



Rep. Natalie A. Manley

Filed: 3/14/2019

10100HB3301ham001

LRB101 09882 AWJ 57056 a

1 AMENDMENT TO HOUSE BILL 3301

2 AMENDMENT NO. _____. Amend House Bill 3301 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Township Code is amended by changing
5 Sections 35-5, 75-45, and 80-5 and by adding Sections 35-27 and
6 75-50 as follows:

7 (60 ILCS 1/35-5)

8 Sec. 35-5. Special township meeting. Special township
9 meetings shall be held when the township board (or at least 15
10 voters of the township) file in the office of the township
11 clerk a written statement that a special meeting is necessary
12 for the interests of the township, or when required under
13 subsection (a-5) of Section 80-5. The statement also shall set
14 forth the objects of the meeting, which must be relevant to
15 powers granted to electors under this Code. Except for a
16 special township meeting required to be held under subsection

1 (a-5) of Section 80-5, the ~~The~~ special township meeting shall
2 be held no less than 14 nor more than 45 days after the written
3 request is filed in the office of the township clerk. Special
4 township meetings may not begin before 6 p.m.

5 (Source: P.A. 95-761, eff. 7-28-08.)

6 (60 ILCS 1/35-27 new)

7 Sec. 35-27. Electors; breaking a tie. If a special township
8 meeting is required to be held under subsection (a-5) of
9 Section 80-5, the electors present at the special township
10 meeting shall by majority vote fill the vacancy.

11 (60 ILCS 1/75-45)

12 Sec. 75-45. Deputy clerk.

13 (a) The township clerk, when authorized by the township
14 board, may appoint one deputy clerk.

15 (b) The deputy clerk has the power and duty to do the
16 following:

17 (1) Execute all documents required by law to be
18 executed by the township clerk and affix the township
19 clerk's seal to those documents when required by law. In
20 signing a document, the deputy clerk shall sign the name of
21 the clerk followed with the word "By" and the deputy
22 clerk's own name and the words "Deputy Clerk".

23 (2) Attend bid openings with respect to the sale,
24 purchase, or lease of goods or services by the township or

1 the road district comprised of that township.

2 (3) Attend township meetings and township board
3 meetings and take minutes of those meetings.

4 (c) Except for a deputy clerk reappointed under subsection
5 (d) who shall exercise the powers authorized under this Section
6 at the direction of the Will County Clerk, the ~~The~~ deputy clerk
7 shall exercise the powers authorized under this Section only in
8 the absence of the township clerk from the place where the
9 clerk's office is maintained (in the case of powers described
10 in paragraphs (1) and (2) of subsection (b)) and only when (i)
11 the clerk has directed the deputy clerk, in writing, to
12 exercise that power or (ii) the township board has determined
13 by resolution that the township clerk is temporarily or
14 permanently incapacitated to perform that function.

15 (d) A deputy clerk appointed under subsection (a) serving
16 on the effective date of this amendatory Act of the 101st
17 General Assembly in the office of a township clerk that has
18 been abolished under Section 75-50 must be reappointed by the
19 township board no later than 60 days after the effective date
20 of this amendatory Act of the 101st General Assembly in order
21 to retain his or her position. After the expiration of the
22 reappointed term of a deputy clerk appointed under subsection
23 (a), a deputy clerk appointed under Section 80-5, when
24 authorized by the township board, may appoint an assistant
25 deputy clerk under the provisions of this Section.

26 (Source: Incorporates P.A. 88-360; 88-670, eff. 12-2-94.)

1 (60 ILCS 1/75-50 new)

2 Sec. 75-50. Will County pilot program for abolition of
3 offices of township clerks.

4 (a) In Joliet Township, Troy Township, Lockport Township,
5 DuPage Township, Wheatland Township, and Plainfield Township
6 in Will County: (i) the office of township clerk is abolished;
7 (ii) the term of any elected or appointed township clerk is
8 terminated; and (iii) the Will County Clerk assumes the duties
9 and rights of each township clerk until a deputy clerk is
10 appointed for each township affected by this Section.

11 (b) No later than 90 days after the effective date of this
12 amendatory Act of the 101st General Assembly, the Will County
13 Clerk must appoint a deputy clerk for each office of township
14 clerk abolished under subsection (a). A deputy clerk appointed
15 under this Section has the rights and duties of a township
16 clerk under this Code and any other law and shall report to the
17 Will County Clerk. If a township described in subsection (a)
18 provides an office for the township clerk, a deputy clerk
19 appointed under this subsection (b) shall perform his or her
20 duties at that office.

21 (60 ILCS 1/80-5)

22 Sec. 80-5. Township board membership; officers.

23 (a) In each township, the township board shall consist of
24 the supervisor and 4 other members elected at large from the

1 township under Section 50-5. The township clerk shall be the
2 clerk of the township board but not a voting member, except
3 that in the case of a tie vote to fill a vacancy in a township
4 office, the clerk shall be entitled to cast one vote. Each
5 person on the township board shall cast but one vote. The
6 supervisor shall be the chairman of the board.

7 (a-5) In a township in which the office of township clerk
8 has been abolished under Section 75-50, the deputy clerk
9 appointed under subsection (b) of Section 75-50 may not cast a
10 vote under subsection (a) of this Section. Rather, if a tie
11 vote to fill a vacancy in a township office remains unresolved
12 for 60 days, the township board must call a special township
13 meeting to be held no later than 90 days after the initial tie
14 vote at which time the electors present at the special township
15 meeting shall by majority vote fill the vacancy.

16 (b) In towns organized under Article 15, all the powers
17 vested by law in the township board shall be exercised by the
18 city council.

19 (c) The designations "town auditors", "board of trustees",
20 "board of town trustees", "board of township trustees", and
21 "town board" are changed to "township board". Wherever the
22 terms "auditors", "board of trustees", "board of town
23 trustees", "board of township trustees", or "town board" are
24 used in this or any other Act to refer to township officers
25 provided for by this Section, they mean the township board.
26 Wherever the term "trustees" is used in this or any other Act

1 to refer to township officers provided for by this Section, it
2 means the members of the township board other than the township
3 supervisor.

4 (d) The change made by Public Act 79-341 does not reduce
5 the term of any member of a town board of auditors elected
6 before its effective date (October 1, 1975) nor does it
7 invalidate any action taken by a board of town auditors or town
8 trustees by reason of the designation used for the board in
9 relation to the action taken.

10 (Source: P.A. 85-694; 88-62.)

11 Section 99. Effective date. This Act takes effect upon
12 becoming law."