. "Base salary" is the compensation paid for each of
12 those offices, respectively, before July 1, 1989.

13 (c) Those officers beginning a term of office on or after
14 December 1, 1990 shall be compensated as follows:

15 (1) Beginning December 1, 1990, base salary plus at
16 least 3% of base salary.

17 (2) Beginning December 1, 1991, base salary plus at
18 least 6% of base salary.

19 (3) Beginning December 1, 1992, base salary plus at
20 least 9% of base salary.

21 (4) Beginning December 1, 1993, base salary plus at
22 least 12% of base salary.

23 (d) In addition to but separate and apart from the
24 compensation provided in this Section, the county clerk of each
25 county, the recorder of each county, and the chief clerk of
26 each county board of election commissioners shall receive an

1 award as follows:

- 2 (1) \$4,500 per year after January 1, 1998;
3 (2) \$5,500 per year after January 1, 1999; and
4 (3) \$6,500 per year after January 1, 2000.

5 The total amount required for such awards each year shall be
6 appropriated by the General Assembly to the State Board of
7 Elections which shall distribute the awards in annual lump sum
8 payments to the several county clerks, recorders, and chief
9 election clerks. Beginning December 1, 1990, this annual award,
10 and any other award or stipend paid out of State funds to
11 county officers, shall not affect any other compensation
12 provided by law to be paid to county officers. Notwithstanding
13 any other provision of law, county clerks, recorders, and chief
14 election clerks in counties with a population of 100,000 or
15 more but less than 400,000 whose terms of office begin on or
16 after the effective date of this amendatory Act of the 100th
17 General Assembly shall receive 50% of the full stipend amount
18 set forth in this Section, and county clerks, recorders, and
19 chief election clerks in counties with a population of 400,000
20 or more whose terms of office begin on or after the effective
21 date of this amendatory Act of the 100th General Assembly shall
22 receive no stipend.

23 (e) Beginning December 1, 1990, no county board may reduce
24 or otherwise impair the compensation payable from county funds
25 to a county officer if the reduction or impairment is the
26 result of the county officer receiving an award or stipend

1 payable from State funds.

2 (f) The compensation, necessary clerk hire, stationery,
3 fuel and other expenses of the county auditor, as fixed by the
4 county board, shall be paid by the county.

5 (g) The population of all counties for the purpose of
6 fixing compensation, as herein provided, shall be based upon
7 the last Federal census immediately previous to the election of
8 the officer in question in each county.

9 (h) With respect to an auditor who takes office on or after
10 the effective date of this amendatory Act of the 95th General
11 Assembly, the auditor shall receive an annual stipend of \$6,500
12 per year. The General Assembly shall appropriate the total
13 amount required for the stipend each year from the Personal
14 Property Tax Replacement Fund to the Department of Revenue, and
15 the Department of Revenue shall distribute the awards in an
16 annual lump sum payment to each county auditor. The stipend
17 shall be in addition to, but separate and apart from, the
18 compensation provided in this Section. Notwithstanding any
19 other provision of law, county auditors in counties with a
20 population of 100,000 or more but less than 400,000 whose terms
21 of office begin on or after the effective date of this
22 amendatory Act of the 100th General Assembly shall receive 50%
23 of the full stipend amount set forth in this Section, and
24 county auditors in counties with a population of 400,000 or
25 more whose terms of office begin on or after the effective date
26 of this amendatory Act of the 100th General Assembly shall

1 receive no stipend. No county board may reduce or otherwise
2 impair the compensation payable from county funds to the
3 auditor if the reduction or impairment is the result of the
4 auditor receiving an award or stipend pursuant to this
5 subsection.

6 (Source: P.A. 97-72, eff. 7-1-11.)

7 (55 ILCS 5/4-6002) (from Ch. 34, par. 4-6002)

8 Sec. 4-6002. Coroners in counties of less than 2,000,000.

9 (a) The County Board, in all counties of less than
10 2,000,000 inhabitants, shall fix the compensation of Coroners
11 within the limitations fixed by this Division, and shall
12 appropriate for their necessary clerk hire, stationery, fuel,
13 supplies, and other expenses. The compensation of the Coroner
14 shall be fixed separately from his necessary clerk hire,
15 stationery, fuel and other expenses, and such compensation
16 shall be fixed within the following limits:

17 To each Coroner in counties containing less than 5,000
18 inhabitants, not less than \$4,500 per annum.

19 To each Coroner in counties containing 5,000 or more
20 inhabitants but less than 14,000 inhabitants, not less than
21 \$6,000 per annum.

22 To each Coroner in counties containing 14,000 or more
23 inhabitants, but less than 30,000 inhabitants, not less than
24 \$9,000 per annum.

25 To each Coroner in counties containing 30,000 or more

1 inhabitants, but less than 60,000 inhabitants, not less than
2 \$14,000 per annum.

3 To each Coroner in counties containing 60,000 or more
4 inhabitants, but less than 100,000 inhabitants, not less than
5 \$15,000 per annum.

6 To each Coroner in counties containing 100,000 or more
7 inhabitants, but less than 200,000 inhabitants, not less than
8 \$16,500 per annum.

9 To each Coroner in counties containing 200,000 or more
10 inhabitants, but less than 300,000 inhabitants, not less than
11 \$18,000 per annum.

12 To each Coroner in counties containing 300,000 or more
13 inhabitants, but less than 2,000,000 inhabitants, not less than
14 \$20,000 per annum.

15 The population of all counties for the purpose of fixing
16 compensation, as herein provided, shall be based upon the last
17 Federal census immediately previous to the election of the
18 Coroner in question in each county. This Section does not apply
19 to a county which has abolished the elective office of coroner.

20 (b) Those coroners beginning a term of office on or after
21 December 1, 1990 shall be compensated as follows:

22 (1) Beginning December 1, 1990, base salary plus at
23 least 3% of base salary.

24 (2) Beginning December 1, 1991, base salary plus at
25 least 6% of base salary.

26 (3) Beginning December 1, 1992, base salary plus at

1 least 9% of base salary.

2 (4) Beginning December 1, 1993, base salary plus at
3 least 12% of base salary.

4 "Base salary", as used in this subsection (b), means the
5 salary in effect before July 1, 1989.

6 (c) In addition to, but separate and apart from, the
7 compensation provided in this Section, subject to
8 appropriation, the coroner of each county shall receive an
9 annual stipend of \$6,500 to be paid by the Illinois Department
10 of Revenue out of the Personal Property Tax Replacement Fund if
11 his or her term begins on or after December 1, 2000.
12 Notwithstanding any other provision of law, coroners in
13 counties with a population of 100,000 or more but less than
14 400,000 whose terms of office begin on or after the effective
15 date of this amendatory Act of the 100th General Assembly shall
16 receive 50% of the full stipend amount set forth in this
17 Section, and coroners in counties with a population of 400,000
18 or more whose terms of office begin on or after the effective
19 date of this amendatory Act of the 100th General Assembly shall
20 receive no stipend.

21 (Source: P.A. 97-72, eff. 7-1-11.)

22 (55 ILCS 5/4-6003) (from Ch. 34, par. 4-6003)

23 Sec. 4-6003. Compensation of sheriffs for certain expenses
24 in counties of less than 2,000,000.

25 (a) The County Board, in all counties of less than

1 2,000,000 inhabitants, shall fix the compensation of sheriffs,
2 with the amount of their necessary clerk hire, stationery, fuel
3 and other expenses. The county shall supply the sheriff with
4 all necessary uniforms, guns and ammunition. The compensation
5 of each such officer shall be fixed separately from his
6 necessary clerk hire, stationery, fuel and other expenses.
7 Beginning immediately, no county with a population under
8 2,000,000 may reduce the rate of compensation of its sheriff
9 below the rate of compensation that it was actually paying to
10 its sheriff on January 1, 2002 or the effective date of this
11 amendatory Act of the 92nd General Assembly, whichever is
12 greater.

13 (b) In addition to the requirement of subsection (a), the
14 rate of compensation payable to the sheriff by the county shall
15 not be less than the following:

16 To each such sheriff in counties containing less than
17 10,000 inhabitants, not less than \$27,000 per annum.

18 To each such sheriff in counties containing 10,000 or more
19 inhabitants but less than 20,000 inhabitants, not less than
20 \$31,000 per annum.

21 To each such sheriff in counties containing 20,000 or more
22 inhabitants but less than 30,000 inhabitants, not less than
23 \$34,000 per annum.

24 To each such sheriff in counties containing 30,000 or more
25 inhabitants but less than 60,000 inhabitants, not less than
26 \$37,000 per annum.

1 To each such sheriff in counties containing 60,000 or more
2 inhabitants but less than 100,000 inhabitants, not less than
3 \$40,000 per annum.

4 To each such sheriff in counties containing 100,000 or more
5 inhabitants but less than 2,000,000 inhabitants, not less than
6 \$43,000 per annum.

7 The population of each county for the purpose of fixing
8 compensation as herein provided, shall be based upon the last
9 federal census immediately previous to the election of the
10 sheriff in question in such county.

11 (c) (Blank).

12 (d) In addition to the salary provided for in subsections
13 (a), (b), and (c), beginning December 1, 1998, subject to
14 appropriation, each sheriff, for his or her additional duties
15 imposed by other statutes or laws, shall receive an annual
16 stipend to be paid by the Illinois Department of Revenue out of
17 the Personal Property Tax Replacement Fund in the amount of
18 \$6,500. Notwithstanding any other provision of law, sheriffs in
19 counties with a population of 100,000 or more but less than
20 400,000 whose terms of office begin on or after the effective
21 date of this amendatory Act of the 100th General Assembly shall
22 receive 50% of the full stipend amount set forth in this
23 Section, and sheriffs in counties with a population of 400,000
24 or more whose terms of office begin on or after the effective
25 date of this amendatory Act of the 100th General Assembly shall
26 receive no stipend.

1 (e) No county board may reduce or otherwise impair the
2 compensation payable from county funds to a sheriff if the
3 reduction or impairment is the result of the sheriff receiving
4 an award or stipend payable from State funds.

5 (Source: P.A. 97-72, eff. 7-1-11.)

6 (55 ILCS 5/4-8002) (from Ch. 34, par. 4-8002)

7 Sec. 4-8002. Additional compensation of sheriff and
8 recorder.

9 (a) In addition to any salary otherwise provided by law,
10 beginning December 1, 1998, subject to appropriation, the
11 sheriff of Cook County for his or her additional duties imposed
12 by other statutes or laws shall receive an annual stipend to be
13 paid by the Illinois Department of Revenue out of the Personal
14 Property Tax Replacement Fund in the amount of \$6,500.
15 Notwithstanding any other provision of law, no Cook County
16 Sheriff whose term of office begins on or after the effective
17 date of this amendatory Act of the 100th General Assembly shall
18 receive a stipend. The county board shall not reduce or
19 otherwise impair the compensation payable from county funds to
20 the sheriff if the reduction or impairment is the result of the
21 sheriff receiving a stipend payable from State funds.

22 (b) In addition to any salary otherwise provided by law,
23 beginning December 1, 2000, subject to appropriation, the
24 recorder of deeds of Cook County for his or her additional
25 duties imposed by law shall receive an annual stipend to be

1 paid by the State in an amount equal to the stipend paid to
 2 each recorder in other counties under subsection (d) of Section
 3 4-6001 of this Code. Notwithstanding any other provision of
 4 law, no Cook County Recorder of Deeds whose term of office
 5 begins on or after the effective date of this amendatory Act of
 6 the 100th General Assembly shall receive a stipend. The county
 7 board may not reduce or otherwise impair the compensation
 8 payable from county funds to the recorder of deeds if the
 9 reduction or impairment is the result of the recorder of deeds
 10 receiving a stipend payable from State funds.

11 (Source: P.A. 97-72, eff. 7-1-11; 97-619, eff. 11-14-11.)

12 Section 15. The Clerks of Courts Act is amended by changing
 13 Section 27.3 as follows:

14 (705 ILCS 105/27.3) (from Ch. 25, par. 27.3)

15 Sec. 27.3. Compensation.

16 (a) The county board shall provide the compensation of
 17 Clerks of the Circuit Court, and the amount necessary for clerk
 18 hire, stationery, fuel and other expenses. Beginning December
 19 1, 1989, the compensation per annum for Clerks of the Circuit
 20 Court shall be as follows:

21 In counties where the population is:

22	Less than 14,000	at least \$13,500
23	14,001-30,000.....	at least \$14,500
24	30,001-60,000.....	at least \$15,000

1	60,001-100,000	at least \$15,000
2	100,001-200,000.....	at least \$16,500
3	200,001-300,000.....	at least \$18,000
4	300,001- 3,000,000	at least \$20,000
5	Over 3,000,000	at least \$55,000

6 (b) In counties in which the population is 3,000,000 or
7 less, "base salary" is the compensation paid for each Clerk of
8 the Circuit Court, respectively, before July 1, 1989.

9 (c) The Clerks of the Circuit Court, in counties in which
10 the population is 3,000,000 or less, shall be compensated as
11 follows:

12 (1) Beginning December 1, 1989, base salary plus at
13 least 3% of base salary.

14 (2) Beginning December 1, 1990, base salary plus at
15 least 6% of base salary.

16 (3) Beginning December 1, 1991, base salary plus at
17 least 9% of base salary.

18 (4) Beginning December 1, 1992, base salary plus at
19 least 12% of base salary.

20 (d) In addition to the compensation provided by the county
21 board, each Clerk of the Circuit Court shall receive an award
22 from the State for the additional duties imposed by Sections
23 5-9-1 and 5-9-1.2 of the Unified Code of Corrections, Section
24 10 of the Violent Crime Victims Assistance Act, Section 16-104a
25 of the Illinois Vehicle Code, and other laws, in the following
26 amount:

- 1 (1) \$3,500 per year before January 1, 1997.
- 2 (2) \$4,500 per year beginning January 1, 1997.
- 3 (3) \$5,500 per year beginning January 1, 1998.
- 4 (4) \$6,500 per year beginning January 1, 1999.

5 The total amount required for such awards shall be appropriated
6 each year by the General Assembly to the Supreme Court, which
7 shall distribute such awards in annual lump sum payments to the
8 Clerks of the Circuit Court in all counties. Notwithstanding
9 any other provision of law, Clerks of the Circuit Court in
10 counties with a population of 100,000 or more but less than
11 400,000 whose terms of office begin on or after the effective
12 date of this amendatory Act of the 100th General Assembly shall
13 receive 50% of the full stipend amount set forth in this
14 Section, and Clerks of the Circuit Court in counties with a
15 population of 400,000 or more whose terms of office begin on or
16 after the effective date of this amendatory Act of the 100th
17 General Assembly shall receive no stipend. This annual award,
18 and any other award or stipend paid out of State funds to the
19 Clerks of the Circuit Court, shall not affect any other
20 compensation provided by law to be paid to Clerks of the
21 Circuit Court.

22 (e) (Blank).

23 (f) No county board may reduce or otherwise impair the
24 compensation payable from county funds to a Clerk of the
25 Circuit Court if the reduction or impairment is the result of
26 the Clerk of the Circuit Court receiving an award or stipend

1 payable from State funds.

2 (Source: P.A. 98-24, eff. 6-19-13.)

3 Section 90. The State Mandates Act is amended by adding
4 Section 8.41 as follows:

5 (30 ILCS 805/8.41 new)

6 Sec. 8.41. Exempt mandate. Notwithstanding Sections 6 and 8
7 of this Act, no reimbursement by the State is required for the
8 implementation of any mandate created by this amendatory Act of
9 the 100th General Assembly.

10 Section 99. Effective date. This Act takes effect upon
11 becoming law.