

# SB4035



## 104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

SB4035

Introduced 2/6/2026, by Sen. Terri Bryant

### SYNOPSIS AS INTRODUCED:

70 ILCS 2105/4a

from Ch. 42, par. 386a

Amends the River Conservancy Districts Act. Provides that a trustee on a board representing a river conservancy district that embraces Jackson County may be removed for incompetence, neglect of duty, or malfeasance in office by the appropriate appointing presiding officer or officers, without the advice and consent of the corporate authorities, by filing a written order of removal with the appropriate county or municipal clerk or clerks.

LRB104 18668 RTM 32111 b

A BILL FOR

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 River Conservancy Districts Act is amended  
5 by changing Section 4a as follows:

6 (70 ILCS 2105/4a) (from Ch. 42, par. 386a)

7 Sec. 4a. Every conservancy district so established shall  
8 be governed by a board of trustees. In the statement finding  
9 the results of the election to be favorable to the  
10 establishment of the district, the circuit court shall  
11 determine and name each municipality within the district  
12 having 5,000 or more population according to the last  
13 preceding federal census.

14 (1) In case there is one or more municipalities having  
15 a population of 5,000 or more within the district, the  
16 trustees shall be appointed as follows:

17 (a) In districts organized prior to July 1, 1961,  
18 where there is only one such municipality, 3 trustees  
19 shall be appointed from such municipality, and one  
20 trustee shall be appointed from the area within the  
21 district outside of such municipality, and one trustee  
22 shall be appointed at large. In districts organized on  
23 and after July 1, 1961, where there is only one such

1           municipality one trustee shall be appointed from such  
2           municipality, and one trustee shall be appointed from  
3           each county in the district, except that where the  
4           district is wholly contained within a single county,  
5           one trustee shall be appointed from that county and  
6           one additional trustee shall be appointed from the  
7           municipality, and, in any case, 2 trustees shall be  
8           appointed at large. A trustee appointed from a county  
9           in the district shall be appointed from the area  
10          outside any such municipality. If the district is  
11          located wholly within the corporate limits of such  
12          municipality, 3 of the trustees of the district shall  
13          be appointed from such municipality, and 2 trustees  
14          shall be appointed at large. In a district wholly  
15          contained within a single county of between 60,500 and  
16          70,000 population and having no more than one  
17          municipality of 5,000 or more population, regardless  
18          of the date of organization, 3 trustees shall be  
19          appointed from that municipality, 2 trustees shall be  
20          appointed from the district outside that municipality,  
21          and 2 trustees shall be appointed at large. No more  
22          than 2 appointments by each appointing authority may  
23          be from the same political party.

24                 In the case of the Saline Valley Conservancy  
25          District, in addition to the other trustees as  
26          provided in this subsection (a), the mayor of each

1           municipality with a population of 2,000 to 4,999 that  
2           purchases water from the District may appoint one  
3           member to the Board of Trustees beginning July 1, 2023  
4           for a 5-year term, and the member shall serve until the  
5           trustee's successor is appointed and qualified or the  
6           municipality no longer purchases water from the  
7           District. A vacancy shall be filled by the mayor of the  
8           municipality for the remainder of the term.

9           (b) Where there are 2 or more such municipalities,  
10          one trustee shall be appointed from each such  
11          municipality, one trustee shall be appointed from each  
12          county in the district for each 50,000 population or  
13          part thereof within the district in such county  
14          according to the last preceding federal census, and 2  
15          trustees shall be appointed at large. A trustee  
16          appointed from a county in the district shall be  
17          appointed from the area outside any such municipality.  
18          If the district is located wholly within the corporate  
19          limits of such municipalities, 2 trustees shall be  
20          appointed from the one of such municipalities having  
21          the largest population, and one trustee shall be  
22          appointed from each of the other such municipalities,  
23          and 2 trustees shall be appointed at large.

24          (c) Trustees representing the area within the  
25          district located outside of any municipality having  
26          5,000 or more population and trustees appointed at

1 large when the district is wholly contained within a  
2 single county shall be appointed by the presiding  
3 officer of the county board with the advice and  
4 consent of the county board and any trustee  
5 representing the area within any such municipality  
6 shall be appointed by its presiding officer. If  
7 however the district is located in more than one  
8 county, any trustee representing the area within a  
9 district located outside of any municipality having  
10 5,000 or more population and any trustee at large  
11 shall be appointed by a majority vote of the presiding  
12 officers of the county boards of the counties which  
13 encompass any part of the district, except that no  
14 such appointment shall affect the term of any trustee  
15 in office on the effective date of this amendatory Act  
16 of 1977. Any trustee representing the area within any  
17 such municipality shall be appointed by its presiding  
18 officer.

19 (d) A trustee representing the area within any  
20 such municipality shall reside within its corporate  
21 limits. A trustee representing the area within the  
22 district and located outside of any such municipality  
23 shall reside within such area. A trustee appointed at  
24 large may reside either within or without any such  
25 municipality but must reside within the territory of  
26 the district. Should any trustee cease to reside

1           within that part of the territory he represents, then  
2           his office shall be deemed vacated, and shall be  
3           filled by appointment for the remainder of the term as  
4           hereinafter provided.

5           (2) In case there are no municipalities having a  
6           population of 5,000 or more within such district located  
7           wholly within a single county, the statement required by  
8           Section 1 shall include such finding, and in such case the  
9           Board shall consist of 5 trustees who shall be appointed  
10          at large by the presiding officer of the county board with  
11          the advice and consent of the county board. If however the  
12          district is located in more than one county, the trustees  
13          at large shall be appointed by a majority vote of the  
14          presiding officers of the county boards of the counties  
15          which encompass any portion of the district, but any  
16          trustee in office on the effective date of this amendatory  
17          Act of 1977 shall be permitted to serve out the remainder  
18          of his term. Each such trustee shall reside within the  
19          district and shall continue to reside therein.

20          (3) All initial appointments of trustees shall be made  
21          within 60 days after the determination of the result of  
22          the election. Each appointment shall be in writing and  
23          shall be filed and made a matter of record in the office of  
24          the county clerk wherein the organization proceedings were  
25          filed. A trustee shall qualify within 10 days after  
26          appointment by acceptance and the taking of the

1 constitutional oath of office, both to be in writing and  
2 similarly filed for record in the office of such county  
3 clerk. Members initially appointed to the board of  
4 trustees of such district shall serve from date of  
5 appointment for 1, 2, 3, 4 and 5 years and shall draw lots  
6 to determine the periods for which they each shall serve.  
7 In case there are more than 5 trustees, lots shall be drawn  
8 so that 5 trustees shall serve initial terms of 1, 2, 3, 4  
9 and 5 years and the other trustees shall serve terms of 1,  
10 2, 3, 4 or 5 years as the number of trustees shall require  
11 and the drawing of lots shall determine. The successors of  
12 all such initial members of the board of trustees of a  
13 river conservancy district shall serve for terms of 5  
14 years, all such appointments and appointments to fill  
15 vacancies shall be made in like manner as in the case of  
16 the initial trustees. A trustee having been duly appointed  
17 shall continue to serve after the expiration of his term  
18 until his successor has been appointed. Each trustee  
19 initially appointed in accordance with this amendatory Act  
20 of 1995 shall serve a term of 3 or 5 years as determined by  
21 lot.

22 (4) Should a municipality which is wholly within a  
23 district attain, or should such a municipality be  
24 established, having a population of 5,000 or more after  
25 the entry of the statement by the circuit court, the  
26 presiding officer of such municipality may petition the

1 circuit court of the county in which such municipality  
2 lies for an order finding and determining the population  
3 of such municipality and, if it is found and determined  
4 upon the hearing of such petition that the population of  
5 such municipality is 5,000 or more, the board of trustees  
6 of such district as previously established shall be  
7 increased by one trustee who shall reside within the  
8 corporate limits of such municipality and shall be  
9 appointed by its presiding officer. The initial trustee so  
10 appointed shall serve for a term of 1, 2, 3, 4 or 5 years,  
11 as may be determined by lot, and his successors shall be  
12 similarly appointed and shall serve for terms of 5 years.  
13 All provisions of this Section applicable to trustees  
14 representing municipal areas shall apply to any such  
15 trustee, including paragraph 5.

16 (5) Should the foregoing provisions respecting the  
17 appointment of trustees representing the area within any  
18 municipality of 5,000 or more population be invalid when  
19 applied to any situation, then as to such situation any  
20 such provision shall be deemed to be excised from this  
21 Act, and the trustee whose appointment is thus affected  
22 shall be appointed at large by the presiding officer of  
23 the county board with the advice and consent of the county  
24 board except if the district embraces more than one county  
25 in which case the trustees shall be appointed at large by a  
26 majority vote of the presiding officers of the county

1 boards of the counties which encompass any portion of the  
2 district.

3 (6) In the case of boards ~~a board~~ representing  
4 districts ~~a district~~ that embrace Jackson County or  
5 ~~embraces~~ Franklin and Jefferson counties, a trustee may be  
6 removed for incompetence, neglect of duty, or malfeasance  
7 in office by the appropriate appointing presiding officer  
8 or officers, without the advice and consent of the  
9 corporate authorities, by filing a written order of  
10 removal with the appropriate county or municipal clerk or  
11 clerks.

12 (7) Notwithstanding any other provision of law to the  
13 contrary, in the case of a board representing a district  
14 that embraces Franklin and Jefferson counties, the terms  
15 of all trustees shall end on the effective date of this  
16 amendatory Act of the 94th General Assembly. Beginning on  
17 that date, the board shall consist of 7 trustees. The 7  
18 trustees initially appointed pursuant to this amendatory  
19 Act of the 94th General Assembly shall be appointed in the  
20 same manner as otherwise provided in this Section by the  
21 appropriate appointing authority and shall serve the  
22 following terms, as determined by lot: (i) 2 trustees  
23 shall serve until July 1, 2006; (ii) 2 trustees shall  
24 serve until July 1, 2007; (iii) one trustee shall serve  
25 until July 1, 2008; (iv) one trustee shall serve until  
26 July 1, 2009; and (v) one trustee shall serve until July 1,

1           2010. Upon expiration of the terms of the trustees  
2           initially appointed under this amendatory Act of the 94th  
3           General Assembly, their respective successors shall be  
4           appointed for terms of 5 years, beginning on July 1 of the  
5           year in which the previous term expires and until their  
6           respective successors are appointed and qualified. After  
7           the appointment of the trustees initially appointed  
8           pursuant to this amendatory Act of the 94th General  
9           Assembly, the number of trustees on the board may be  
10          increased in accordance with subsection (4).

11         (Source: P.A. 103-79, eff. 6-9-23.)