

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 Election Code is amended by changing Section
5 2A-1.2 as follows:

6 (10 ILCS 5/2A-1.2) (from Ch. 46, par. 2A-1.2)

7 Sec. 2A-1.2. Consolidated Schedule of Elections - Offices
8 Designated.

9 (a) At the general election in the appropriate
10 even-numbered years, the following offices shall be filled or
11 shall be on the ballot as otherwise required by this Code:

12 (1) Elector of President and Vice President of the
13 United States;

14 (2) United States Senator and United States
15 Representative;

16 (3) State Executive Branch elected officers;

17 (4) State Senator and State Representative;

18 (5) County elected officers, including State's
19 Attorney, County Board member, County Commissioners, and
20 elected President of the County Board or County Chief
21 Executive;

22 (6) Circuit Court Clerk;

23 (7) Regional Superintendent of Schools, except in

1 counties or educational service regions in which that
2 office has been abolished;

3 (8) Judges of the Supreme, Appellate and Circuit
4 Courts, on the question of retention, to fill vacancies and
5 newly created judicial offices;

6 (9) (Blank);

7 (10) Trustee of the Metropolitan Sanitary District of
8 Chicago, and elected Trustee of other Sanitary Districts;

9 (11) Special District elected officers, not otherwise
10 designated in this Section, where the statute creating or
11 authorizing the creation of the district requires an annual
12 election and permits or requires election of candidates of
13 political parties;~~:-~~

14 (12) Forest preserve district commissioners elected
15 under Section 3e of the Downstate Forest Preserve District
16 Act.

17 (b) At the general primary election:

18 (1) in each even-numbered year candidates of political
19 parties shall be nominated for those offices to be filled
20 at the general election in that year, except where pursuant
21 to law nomination of candidates of political parties is
22 made by caucus.

23 (2) in the appropriate even-numbered years the
24 political party offices of State central committeeman,
25 township committeeman, ward committeeman, and precinct
26 committeeman shall be filled and delegates and alternate

1 delegates to the National nominating conventions shall be
2 elected as may be required pursuant to this Code. In the
3 even-numbered years in which a Presidential election is to
4 be held, candidates in the Presidential preference primary
5 shall also be on the ballot.

6 (3) in each even-numbered year, where the municipality
7 has provided for annual elections to elect municipal
8 officers pursuant to Section 6(f) or Section 7 of Article
9 VII of the Constitution, pursuant to the Illinois Municipal
10 Code or pursuant to the municipal charter, the offices of
11 such municipal officers shall be filled at an election held
12 on the date of the general primary election, provided that
13 the municipal election shall be a nonpartisan election
14 where required by the Illinois Municipal Code. For partisan
15 municipal elections in even-numbered years, a primary to
16 nominate candidates for municipal office to be elected at
17 the general primary election shall be held on the Tuesday 6
18 weeks preceding that election.

19 (4) in each school district which has adopted the
20 provisions of Article 33 of the School Code, successors to
21 the members of the board of education whose terms expire in
22 the year in which the general primary is held shall be
23 elected.

24 (c) At the consolidated election in the appropriate
25 odd-numbered years, the following offices shall be filled:

26 (1) Municipal officers, provided that in

1 municipalities in which candidates for alderman or other
2 municipal office are not permitted by law to be candidates
3 of political parties, the runoff election where required by
4 law, or the nonpartisan election where required by law,
5 shall be held on the date of the consolidated election; and
6 provided further, in the case of municipal officers
7 provided for by an ordinance providing the form of
8 government of the municipality pursuant to Section 7 of
9 Article VII of the Constitution, such offices shall be
10 filled by election or by runoff election as may be provided
11 by such ordinance;

12 (2) Village and incorporated town library directors;

13 (3) City boards of stadium commissioners;

14 (4) Commissioners of park districts;

15 (5) Trustees of public library districts;

16 (6) Special District elected officers, not otherwise
17 designated in this section, where the statute creating or
18 authorizing the creation of the district permits or
19 requires election of candidates of political parties;

20 (7) Township officers, including township park
21 commissioners, township library directors, and boards of
22 managers of community buildings, and Multi-Township
23 Assessors;

24 (8) Highway commissioners and road district clerks;

25 (9) Members of school boards in school districts which
26 adopt Article 33 of the School Code;

1 (10) The directors and chairman of the Chain O Lakes -
2 Fox River Waterway Management Agency;

3 (11) Forest preserve district commissioners elected
4 under Section 3.5 of the Downstate Forest Preserve District
5 Act;

6 (12) Elected members of school boards, school
7 trustees, directors of boards of school directors,
8 trustees of county boards of school trustees (except in
9 counties or educational service regions having a
10 population of 2,000,000 or more inhabitants) and members of
11 boards of school inspectors, except school boards in school
12 districts that adopt Article 33 of the School Code;

13 (13) Members of Community College district boards;

14 (14) Trustees of Fire Protection Districts;

15 (15) Commissioners of the Springfield Metropolitan
16 Exposition and Auditorium Authority;

17 (16) Elected Trustees of Tuberculosis Sanitarium
18 Districts;

19 (17) Elected Officers of special districts not
20 otherwise designated in this Section for which the law
21 governing those districts does not permit candidates of
22 political parties.

23 (d) At the consolidated primary election in each
24 odd-numbered year, candidates of political parties shall be
25 nominated for those offices to be filled at the consolidated
26 election in that year, except where pursuant to law nomination

1 of candidates of political parties is made by caucus, and
2 except those offices listed in paragraphs (12) through (17) of
3 subsection (c).

4 At the consolidated primary election in the appropriate
5 odd-numbered years, the mayor, clerk, treasurer, and aldermen
6 shall be elected in municipalities in which candidates for
7 mayor, clerk, treasurer, or alderman are not permitted by law
8 to be candidates of political parties, subject to runoff
9 elections to be held at the consolidated election as may be
10 required by law, and municipal officers shall be nominated in a
11 nonpartisan election in municipalities in which pursuant to law
12 candidates for such office are not permitted to be candidates
13 of political parties.

14 At the consolidated primary election in the appropriate
15 odd-numbered years, municipal officers shall be nominated or
16 elected, or elected subject to a runoff, as may be provided by
17 an ordinance providing a form of government of the municipality
18 pursuant to Section 7 of Article VII of the Constitution.

19 (e) (Blank).

20 (f) At any election established in Section 2A-1.1, public
21 questions may be submitted to voters pursuant to this Code and
22 any special election otherwise required or authorized by law or
23 by court order may be conducted pursuant to this Code.

24 Notwithstanding the regular dates for election of officers
25 established in this Article, whenever a referendum is held for
26 the establishment of a political subdivision whose officers are

1 to be elected, the initial officers shall be elected at the
2 election at which such referendum is held if otherwise so
3 provided by law. In such cases, the election of the initial
4 officers shall be subject to the referendum.

5 Notwithstanding the regular dates for election of
6 officials established in this Article, any community college
7 district which becomes effective by operation of law pursuant
8 to Section 6-6.1 of the Public Community College Act, as now or
9 hereafter amended, shall elect the initial district board
10 members at the next regularly scheduled election following the
11 effective date of the new district.

12 (g) At any election established in Section 2A-1.1, if in
13 any precinct there are no offices or public questions required
14 to be on the ballot under this Code then no election shall be
15 held in the precinct on that date.

16 (h) There may be conducted a referendum in accordance with
17 the provisions of Division 6-4 of the Counties Code.

18 (Source: P.A. 89-5, eff. 1-1-96; 89-95, eff. 1-1-96; 89-626,
19 eff. 8-9-96; 90-358, eff. 1-1-98.)

20 Section 10. The Downstate Forest Preserve District Act is
21 amended by changing Section 3a and by adding Section 3e as
22 follows:

23 (70 ILCS 805/3a) (from Ch. 96 1/2, par. 6305)

24 Sec. 3a. Except as otherwise provided in this Section, and

1 except as provided in Section 3c, 3d, 3e, and 3.5, the affairs
2 of the district shall be managed by a board of commissioners
3 consisting of 5 commissioners, who shall be appointed by the
4 presiding officer of the county board of the county in which
5 such forest preserve district is situated, with the advice and
6 consent of such county board. The first appointment shall be
7 made within 90 days and not sooner than 60 days after such
8 forest preserve district has been organized as provided herein.
9 Each member of such board so appointed shall be a legal voter
10 in such district. The first commissioners shall be appointed to
11 hold office for terms of one, 2, 3, 4, and 5 years, and until
12 June 30 thereafter, respectively, as determined and fixed by
13 lot. Thereafter, successor commissioners shall be appointed in
14 the same manner no later than the first day of the month in
15 which the term of a commissioner expires. Except as provided in
16 Section 3c, ~~and~~ 3d, and 3e, a vacancy occurring otherwise than
17 by expiration of term shall be filled for the unexpired term by
18 appointment of a commissioner by the county board chairman with
19 the advice and consent of the members of the county board. In
20 the one district in existence on July 1, 1977, that is managed
21 by an appointed board of commissioners, the incumbent 5
22 commissioners shall complete their respective terms as
23 originally prescribed in this Act. However, upon the expiration
24 of the terms of 2 of the incumbent commissioners on January 1,
25 1978, they or their successors shall be appointed to hold
26 office for terms of 3 and 5 years, and until June 30

1 thereafter, respectively, as determined and fixed by lot.
2 Furthermore, upon the expiration of the terms of the remaining
3 incumbent commissioners on January 1, 1980, they or their
4 successors shall be appointed to hold office for terms of 2, 4,
5 and 5 years, and until June 30 thereafter, respectively, as
6 determined and fixed by lot. Thereafter, each successor
7 commissioner shall be appointed for a term of 5 years. Each
8 member of the board before entering upon the duties of his
9 office shall take the oath prescribed by the constitution. From
10 the time of the appointment of the first board of
11 commissioners, such forest preserve district shall be
12 construed in all courts to be a body corporate and politic by
13 the name and style determined as aforesaid and by such name may
14 sue and be sued, contract and be contracted with, acquire and
15 hold real and personal estate necessary for its corporate
16 purposes and adopt a seal and alter the same at its pleasure.

17 In case the boundaries of a district are co-extensive with
18 the boundaries of any county, city, village, incorporated town
19 or sanitary district, the corporate authorities of such county
20 (until the commissioners elected under Section 3c, ~~and~~ 3d, and
21 3e take office), city, village, incorporated town or sanitary
22 district shall have and exercise the powers and privileges and
23 perform the duties and functions of the commissioners provided
24 for in this Act and in that case no commissioner shall be
25 appointed for that district. The corporate authorities, other
26 than members of a county board in counties under township

1 organization having a population of less than 3,000,000 and
2 members of a county board in a county not under township
3 organization who were elected prior to July 1, 1965, shall act
4 without any other pay than that already provided by law. The
5 members of a county board of a county under township
6 organization and members of a county board of a county not
7 under township organization who were elected prior to July 1,
8 1965, who also act as commissioners of a forest preserve
9 district in counties having a population of less than 3,000,000
10 may receive for their services as commissioners of a forest
11 preserve district a per diem fee to be fixed by such board, but
12 not to exceed \$36 per day, which shall be in full for all
13 services rendered on such day, or an annual salary to be fixed
14 by such board, but not to exceed \$3,000, plus mileage expenses
15 at a rate not more than the amount allowed for members of the
16 county board of such county, as fixed by the board, for each
17 mile necessarily traveled in attending meetings of the board of
18 such district, plus any expense incurred while, or in
19 connection with, carrying out the business of such district
20 outside the boundaries of such district, payable from the
21 forest preserve district treasury. The president of the Board
22 of Commissioners of the Forest Preserve District in counties of
23 less than 3 million may receive in lieu of a per diem fee an
24 annual salary to be fixed by such board. No Forest Preserve
25 Commissioner shall file for a per diem payment for services
26 rendered on the same day for which he filed for a per diem

1 payment as a county supervisor. When the county board also acts
2 as such commissioners, a member of the county board of a county
3 under township organization and a member of the county board of
4 a county not under township organization, who is elected prior
5 to July 1, 1965 may, with the permission of the county board,
6 work alone as such a commissioner and be paid in the usual
7 manner.

8 Unless otherwise qualified, the term "board", when used in
9 this Act, means the board of commissioners of any forest
10 preserve district, or the corporate authorities of any county,
11 city, village, incorporated town, or sanitary district, when
12 acting as the governing body of a forest preserve district.

13 (Source: P.A. 96-239, eff. 8-11-09.)

14 (70 ILCS 805/3e new)

15 Sec. 3e. Elected board of commissioners in certain other
16 counties. If the boundaries of a district are coextensive with
17 the boundaries of a county having a population in excess of
18 140,000 but less than 200,000 and contiguous to the Mississippi
19 River, all commissioners of the forest preserve district shall
20 be elected at the general election in 2018, 7 commissioners
21 shall be elected from 7 apportioned districts and the terms
22 shall be determined by lot by the board of commissioners.
23 Beginning with the general election in 2018, the board of
24 commissioners shall assign 4 districts to a 4 year term and 3
25 districts to a 2 year term followed by a subsequent 2 year term

1 under this amendatory Act of the 99th General Assembly.

2 In the year following the next decennial census and each
3 decennial census thereafter beginning with the 2022 general
4 election, the board of commissioners shall reapportion the
5 districts to reflect the results of the census and determine by
6 lot staggered terms of commissioners as follows: 4 districts
7 from which each commissioner shall have a 4-year/4-year/2-year
8 term cycle and 3 districts from which each commissioner shall
9 have a 2-year/4-year/4-year term cycle.

10 The terms of all commissioners and officers in Section 3a
11 -serving on the effective date of this amendatory Act of the
12 99th General Assembly shall end when their successors have been
13 elected and qualified.

14 Nomination of candidates for the office of commissioner at
15 the initial and each succeeding election shall be made by
16 petition signed in the aggregate for each candidate by not less
17 than 100 qualified voters of the forest preserve district.

18 After each general election, the forest preserve district
19 commissioners shall elect a president from among their members
20 for a 2 year term.

21 Each commissioner shall be a resident of the county from
22 which he or she was elected no later than the date of the
23 commencement of the term of office. The term of office for the
24 president and commissioners elected under this Section shall
25 commence on the first Monday of the month following the month
26 of election.

1 Neither a commissioner nor the president of the board of
2 commissioners shall serve simultaneously in any other elective
3 or appointive office in the county. The president, with the
4 advice and consent of the board of commissioners, shall appoint
5 a secretary, treasurer, and any other officer deemed necessary
6 by the board of commissioners. The officers need not be members
7 of the board of commissioners. The president shall have the
8 powers and duties as set forth in Section 12 of this Act.

9 Candidates for commissioner shall be non-partisan.

10 If a vacancy in the office of president or commissioner
11 occurs, other than by expiration of the president's or a
12 commissioner's term, the forest preserve district board of
13 commissioners shall declare that a vacancy exists, and the
14 board of commissioners shall, within 60 days after the date of
15 the vacancy, upon the majority vote of the commissioners then
16 serving, elect a person to serve for the remainder of the
17 unexpired term. If, however, more than 28 months remain in the
18 unexpired term of a commissioner, at the time of appointment,
19 the appointment shall be until the next general election, at
20 which time the vacated office of commissioner shall be filled
21 by election for the remainder of the term. All other vacancies
22 in nomination shall be filled in accordance with the provisions
23 of the Election Code.

24 The president and commissioners elected under this Section
25 shall serve without compensation. The president and
26 commissioners may be reimbursed for their reasonable expenses

1 actually incurred in performing their official duties under
2 this Act in accordance with the provisions of Section 3a. The
3 cost of reimbursement under this Section shall be paid by funds
4 from the forest preserve district treasury.

5 This Section does not apply to a forest preserve district
6 created under Section 18.5 of the Conservation District Act.

7 Section 99. Effective date. This Act takes effect upon
8 becoming law.