



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB0910

by Rep. Stephanie A. Kifowit

SYNOPSIS AS INTRODUCED:

75 ILCS 5/4-2.5 new

Amends the Illinois Local Library Act. Provides that a proposition for the appointed Aurora Public Library board to be changed to an elected board shall be submitted by referendum to the voters of the City of Aurora either by ordinance of the city council or on the petition of 10% of the number of persons who voted at the last regular election in the City of Aurora. Provides for the nomination, election, and terms of Aurora Public Library board members if the referendum is approved. Creates a process to revert back to an appointed library board after changing to an elected board. Effective immediately.

LRB101 06991 AWJ 52024 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 Illinois Local Library Act is amended by
5 adding Section 4-2.5 as follows:

6 (75 ILCS 5/4-2.5 new)

7 Sec. 4-2.5. Aurora Public Library; change to elected board
8 of library trustees.

9 (a) The Aurora Public Library may change to an elected
10 board of trustees if approved by referendum following either
11 item (1) or (2):

12 (1) The Aurora City Council, by ordinance, requests
13 that a proposition to have an elected board of library
14 trustees be submitted to the voters. Upon adoption of the
15 ordinance, the Aurora City Council shall submit the
16 ordinance to the Aurora City Clerk.

17 (2) Upon filing with the Aurora City Clerk of a
18 petition, subject to the requirements of Section 28-3 of
19 the Election Code, signed by registered voters of the City
20 of Aurora equaling not less than 10% of the number of
21 persons who voted at the last regular election in the City
22 of Aurora in which the City of Aurora voted as a unit for
23 the election of officers to serve its respective

1 territorial area. A petition may be filed at any time.

2 Upon the Aurora City Clerk's receipt of an ordinance
3 adopted under item (1) or a petition filed under item (2), the
4 Clerk shall certify the proposition to the appropriate election
5 authorities who shall submit the proposition at the next
6 general primary election in accordance with the general
7 election law.

8 (b) The proposition shall be in substantially the following
9 form:

10 -----
11 Shall the trustees of the YES
12 Aurora Public Library be -----
13 elected, rather than appointed? NO
14 -----

15 If a majority of the votes cast on the proposition are in
16 the affirmative, the trustees of the Aurora Public Library
17 shall thereafter be elected as provided by this Section. The
18 Aurora Public Library shall continue to function as a municipal
19 library in all ways except that the trustees are elected.

20 (c) After approval of a proposition under subsection (b),
21 nominations for members of the board of trustees shall be made
22 by a petition signed by registered voters of the City of Aurora
23 equaling at least 5% of the number of persons who voted at the
24 last regular election in the City of Aurora in which the City
25 of Aurora voted as a unit for the election of officers to serve
26 its respective territorial area and shall be filed with the

1 Aurora City Clerk. The requirements of general election law
2 shall determine the form of the nominating petition and any
3 other requirements for nomination.

4 (d) After approval of a proposition under subsection (b)
5 and nomination of candidates under subsection (c), 11 trustees
6 shall be elected (one trustee from each of the City of Aurora's
7 10 Wards and one at-large trustee) at the consolidated election
8 next following the approval of the proposition under subsection
9 (b). Except as provided under subsection (e), the length of the
10 terms of the trustees elected shall be determined by lot at
11 their first meeting as follows: 4 trustees for a 2-year term, a
12 4-year term, and then a 4-year term; 4 trustees (including the
13 at-large trustee) for a 4-year term, a 2-year term, and then a
14 4-year term; and 3 trustees for a 4-year term, a 4-year term,
15 and then a 2-year term. Except as otherwise provided in Section
16 2A-54 of the Election Code, the term of each elected trustee
17 shall commence on the third Monday of the month following the
18 month of the trustee's election and continue until the
19 trustee's successor is elected and qualified.

20 No party designation shall appear on the ballot for
21 election of trustees. The provisions of the general election
22 law shall apply to and govern the nomination and election of
23 trustees.

24 The Aurora City Clerk shall, within 7 days of filing or on
25 the last day for filing, whichever is earlier, acknowledge to
26 the petitioner in writing of the Clerk's acceptance of the

1 petition.

2 (e) After each redistricting following each federal
3 decennial census, the terms of the 11 elected trustees on the
4 Aurora Public Library's board shall cease upon the nomination,
5 election (at the consolidated election next following
6 redistricting), and qualification of successor trustees in the
7 manner provided for in subsections (c) and (d). The terms of
8 the successor trustees shall be determined by lot at the
9 board's first meeting following redistricting with trustee
10 terms as provided for in subsection (d).

11 (f) The provisions of this Act relating to eligibility,
12 powers, and disabilities of appointed trustees shall apply to
13 elected trustees. The Aurora Public Library shall continue to
14 function the same except that the trustees are elected.

15 (g) After the election of trustees under subsection (d),
16 the appointed trustees shall continue to constitute the board
17 of trustees until the third Monday of the month following the
18 month of the first election of trustees. The terms of all
19 appointed trustees shall expire on the third Monday of the
20 month following the month of the first election of trustees
21 under this Section or when all successors have been elected and
22 have qualified, whichever occurs later.

23 If the term of an appointed trustee expires or an appointed
24 trustee's office is vacated before the first election of
25 trustees, the authority which appointed that trustee shall
26 appoint a successor to serve until a successor is elected and

1 has qualified.

2 (h) If the Aurora Public Library has changed to an elected
3 rather than an appointed board of trustees under this Section,
4 then it may, in the manner provided in this subsection, revert
5 back to an appointed board of trustees.

6 Upon filing with the Aurora City Clerk of a petition,
7 subject to the requirements of Section 28-3 of the Election
8 Code, signed by registered voters of the City of Aurora
9 equaling not less than 10% of the number of persons who voted
10 at the election approving the election of trustees under
11 subsection (b), the Aurora City Clerk shall certify the
12 proposition to the proper election officials, who shall submit
13 the proposition to the voters of the municipality at an
14 election in accordance with the general election law. The
15 proposition shall be in substantially the following form:

16 -----
17 Shall the trustees of the YES
18 Aurora Public Library be -----
19 appointed, rather than elected? NO
20 -----

21 If a majority of the votes cast on the proposition are in
22 the affirmative, the trustees of the Aurora Public Library
23 shall thereafter be appointed as provided by this Act. Once an
24 elected trustee's successor is appointed and qualified, the
25 elected trustee's term expires. Vacancies shall be filled as
26 provided in Section 4-4.

1 Section 99. Effective date. This Act takes effect upon
2 becoming law.