



Rep. Daniel Didech

Filed: 2/11/2025

10400HB1083ham001

LRB104 06306 RTM 22438 a

1 AMENDMENT TO HOUSE BILL 1083

2 AMENDMENT NO. _____. Amend House Bill 1083 on page 1,
3 immediately above line 4, by inserting the following:

4 "Section 3. The Downstate Forest Preserve District Act is
5 amended by changing Sections 3a, 3c, 3d, and 12 as follows:

6 (70 ILCS 805/3a) (from Ch. 96 1/2, par. 6305)

7 Sec. 3a. Except as otherwise provided in this Section, and
8 except as provided in Section 3c, 3d, and 3.5, the affairs of
9 the district shall be managed by a board of commissioners
10 consisting of 5 commissioners, who shall be appointed by the
11 presiding officer of the county board of the county in which
12 such forest preserve district is situated, with the advice and
13 consent of such county board. The first appointment shall be
14 made within 90 days and not sooner than 60 days after such
15 forest preserve district has been organized as provided
16 herein. Each member of such board so appointed shall be a legal

1 voter in such district. The first commissioners shall be
2 appointed to hold office for terms of one, 2, 3, 4, and 5
3 years, and until June 30 thereafter, respectively, as
4 determined and fixed by lot. Thereafter, successor
5 commissioners shall be appointed in the same manner no later
6 than the first day of the month in which the term of a
7 commissioner expires. Except as provided in Section 3c and 3d,
8 a vacancy occurring otherwise than by expiration of term shall
9 be filled for the unexpired term by appointment of a
10 commissioner by the county board chairman with the advice and
11 consent of the members of the county board. In the one district
12 in existence on July 1, 1977, that is managed by an appointed
13 board of commissioners, the incumbent 5 commissioners shall
14 complete their respective terms as originally prescribed in
15 this Act. However, upon the expiration of the terms of 2 of the
16 incumbent commissioners on January 1, 1978, they or their
17 successors shall be appointed to hold office for terms of 3 and
18 5 years, and until June 30 thereafter, respectively, as
19 determined and fixed by lot. Furthermore, upon the expiration
20 of the terms of the remaining incumbent commissioners on
21 January 1, 1980, they or their successors shall be appointed
22 to hold office for terms of 2, 4, and 5 years, and until June
23 30 thereafter, respectively, as determined and fixed by lot.
24 Thereafter, each successor commissioner shall be appointed for
25 a term of 5 years. Each member of the board before entering
26 upon the duties of the ~~his~~ office shall take the oath

1 prescribed by the constitution. From the time of the
2 appointment of the first board of commissioners, such forest
3 preserve district shall be construed in all courts to be a body
4 corporate and politic by the name and style determined as
5 aforesaid and by such name may sue and be sued, contract and be
6 contracted with, acquire and hold real and personal estate
7 necessary for its corporate purposes and adopt a seal and
8 alter the same at its pleasure.

9 In case the boundaries of a district are co-extensive with
10 the boundaries of any county, city, village, incorporated town
11 or sanitary district, the corporate authorities of such county
12 (until the commissioners elected under Section 3c and 3d take
13 office), city, village, incorporated town or sanitary district
14 shall have and exercise the powers and privileges and perform
15 the duties and functions of the commissioners provided for in
16 this Act and in that case no commissioner shall be appointed
17 for that district. The corporate authorities, other than
18 members of a county board in counties under township
19 organization having a population of less than 3,000,000 and
20 members of a county board in a county not under township
21 organization who were elected prior to July 1, 1965, shall act
22 without any other pay than that already provided by law. The
23 members of a county board of a county under township
24 organization and members of a county board of a county not
25 under township organization who were elected prior to July 1,
26 1965, who also act as commissioners of a forest preserve

1 district in counties having a population of less than
2 3,000,000 may receive for their services as commissioners of a
3 forest preserve district a per diem fee to be fixed by such
4 board, but not to exceed \$36 per day, which shall be in full
5 for all services rendered on such day, or an annual salary to
6 be fixed by such board, but not to exceed \$3,000, plus mileage
7 expenses at a rate not more than the amount allowed for members
8 of the county board of such county, as fixed by the board, for
9 each mile necessarily traveled in attending meetings of the
10 board of such district, plus any expense incurred while, or in
11 connection with, carrying out the business of such district
12 outside the boundaries of such district, payable from the
13 forest preserve district treasury. The president of the Board
14 of Commissioners of the Forest Preserve District in counties
15 of less than 3 million may receive in lieu of a per diem fee an
16 annual salary to be fixed by such board. No Forest Preserve
17 Commissioner shall file for a per diem payment for services
18 rendered on the same day for which the commissioner ~~he~~ filed
19 for a per diem payment as a county supervisor. When the county
20 board also acts as such commissioners, a member of the county
21 board of a county under township organization and a member of
22 the county board of a county not under township organization,
23 who is elected prior to July 1, 1965 may, with the permission
24 of the county board, work alone as such a commissioner and be
25 paid in the usual manner.

26 Unless otherwise qualified, the term "board", when used in

1 this Act, means the board of commissioners of any forest
2 preserve district, or the corporate authorities of any county,
3 city, village, incorporated town, or sanitary district, when
4 acting as the governing body of a forest preserve district.

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

6 (70 ILCS 805/3c)

7 Sec. 3c. Elected board of commissioners in certain
8 counties. If the boundaries of a district are co-extensive
9 with the boundaries of a county having a population of more
10 than 800,000 but less than 3,000,000, all commissioners of the
11 forest preserve district shall be elected from the number of
12 districts as determined by the forest preserve district board
13 of commissioners. Such a forest preserve district is a
14 separate and distinct legal entity, and its board members are
15 elected separate and apart from the elected county
16 commissioners. Upon its formation, or as a result of decennial
17 reapportionment, such a forest preserve district shall adopt a
18 district map determining the boundary lines of each district.
19 That map shall be adjusted and reapportioned subject to the
20 same decennial reapportionment process stated in Section 3c-1.
21 No more than one commissioner shall be elected from each
22 district. At their first meeting after election in 2022 and at
23 their first meeting after election next following each
24 subsequent decennial reapportionment of the county under
25 Section 3c-1, the elected commissioners shall publicly, by

1 lot, divide themselves into 2 groups, as equal in size as
2 possible. Commissioners from the first group shall serve for
3 terms of 2, 4, and 4 years, and commissioners from the second
4 group shall serve terms of 4, 4, and 2 years. The president of
5 the board of commissioners of the forest preserve district
6 shall be elected by the voters of the county, rather than by
7 the commissioners. The president shall be a resident of the
8 county and shall be elected throughout the county for a 4-year
9 term without having been first elected as commissioner of the
10 forest preserve district. Each commissioner shall be a
11 resident of the forest preserve board district from which the
12 commissioner ~~he or she~~ was elected not later than the date of
13 the commencement of the term of office. The term of office for
14 the president and commissioners elected under this Section
15 shall commence on the first Monday of the month following the
16 month of election. Neither a commissioner nor the president of
17 the board of commissioners of that forest preserve district
18 shall serve simultaneously as member or chairman of the county
19 board. No person shall seek election to both the forest
20 preserve commission and the county board at the same election,
21 nor shall they be eligible to hold both offices at the same
22 time. The president, with the advice and consent of the board
23 of commissioners shall appoint a secretary, treasurer, and
24 such other officers as deemed necessary by the board of
25 commissioners, which officers need not be members of the board
26 of commissioners. The president shall have the powers and

1 duties as specified in Section 12 of this Act.

2 Candidates for president and commissioner shall be
3 candidates of established political parties.

4 If a vacancy in the office of president or commissioner
5 occurs, other than by expiration of the president's or
6 commissioner's term, the forest preserve district board of
7 commissioners shall declare that a vacancy exists and
8 notification of the vacancy shall be given to the county
9 central committee of each established political party within 3
10 business days after the occurrence of the vacancy. If the
11 vacancy occurs in the office of forest preserve district
12 commissioner, the president of the board of commissioners
13 shall, within 60 days after the date of the vacancy, with the
14 advice and consent of other commissioners then serving,
15 appoint a person to serve for the remainder of the unexpired
16 term. The appointee shall be affiliated with the same
17 political party as the commissioner in whose office the
18 vacancy occurred and be a resident of such district. If a
19 vacancy in the office of president occurs, other than by
20 expiration of the president's term, the remaining members of
21 the board of commissioners shall, within 60 days after the
22 vacancy, appoint one of the commissioners to serve as
23 president for the remainder of the unexpired term. In that
24 case, the office of the commissioner who is appointed to serve
25 as president shall be deemed vacant and shall be filled within
26 60 days by appointment of the president with the advice and

1 consent of the other forest preserve district commissioners.
2 The commissioner who is appointed to fill a vacancy in the
3 office of president shall be affiliated with the same
4 political party as the person who occupied the office of
5 president prior to the vacancy. A person appointed to fill a
6 vacancy in the office of president or commissioner shall
7 establish his or her party affiliation by his or her record of
8 voting in primary elections or by holding or having held an
9 office in an established political party organization before
10 the appointment. If the appointee has not voted in a party
11 primary election or is not holding or has not held an office in
12 an established political party organization before the
13 appointment, the appointee shall establish his or her
14 political party affiliation by his or her record of
15 participating in an established political party's nomination
16 or election caucus. If, however, more than 28 months remain in
17 the unexpired term of a commissioner or the president, the
18 appointment shall be until the next general election, at which
19 time the vacated office of commissioner or president shall be
20 filled by election for the remainder of the term.
21 Notwithstanding any law to the contrary, if a vacancy occurs
22 after the last day provided in Section 7-12 of the Election
23 Code for filing nomination papers for the office of president
24 of a forest preserve district where that office is elected as
25 provided for in this Section, or as set forth in Section 7-61
26 of the Election Code, a vacancy in nomination shall be filled

1 by the passage of a resolution by the nominating committee of
2 the affected political party within the time periods specified
3 in the Election Code. The nominating committee shall consist
4 of the chairman of the county central committee and the
5 township chairmen of the affected political party. All other
6 vacancies in nomination shall be filled in accordance with the
7 provisions of the Election Code.

8 The president and commissioners elected under this Section
9 may be reimbursed for their reasonable expenses actually
10 incurred in performing their official duties under this Act in
11 accordance with the provisions of Section 3a. The
12 reimbursement paid under this Section shall be paid by the
13 forest preserve district.

14 Compensation for the president and the forest preserve
15 commissioners elected under this Section shall be established
16 by the board of commissioners of the forest preserve district.

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

19 (Source: P.A. 102-668, eff. 11-15-21; 103-600, eff. 7-1-24.)

20 (70 ILCS 805/3d)

21 Sec. 3d. Elected board of commissioners in certain other
22 counties. If the boundaries of a district are co-extensive
23 with the boundaries of a county having a population of more
24 than 200,000 but less than 800,000, bordering the State of
25 Wisconsin but not adjoining any county with a population of

1 over 2,000,000, all commissioners of the forest preserve
2 district shall be elected at large by the voters of the county,
3 beginning with the general election held in 2010 and each
4 succeeding general election. Nomination of candidates for the
5 office of commissioner at the initial and each succeeding
6 election shall be made by petition signed in the aggregate for
7 each candidate by not less than 100 qualified voters of the
8 forest preserve district. Seven commissioners shall be
9 elected, with candidates receiving the highest,
10 second-highest, and third-highest number of votes being
11 elected for 6-year terms. Candidates receiving the
12 fourth-highest and fifth-highest number of votes shall be
13 elected for 4-year terms. Candidates receiving the
14 sixth-highest and seventh-highest number of votes shall be
15 elected for 2-year terms. Thereafter, each commissioner shall
16 be elected for a 6-year term.

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

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

26 Neither a commissioner nor the president of the board of

1 commissioners shall serve simultaneously in any other elective
2 or appointive office in the county. The president, with the
3 advice and consent of the board of commissioners, shall
4 appoint a secretary, treasurer, and any other officer deemed
5 necessary by the board of commissioners. The officers need not
6 be members of the board of commissioners. The president shall
7 have the powers and duties as set forth in Section 12 of this
8 Act.

9 Candidates for commissioner shall not be candidates of
10 established political parties, but shall be non-partisan.

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

25 The president and commissioners elected under this Section
26 shall serve without compensation. The president and

1 commissioners may be reimbursed for their reasonable expenses
2 actually incurred in performing their official duties under
3 this Act in accordance with the provisions of Section 3a. The
4 cost of reimbursement under this Section shall be paid by the
5 forest preserve district.

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

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

9 (70 ILCS 805/12) (from Ch. 96 1/2, par. 6322)

10 Sec. 12. The president of the board of any district
11 organized hereunder, shall preside at all meetings of the
12 board, be the executive officer of the district, and be a
13 member of the board. The president ~~He~~ shall sign all
14 ordinances, resolutions and other papers necessary to be
15 signed and shall execute all contracts entered into by the
16 district and perform other duties as may be prescribed by
17 ordinance. The president ~~He~~ may veto any ordinance and any
18 orders, resolutions and actions, or any items therein
19 contained, of the board which provide for the purchase of real
20 estate, or for the construction of improvements within the
21 preserves of the district. Such veto shall be filed with the
22 secretary of the board within 5 days after the passage of the
23 ordinance, order, resolution or action and when so vetoed the
24 ordinance, order, resolution or action or any item therein
25 contained is not effective unless it is again passed by

1 two-thirds vote of all the members of the board. The president
2 may vote in the same manner as the other members of the board.
3 In the temporary absence or inability of the president, the
4 members of the board may elect from their own number a
5 president, pro tem.

6 The "Yeas" and "Nays" shall be taken, and entered on the
7 journal of the board's proceedings, upon the passage of all
8 ordinances and all proposals to create any liability, or for
9 the expenditure or appropriation of money. The concurrence of
10 a majority of all the members elected or appointed to the board
11 is necessary to the passage of any such ordinance or proposal.
12 In all other cases the "Yeas" and "Nays" shall be taken at the
13 request of any member of the board and shall be entered on the
14 journal of the board's proceedings.

15 (Source: P.A. 91-933, eff. 12-30-00.)".