

104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

SB1431

Introduced 1/31/2025, by Sen. Bill Cunningham

SYNOPSIS AS INTRODUCED:

| | |
|------------------|--------------------------|
| 55 ILCS 5/3-7002 | from Ch. 34, par. 3-7002 |
| 55 ILCS 5/3-7004 | from Ch. 34, par. 3-7004 |
| 55 ILCS 5/3-7005 | from Ch. 34, par. 3-7005 |
| 55 ILCS 5/3-7008 | from Ch. 34, par. 3-7008 |

Amends the Counties Code. Provides that the Cook County Sheriff's Merit Board shall consist of 3 members (rather than not less than 3 and not more than 7 members) appointed by the Sheriff with the advice and consent of three-fifths of the county board. Provides that all members of the Board shall be appointed to hold office from the third Monday in March of the year of their respective appointments for a term of 6 years and until their successors are appointed and qualified for a like term. Provides that the terms of the members need not be staggered. Removes language authorizing the Board to employ hearing officers to conduct hearings under specified provisions. Provides that certification by the Board for appointment of deputy sheriffs in the Police Department, full-time deputy sheriffs not employed as county police officers or county corrections officers, and of employees in the Department of Corrections may be granted upon an applicant's successful completion of the Sheriff's application process which includes, but is not limited to, any mental, physical, psychiatric and other tests and examinations as may be prescribed by the Sheriff. Removes certain provisions concerning qualifications for appointment of deputy sheriffs in the Police Department, full-time deputy sheriffs not employed as county police officers or county corrections officers, and of employees in the Department of Corrections. Makes other and conforming changes.

LRB104 10832 RTM 20913 b

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 Counties Code is amended by changing
5 Sections 3-7002, 3-7004, 3-7005, and 3-7008 as follows:

6 (55 ILCS 5/3-7002) (from Ch. 34, par. 3-7002)

7 Sec. 3-7002. Cook County Sheriff's Merit Board. There is
8 created the Cook County Sheriff's Merit Board, hereinafter
9 called the Board, consisting of ~~not less than 3 and not more~~
10 ~~than 7~~ members appointed by the Sheriff with the advice and
11 consent of three-fifths of the county board. ~~, except that the~~
12 ~~Sheriff may appoint 2 additional members, with the advice and~~
13 ~~consent of three fifths of the county board, at his or her~~
14 ~~discretion. Of the members first appointed, one shall serve~~
15 ~~until the third Monday in March, 1965 one until the third~~
16 ~~Monday in March, 1967, and one until the third Monday in March,~~
17 ~~1969. Of the 2 additional members first appointed under~~
18 ~~authority of this amendatory Act of 1991, one shall serve~~
19 ~~until the third Monday in March, 1995, and one until the third~~
20 ~~Monday in March, 1997. Of the 2 additional members first~~
21 ~~appointed under the authority of this amendatory Act of the~~
22 ~~91st General Assembly, one shall serve until the third Monday~~
23 ~~in March, 2005 and one shall serve until the third Monday in~~

1 ~~March, 2006.~~

2 All members ~~Upon the expiration of the terms of office of~~
3 ~~those first appointed (including the 2 additional members~~
4 ~~first appointed under authority of this amendatory Act of 1991~~
5 ~~and under the authority of this amendatory Act of the 91st~~
6 ~~General Assembly), their respective successors~~ shall be
7 appointed to hold office from the third Monday in March of the
8 year of their respective appointments for a term of 6 years and
9 until their successors are appointed and qualified for a like
10 term. The terms of the members need not be staggered. ~~As~~
11 ~~additional members are appointed under authority of this~~
12 ~~amendatory Act of 1997, their terms shall be set to be~~
13 ~~staggered consistently with the terms of the existing Board~~
14 ~~members.~~

15 ~~Notwithstanding any provision in this Section to the~~
16 ~~contrary, the term of office of each member of the Board is~~
17 ~~abolished on the effective date of this amendatory Act of the~~
18 ~~100th General Assembly. Of the 7 members first appointed after~~
19 ~~the effective date of this Act of the 100th General Assembly, 2~~
20 ~~shall serve until the third Monday in March 2019, 2 shall serve~~
21 ~~until the third Monday in March 2021, and 3 members shall serve~~
22 ~~until the third Monday in March 2023. The terms of the 2~~
23 ~~additional members first appointed after the effective date of~~
24 ~~this Act of the 100th General Assembly shall be staggered~~
25 ~~consistently with the terms of the other Board members.~~
26 ~~Successors or reappointments shall be appointed to hold office~~

1 ~~for a term ending on the third Monday in March 6 years~~
2 ~~following the preceding term expiration.~~ Each member of the
3 Board shall hold office until his or her successor is
4 appointed and qualified or the member is reappointed. In all
5 appointments, the county board has the power to approve terms
6 to ensure the Board fulfill its mandate.

7 In the case of a vacancy in the office of a member prior to
8 the conclusion of the member's term, the Sheriff shall, with
9 the advice and consent of three-fifths of the county board,
10 appoint a person to serve for the remainder of the unexpired
11 term.

12 No more than 2 ~~one-half plus one of the~~ members of the
13 Board shall be affiliated with the same political party.
14 Political affiliation is determined, for purposes of this
15 Section, as the political affiliation an appointed member has
16 or does not have at the time the appointment is approved by the
17 county board and shall continue to be so determined until the
18 member discontinues serving on the Board. No member shall have
19 held or have been a candidate for an elective public office
20 within one year preceding his or her appointment.

21 The Sheriff may deputize members of the Board.
22 (Source: P.A. 100-562, eff. 12-8-17; 100-912, eff. 8-17-18.)

23 (55 ILCS 5/3-7004) (from Ch. 34, par. 3-7004)

24 Sec. 3-7004. Clerical and technical staff assistants ~~and~~
25 ~~hearing officers.~~ The Board is authorized to employ such

1 clerical and technical staff assistants as may be necessary to
2 enable the Board to transact its business and to fix their
3 compensation. ~~The Board is authorized to employ hearing~~
4 ~~officers to conduct hearings under Section 3-7012. Hearing~~
5 ~~officers employed by the Board shall be qualified to hold the~~
6 ~~position as determined by the Board. Hearing officers shall be~~
7 ~~attorneys licensed to practice law in this State.~~

8 (Source: P.A. 100-912, eff. 8-17-18.)

9 (55 ILCS 5/3-7005) (from Ch. 34, par. 3-7005)

10 Sec. 3-7005. Meetings. As soon as practicable after the
11 members of the Board have been appointed, they shall meet,
12 upon the call of the Sheriff, and shall organize by selecting a
13 chairman and a secretary. The initial chairman and secretary,
14 and their successors, shall be selected by the Board from
15 among its members for a term of 2 years or for the remainder of
16 their term of office as a member of the Board, whichever is the
17 shorter. Two members of the Board shall constitute a quorum
18 for the transaction of business, ~~except that as additional~~
19 ~~members are appointed under authority of this amendatory Act~~
20 ~~of 1997, the number of members that must be present to~~
21 ~~constitute a quorum shall be the number of members that~~
22 ~~constitute at least 40% of the Board.~~ The Board shall hold
23 regular quarterly meetings and such other meetings as may be
24 called by the chairman.

25 (Source: P.A. 90-447, eff. 8-16-97; 90-511, eff. 8-22-97;

1 90-655, eff. 7-30-98.)

2 (55 ILCS 5/3-7008) (from Ch. 34, par. 3-7008)

3 Sec. 3-7008. Appointments. The appointment of deputy
4 sheriffs in the Police Department, full-time deputy sheriffs
5 not employed as county police officers or county corrections
6 officers and of employees in the Department of Corrections
7 shall be made from those applicants who have been certified by
8 the Board as being qualified for appointment. Certification by
9 the Board for appointment may be granted upon an applicant's
10 successful completion of the Sheriff's application process,
11 which includes, but is not limited to, any mental, physical,
12 psychiatric and other tests and examinations as may be
13 prescribed by the Sheriff. Certification for appointment in
14 one department shall not constitute certification for
15 appointment in another department. Certification may be made
16 at any point prior to appointment and may be made in
17 conjunction with the Sheriff's application process. ~~All~~
18 ~~persons so appointed shall, at the time of their appointment,~~
19 ~~be not less than 21 years of age, or 20 years of age and have~~
20 ~~successfully completed 2 years of law enforcement studies at~~
21 ~~an accredited college or university. Any person appointed~~
22 ~~subsequent to successful completion of 2 years of such law~~
23 ~~enforcement studies shall not have power of arrest, nor shall~~
24 ~~he or she be permitted to carry firearms, until he or she~~
25 ~~reaches 21 years of age. Any person appointed shall be a~~

1 ~~citizen of the United States, an individual who is legally~~
2 ~~authorized to work in the United States under federal law and~~
3 ~~is authorized under federal law to obtain, carry, or purchase~~
4 ~~or otherwise possess a firearm, or an individual against whom~~
5 ~~immigration action has been deferred by the U.S. Citizenship~~
6 ~~and Immigration Services under the federal Deferred Action for~~
7 ~~Childhood Arrivals (DACA) process and who is authorized under~~
8 ~~federal law to obtain, carry, or purchase or otherwise possess~~
9 ~~a firearm. In addition, all persons so appointed shall be not~~
10 ~~more than the maximum age limit fixed by the Board from time to~~
11 ~~time, be of sound mind and body, be of good moral character,~~
12 ~~have not been convicted of a crime which the Board considers to~~
13 ~~be detrimental to the applicant's ability to carry out his or~~
14 ~~her duties, possess such prerequisites of training, education~~
15 ~~and experience as the Board may from time to time prescribe,~~
16 ~~and shall be required to pass successfully mental, physical,~~
17 ~~psychiatric and other tests and examinations as may be~~
18 ~~prescribed by the Board. Preference shall be given in such~~
19 ~~appointments to persons who have honorably served in the~~
20 ~~military or naval services of the United States. All~~
21 ~~appointees shall serve a probationary period of 12 months and~~
22 ~~during that period may be discharged at the will of the~~
23 ~~Sheriff. However, civil service employees of the house of~~
24 ~~correction who have certified status at the time of the~~
25 ~~transfer of the house of correction to the County Department~~
26 ~~of Corrections are not subject to this probationary period,~~

1 ~~and they shall retain their job titles, such tenure privileges~~
2 ~~as are now enjoyed and any subsequent title changes shall not~~
3 ~~cause reduction in rank or elimination of positions.~~

4 An applicant who is a veteran, as that term is defined in
5 38 U.S.C. 101(2), who was discharged honorably or generally
6 under honorable conditions no later than 6 months before
7 applying may request examination to occur before the next
8 scheduled examination date and, if requested, may be examined
9 as soon as possible prior to the next examination date
10 following receipt of the application. Once the applicant
11 passes the examination and all other requirements to be on an
12 eligibility list, the applicant shall be immediately placed on
13 the eligibility list. Nothing in this paragraph waives
14 eligibility for the applicant to receive military preference
15 points during the application process or employment.

16 (Source: P.A. 103-357, eff. 1-1-24; 103-623, eff. 1-1-25.)