



Rep. Anne Stava-Murray

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10400HB1589ham001

LRB104 08644 RTM 23025 a

1 AMENDMENT TO HOUSE BILL 1589

2 AMENDMENT NO. _____. Amend House Bill 1589 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Local Library Act is amended by
5 changing Section 4-3.3 as follows:

6 (75 ILCS 5/4-3.3) (from Ch. 81, par. 4-3.3)

7 Sec. 4-3.3. Nominations. Nominations for the position of
8 library trustee including the first board of library trustees
9 shall be by petition, signed by at least 25 legal voters
10 residing in the incorporated town or village (except a village
11 under the commission form of government) or township and filed
12 with the clerk of such incorporated town, village, or township
13 within the time prescribed by the general election law. Such
14 clerk shall certify the candidates for library trustees to the
15 proper election authorities who shall conduct the election in
16 accordance with the general election law. All candidates must

1 be residents of the incorporated town, village, or township
2 involved and have a valid library card for the library. The
3 ballots shall not designate any political party, platform, or
4 political principle.

5 (Source: P.A. 95-65, eff. 1-1-08.)

6 Section 10. The Public Library District Act of 1991 is
7 amended by changing Sections 30-20 and 30-25 as follows:

8 (75 ILCS 16/30-20)

9 Sec. 30-20. Nomination of candidates; ballot.

10 (a) Nomination of candidates for election as trustees
11 shall be by petition, signed by a number of qualified voters
12 equivalent to at least 2% of the votes cast at the last
13 election for library trustees, or 50, whichever is less,
14 residing within the district, and filed with the secretary of
15 the district within the time provided by the Election Code. No
16 party name or affiliation may appear on the petition.

17 (b) The names of all candidates for the office of trustee
18 shall be certified by the secretary to the proper election
19 authority, who shall conduct the election in accordance with
20 the Election Code.

21 (c) The ballot for election of trustees shall not
22 designate any political party, platform, or political
23 principle.

24 (d) A person is not eligible to serve as a library trustee

1 unless he or she is a qualified elector of the library district
2 and has resided in the library district at least one year at
3 the time he or she files nomination papers or a declaration of
4 intent to become a write-in candidate or is presented for
5 appointment.

6 (e) A person is not eligible to serve as a library trustee
7 who, at the time of his or her appointment or filing of
8 nomination papers or a declaration of intent to become a
9 write-in candidate, is in arrears in the payment of a tax or
10 other indebtedness due to the library district or has been
11 convicted in any court in the United States of any infamous
12 crime, bribery, perjury, or other felony.

13 (e-5) A person is not eligible to serve as library trustee
14 who, at the time of his or her appointment or filing of
15 nomination papers or a declaration of intent to become a
16 write-in candidate or is presented for appointment, has not
17 been a public library cardholder for a period of one year prior
18 to declaring candidacy or being presented for appointment.

19 (f) The changes made by this amendatory Act of the 100th
20 General Assembly apply only to candidates by petition or
21 write-in candidates in the consolidated election of 2019 and
22 thereafter and to all appointees appointed after the effective
23 date of this amendatory Act of the 100th General Assembly.

24 (Source: P.A. 100-746, eff. 8-10-18.)

1 Sec. 30-25. Vacancies.

2 (a) Vacancies shall be declared in the office of trustee
3 by the board when an elected or appointed trustee (i)
4 declines, fails, or is unable to serve, (ii) becomes a
5 nonresident of the district, (iii) is convicted of a
6 misdemeanor by failing, neglecting, or refusing to discharge
7 any duty imposed upon him or her by this Act, or (iv) has
8 failed to pay the library taxes levied by the district.
9 Absence without cause from all regular board meetings for a
10 period of one year shall be a basis for declaring a vacancy.

11 (b) All vacancies shall be filled by appointment, from
12 persons meeting the criteria in Section 30-20 of this Act, by
13 the remaining trustees until the next regular library
14 election, at which time a trustee shall be elected for the
15 remainder of the unexpired term. If, however, the vacancy
16 occurs with less than 28 months remaining in the term, and if
17 the vacancy occurs less than 88 days before the next regular
18 scheduled election for this office, then the person so
19 appointed shall serve the remainder of the unexpired term and
20 no election to fill the vacancy shall be held. If the vacancy
21 is in the office of a trustee of a library district with an
22 appointed board, the vacancy shall be filled by appointment by
23 the remaining trustees. Vacancies shall be filled within 90
24 days after a vacancy has been declared. If the trustees fail to
25 appoint a new member within 90 days after a vacancy has been
26 declared, the State Librarian shall appoint an individual to

1 fill the vacancy within 60 days after the trustees have failed
2 to fill the vacancy. If the State Librarian fails to fill the
3 vacancy within the 60 days after the trustees have failed to
4 fill the vacancy, the vacancy shall be filled at the next
5 regularly scheduled election. Notwithstanding any other
6 provision of this Section, if a vacancy occurred prior to May
7 27, 2022 and that vacancy has not been filled by the trustees
8 before the effective date of this amendatory Act of the 102nd
9 General Assembly, the State Librarian shall fill the vacancy
10 within 60 days after the effective date of this amendatory Act
11 of the 102nd General Assembly.

12 (Source: P.A. 102-977, eff. 5-27-22; 102-1107, eff.
13 12-14-22.)".