



Rep. Michael J. Zalewski

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LRB097 16003 OMW 72616 a

1 AMENDMENT TO SENATE BILL 3438

2 AMENDMENT NO. _____. Amend Senate Bill 3438 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Public Officer Prohibited Activities Act is
5 amended by changing Section 1 and by adding Section 1.4 as
6 follows:

7 (50 ILCS 105/1) (from Ch. 102, par. 1)

8 Sec. 1. County board.

9 (a) No member of a county board, other than a member of the
10 Cook County Board, during the term of office for which he or
11 she is elected, may be appointed to, accept, or hold any office
12 other than (i) chairman of the county board or member of the
13 regional planning commission by appointment or election of the
14 board of which he or she is a member, (ii) alderman of a city or
15 member of the board of trustees of a village or incorporated
16 town if the city, village, or incorporated town has fewer than

1 1,000 inhabitants and is located in a county having fewer than
2 50,000 inhabitants, or (iii) trustee of a forest preserve
3 district created under Section 18.5 of the Conservation
4 District Act, unless he or she first resigns from the office of
5 county board member or unless the holding of another office is
6 authorized by law. Any such prohibited appointment or election
7 is void.

8 (b) This Section shall not preclude a member of the county
9 board from being selected or from serving as a member of a
10 County Extension Board as provided in Section 7 of the County
11 Cooperative Extension Law, as a member of an Emergency
12 Telephone System Board as provided in Section 15.4 of the
13 Emergency Telephone System Act, or as appointed members of the
14 board of review as provided in Section 6-30 of the Property Tax
15 Code.

16 (c) Subject to the provisions of Section 1.4, nothing
17 ~~Nothing~~ in this Act shall be construed to prohibit an elected
18 county official from holding elected office in another unit of
19 local government so long as there is no contractual
20 relationship between the county and the other unit of local
21 government. This amendatory Act of 1995 is declarative of
22 existing law and is not a new enactment.

23 (Source: P.A. 94-617, eff. 8-18-05.)

24 (50 ILCS 105/1.4 new)

25 Sec. 1.4. Cook County Board elected officials; other

1 offices.

2 (a) An elected member of the Cook County Board may serve
3 as: (i) an elected mayor of a city or an elected president of
4 the board of trustees of a village or incorporated town or (ii)
5 an elected alderman of a city or an elected member of the board
6 of trustees of a village or incorporated town, provided that
7 the county board member and elected municipal officer must
8 abstain from acting, voting, sponsoring, discussing, or
9 participating in any way in the consideration of any specific
10 contract or agreement between the county and the city, village,
11 or incorporated town or in any other matter in which the
12 interests of the county and the city, village, or incorporated
13 town may conflict. Those county board members and municipal
14 officers are not disqualified from acting on, voting on,
15 sponsoring, discussing, or participating in the adoption of the
16 county's or municipality's annual appropriations ordinance.

17 (b) No member of the Cook County Board, during the term of
18 office for which he or she is elected, may be appointed to,
19 accept, or hold any office by appointment of the President of
20 the Cook County Board, with the advice and consent of the Cook
21 County Board, or by election of the Cook County Board, other
22 than: (i) President of the Cook County Board, (ii) member of
23 the regional planning commission, or (iii) trustee of a forest
24 preserve district created under Section 18.5 of the
25 Conservation District Act, unless he or she first resigns from
26 the office of county board member or unless the holding of

1 another office is otherwise authorized by law. Any such
2 prohibited appointment or election is void.

3 (c) On or after the effective date of this amendatory Act
4 of the 97th General Assembly, any individual who holds elected
5 office in a unit of local government may not first enter into
6 an additional elected office as a member of the Cook County
7 Board if he or she is: (i) earning service credit under the
8 Illinois Pension Code as a result of holding the first elected
9 office and (ii) will earn service credit under the Illinois
10 Pension Code as a result of simultaneously holding the second
11 elected office.

12 (d) This Section is a limitation under subsection (h) of
13 Section 6 of Article VII of the Illinois Constitution on the
14 exclusive exercise by home rule units of powers and functions
15 exercised by the State.

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