

HB0045



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB0045

Introduced 1/14/2021, by Rep. Katie Stuart

SYNOPSIS AS INTRODUCED:

See Index

Amends various Acts and Codes. Changes all statutory references of alderman and aldermen to alderperson and alderpersons. Changes all statutory references of congressman to congressperson. Makes conforming changes.

LRB102 03834 RJF 13848 b

A BILL FOR

1 AN ACT concerning government.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Election Code is amended by changing
5 Sections 2A-1.2, 2A-26, 2A-28, 7-4, 7-10, 10-3, and 23-6.1 as
6 follows:

7 (10 ILCS 5/2A-1.2) (from Ch. 46, par. 2A-1.2)

8 Sec. 2A-1.2. Consolidated schedule of elections - offices
9 designated.

10 (a) At the general election in the appropriate
11 even-numbered years, the following offices shall be filled or
12 shall be on the ballot as otherwise required by this Code:

13 (1) Elector of President and Vice President of the
14 United States;

15 (2) United States Senator and United States
16 Representative;

17 (3) State Executive Branch elected officers;

18 (4) State Senator and State Representative;

19 (5) County elected officers, including State's
20 Attorney, County Board member, County Commissioners, and
21 elected President of the County Board or County Chief
22 Executive;

23 (6) Circuit Court Clerk;

1 (7) Regional Superintendent of Schools, except in
2 counties or educational service regions in which that
3 office has been abolished;

4 (8) Judges of the Supreme, Appellate and Circuit
5 Courts, on the question of retention, to fill vacancies
6 and newly created judicial offices;

7 (9) (Blank);

8 (10) Trustee of the Metropolitan Water Reclamation
9 ~~Sanitary~~ District of Greater Chicago, and elected Trustee
10 of other Sanitary Districts;

11 (11) Special District elected officers, not otherwise
12 designated in this Section, where the statute creating or
13 authorizing the creation of the district requires an
14 annual election and permits or requires election of
15 candidates of political parties.

16 (b) At the general primary election:

17 (1) in each even-numbered year candidates of political
18 parties shall be nominated for those offices to be filled
19 at the general election in that year, except where
20 pursuant to law nomination of candidates of political
21 parties is made by caucus.

22 (2) in the appropriate even-numbered years the
23 political party offices of State central committeeperson,
24 township committeeperson, ward committeeperson, and
25 precinct committeeperson shall be filled and delegates and
26 alternate delegates to the National nominating conventions

1 shall be elected as may be required pursuant to this Code.
2 In the even-numbered years in which a Presidential
3 election is to be held, candidates in the Presidential
4 preference primary shall also be on the ballot.

5 (3) in each even-numbered year, where the municipality
6 has provided for annual elections to elect municipal
7 officers pursuant to Section 6(f) or Section 7 of Article
8 VII of the Constitution, pursuant to the Illinois
9 Municipal Code or pursuant to the municipal charter, the
10 offices of such municipal officers shall be filled at an
11 election held on the date of the general primary election,
12 provided that the municipal election shall be a
13 nonpartisan election where required by the Illinois
14 Municipal Code. For partisan municipal elections in
15 even-numbered years, a primary to nominate candidates for
16 municipal office to be elected at the general primary
17 election shall be held on the Tuesday 6 weeks preceding
18 that election.

19 (4) in each school district which has adopted the
20 provisions of Article 33 of the School Code, successors to
21 the members of the board of education whose terms expire
22 in the year in which the general primary is held shall be
23 elected.

24 (c) At the consolidated election in the appropriate
25 odd-numbered years, the following offices shall be filled:

26 (1) Municipal officers, provided that in

1 municipalities in which candidates for alderperson
2 ~~alderman~~ or other municipal office are not permitted by
3 law to be candidates of political parties, the runoff
4 election where required by law, or the nonpartisan
5 election where required by law, shall be held on the date
6 of the consolidated election; and provided further, in the
7 case of municipal officers provided for by an ordinance
8 providing the form of government of the municipality
9 pursuant to Section 7 of Article VII of the Constitution,
10 such offices shall be filled by election or by runoff
11 election as may be provided by such ordinance;

12 (2) Village and incorporated town library directors;

13 (3) City boards of stadium commissioners;

14 (4) Commissioners of park districts;

15 (5) Trustees of public library districts;

16 (6) Special District elected officers, not otherwise
17 designated in this Section, where the statute creating or
18 authorizing the creation of the district permits or
19 requires election of candidates of political parties;

20 (7) Township officers, including township park
21 commissioners, township library directors, and boards of
22 managers of community buildings, and Multi-Township
23 Assessors;

24 (8) Highway commissioners and road district clerks;

25 (9) Members of school boards in school districts which
26 adopt Article 33 of the School Code;

1 (10) The directors and chair of the Chain O Lakes - Fox
2 River Waterway Management Agency;

3 (11) Forest preserve district commissioners elected
4 under Section 3.5 of the Downstate Forest Preserve
5 District Act;

6 (12) Elected members of school boards, school
7 trustees, directors of boards of school directors,
8 trustees of county boards of school trustees (except in
9 counties or educational service regions having a
10 population of 2,000,000 or more inhabitants) and members
11 of boards of school inspectors, except school boards in
12 school districts that adopt Article 33 of the School Code;

13 (13) Members of Community College district boards;

14 (14) Trustees of Fire Protection Districts;

15 (15) Commissioners of the Springfield Metropolitan
16 Exposition and Auditorium Authority;

17 (16) Elected Trustees of Tuberculosis Sanitarium
18 Districts;

19 (17) Elected Officers of special districts not
20 otherwise designated in this Section for which the law
21 governing those districts does not permit candidates of
22 political parties.

23 (d) At the consolidated primary election in each
24 odd-numbered year, candidates of political parties shall be
25 nominated for those offices to be filled at the consolidated
26 election in that year, except where pursuant to law nomination

1 of candidates of political parties is made by caucus, and
2 except those offices listed in paragraphs (12) through (17) of
3 subsection (c).

4 At the consolidated primary election in the appropriate
5 odd-numbered years, the mayor, clerk, treasurer, and
6 alderpersons ~~aldermen~~ shall be elected in municipalities in
7 which candidates for mayor, clerk, treasurer, or alderperson
8 ~~alderman~~ are not permitted by law to be candidates of
9 political parties, subject to runoff elections to be held at
10 the consolidated election as may be required by law, and
11 municipal officers shall be nominated in a nonpartisan
12 election in municipalities in which pursuant to law candidates
13 for such office are not permitted to be candidates of
14 political parties.

15 At the consolidated primary election in the appropriate
16 odd-numbered years, municipal officers shall be nominated or
17 elected, or elected subject to a runoff, as may be provided by
18 an ordinance providing a form of government of the
19 municipality pursuant to Section 7 of Article VII of the
20 Constitution.

21 (e) (Blank).

22 (f) At any election established in Section 2A-1.1, public
23 questions may be submitted to voters pursuant to this Code and
24 any special election otherwise required or authorized by law
25 or by court order may be conducted pursuant to this Code.

26 Notwithstanding the regular dates for election of officers

1 established in this Article, whenever a referendum is held for
2 the establishment of a political subdivision whose officers
3 are to be elected, the initial officers shall be elected at the
4 election at which such referendum is held if otherwise so
5 provided by law. In such cases, the election of the initial
6 officers shall be subject to the referendum.

7 Notwithstanding the regular dates for election of
8 officials established in this Article, any community college
9 district which becomes effective by operation of law pursuant
10 to Section 6-6.1 of the Public Community College Act, as now or
11 hereafter amended, shall elect the initial district board
12 members at the next regularly scheduled election following the
13 effective date of the new district.

14 (g) At any election established in Section 2A-1.1, if in
15 any precinct there are no offices or public questions required
16 to be on the ballot under this Code then no election shall be
17 held in the precinct on that date.

18 (h) There may be conducted a referendum in accordance with
19 the provisions of Division 6-4 of the Counties Code.

20 (Source: P.A. 100-1027, eff. 1-1-19; revised 8-23-19.)

21 (10 ILCS 5/2A-26) (from Ch. 46, par. 2A-26)

22 Sec. 2A-26. Chicago Alderpersons ~~Aldermen~~. Alderpersons
23 ~~Aldermen~~ of the City of Chicago shall be elected at the
24 consolidated primary election in 1979 and at the consolidated
25 primary election every 4 years thereafter. The runoff election

1 where necessary, pursuant to law, for Chicago alderpersons
2 ~~aldermen~~ shall be held at the consolidated election in 1979,
3 and every 4 years thereafter.

4 (Source: P.A. 80-936.)

5 (10 ILCS 5/2A-28) (from Ch. 46, par. 2A-28)

6 Sec. 2A-28. Cities Generally - Alderpersons ~~Aldermen~~ -
7 Time of Election. An alderperson ~~alderman~~ of a city other than
8 the City of Chicago shall be elected at the consolidated or
9 general primary election in each year to succeed each
10 incumbent alderperson ~~alderman~~ whose term ends before the
11 following consolidated or general election.

12 (Source: P.A. 81-1433.)

13 (10 ILCS 5/7-4) (from Ch. 46, par. 7-4)

14 Sec. 7-4. The following words and phrases in this Article
15 7 shall, unless the same be inconsistent with the context, be
16 construed as follows:

17 1. The word "primary" the primary elections provided for
18 in this Article, which are the general primary, the
19 consolidated primary, and for those municipalities which have
20 annual partisan elections for any officer, the municipal
21 primary held 6 weeks prior to the general primary election
22 date in even numbered years.

23 2. The definition of terms in Section 1-3 of this Act shall
24 apply to this Article.

1 3. The word "precinct" a voting district heretofore or
2 hereafter established by law within which all qualified
3 electors vote at one polling place.

4 4. The words "state office" or "state officer", an office
5 to be filled, or an officer to be voted for, by qualified
6 electors of the entire state, including United States Senator
7 and Congressperson ~~Congressman~~ at large.

8 5. The words "congressional office" or "congressional
9 officer", representatives in Congress.

10 6. The words "county office" or "county officer," include
11 an office to be filled or an officer to be voted for, by the
12 qualified electors of the entire county. "County office" or
13 "county officer" also include the assessor and board of
14 appeals and county commissioners and president of county board
15 of Cook County, and county board members and the chair of the
16 county board in counties subject to "An Act relating to the
17 composition and election of county boards in certain
18 counties", enacted by the 76th General Assembly.

19 7. The words "city office" and "village office," and
20 "incorporated town office" or "city officer" and "village
21 officer", and "incorporated town officer" an office to be
22 filled or an officer to be voted for by the qualified electors
23 of the entire municipality, including alderpersons ~~aldermen~~.

24 8. The words "town office" or "town officer", an office to
25 be filled or an officer to be voted for by the qualified
26 electors of an entire town.

1 9. The words "town" and "incorporated town" shall
2 respectively be defined as in Section 1-3 of this Act.

3 10. The words "delegates and alternate delegates to
4 National nominating conventions" include all delegates and
5 alternate delegates to National nominating conventions whether
6 they be elected from the state at large or from congressional
7 districts or selected by State convention unless contrary and
8 non-inclusive language specifically limits the term to one
9 class.

10 11. "Judicial office" means a post held by a judge of the
11 Supreme, Appellate or Circuit Court.

12 (Source: P.A. 100-1027, eff. 1-1-19.)

13 (10 ILCS 5/7-10) (from Ch. 46, par. 7-10)

14 Sec. 7-10. Form of petition for nomination. The name of no
15 candidate for nomination, or State central committeeperson, or
16 township committeeperson, or precinct committeeperson, or ward
17 committeeperson or candidate for delegate or alternate
18 delegate to national nominating conventions, shall be printed
19 upon the primary ballot unless a petition for nomination has
20 been filed in his behalf as provided in this Article in
21 substantially the following form:

22 We, the undersigned, members of and affiliated with the
23 party and qualified primary electors of the party,
24 in the of, in the county of and State of
25 Illinois, do hereby petition that the following named person

1 or persons shall be a candidate or candidates of the party
 2 for the nomination for (or in case of committeepersons for
 3 election to) the office or offices hereinafter specified, to
 4 be voted for at the primary election to be held on (insert
 5 date).

6	Name	Office	Address
7	John Jones	Governor	Belvidere, Ill.
8	Jane James	Lieutenant Governor	Peoria, Ill.
9	Thomas Smith	Attorney General	Oakland, Ill.

10 Name..... Address.....

11 State of Illinois)

12) ss.

13 County of.....)

14 I,, do hereby certify that I reside at No.
 15 street, in the of, county of, and State of
 16, that I am 18 years of age or older, that I am a citizen
 17 of the United States, and that the signatures on this sheet
 18 were signed in my presence, and are genuine, and that to the
 19 best of my knowledge and belief the persons so signing were at
 20 the time of signing the petitions qualified voters of the
 21 party, and that their respective residences are correctly
 22 stated, as above set forth.

23

24 Subscribed and sworn to before me on (insert date).

1
2

3 Each sheet of the petition other than the statement of
4 candidacy and candidate's statement shall be of uniform size
5 and shall contain above the space for signatures an
6 appropriate heading giving the information as to name of
7 candidate or candidates, in whose behalf such petition is
8 signed; the office, the political party represented and place
9 of residence; and the heading of each sheet shall be the same.

10 Such petition shall be signed by qualified primary
11 electors residing in the political division for which the
12 nomination is sought in their own proper persons only and
13 opposite the signature of each signer, his residence address
14 shall be written or printed. The residence address required to
15 be written or printed opposite each qualified primary
16 elector's name shall include the street address or rural route
17 number of the signer, as the case may be, as well as the
18 signer's county, and city, village or town, and state. However
19 the county or city, village or town, and state of residence of
20 the electors may be printed on the petition forms where all of
21 the electors signing the petition reside in the same county or
22 city, village or town, and state. Standard abbreviations may
23 be used in writing the residence address, including street
24 number, if any. At the bottom of each sheet of such petition
25 shall be added a circulator statement signed by a person 18
years of age or older who is a citizen of the United States,

1 stating the street address or rural route number, as the case
2 may be, as well as the county, city, village or town, and
3 state; and certifying that the signatures on that sheet of the
4 petition were signed in his or her presence and certifying
5 that the signatures are genuine; and either (1) indicating the
6 dates on which that sheet was circulated, or (2) indicating
7 the first and last dates on which the sheet was circulated, or
8 (3) certifying that none of the signatures on the sheet were
9 signed more than 90 days preceding the last day for the filing
10 of the petition and certifying that to the best of his or her
11 knowledge and belief the persons so signing were at the time of
12 signing the petitions qualified voters of the political party
13 for which a nomination is sought. Such statement shall be
14 sworn to before some officer authorized to administer oaths in
15 this State.

16 No petition sheet shall be circulated more than 90 days
17 preceding the last day provided in Section 7-12 for the filing
18 of such petition.

19 The person circulating the petition, or the candidate on
20 whose behalf the petition is circulated, may strike any
21 signature from the petition, provided that:

22 (1) the person striking the signature shall initial
23 the petition at the place where the signature is struck;
24 and

25 (2) the person striking the signature shall sign a
26 certification listing the page number and line number of

1 each signature struck from the petition. Such
2 certification shall be filed as a part of the petition.

3 Such sheets before being filed shall be neatly fastened
4 together in book form, by placing the sheets in a pile and
5 fastening them together at one edge in a secure and suitable
6 manner, and the sheets shall then be numbered consecutively.
7 The sheets shall not be fastened by pasting them together end
8 to end, so as to form a continuous strip or roll. All petition
9 sheets which are filed with the proper local election
10 officials, election authorities or the State Board of
11 Elections shall be the original sheets which have been signed
12 by the voters and by the circulator thereof, and not
13 photocopies or duplicates of such sheets. Each petition must
14 include as a part thereof, a statement of candidacy for each of
15 the candidates filing, or in whose behalf the petition is
16 filed. This statement shall set out the address of such
17 candidate, the office for which he is a candidate, shall state
18 that the candidate is a qualified primary voter of the party to
19 which the petition relates and is qualified for the office
20 specified (in the case of a candidate for State's Attorney it
21 shall state that the candidate is at the time of filing such
22 statement a licensed attorney-at-law of this State), shall
23 state that he has filed (or will file before the close of the
24 petition filing period) a statement of economic interests as
25 required by the Illinois Governmental Ethics Act, shall
26 request that the candidate's name be placed upon the official

1 ballot, and shall be subscribed and sworn to by such candidate
2 before some officer authorized to take acknowledgment of deeds
3 in the State and shall be in substantially the following form:

4 Statement of Candidacy

5	Name	Address	Office	District	Party
6	John Jones	102 Main St.	Governor	Statewide	Republican
7		Belvidere,			
8		Illinois			

9 State of Illinois)

10) ss.

11 County of)

12 I,, being first duly sworn, say that I reside at
13 Street in the city (or village) of, in the county of,
14 State of Illinois; that I am a qualified voter therein and am a
15 qualified primary voter of the party; that I am a
16 candidate for nomination (for election in the case of
17 committeeperson and delegates and alternate delegates) to the
18 office of to be voted upon at the primary election to be
19 held on (insert date); that I am legally qualified (including
20 being the holder of any license that may be an eligibility
21 requirement for the office I seek the nomination for) to hold
22 such office and that I have filed (or I will file before the
23 close of the petition filing period) a statement of economic
24 interests as required by the Illinois Governmental Ethics Act
25 and I hereby request that my name be printed upon the official

1 primary ballot for nomination for (or election to in the case
2 of committeepersons and delegates and alternate delegates)
3 such office.

4 Signed

5 Subscribed and sworn to (or affirmed) before me by,
6 who is to me personally known, on (insert date).

7 Signed

8 (Official Character)

9 (Seal, if officer has one.)

10 The petitions, when filed, shall not be withdrawn or added
11 to, and no signatures shall be revoked except by revocation
12 filed in writing with the State Board of Elections, election
13 authority or local election official with whom the petition is
14 required to be filed, and before the filing of such petition.
15 Whoever forges the name of a signer upon any petition required
16 by this Article is deemed guilty of a forgery and on conviction
17 thereof shall be punished accordingly.

18 A candidate for the offices listed in this Section must
19 obtain the number of signatures specified in this Section on
20 his or her petition for nomination.

21 (a) Statewide office or delegate to a national nominating
22 convention. If a candidate seeks to run for statewide office
23 or as a delegate or alternate delegate to a national
24 nominating convention elected from the State at-large, then
25 the candidate's petition for nomination must contain at least

1 5,000 but not more than 10,000 signatures.

2 (b) Congressional office or congressional delegate to a
3 national nominating convention. If a candidate seeks to run
4 for United States Congress or as a congressional delegate or
5 alternate congressional delegate to a national nominating
6 convention elected from a congressional district, then the
7 candidate's petition for nomination must contain at least the
8 number of signatures equal to 0.5% of the qualified primary
9 electors of his or her party in his or her congressional
10 district. In the first primary election following a
11 redistricting of congressional districts, a candidate's
12 petition for nomination must contain at least 600 signatures
13 of qualified primary electors of the candidate's political
14 party in his or her congressional district.

15 (c) County office. If a candidate seeks to run for any
16 countywide office, including but not limited to county board
17 chairperson or county board member, elected on an at-large
18 basis, in a county other than Cook County, then the
19 candidate's petition for nomination must contain at least the
20 number of signatures equal to 0.5% of the qualified electors
21 of his or her party who cast votes at the last preceding
22 general election in his or her county. If a candidate seeks to
23 run for county board member elected from a county board
24 district, then the candidate's petition for nomination must
25 contain at least the number of signatures equal to 0.5% of the
26 qualified primary electors of his or her party in the county

1 board district. In the first primary election following a
2 redistricting of county board districts or the initial
3 establishment of county board districts, a candidate's
4 petition for nomination must contain at least the number of
5 signatures equal to 0.5% of the qualified electors of his or
6 her party in the entire county who cast votes at the last
7 preceding general election divided by the total number of
8 county board districts comprising the county board; provided
9 that in no event shall the number of signatures be less than
10 25.

11 (d) County office; Cook County only.

12 (1) If a candidate seeks to run for countywide office
13 in Cook County, then the candidate's petition for
14 nomination must contain at least the number of signatures
15 equal to 0.5% of the qualified electors of his or her party
16 who cast votes at the last preceding general election in
17 Cook County.

18 (2) If a candidate seeks to run for Cook County Board
19 Commissioner, then the candidate's petition for nomination
20 must contain at least the number of signatures equal to
21 0.5% of the qualified primary electors of his or her party
22 in his or her county board district. In the first primary
23 election following a redistricting of Cook County Board of
24 Commissioners districts, a candidate's petition for
25 nomination must contain at least the number of signatures
26 equal to 0.5% of the qualified electors of his or her party

1 in the entire county who cast votes at the last preceding
2 general election divided by the total number of county
3 board districts comprising the county board; provided that
4 in no event shall the number of signatures be less than 25.

5 (3) If a candidate seeks to run for Cook County Board
6 of Review Commissioner, which is elected from a district
7 pursuant to subsection (c) of Section 5-5 of the Property
8 Tax Code, then the candidate's petition for nomination
9 must contain at least the number of signatures equal to
10 0.5% of the total number of registered voters in his or her
11 board of review district in the last general election at
12 which a commissioner was regularly scheduled to be elected
13 from that board of review district. In no event shall the
14 number of signatures required be greater than the
15 requisite number for a candidate who seeks countywide
16 office in Cook County under subsection (d)(1) of this
17 Section. In the first primary election following a
18 redistricting of Cook County Board of Review districts, a
19 candidate's petition for nomination must contain at least
20 4,000 signatures or at least the number of signatures
21 required for a countywide candidate in Cook County,
22 whichever is less, of the qualified electors of his or her
23 party in the district.

24 (e) Municipal or township office. If a candidate seeks to
25 run for municipal or township office, then the candidate's
26 petition for nomination must contain at least the number of

1 signatures equal to 0.5% of the qualified primary electors of
2 his or her party in the municipality or township. If a
3 candidate seeks to run for alderperson ~~alderman~~ of a
4 municipality, then the candidate's petition for nomination
5 must contain at least the number of signatures equal to 0.5% of
6 the qualified primary electors of his or her party of the ward.
7 In the first primary election following redistricting of
8 ~~aldermanic~~ wards or trustee districts of a municipality or the
9 initial establishment of wards or districts, a candidate's
10 petition for nomination must contain the number of signatures
11 equal to at least 0.5% of the total number of votes cast for
12 the candidate of that political party who received the highest
13 number of votes in the entire municipality at the last regular
14 election at which an officer was regularly scheduled to be
15 elected from the entire municipality, divided by the number of
16 wards or districts. In no event shall the number of signatures
17 be less than 25.

18 (f) State central committeeperson. If a candidate seeks to
19 run for State central committeeperson, then the candidate's
20 petition for nomination must contain at least 100 signatures
21 of the primary electors of his or her party of his or her
22 congressional district.

23 (g) Sanitary district trustee. If a candidate seeks to run
24 for trustee of a sanitary district in which trustees are not
25 elected from wards, then the candidate's petition for
26 nomination must contain at least the number of signatures

1 equal to 0.5% of the primary electors of his or her party from
2 the sanitary district. If a candidate seeks to run for trustee
3 of a sanitary district in which trustees are elected from
4 wards, then the candidate's petition for nomination must
5 contain at least the number of signatures equal to 0.5% of the
6 primary electors of his or her party in the ward of that
7 sanitary district. In the first primary election following
8 redistricting of sanitary districts elected from wards, a
9 candidate's petition for nomination must contain at least the
10 signatures of 150 qualified primary electors of his or her
11 ward of that sanitary district.

12 (h) Judicial office. If a candidate seeks to run for
13 judicial office in a district, then the candidate's petition
14 for nomination must contain the number of signatures equal to
15 0.4% of the number of votes cast in that district for the
16 candidate for his or her political party for the office of
17 Governor at the last general election at which a Governor was
18 elected, but in no event less than 500 signatures. If a
19 candidate seeks to run for judicial office in a circuit or
20 subcircuit, then the candidate's petition for nomination must
21 contain the number of signatures equal to 0.25% of the number
22 of votes cast for the judicial candidate of his or her
23 political party who received the highest number of votes at
24 the last general election at which a judicial officer from the
25 same circuit or subcircuit was regularly scheduled to be
26 elected, but in no event less than 1,000 signatures in

1 circuits and subcircuits located in the First Judicial
2 District or 500 signatures in every other Judicial District.

3 (i) Precinct, ward, and township committeeperson. If a
4 candidate seeks to run for precinct committeeperson, then the
5 candidate's petition for nomination must contain at least 10
6 signatures of the primary electors of his or her party for the
7 precinct. If a candidate seeks to run for ward
8 committeeperson, then the candidate's petition for nomination
9 must contain no less than the number of signatures equal to 10%
10 of the primary electors of his or her party of the ward, but no
11 more than 16% of those same electors; provided that the
12 maximum number of signatures may be 50 more than the minimum
13 number, whichever is greater. If a candidate seeks to run for
14 township committeeperson, then the candidate's petition for
15 nomination must contain no less than the number of signatures
16 equal to 5% of the primary electors of his or her party of the
17 township, but no more than 8% of those same electors; provided
18 that the maximum number of signatures may be 50 more than the
19 minimum number, whichever is greater.

20 (j) State's attorney or regional superintendent of schools
21 for multiple counties. If a candidate seeks to run for State's
22 attorney or regional Superintendent of Schools who serves more
23 than one county, then the candidate's petition for nomination
24 must contain at least the number of signatures equal to 0.5% of
25 the primary electors of his or her party in the territory
26 comprising the counties.

1 (k) Any other office. If a candidate seeks any other
2 office, then the candidate's petition for nomination must
3 contain at least the number of signatures equal to 0.5% of the
4 registered voters of the political subdivision, district, or
5 division for which the nomination is made or 25 signatures,
6 whichever is greater.

7 For purposes of this Section the number of primary
8 electors shall be determined by taking the total vote cast, in
9 the applicable district, for the candidate for that political
10 party who received the highest number of votes, statewide, at
11 the last general election in the State at which electors for
12 President of the United States were elected. For political
13 subdivisions, the number of primary electors shall be
14 determined by taking the total vote cast for the candidate for
15 that political party who received the highest number of votes
16 in the political subdivision at the last regular election at
17 which an officer was regularly scheduled to be elected from
18 that subdivision. For wards or districts of political
19 subdivisions, the number of primary electors shall be
20 determined by taking the total vote cast for the candidate for
21 that political party who received the highest number of votes
22 in the ward or district at the last regular election at which
23 an officer was regularly scheduled to be elected from that
24 ward or district.

25 A "qualified primary elector" of a party may not sign
26 petitions for or be a candidate in the primary of more than one

1 party.

2 The changes made to this Section of this amendatory Act of
3 the 93rd General Assembly are declarative of existing law,
4 except for item (3) of subsection (d).

5 Petitions of candidates for nomination for offices herein
6 specified, to be filed with the same officer, may contain the
7 names of 2 or more candidates of the same political party for
8 the same or different offices. In the case of the offices of
9 Governor and Lieutenant Governor, a joint petition including
10 one candidate for each of those offices must be filed.

11 (Source: P.A. 100-1027, eff. 1-1-19.)

12 (10 ILCS 5/10-3) (from Ch. 46, par. 10-3)

13 Sec. 10-3. Nomination of independent candidates (not
14 candidates of any political party), for any office to be
15 filled by the voters of the State at large may also be made by
16 nomination papers signed in the aggregate for each candidate
17 by 1% of the number of voters who voted in the next preceding
18 Statewide general election or 25,000 qualified voters of the
19 State, whichever is less. Nominations of independent
20 candidates for public office within any district or political
21 subdivision less than the State, may be made by nomination
22 papers signed in the aggregate for each candidate by qualified
23 voters of such district, or political subdivision, equaling
24 not less than 5%, nor more than 8% (or 50 more than the
25 minimum, whichever is greater) of the number of persons, who

1 voted at the next preceding regular election in such district
2 or political subdivision in which such district or political
3 subdivision voted as a unit for the election of officers to
4 serve its respective territorial area. However, whenever the
5 minimum signature requirement for an independent candidate
6 petition for a district or political subdivision office shall
7 exceed the minimum number of signatures for an independent
8 candidate petition for an office to be filled by the voters of
9 the State at large at the next preceding State-wide general
10 election, such State-wide petition signature requirement shall
11 be the minimum for an independent candidate petition for such
12 district or political subdivision office. For the first
13 election following a redistricting of congressional districts,
14 nomination papers for an independent candidate for
15 congressperson ~~congressman~~ shall be signed by at least 5,000
16 qualified voters of the congressional district. For the first
17 election following a redistricting of legislative districts,
18 nomination papers for an independent candidate for State
19 Senator in the General Assembly shall be signed by at least
20 3,000 qualified voters of the legislative district. For the
21 first election following a redistricting of representative
22 districts, nomination papers for an independent candidate for
23 State Representative in the General Assembly shall be signed
24 by at least 1,500 qualified voters of the representative
25 district. For the first election following redistricting of
26 county board districts, or of municipal wards or districts, or

1 for the first election following the initial establishment of
2 such districts or wards in a county or municipality,
3 nomination papers for an independent candidate for county
4 board member, or for alderperson ~~alderman~~ or trustee of such
5 municipality, shall be signed by qualified voters of the
6 district or ward equal to not less than 5% nor more than 8% (or
7 50 more than the minimum, whichever is greater) of the total
8 number of votes cast at the preceding general or general
9 municipal election, as the case may be, for the county or
10 municipal office voted on throughout such county or
11 municipality for which the greatest total number of votes were
12 cast for all candidates, divided by the number of districts or
13 wards, but in any event not less than 25 qualified voters of
14 the district or ward. Each voter signing a nomination paper
15 shall add to his signature his place of residence, and each
16 voter may subscribe to one nomination for such office to be
17 filled, and no more: Provided that the name of any candidate
18 whose name may appear in any other place upon the ballot shall
19 not be so added by petition for the same office.

20 The person circulating the petition, or the candidate on
21 whose behalf the petition is circulated, may strike any
22 signature from the petition, provided that;

23 (1) the person striking the signature shall initial
24 the petition at the place where the signature is struck;
25 and

26 (2) the person striking the signature shall sign a

1 certification listing the page number and line number of
2 each signature struck from the petition. Such
3 certification shall be filed as a part of the petition.

4 (3) the persons striking signatures from the petition
5 shall each sign an additional certificate specifying the
6 number of certification pages listing stricken signatures
7 which are attached to the petition and the page numbers
8 indicated on such certifications. The certificate shall be
9 filed as a part of the petition, shall be numbered, and
10 shall be attached immediately following the last page of
11 voters' signatures and before the certifications of
12 stricken signatures.

13 (4) all of the foregoing requirements shall be
14 necessary to effect a valid striking of any signature. The
15 provisions of this Section authorizing the striking of
16 signatures shall not impose any criminal liability on any
17 person so authorized for signatures which may be
18 fraudulent.

19 In the case of the offices of Governor and Lieutenant
20 Governor a joint petition including one candidate for each of
21 those offices must be filed.

22 A candidate for whom a nomination paper has been filed as a
23 partisan candidate at a primary election, and who is defeated
24 for his or her nomination at the primary election, is
25 ineligible to be placed on the ballot as an independent
26 candidate for election in that general or consolidated

1 election.

2 A candidate seeking election to an office for which
3 candidates of political parties are nominated by caucus who is
4 a participant in the caucus and who is defeated for his or her
5 nomination at such caucus, is ineligible to be listed on the
6 ballot at that general or consolidated election as an
7 independent candidate.

8 (Source: P.A. 95-699, eff. 11-9-07.)

9 (10 ILCS 5/23-6.1) (from Ch. 46, par. 23-6.1)

10 Sec. 23-6.1. Whenever an election contest for a municipal
11 trustee or alderperson ~~alderman~~ is brought involving ballots
12 from the same precincts which are subject to the jurisdiction
13 of the circuit court by virtue of the pendency of an election
14 contest for another office, the municipal council or board of
15 trustees having jurisdiction of the municipal election contest
16 shall have priority of access and possession of the ballots
17 and other election materials for the purpose of conducting a
18 recount or other related proceedings for a period of 30 days
19 following the commencement of the municipal election contest.
20 The election authority shall notify the court and the
21 municipal council or board of the pendency of all other
22 contests relating to the same precincts.

23 (Source: P.A. 90-655, eff. 7-30-98.)

24 Section 10. The Illinois Pension Code is amended by

1 changing Sections 6-230, 7-109, 8-113, 8-232, 8-243, and
2 8-243.2 as follows:

3 (40 ILCS 5/6-230)

4 Sec. 6-230. Participation by an alderperson ~~alderman~~ or
5 member of city council.

6 (a) A person shall be a member under this Article if he or
7 she (1) is or was employed and receiving a salary as a fireman
8 under item (a) of Section 6-106, (2) has at least 5 years of
9 service under this Article, (3) is employed in a position
10 covered under Section 8-243, (4) made an election under
11 Article 8 to not receive service credit or be a participant
12 under that Article, and (5) made an election to participate
13 under this Article.

14 (b) For the purposes of determining employee and employer
15 contributions under this Article, the employee and employer
16 shall be responsible for any and all contributions otherwise
17 required if the person was employed and receiving salary as a
18 fireman under item (a) of Section 6-106.

19 (Source: P.A. 100-1144, eff. 11-28-18.)

20 (40 ILCS 5/7-109) (from Ch. 108 1/2, par. 7-109)

21 Sec. 7-109. Employee.

22 (1) "Employee" means any person who:

23 (a) 1. Receives earnings as payment for the
24 performance of personal services or official duties out of

1 the general fund of a municipality, or out of any special
2 fund or funds controlled by a municipality, or by an
3 instrumentality thereof, or a participating
4 instrumentality, including, in counties, the fees or
5 earnings of any county fee office; and

6 2. Under the usual common law rules applicable in
7 determining the employer-employee relationship, has the
8 status of an employee with a municipality, or any
9 instrumentality thereof, or a participating
10 instrumentality, including alderpersons ~~aldermen~~, county
11 supervisors and other persons (excepting those employed as
12 independent contractors) who are paid compensation, fees,
13 allowances or other emolument for official duties, and, in
14 counties, the several county fee offices.

15 (b) Serves as a township treasurer appointed under the
16 School Code, as heretofore or hereafter amended, and who
17 receives for such services regular compensation as
18 distinguished from per diem compensation, and any regular
19 employee in the office of any township treasurer whether
20 or not his earnings are paid from the income of the
21 permanent township fund or from funds subject to
22 distribution to the several school districts and parts of
23 school districts as provided in the School Code, or from
24 both such sources; or is the chief executive officer,
25 chief educational officer, chief fiscal officer, or other
26 employee of a Financial Oversight Panel established

1 pursuant to Article 1H of the School Code, other than a
2 superintendent or certified school business official,
3 except that such person shall not be treated as an
4 employee under this Section if that person has negotiated
5 with the Financial Oversight Panel, in conjunction with
6 the school district, a contractual agreement for exclusion
7 from this Section.

8 (c) Holds an elective office in a municipality,
9 instrumentality thereof or participating instrumentality.

10 (2) "Employee" does not include persons who:

11 (a) Are eligible for inclusion under any of the
12 following laws:

13 1. "An Act in relation to an Illinois State
14 Teachers' Pension and Retirement Fund", approved May
15 27, 1915, as amended;

16 2. Articles 15 and 16 of this Code.

17 However, such persons shall be included as employees
18 to the extent of earnings that are not eligible for
19 inclusion under the foregoing laws for services not of an
20 instructional nature of any kind.

21 However, any member of the armed forces who is
22 employed as a teacher of subjects in the Reserve Officers
23 Training Corps of any school and who is not certified
24 under the law governing the certification of teachers
25 shall be included as an employee.

26 (b) Are designated by the governing body of a

1 municipality in which a pension fund is required by law to
2 be established for policemen or firemen, respectively, as
3 performing police or fire protection duties, except that
4 when such persons are the heads of the police or fire
5 department and are not eligible to be included within any
6 such pension fund, they shall be included within this
7 Article; provided, that such persons shall not be excluded
8 to the extent of concurrent service and earnings not
9 designated as being for police or fire protection duties.
10 However, (i) any head of a police department who was a
11 participant under this Article immediately before October
12 1, 1977 and did not elect, under Section 3-109 of this Act,
13 to participate in a police pension fund shall be an
14 "employee", and (ii) any chief of police who became a
15 participating employee under this Article before January
16 1, 2019 and who elects to participate in this Fund under
17 Section 3-109.1 of this Code, regardless of whether such
18 person continues to be employed as chief of police or is
19 employed in some other rank or capacity within the police
20 department, shall be an employee under this Article for so
21 long as such person is employed to perform police duties
22 by a participating municipality and has not lawfully
23 rescinded that election.

24 (b-5) Were not participating employees under this
25 Article before the effective date of this amendatory Act
26 of the 100th General Assembly and participated as a chief

1 of police in a fund under Article 3 and return to work in
2 any capacity with the police department, with any
3 oversight of the police department, or in an advisory
4 capacity for the police department with the same
5 municipality with which that pension was earned,
6 regardless of whether they are considered an employee of
7 the police department or are eligible for inclusion in the
8 municipality's Article 3 fund.

9 (c) Are contributors to or eligible to contribute to a
10 Taft-Hartley pension plan to which the participating
11 municipality is required to contribute as the person's
12 employer based on earnings from the municipality. Nothing
13 in this paragraph shall affect service credit or
14 creditable service for any period of service prior to the
15 effective date of this amendatory Act of the 98th General
16 Assembly, and this paragraph shall not apply to
17 individuals who are participating in the Fund prior to the
18 effective date of this amendatory Act of the 98th General
19 Assembly.

20 (d) Become an employee of any of the following
21 participating instrumentalities on or after the effective
22 date of this amendatory Act of the 99th General Assembly:
23 the Illinois Municipal League; the Illinois Association of
24 Park Districts; the Illinois Supervisors, County
25 Commissioners and Superintendents of Highways Association;
26 an association, or not-for-profit corporation, membership

1 in which is authorized under Section 85-15 of the Township
2 Code; the United Counties Council; or the Will County
3 Governmental League.

4 (3) All persons, including, without limitation, public
5 defenders and probation officers, who receive earnings from
6 general or special funds of a county for performance of
7 personal services or official duties within the territorial
8 limits of the county, are employees of the county (unless
9 excluded by subsection (2) of this Section) notwithstanding
10 that they may be appointed by and are subject to the direction
11 of a person or persons other than a county board or a county
12 officer. It is hereby established that an employer-employee
13 relationship under the usual common law rules exists between
14 such employees and the county paying their salaries by reason
15 of the fact that the county boards fix their rates of
16 compensation, appropriate funds for payment of their earnings
17 and otherwise exercise control over them. This finding and
18 this amendatory Act shall apply to all such employees from the
19 date of appointment whether such date is prior to or after the
20 effective date of this amendatory Act and is intended to
21 clarify existing law pertaining to their status as
22 participating employees in the Fund.

23 (Source: P.A. 99-830, eff. 1-1-17; 100-281, eff. 8-24-17;
24 100-1097, eff. 8-26-18.)

25 (40 ILCS 5/8-113) (from Ch. 108 1/2, par. 8-113)

1 Sec. 8-113. Municipal employee, employee, contributor, or
2 participant. "Municipal employee", "employee", "contributor",
3 or "participant":

4 (a) Any employee of an employer employed in the classified
5 civil service thereof other than by temporary appointment or
6 in a position excluded or exempt from the classified service
7 by the Civil Service Act, or in the case of a city operating
8 under a personnel ordinance, any employee of an employer
9 employed in the classified or career service under the
10 provisions of a personnel ordinance, other than in a
11 provisional or exempt position as specified in such ordinance
12 or in rules and regulations formulated thereunder.

13 (b) Any employee in the service of an employer before the
14 Civil Service Act came in effect for the employer.

15 (c) Any person employed by the board.

16 (d) Any person employed after December 31, 1949, but prior
17 to January 1, 1984, in the service of the employer by temporary
18 appointment or in a position exempt from the classified
19 service as set forth in the Civil Service Act, or in a
20 provisional or exempt position as specified in the personnel
21 ordinance, who meets the following qualifications:

22 (1) has rendered service during not less than 12
23 calendar months to an employer as an employee, officer, or
24 official, 4 months of which must have been consecutive
25 full normal working months of service rendered immediately
26 prior to filing application to be included; and

1 (2) files written application with the board, while in
2 the service, to be included hereunder.

3 (e) After December 31, 1949, any alderperson ~~alderman~~ or
4 other officer or official of the employer, who files, while in
5 office, written application with the board to be included
6 hereunder.

7 (f) Beginning January 1, 1984, any person employed by an
8 employer other than the Chicago Housing Authority or the
9 Public Building Commission of the city, whether or not such
10 person is serving by temporary appointment or in a position
11 exempt from the classified service as set forth in the Civil
12 Service Act, or in a provisional or exempt position as
13 specified in the personnel ordinance, provided that such
14 person is neither (1) an alderperson ~~alderman~~ or other officer
15 or official of the employer, nor (2) participating, on the
16 basis of such employment, in any other pension fund or
17 retirement system established under this Act.

18 (g) After December 31, 1959, any person employed in the
19 law department of the city, or municipal court or Board of
20 Election Commissioners of the city, who was a contributor and
21 participant, on December 31, 1959, in the annuity and benefit
22 fund in operation in the city on said date, by virtue of the
23 Court and Law Department Employees' Annuity Act or the Board
24 of Election Commissioners Employees' Annuity Act.

25 After December 31, 1959, the foregoing definition includes
26 any other person employed or to be employed in the law

1 department, or municipal court (other than as a judge), or
2 Board of Election Commissioners (if his salary is provided by
3 appropriation of the city council of the city and his salary
4 paid by the city) -- subject, however, in the case of such
5 persons not participants on December 31, 1959, to compliance
6 with the same qualifications and restrictions otherwise set
7 forth in this Section and made generally applicable to
8 employees or officers of the city concerning eligibility for
9 participation or membership.

10 Notwithstanding any other provision in this Section, any
11 person who first becomes employed in the law department of the
12 city on or after the effective date of this amendatory Act of
13 the 100th General Assembly shall be included within the
14 foregoing definition, effective upon the date the person first
15 becomes so employed, regardless of the nature of the
16 appointment the person holds under the provisions of a
17 personnel ordinance.

18 (h) After December 31, 1965, any person employed in the
19 public library of the city -- and any other person -- who was a
20 contributor and participant, on December 31, 1965, in the
21 pension fund in operation in the city on said date, by virtue
22 of the Public Library Employees' Pension Act.

23 (i) After December 31, 1968, any person employed in the
24 house of correction of the city, who was a contributor and
25 participant, on December 31, 1968, in the pension fund in
26 operation in the city on said date, by virtue of the House of

1 Correction Employees' Pension Act.

2 (j) Any person employed full-time on or after the
3 effective date of this amendatory Act of the 92nd General
4 Assembly by the Chicago Housing Authority who has elected to
5 participate in this Fund as provided in subsection (a) of
6 Section 8-230.9.

7 (k) Any person employed full-time by the Public Building
8 Commission of the city who has elected to participate in this
9 Fund as provided in subsection (d) of Section 8-230.7.

10 (Source: P.A. 100-23, eff. 7-6-17.)

11 (40 ILCS 5/8-232) (from Ch. 108 1/2, par. 8-232)

12 Sec. 8-232. Basis of service credit.

13 (a) In computing the period of service of any employee for
14 the minimum annuity under Section 8-138, the following
15 provisions shall govern:

16 (1) All periods prior to the effective date shall be
17 computed in accordance with the provisions of Section
18 8-226, except for a re-entrant or future entrant who was
19 not in service on the day before the effective date.

20 (2) Service subsequent to the day before the effective
21 date, shall include: the actual period of time the
22 employee performs the duties of his position and makes
23 required contributions or performs such duties and is
24 given a city contribution for age and service annuity
25 purposes; leaves of absence from duty, or vacation, for

1 which an employee receives all or part of his salary;
2 periods included under item (c) of Section 8-226; periods
3 during which the employee is temporarily assigned to
4 another position in the service and permitted to make
5 contributions to the fund; periods during which the
6 employee has had contributions for annuity purposes made
7 for him in accordance with law while on military leave of
8 absence during World War II; periods during which the
9 employee receives disability benefit under this Article,
10 or a temporary total disability benefit under the Workers'
11 Compensation Act if the disability results from a
12 condition commonly termed heart attack or stroke or any
13 other condition falling within the broad field of coronary
14 involvement or heart disease;

15 (3) Service during 6 or more months in any year shall
16 constitute a year of service, and service of less than 6
17 months but at least 1 month in any year shall constitute a
18 half year of service. However the right to have certain
19 periods of time considered as service as stated in
20 paragraph 2 of Section 8-168 or in Section 8-243 relating
21 to service as Aldersperson ~~Alderman~~ shall not apply for
22 minimum annuity purposes under Section 8-138 of this
23 Article.

24 (b) For all other purposes of this Article, the following
25 schedule shall govern the computation of service of an
26 employee whose salary or wages is on the basis stated, and any

1 fractional part of a year of service shall be determined
2 according to said schedule:

3 Annual or Monthly basis: Service during 4 months in any 1
4 calendar year shall constitute a year of service.

5 Weekly basis: Service during any week shall constitute a
6 week of service and service during any 17 weeks in any 1
7 calendar year shall constitute a year of service.

8 Daily basis: Service during any day shall constitute a day
9 of service and service during 100 days in any 1 calendar year
10 shall constitute a year of service.

11 Hourly basis: Service during any hour shall constitute an
12 hour of service and service during 700 hours in any 1 calendar
13 year shall constitute a year of service.

14 (Source: P.A. 85-964; 86-1488.)

15 (40 ILCS 5/8-243) (from Ch. 108 1/2, par. 8-243)

16 Sec. 8-243. Service as alderperson ~~alderman~~ or member of
17 city council. Whenever any person has served or hereafter
18 serves as a duly elected alderperson ~~alderman~~ or member of the
19 city council of any city of more than 500,000 inhabitants and
20 is or hereafter becomes a contributing participant in any
21 pension fund or any annuity and benefit fund in existence in
22 such city by operation of law, the period of service as such
23 alderperson ~~alderman~~ or member of the city council shall be
24 counted as a period of service in computing any annuity or
25 pension which such person may become entitled to receive from

1 such fund upon separation from the service, except as ruled
2 out for minimum annuity purposes in Section 8-232(a)(3).

3 (Source: Laws 1963, p. 161.)

4 (40 ILCS 5/8-243.2) (from Ch. 108 1/2, par. 8-243.2)

5 Sec. 8-243.2. Alternative annuity for city officers.

6 (a) For the purposes of this Section and Sections 8-243.1
7 and 8-243.3, "city officer" means the city clerk, the city
8 treasurer, or an alderperson ~~alderman~~ of the city elected by
9 vote of the people, while serving in that capacity or as
10 provided in subsection (f), who has elected to participate in
11 the Fund.

12 (b) Any elected city officer, while serving in that
13 capacity or as provided in subsection (f), may elect to
14 establish alternative credits for an alternative annuity by
15 electing in writing to make additional optional contributions
16 in accordance with this Section and the procedures established
17 by the board. Such elected city officer may discontinue making
18 the additional optional contributions by notifying the Fund in
19 writing in accordance with this Section and procedures
20 established by the board.

21 Additional optional contributions for the alternative
22 annuity shall be as follows:

23 (1) For service after the option is elected, an
24 additional contribution of 3% of salary shall be
25 contributed to the Fund on the same basis and under the

1 same conditions as contributions required under Sections
2 8-174 and 8-182.

3 (2) For service before the option is elected, an
4 additional contribution of 3% of the salary for the
5 applicable period of service, plus interest at the
6 effective rate from the date of service to the date of
7 payment. All payments for past service must be paid in
8 full before credit is given. No additional optional
9 contributions may be made for any period of service for
10 which credit has been previously forfeited by acceptance
11 of a refund, unless the refund is repaid in full with
12 interest at the effective rate from the date of refund to
13 the date of repayment.

14 (c) In lieu of the retirement annuity otherwise payable
15 under this Article, any city officer elected by vote of the
16 people who (1) has elected to participate in the Fund and make
17 additional optional contributions in accordance with this
18 Section, and (2) has attained age 55 with at least 10 years of
19 service credit, or has attained age 60 with at least 8 years of
20 service credit, may elect to have his retirement annuity
21 computed as follows: 3% of the participant's salary at the
22 time of termination of service for each of the first 8 years of
23 service credit, plus 4% of such salary for each of the next 4
24 years of service credit, plus 5% of such salary for each year
25 of service credit in excess of 12 years, subject to a maximum
26 of 80% of such salary. To the extent such elected city officer

1 has made additional optional contributions with respect to
2 only a portion of his years of service credit, his retirement
3 annuity will first be determined in accordance with this
4 Section to the extent such additional optional contributions
5 were made, and then in accordance with the remaining Sections
6 of this Article to the extent of years of service credit with
7 respect to which additional optional contributions were not
8 made.

9 (d) In lieu of the disability benefits otherwise payable
10 under this Article, any city officer elected by vote of the
11 people who (1) has elected to participate in the Fund, and (2)
12 has become permanently disabled and as a consequence is unable
13 to perform the duties of his office, and (3) was making
14 optional contributions in accordance with this Section at the
15 time the disability was incurred, may elect to receive a
16 disability annuity calculated in accordance with the formula
17 in subsection (c). For the purposes of this subsection, such
18 elected city officer shall be considered permanently disabled
19 only if: (i) disability occurs while in service as an elected
20 city officer and is of such a nature as to prevent him from
21 reasonably performing the duties of his office at the time;
22 and (ii) the board has received a written certification by at
23 least 2 licensed physicians appointed by it stating that such
24 officer is disabled and that the disability is likely to be
25 permanent.

26 (e) Refunds of additional optional contributions shall be

1 made on the same basis and under the same conditions as
2 provided under Sections 8-168, 8-170 and 8-171. Interest shall
3 be credited at the effective rate on the same basis and under
4 the same conditions as for other contributions. Optional
5 contributions shall be accounted for in a separate Elected
6 City Officer Optional Contribution Reserve. Optional
7 contributions under this Section shall be included in the
8 amount of employee contributions used to compute the tax levy
9 under Section 8-173.

10 (f) The effective date of this plan of optional
11 alternative benefits and contributions shall be July 1, 1990,
12 or the date upon which approval is received from the U.S.
13 Internal Revenue Service, whichever is later.

14 The plan of optional alternative benefits and
15 contributions shall not be available to any former city
16 officer or employee receiving an annuity from the Fund on the
17 effective date of the plan, unless he re-enters service as an
18 elected city officer and renders at least 3 years of
19 additional service after the date of re-entry. However, a
20 person who holds office as a city officer on June 1, 1995 may
21 elect to participate in the plan, to transfer credits into the
22 Fund from other Articles of this Code, and to make the
23 contributions required for prior service, until 30 days after
24 the effective date of this amendatory Act of the 92nd General
25 Assembly, notwithstanding the ending of his term of office
26 prior to that effective date; in the event that the person is

1 already receiving an annuity from this Fund or any other
2 Article of this Code at the time of making this election, the
3 annuity shall be recalculated to include any increase
4 resulting from participation in the plan, with such increase
5 taking effect on the effective date of the election.

6 (g) Notwithstanding any other provision in this Section or
7 in this Code to the contrary, any person who first becomes a
8 city officer, as defined in this Section, on or after the
9 effective date of this amendatory Act of the 100th General
10 Assembly, shall not be eligible for the alternative annuity or
11 alternative disability benefits as provided in subsections
12 (a), (b), (c), and (d) of this Section or for the alternative
13 survivor's benefits as provided in Section 8-243.3. Such
14 person shall not be eligible, or be required, to make any
15 additional contributions beyond those required of other
16 participants under Sections 8-137, 8-174, and 8-182. The
17 retirement annuity, disability benefits, and survivor's
18 benefits for a person who first becomes a city officer on or
19 after the effective date of this amendatory Act of the 100th
20 General Assembly shall be determined pursuant to the
21 provisions otherwise provided in this Article.

22 (Source: P.A. 100-23, eff. 7-6-17.)

23 Section 15. The Public Officer Prohibited Activities Act
24 is amended by changing Sections 1, 1.3, 2, and 4 as follows:

1 (50 ILCS 105/1) (from Ch. 102, par. 1)

2 Sec. 1. County board. No member of a county board, during
3 the term of office for which he or she is elected, may be
4 appointed to, accept, or hold any office other than (i)
5 chairman of the county board or member of the regional
6 planning commission by appointment or election of the board of
7 which he or she is a member, (ii) alderperson ~~alderman~~ of a
8 city or member of the board of trustees of a village or
9 incorporated town if the city, village, or incorporated town
10 has fewer than 1,000 inhabitants and is located in a county
11 having fewer than 50,000 inhabitants, or (iii) trustee of a
12 forest preserve district created under Section 18.5 of the
13 Conservation District Act, unless he or she first resigns from
14 the office of county board member or unless the holding of
15 another office is authorized by law. Any such prohibited
16 appointment or election is void. This Section shall not
17 preclude a member of the county board from being appointed or
18 selected to serve as (i) a member of a County Extension Board
19 as provided in Section 7 of the County Cooperative Extension
20 Law, (ii) a member of an Emergency Telephone System Board as
21 provided in Section 15.4 of the Emergency Telephone System
22 Act, (iii) a member of the board of review as provided in
23 Section 6-30 of the Property Tax Code, or (iv) a public
24 administrator or public guardian as provided in Section 13-1
25 of the Probate Act of 1975. Nothing in this Act shall be
26 construed to prohibit an elected county official from holding

1 elected office in another unit of local government so long as
2 there is no contractual relationship between the county and
3 the other unit of local government. This amendatory Act of
4 1995 is declarative of existing law and is not a new enactment.
5 (Source: P.A. 100-290, eff. 8-24-17.)

6 (50 ILCS 105/1.3)

7 Sec. 1.3. Municipal board member; education office. In a
8 city, village, or incorporated town with fewer than 2,500
9 inhabitants, an alderperson ~~alderman~~ of the city or a member
10 of the board of trustees of a village or incorporated town,
11 during the term of office for which he or she is elected, may
12 also hold the office of member of the board of education,
13 regional board of school trustees, board of school directors,
14 or board of school inspectors.

15 (Source: P.A. 91-161, eff. 7-16-99.)

16 (50 ILCS 105/2) (from Ch. 102, par. 2)

17 Sec. 2. No alderperson ~~alderman~~ of any city, or member of
18 the board of trustees of any village, during the term of office
19 for which he or she is elected, may accept, be appointed to, or
20 hold any office by the appointment of the mayor or president of
21 the board of trustees, unless the alderperson ~~alderman~~ or
22 board member is granted a leave of absence from such office, or
23 unless he or she first resigns from the office of alderperson
24 ~~alderman~~ or member of the board of trustees, or unless the

1 holding of another office is authorized by law. The
2 alderperson ~~alderman~~ or board member may, however, serve as a
3 volunteer fireman and receive compensation for that service.
4 The alderperson ~~alderman~~ may also serve as a commissioner of
5 the Beardstown Regional Flood Prevention District board. Any
6 appointment in violation of this Section is void. Nothing in
7 this Act shall be construed to prohibit an elected municipal
8 official from holding elected office in another unit of local
9 government as long as there is no contractual relationship
10 between the municipality and the other unit of local
11 government. This amendatory Act of 1995 is declarative of
12 existing law and is not a new enactment.

13 (Source: P.A. 97-309, eff. 8-11-11.)

14 (50 ILCS 105/4) (from Ch. 102, par. 4)

15 Sec. 4. Any alderperson ~~alderman~~, member of a board of
16 trustees, supervisor or county commissioner, or other person
17 holding any office, either by election or appointment under
18 the laws or constitution of this state, who violates any
19 provision of the preceding sections, is guilty of a Class 4
20 felony and in addition thereto, any office or official
21 position held by any person so convicted shall become vacant,
22 and shall be so declared as part of the judgment of court. This
23 Section does not apply to a violation of subsection (b) of
24 Section 2a.

25 (Source: P.A. 100-868, eff. 1-1-19.)

1 Section 20. The Counties Code is amended by changing
2 Section 3-14036 as follows:

3 (55 ILCS 5/3-14036) (from Ch. 34, par. 3-14036)

4 Sec. 3-14036. Payments of political contributions to
5 public officers prohibited. No officer or employee in the
6 classified civil service of said county, or named in Section
7 3-14022, shall directly or indirectly, give or hand over to
8 any officer or employee, or to any senator or representative
9 or alderperson ~~alderman~~, councilman, or commissioner, any
10 money or other valuable thing on account of or to be applied to
11 the promotion of any party or political object whatever.

12 (Source: P.A. 86-976.)

13 Section 25. The Illinois Municipal Code is amended by
14 changing Sections 1-1-2, 2-2-9, 3.1-10-5, 3.1-10-30,
15 3.1-10-50, 3.1-10-51, 3.1-10-60, 3.1-10-65, 3.1-10-75,
16 3.1-15-5, 3.1-15-15, 3.1-15-25, 3.1-15-30, 3.1-15-35,
17 3.1-15-40, 3.1-20-10, 3.1-20-15, 3.1-20-20, 3.1-20-22,
18 3.1-20-25, 3.1-20-30, 3.1-20-35, 3.1-20-40, 3.1-20-45,
19 3.1-25-70, 3.1-25-75, 3.1-35-35, 3.1-40-5, 3.1-40-10,
20 3.1-40-15, 3.1-40-25, 3.1-40-30, 3.1-40-35, 3.1-40-40,
21 3.1-40-50, 3.1-40-55, 3.1-45-5, 3.1-45-15, 3.1-55-5, 4-1-2,
22 4-10-1, 5-1-4, 5-2-1, 5-2-2, 5-2-3, 5-2-3.1, 5-2-4, 5-2-5,
23 5-2-7, 5-2-8, 5-2-11, 5-2-12, 5-2-17, 5-2-18, 5-2-18.1,

1 5-2-18.2, 5-2-18.7, 5-2-19, 5-3-1, 5-3-3, 5-3-4, 5-3-5, 5-3-7,
2 5-3-8, 5-4-1, 5-4-3, 5-5-1, 5-5-5, 6-3-2, 6-3-3, 6-3-4, 6-3-5,
3 6-3-6, 6-3-7, 6-3-8, 6-3-9, 6-3-10, 6-4-3, 6-4-4, 6-5-1,
4 7-1-15, 7-1-39, 7-1-42, 7-2-1, 7-2-19, 7-2-28, 8-9-1, 10-1-30,
5 10-3-5, 11-13-1.1, 11-13-10, 11-13-14, 11-13-14.1, 11-80-5,
6 11-91-1, and 11-101-2 as follows:

7 (65 ILCS 5/1-1-2) (from Ch. 24, par. 1-1-2)

8 Sec. 1-1-2. Definitions. In this Code:

9 (1) "Municipal" or "municipality" means a city, village,
10 or incorporated town in the State of Illinois, but, unless the
11 context otherwise provides, "municipal" or "municipality" does
12 not include a township, town when used as the equivalent of a
13 township, incorporated town that has superseded a civil
14 township, county, school district, park district, sanitary
15 district, or any other similar governmental district. If
16 "municipal" or "municipality" is given a different definition
17 in any particular Division or Section of this Act, that
18 definition shall control in that division or Section only.

19 (2) "Corporate authorities" means (a) the mayor and
20 alderpersons ~~aldermen~~ or similar body when the reference is to
21 cities, (b) the president and trustees or similar body when
22 the reference is to villages or incorporated towns, and (c)
23 the council when the reference is to municipalities under the
24 commission form of municipal government.

25 (3) "Electors" means persons qualified to vote for

1 elective officers at municipal elections.

2 (4) "Person" means any individual, partnership,
3 corporation, joint stock association, or the State of Illinois
4 or any subdivision of the State; and includes any trustee,
5 receiver, assignee, or personal representative of any of those
6 entities.

7 (5) Except as otherwise provided by ordinance, "fiscal
8 year" in all municipalities with fewer than 500,000
9 inhabitants, and "municipal year" in all municipalities, means
10 the period elapsing (a) between general municipal elections in
11 succeeding calendar years, or (b) if general municipal
12 elections are held biennially, then between a general
13 municipal election and the same day of the same month of the
14 following calendar year, and between that day and the next
15 succeeding general municipal election, or (c) if general
16 municipal elections are held quadrennially, then between a
17 general municipal election and the same day of the same month
18 of the following calendar year, and between that day and the
19 same day of the same month of the next following calendar year,
20 and between the last mentioned day and the same day of the same
21 month of the next following calendar year, and between the
22 last mentioned day and the next succeeding general municipal
23 election. The fiscal year of each municipality with 500,000 or
24 more inhabitants shall commence on January 1.

25 (6) Where reference is made to a county within which a
26 municipality, district, area, or territory is situated, the

1 reference is to the county within which is situated the major
2 part of the area of that municipality, district, area, or
3 territory, in case the municipality, district, area, or
4 territory is situated in 2 or more counties.

5 (7) Where reference is made for any purpose to any other
6 Act, either specifically or generally, the reference shall be
7 to that Act and to all amendments to that Act now in force or
8 that may be hereafter enacted.

9 (8) Wherever the words "city council", "alderpersons
10 ~~aldermen~~", "commissioners", or "mayor" occur, the provisions
11 containing these words shall apply to the board of trustees,
12 trustees, and president, respectively, of villages and
13 incorporated towns and councilmen in cities, so far as those
14 provisions are applicable to them.

15 (9) The terms "special charter" and "special Act" are
16 synonymous.

17 (10) "General municipal election" means the biennial
18 regularly scheduled election for the election of officers of
19 cities, villages, and incorporated towns, as prescribed by the
20 general election law; in the case of municipalities that elect
21 officers annually, "general municipal election" means each
22 regularly scheduled election for the election of officers of
23 cities, villages, and incorporated towns.

24 (Source: P.A. 87-1119.)

25 (65 ILCS 5/2-2-9) (from Ch. 24, par. 2-2-9)

1 Sec. 2-2-9. The election for city officers in any
2 incorporated town or village which has voted to incorporate as
3 a city shall be held at the time of the next regularly
4 scheduled election for officers, in accordance with the
5 general election law. The corporate authorities of such
6 incorporated town or village shall cause the result to be
7 entered upon the records of the city. Alderpersons ~~Aldermen~~
8 may be elected on a general ticket at the election.

9 (Source: P.A. 81-1490.)

10 (65 ILCS 5/3.1-10-5) (from Ch. 24, par. 3.1-10-5)

11 Sec. 3.1-10-5. Qualifications; elective office.

12 (a) A person is not eligible for an elective municipal
13 office unless that person is a qualified elector of the
14 municipality and has resided in the municipality at least one
15 year next preceding the election or appointment, except as
16 provided in Section 3.1-20-25, subsection (b) of Section
17 3.1-25-75, Section 5-2-2, or Section 5-2-11.

18 (b) A person is not eligible to take the oath of office for
19 a municipal office if that person is, at the time required for
20 taking the oath of office, in arrears in the payment of a tax
21 or other indebtedness due to the municipality or has been
22 convicted in any court located in the United States of any
23 infamous crime, bribery, perjury, or other felony.

24 (b-5) (Blank).

25 (c) A person is not eligible for the office of alderperson

1 ~~alderman~~ of a ward unless that person has resided in the ward
2 that the person seeks to represent, and a person is not
3 eligible for the office of trustee of a district unless that
4 person has resided in the municipality, at least one year next
5 preceding the election or appointment, except as provided in
6 Section 3.1-20-25, subsection (b) of Section 3.1-25-75,
7 Section 5-2-2, or Section 5-2-11.

8 (d) If a person (i) is a resident of a municipality
9 immediately prior to the active duty military service of that
10 person or that person's spouse, (ii) resides anywhere outside
11 of the municipality during that active duty military service,
12 and (iii) immediately upon completion of that active duty
13 military service is again a resident of the municipality, then
14 the time during which the person resides outside the
15 municipality during the active duty military service is deemed
16 to be time during which the person is a resident of the
17 municipality for purposes of determining the residency
18 requirement under subsection (a).

19 (Source: P.A. 98-115, eff. 7-29-13; 99-449, eff. 8-24-15.)

20 (65 ILCS 5/3.1-10-30) (from Ch. 24, par. 3.1-10-30)

21 Sec. 3.1-10-30. Bond. Before entering upon the duties of
22 their respective offices, all municipal officers, except
23 alderpersons ~~aldermen~~ and trustees, shall execute a bond with
24 security, to be approved by the corporate authorities. The
25 bond shall be payable to the municipality in the penal sum

1 directed by resolution or ordinance, conditioned upon the
2 faithful performance of the duties of the office and the
3 payment of all money received by the officer, according to law
4 and the ordinances of that municipality. The bond may provide
5 that the obligation of the sureties shall not extend to any
6 loss sustained by the insolvency, failure, or closing of any
7 bank or savings and loan association organized and operating
8 either under the laws of the State of Illinois or the United
9 States in which the officer has placed funds in the officer's
10 custody, if the bank or savings and loan association has been
11 approved by the corporate authorities as a depository for
12 those funds. In no case, however, shall the mayor's bond be
13 fixed at less than \$3,000. The treasurer's bond shall be an
14 amount of money that is not less than 3 times the latest
15 Federal census population or any subsequent census figure used
16 for Motor Fuel Tax purposes. Bonds shall be filed with the
17 municipal clerk, except the bond of the clerk, which shall be
18 filed with the municipal treasurer.

19 (Source: P.A. 87-1119.)

20 (65 ILCS 5/3.1-10-50)

21 Sec. 3.1-10-50. Events upon which an elective office
22 becomes vacant in municipality with population under 500,000.

23 (a) Vacancy by resignation. A resignation is not effective
24 unless it is in writing, signed by the person holding the
25 elective office, and notarized.

1 (1) Unconditional resignation. An unconditional
2 resignation by a person holding the elective office may
3 specify a future date, not later than 60 days after the
4 date the resignation is received by the officer authorized
5 to fill the vacancy, at which time it becomes operative,
6 but the resignation may not be withdrawn after it is
7 received by the officer authorized to fill the vacancy.
8 The effective date of a resignation that does not specify
9 a future date at which it becomes operative is the date the
10 resignation is received by the officer authorized to fill
11 the vacancy. The effective date of a resignation that has
12 a specified future effective date is that specified future
13 date or the date the resignation is received by the
14 officer authorized to fill the vacancy, whichever date
15 occurs later.

16 (2) Conditional resignation. A resignation that does
17 not become effective unless a specified event occurs can
18 be withdrawn at any time prior to the occurrence of the
19 specified event, but if not withdrawn, the effective date
20 of the resignation is the date of the occurrence of the
21 specified event or the date the resignation is received by
22 the officer authorized to fill the vacancy, whichever date
23 occurs later.

24 (3) Vacancy upon the effective date. For the purpose
25 of determining the time period that would require an
26 election to fill the vacancy by resignation or the

1 commencement of the 60-day time period referred to in
2 subsection (e), the resignation of an elected officer is
3 deemed to have created a vacancy as of the effective date
4 of the resignation.

5 (4) Duty of the clerk. If a resignation is delivered
6 to the clerk of the municipality, the clerk shall forward
7 a certified copy of the written resignation to the
8 official who is authorized to fill the vacancy within 7
9 business days after receipt of the resignation.

10 (b) Vacancy by death or disability. A vacancy occurs in an
11 office by reason of the death of the incumbent. The date of the
12 death may be established by the date shown on the death
13 certificate. A vacancy occurs in an office by permanent
14 physical or mental disability rendering the person incapable
15 of performing the duties of the office. The corporate
16 authorities have the authority to make the determination
17 whether an officer is incapable of performing the duties of
18 the office because of a permanent physical or mental
19 disability. A finding of mental disability shall not be made
20 prior to the appointment by a court of a guardian ad litem for
21 the officer or until a duly licensed doctor certifies, in
22 writing, that the officer is mentally impaired to the extent
23 that the officer is unable to effectively perform the duties
24 of the office. If the corporate authorities find that an
25 officer is incapable of performing the duties of the office
26 due to permanent physical or mental disability, that person is

1 removed from the office and the vacancy of the office occurs on
2 the date of the determination.

3 (c) Vacancy by other causes.

4 (1) Abandonment and other causes. A vacancy occurs in
5 an office by reason of abandonment of office; removal from
6 office; or failure to qualify; or more than temporary
7 removal of residence from the municipality; or in the case
8 of an alderperson ~~alderman~~ of a ward or councilman or
9 trustee of a district, more than temporary removal of
10 residence from the ward or district, as the case may be.
11 The corporate authorities have the authority to determine
12 whether a vacancy under this subsection has occurred. If
13 the corporate authorities determine that a vacancy exists,
14 the office is deemed vacant as of the date of that
15 determination for all purposes including the calculation
16 under subsections (e), (f), and (g).

17 (2) Guilty of a criminal offense. An admission of
18 guilt of a criminal offense that upon conviction would
19 disqualify the municipal officer from holding the office,
20 in the form of a written agreement with State or federal
21 prosecutors to plead guilty to a felony, bribery, perjury,
22 or other infamous crime under State or federal law,
23 constitutes a resignation from that office, effective on
24 the date the plea agreement is made. For purposes of this
25 Section, a conviction for an offense that disqualifies a
26 municipal officer from holding that office occurs on the

1 date of the return of a guilty verdict or, in the case of a
2 trial by the court, on the entry of a finding of guilt.

3 (3) Election declared void. A vacancy occurs on the
4 date of the decision of a competent tribunal declaring the
5 election of the officer void.

6 (4) Owing a debt to the municipality. A vacancy occurs
7 if a municipal official fails to pay a debt to a
8 municipality in which the official has been elected or
9 appointed to an elected position subject to the following:

10 (A) Before a vacancy may occur under this
11 paragraph (4), the municipal clerk shall deliver, by
12 personal service, a written notice to the municipal
13 official that (i) the municipal official is in arrears
14 of a debt to the municipality, (ii) that municipal
15 official must either pay or contest the debt within 30
16 days after receipt of the notice or the municipal
17 official will be disqualified and his or her office
18 vacated, and (iii) if the municipal official chooses
19 to contest the debt, the municipal official must
20 provide written notice to the municipal clerk of the
21 contesting of the debt. A copy of the notice, and the
22 notice to contest, shall also be mailed by the
23 municipal clerk to the appointed municipal attorney by
24 certified mail. If the municipal clerk is the
25 municipal official indebted to the municipality, the
26 mayor or president of the municipality shall assume

1 the duties of the municipal clerk required under this
2 paragraph (4).

3 (B) In the event that the municipal official
4 chooses to contest the debt, a hearing shall be held
5 within 30 days of the municipal clerk's receipt of the
6 written notice of contest from the municipal official.
7 An appointed municipal hearing officer shall preside
8 over the hearing, and shall hear testimony and accept
9 evidence relevant to the existence of the debt owed by
10 the municipal officer to the municipality.

11 (C) Upon the conclusion of the hearing, the
12 hearing officer shall make a determination on the
13 basis of the evidence presented as to whether or not
14 the municipal official is in arrears of a debt to the
15 municipality. The determination shall be in writing
16 and shall be designated as findings, decision, and
17 order. The findings, decision, and order shall
18 include: (i) the hearing officer's findings of fact;
19 (ii) a decision of whether or not the municipal
20 official is in arrears of a debt to the municipality
21 based upon the findings of fact; and (iii) an order
22 that either directs the municipal official to pay the
23 debt within 30 days or be disqualified and his or her
24 office vacated or dismisses the matter if a debt owed
25 to the municipality is not proved. A copy of the
26 hearing officer's written determination shall be

1 served upon the municipal official in open proceedings
2 before the hearing officer. If the municipal official
3 does not appear for receipt of the written
4 determination, the written determination shall be
5 deemed to have been served on the municipal official
6 on the date when a copy of the written determination is
7 personally served on the municipal official or on the
8 date when a copy of the written determination is
9 deposited in the United States mail, postage prepaid,
10 addressed to the municipal official at the address on
11 record with the municipality.

12 (D) A municipal official aggrieved by the
13 determination of a hearing officer may secure judicial
14 review of such determination in the circuit court of
15 the county in which the hearing was held. The
16 municipal official seeking judicial review must file a
17 petition with the clerk of the court and must serve a
18 copy of the petition upon the municipality by
19 registered or certified mail within 5 days after
20 service of the determination of the hearing officer.
21 The petition shall contain a brief statement of the
22 reasons why the determination of the hearing officer
23 should be reversed. The municipal official shall file
24 proof of service with the clerk of the court. No answer
25 to the petition need be filed, but the municipality
26 shall cause the record of proceedings before the

1 hearing officer to be filed with the clerk of the court
2 on or before the date of the hearing on the petition or
3 as ordered by the court. The court shall set the matter
4 for hearing to be held within 30 days after the filing
5 of the petition and shall make its decision promptly
6 after such hearing.

7 (E) If a municipal official chooses to pay the
8 debt, or is ordered to pay the debt after the hearing,
9 the municipal official must present proof of payment
10 to the municipal clerk that the debt was paid in full,
11 and, if applicable, within the required time period as
12 ordered by a hearing officer or circuit court judge.

13 (F) A municipal official will be disqualified and
14 his or her office vacated pursuant to this paragraph
15 (4) on the later of the following times if the
16 municipal official: (i) fails to pay or contest the
17 debt within 30 days of the municipal official's
18 receipt of the notice of the debt; (ii) fails to pay
19 the debt within 30 days after being served with a
20 written determination under subparagraph (C) ordering
21 the municipal official to pay the debt; or (iii) fails
22 to pay the debt within 30 days after being served with
23 a decision pursuant to subparagraph (D) upholding a
24 hearing officer's determination that the municipal
25 officer has failed to pay a debt owed to a
26 municipality.

1 (G) For purposes of this paragraph, a "debt" shall
2 mean an arrearage in a definitely ascertainable and
3 quantifiable amount after service of written notice
4 thereof, in the payment of any indebtedness due to the
5 municipality, which has been adjudicated before a
6 tribunal with jurisdiction over the matter. A
7 municipal official is considered in arrears of a debt
8 to a municipality if a debt is more than 30 days
9 overdue from the date the debt was due.

10 (d) Election of an acting mayor or acting president. The
11 election of an acting mayor or acting president pursuant to
12 subsection (f) or (g) does not create a vacancy in the original
13 office of the person on the city council or as a trustee, as
14 the case may be, unless the person resigns from the original
15 office following election as acting mayor or acting president.
16 If the person resigns from the original office following
17 election as acting mayor or acting president, then the
18 original office must be filled pursuant to the terms of this
19 Section and the acting mayor or acting president shall
20 exercise the powers of the mayor or president and shall vote
21 and have veto power in the manner provided by law for a mayor
22 or president. If the person does not resign from the original
23 office following election as acting mayor or acting president,
24 then the acting mayor or acting president shall exercise the
25 powers of the mayor or president but shall be entitled to vote
26 only in the manner provided for as the holder of the original

1 office and shall not have the power to veto. If the person does
2 not resign from the original office following election as
3 acting mayor or acting president, and if that person's
4 original term of office has not expired when a mayor or
5 president is elected and has qualified for office, the acting
6 mayor or acting-president shall return to the original office
7 for the remainder of the term thereof.

8 (e) Appointment to fill alderperson ~~alderman~~ or trustee
9 vacancy. An appointment by the mayor or president or acting
10 mayor or acting president, as the case may be, of a qualified
11 person as described in Section 3.1-10-5 of this Code to fill a
12 vacancy in the office of alderperson ~~alderman~~ or trustee must
13 be made within 60 days after the vacancy occurs. Once the
14 appointment of the qualified person has been forwarded to the
15 corporate authorities, the corporate authorities shall act
16 upon the appointment within 30 days. If the appointment fails
17 to receive the advice and consent of the corporate authorities
18 within 30 days, the mayor or president or acting mayor or
19 acting president shall appoint and forward to the corporate
20 authorities a second qualified person as described in Section
21 3.1-10-5. Once the appointment of the second qualified person
22 has been forwarded to the corporate authorities, the corporate
23 authorities shall act upon the appointment within 30 days. If
24 the appointment of the second qualified person also fails to
25 receive the advice and consent of the corporate authorities,
26 then the mayor or president or acting mayor or acting

1 president, without the advice and consent of the corporate
2 authorities, may make a temporary appointment from those
3 persons who were appointed but whose appointments failed to
4 receive the advice and consent of the corporate authorities.
5 The person receiving the temporary appointment shall serve
6 until an appointment has received the advice and consent and
7 the appointee has qualified or until a person has been elected
8 and has qualified, whichever first occurs.

9 (f) Election to fill vacancies in municipal offices with
10 4-year terms. If a vacancy occurs in an elective municipal
11 office with a 4-year term and there remains an unexpired
12 portion of the term of at least 28 months, and the vacancy
13 occurs at least 130 days before the general municipal election
14 next scheduled under the general election law, then the
15 vacancy shall be filled for the remainder of the term at that
16 general municipal election. Whenever an election is held for
17 this purpose, the municipal clerk shall certify the office to
18 be filled and the candidates for the office to the proper
19 election authorities as provided in the general election law.
20 If a vacancy occurs with less than 28 months remaining in the
21 unexpired portion of the term or less than 130 days before the
22 general municipal election, then:

23 (1) Mayor or president. If the vacancy is in the
24 office of mayor or president, the vacancy must be filled
25 by the corporate authorities electing one of their members
26 as acting mayor or acting president. Except as set forth

1 in subsection (d), the acting mayor or acting president
2 shall perform the duties and possess all the rights and
3 powers of the mayor or president until a mayor or
4 president is elected at the next general municipal
5 election and has qualified. However, in villages with a
6 population of less than 5,000, if each of the trustees
7 either declines the election as acting president or is not
8 elected by a majority vote of the trustees presently
9 holding office, then the trustees may elect, as acting
10 president, any other village resident who is qualified to
11 hold municipal office, and the acting president shall
12 exercise the powers of the president and shall vote and
13 have veto power in the manner provided by law for a
14 president.

15 (2) Aldersperson ~~Alderman~~ or trustee. If the vacancy is
16 in the office of aldersperson ~~alderman~~ or trustee, the
17 vacancy must be filled by the mayor or president or acting
18 mayor or acting president, as the case may be, in
19 accordance with subsection (e).

20 (3) Other elective office. If the vacancy is in any
21 elective municipal office other than mayor or president or
22 aldersperson ~~alderman~~ or trustee, the mayor or president or
23 acting mayor or acting president, as the case may be, must
24 appoint a qualified person to hold the office until the
25 office is filled by election, subject to the advice and
26 consent of the city council or the board of trustees, as

1 the case may be.

2 (g) Vacancies in municipal offices with 2-year terms. In
3 the case of an elective municipal office with a 2-year term, if
4 the vacancy occurs at least 130 days before the general
5 municipal election next scheduled under the general election
6 law, the vacancy shall be filled for the remainder of the term
7 at that general municipal election. If the vacancy occurs less
8 than 130 days before the general municipal election, then:

9 (1) Mayor or president. If the vacancy is in the
10 office of mayor or president, the vacancy must be filled
11 by the corporate authorities electing one of their members
12 as acting mayor or acting president. Except as set forth
13 in subsection (d), the acting mayor or acting president
14 shall perform the duties and possess all the rights and
15 powers of the mayor or president until a mayor or
16 president is elected at the next general municipal
17 election and has qualified. However, in villages with a
18 population of less than 5,000, if each of the trustees
19 either declines the election as acting president or is not
20 elected by a majority vote of the trustees presently
21 holding office, then the trustees may elect, as acting
22 president, any other village resident who is qualified to
23 hold municipal office, and the acting president shall
24 exercise the powers of the president and shall vote and
25 have veto power in the manner provided by law for a
26 president.

1 (2) Aldersperson ~~Alderman~~ or trustee. If the vacancy is
2 in the office of aldersperson ~~alderman~~ or trustee, the
3 vacancy must be filled by the mayor or president or acting
4 mayor or acting president, as the case may be, in
5 accordance with subsection (e).

6 (3) Other elective office. If the vacancy is in any
7 elective municipal office other than mayor or president or
8 aldersperson ~~alderman~~ or trustee, the mayor or president or
9 acting mayor or acting president, as the case may be, must
10 appoint a qualified person to hold the office until the
11 office is filled by election, subject to the advice and
12 consent of the city council or the board of trustees, as
13 the case may be.

14 (h) In cases of vacancies arising by reason of an election
15 being declared void pursuant to paragraph (3) of subsection
16 (c), persons holding elective office prior thereto shall hold
17 office until their successors are elected and qualified or
18 appointed and confirmed by advice and consent, as the case may
19 be.

20 (i) This Section applies only to municipalities with
21 populations under 500,000.

22 (Source: P.A. 99-449, eff. 8-24-15.)

23 (65 ILCS 5/3.1-10-51)

24 Sec. 3.1-10-51. Vacancies in municipalities with a
25 population of 500,000 or more.

1 (a) Events upon which an elective office in a municipality
2 of 500,000 or more shall become vacant:

3 (1) A municipal officer may resign from office. A
4 vacancy occurs in an office by reason of resignation,
5 failure to elect or qualify (in which case the incumbent
6 shall remain in office until the vacancy is filled),
7 death, permanent physical or mental disability rendering
8 the person incapable of performing the duties of his or
9 her office, conviction of a disqualifying crime,
10 abandonment of office, removal from office, or removal of
11 residence from the municipality or, in the case of an
12 alderperson ~~alderman~~ of a ward, removal of residence from
13 the ward.

14 (2) An admission of guilt of a criminal offense that
15 would, upon conviction, disqualify the municipal officer
16 from holding that office, in the form of a written
17 agreement with State or federal prosecutors to plead
18 guilty to a felony, bribery, perjury, or other infamous
19 crime under State or federal law, shall constitute a
20 resignation from that office, effective at the time the
21 plea agreement is made. For purposes of this Section, a
22 conviction for an offense that disqualifies the municipal
23 officer from holding that office occurs on the date of the
24 return of a guilty verdict or, in the case of a trial by
25 the court, the entry of a finding of guilt.

26 (3) Owing a debt to the municipality. A vacancy occurs

1 if a municipal official fails to pay a debt to a
2 municipality in which the official has been elected or
3 appointed to an elected position subject to the following:

4 (A) Before a vacancy may occur under this
5 paragraph (3), the municipal clerk shall deliver, by
6 personal service, a written notice to the municipal
7 official that (i) the municipal official is in arrears
8 of a debt to the municipality, (ii) that municipal
9 official must either pay or contest the debt within 30
10 days after receipt of the notice or the municipal
11 official will be disqualified and his or her office
12 vacated, and (iii) if the municipal official chooses
13 to contest the debt, the municipal official must
14 provide written notice to the municipal clerk of the
15 contesting of the debt. A copy of the notice, and the
16 notice to contest, shall also be mailed by the
17 municipal clerk to the appointed municipal attorney by
18 certified mail. If the municipal clerk is the
19 municipal official indebted to the municipality, the
20 mayor or president of the municipality shall assume
21 the duties of the municipal clerk required under this
22 paragraph (3).

23 (B) In the event that the municipal official
24 chooses to contest the debt, a hearing shall be held
25 within 30 days of the municipal clerk's receipt of the
26 written notice of contest from the municipal official.

1 An appointed municipal hearing officer shall preside
2 over the hearing, and shall hear testimony and accept
3 evidence relevant to the existence of the debt owed by
4 the municipal officer to the municipality.

5 (C) Upon the conclusion of the hearing, the
6 hearing officer shall make a determination on the
7 basis of the evidence presented as to whether or not
8 the municipal official is in arrears of a debt to the
9 municipality. The determination shall be in writing
10 and shall be designated as findings, decision, and
11 order. The findings, decision, and order shall
12 include: (i) the hearing officer's findings of fact;
13 (ii) a decision of whether or not the municipal
14 official is in arrears of a debt to the municipality
15 based upon the findings of fact; and (iii) an order
16 that either directs the municipal official to pay the
17 debt within 30 days or be disqualified and his or her
18 office vacated or dismisses the matter if a debt owed
19 to the municipality is not proved. A copy of the
20 hearing officer's written determination shall be
21 served upon the municipal official in open proceedings
22 before the hearing officer. If the municipal official
23 does not appear for receipt of the written
24 determination, the written determination shall be
25 deemed to have been served on the municipal official
26 on the date when a copy of the written determination is

1 personally served on the municipal official or on the
2 date when a copy of the written determination is
3 deposited in the United States mail, postage prepaid,
4 addressed to the municipal official at the address on
5 record in the files of the municipality.

6 (D) A municipal official aggrieved by the
7 determination of a hearing officer may secure judicial
8 review of such determination in the circuit court of
9 the county in which the hearing was held. The
10 municipal official seeking judicial review must file a
11 petition with the clerk of the court and must serve a
12 copy of the petition upon the municipality by
13 registered or certified mail within 5 days after
14 service of the determination of the hearing officer.
15 The petition shall contain a brief statement of the
16 reasons why the determination of the hearing officer
17 should be reversed. The municipal official shall file
18 proof of service with the clerk of the court. No answer
19 to the petition need be filed, but the municipality
20 shall cause the record of proceedings before the
21 hearing officer to be filed with the clerk of the court
22 on or before the date of the hearing on the petition or
23 as ordered by the court. The court shall set the matter
24 for hearing to be held within 30 days after the filing
25 of the petition and shall make its decision promptly
26 after such hearing.

1 (E) If a municipal official chooses to pay the
2 debt, or is ordered to pay the debt after the hearing,
3 the municipal official must present proof of payment
4 to the municipal clerk that the debt was paid in full,
5 and, if applicable, within the required time period as
6 ordered by a hearing officer.

7 (F) A municipal official will be disqualified and
8 his or her office vacated pursuant to this paragraph
9 (3) on the later of the following times the municipal
10 official: (i) fails to pay or contest the debt within
11 30 days of the municipal official's receipt of the
12 notice of the debt; (ii) fails to pay the debt within
13 30 days after being served with a written
14 determination under subparagraph (C) ordering the
15 municipal official to pay the debt; or (iii) fails to
16 pay the debt within 30 days after being served with a
17 decision pursuant to subparagraph (D) upholding a
18 hearing officer's determination that the municipal
19 officer has failed to pay a debt owed to a
20 municipality.

21 (G) For purposes of this paragraph, a "debt" shall
22 mean an arrearage in a definitely ascertainable and
23 quantifiable amount after service of written notice
24 thereof, in the payment of any indebtedness due to the
25 municipality, which has been adjudicated before a
26 tribunal with jurisdiction over the matter. A

1 municipal official is considered in arrears of a debt
2 to a municipality if a debt is more than 30 days
3 overdue from the date the debt was due.

4 (b) If a vacancy occurs in an elective municipal office
5 with a 4-year term and there remains an unexpired portion of
6 the term of at least 28 months, and the vacancy occurs at least
7 130 days before the general municipal election next scheduled
8 under the general election law, then the vacancy shall be
9 filled for the remainder of the term at that general municipal
10 election. Whenever an election is held for this purpose, the
11 municipal clerk shall certify the office to be filled and the
12 candidates for the office to the proper election authorities
13 as provided in the general election law. If the vacancy is in
14 the office of mayor, the city council shall elect one of their
15 members acting mayor. The acting mayor shall perform the
16 duties and possess all the rights and powers of the mayor until
17 a successor to fill the vacancy has been elected and has
18 qualified. If the vacancy is in any other elective municipal
19 office, then until the office is filled by election, the mayor
20 shall appoint a qualified person to the office subject to the
21 advice and consent of the city council.

22 (c) If a vacancy occurs later than the time provided in
23 subsection (b) in a 4-year term, a vacancy in the office of
24 mayor shall be filled by the corporate authorities electing
25 one of their members acting mayor. The acting mayor shall
26 perform the duties and possess all the rights and powers of the

1 mayor until a mayor is elected at the next general municipal
2 election and has qualified. A vacancy occurring later than the
3 time provided in subsection (b) in a 4-year term in any
4 elective office other than mayor shall be filled by
5 appointment by the mayor, with the advice and consent of the
6 corporate authorities.

7 (d) A municipal officer appointed or elected under this
8 Section shall hold office until the officer's successor is
9 elected and has qualified.

10 (e) An appointment to fill a vacancy in the office of
11 alderperson ~~alderman~~ shall be made within 60 days after the
12 vacancy occurs. The requirement that an appointment be made
13 within 60 days is an exclusive power and function of the State
14 and is a denial and limitation under Article VII, Section 6,
15 subsection (h) of the Illinois Constitution of the power of a
16 home rule municipality to require that an appointment be made
17 within a different period after the vacancy occurs.

18 (f) This Section applies only to municipalities with a
19 population of 500,000 or more.

20 (Source: P.A. 99-449, eff. 8-24-15.)

21 (65 ILCS 5/3.1-10-60) (from Ch. 24, par. 3.1-10-60)

22 Sec. 3.1-10-60. Interim appointments to vacancies. If a
23 municipality has no mayor or president, no clerk, and no
24 alderpersons ~~aldermen~~ or trustees, the circuit court may, upon
25 petition signed by at least 100 electors or 10% of the electors

1 of the municipality, whichever is less, make interim
2 appointments to fill all vacancies in the elective offices of
3 the municipality from among persons whose names are submitted
4 by the petition or petitions. The interim appointees shall
5 serve until the next regularly scheduled election under the
6 general election law occurring not less than 120 days after
7 all the offices have become vacant.

8 (Source: P.A. 87-1119.)

9 (65 ILCS 5/3.1-10-65) (from Ch. 24, par. 3.1-10-65)

10 Sec. 3.1-10-65. Referendum to reduce terms.

11 (a) In any municipality of less than 500,000 inhabitants,
12 a proposition to reduce the terms of the elective officers of
13 the municipality from 4 years to 2 years may be submitted,
14 within the discretion of the corporate authorities, to the
15 electors of the municipality. The proposition shall also be
16 submitted if a petition requesting that action is signed by
17 electors of the municipality numbering not less than 10% of
18 the total vote cast at the last election for mayor or president
19 of the municipality and the petition is filed with the
20 municipal clerk and certified in accordance with the general
21 election law. The proposition shall be substantially in the
22 following form:

23 Shall the term of the elective officers of (name of
24 municipality) be reduced from 4 years to 2 years?

25 (b) If a majority of the electors voting on the

1 proposition vote against it, the terms of the officers shall
2 remain 4 years. If, however, a majority of those voting on the
3 proposition vote in favor of it, the officers elected at the
4 next regular election for officers in the municipality shall
5 hold their offices for a term of 2 years and until their
6 successors are elected and have qualified, except in the case
7 of trustees and alderpersons ~~aldermen~~. In the case of
8 alderpersons ~~aldermen~~ and trustees: (i) at the first election
9 of alderpersons ~~aldermen~~ or trustees that occurs in an odd
10 numbered year following the vote to reduce the length of
11 terms, successors to alderpersons ~~aldermen~~ or trustees whose
12 terms expire in that year shall be elected for a term of one
13 year and until their successors are elected and have qualified
14 and (ii) thereafter, one-half of the alderpersons ~~aldermen~~ or
15 trustees shall be elected each year for terms of 2 years and
16 until their successors are elected and have qualified.

17 (Source: P.A. 87-1119.)

18 (65 ILCS 5/3.1-10-75) (from Ch. 24, par. 3.1-10-75)

19 Sec. 3.1-10-75. Referendum to lengthen terms.

20 (a) In any municipality of less than 500,000 inhabitants
21 that, under Section 3.1-10-65, has voted to shorten the terms
22 of elective officers, a proposition to lengthen the terms of
23 the elective officers of the municipality from 2 years to 4
24 years may be submitted, within the discretion of the corporate
25 authorities, to the electors of the municipality. The

1 proposition shall be certified by the municipal clerk to the
2 appropriate election authorities, who shall submit the
3 proposition at an election in accordance with the general
4 election law. The proposition shall also be submitted at an
5 election if a petition requesting that action is signed by
6 electors of the municipality numbering not less than 10% of
7 the total vote cast at the last election for mayor or president
8 of the municipality and the petition is filed with the
9 municipal clerk. The proposition shall be substantially in the
10 following form:

11 Shall the term of the elective officers of (name of
12 municipality) be lengthened from 2 years to 4 years?

13 (b) If a majority of the electors voting on the
14 proposition vote against it, the terms of the officers shall
15 remain 2 years. If, however, a majority of those voting on the
16 proposition vote in favor of it, the officers elected at the
17 next regular election for officers in the municipality shall
18 hold their offices for a term of 4 years and until their
19 successors are elected and have qualified, except in the case
20 of trustees and alderpersons ~~aldermen~~. In the case of
21 alderpersons ~~aldermen~~ and trustees: (i) if the first election
22 for alderpersons ~~aldermen~~ or trustees, after approval of the
23 proposition, occurs in an even numbered year, the alderpersons
24 ~~aldermen~~ or trustees elected in that even numbered year shall
25 serve for terms of 3 years and until their successors are
26 elected and have qualified, the terms for successors to those

1 elected at the first even numbered year election shall be 4
2 years and until successors are elected and have qualified, the
3 alderpersons ~~aldermen~~ or trustees elected at the first odd
4 numbered year election next following the first even numbered
5 year election shall serve for terms of 4 years and until
6 successors are elected and have qualified, and successors
7 elected after the first odd numbered year shall also serve 4
8 year terms and until their successors are elected and have
9 qualified and (ii) if the first election for alderpersons
10 ~~aldermen~~ or trustees, after approval of the proposition,
11 occurs in an odd numbered year, the alderpersons ~~aldermen~~ or
12 trustees elected in that odd numbered year shall serve for
13 terms of 4 years and until their successors are elected and
14 have qualified, the terms for successors to those elected at
15 the first odd numbered year election shall be for 4 years and
16 until successors are elected and have qualified, the
17 alderpersons ~~aldermen~~ or trustees elected at the first even
18 numbered year election next following the first odd numbered
19 year election shall serve for terms of one year and until their
20 successors are elected and have qualified, and the terms for
21 successors to those elected at the first odd numbered year
22 election shall be 4 years and until their successors are
23 elected and have qualified.

24 (Source: P.A. 87-1119.)

25 (65 ILCS 5/3.1-15-5) (from Ch. 24, par. 3.1-15-5)

1 Sec. 3.1-15-5. Officers to be elected. In all cities
2 incorporated under this Code there shall be elected a mayor,
3 alderpersons ~~aldermen~~, a city clerk, and a city treasurer
4 (except in the case of a city of 10,000 or fewer inhabitants
5 that, by ordinance, allows for the appointment of a city
6 treasurer by the mayor, subject to the advice and consent of
7 the city council). In all villages and incorporated towns,
8 there shall be elected a president, trustees, and a clerk,
9 except as otherwise provided in this Code.

10 (Source: P.A. 87-1119; 88-572, eff. 8-11-94.)

11 (65 ILCS 5/3.1-15-15) (from Ch. 24, par. 3.1-15-15)

12 Sec. 3.1-15-15. Holding other offices. A mayor, president,
13 alderperson ~~alderman~~, trustee, clerk, or treasurer shall not
14 hold any other office under the municipal government during
15 the term of that office, except when the officer is granted a
16 leave of absence from that office or except as otherwise
17 provided in Sections 3.1-10-50, 3.1-35-135, and 8-2-9.1.
18 Moreover, an officer may serve as a volunteer fireman and
19 receive compensation for that service.

20 (Source: P.A. 99-386, eff. 8-17-15.)

21 (65 ILCS 5/3.1-15-25) (from Ch. 24, par. 3.1-15-25)

22 Sec. 3.1-15-25. Conservators of the peace; service of
23 warrants.

24 (a) After receiving a certificate attesting to the

1 successful completion of a training course administered by the
2 Illinois Law Enforcement Training Standards Board, the mayor,
3 alderpersons ~~aldermen~~, president, trustees, marshal, deputy
4 marshals, and policemen in municipalities shall be
5 conservators of the peace. Those persons and others authorized
6 by ordinance shall have power (i) to arrest or cause to be
7 arrested, with or without process, all persons who break the
8 peace or are found violating any municipal ordinance or any
9 criminal law of the State, (ii) to commit arrested persons for
10 examination, (iii) if necessary, to detain arrested persons in
11 custody over night or Sunday in any safe place or until they
12 can be brought before the proper court, and (iv) to exercise
13 all other powers as conservators of the peace prescribed by
14 the corporate authorities.

15 (b) All warrants for the violation of municipal ordinances
16 or the State criminal law, directed to any person, may be
17 served and executed within the limits of a municipality by any
18 policeman or marshal of the municipality. For that purpose,
19 policemen and marshals have all the common law and statutory
20 powers of sheriffs.

21 (Source: P.A. 90-540, eff. 12-1-97.)

22 (65 ILCS 5/3.1-15-30) (from Ch. 24, par. 3.1-15-30)

23 Sec. 3.1-15-30. Minority representation.

24 (a) Whenever the question of incorporation as a city under
25 this Code is submitted for adoption to the electors of any

1 territory, village, incorporated town, or city under special
2 charter, there may be submitted at the same time for adoption
3 or rejection the question of minority representation in the
4 city council. The proposition shall be in the following form:

5 Shall minority representation in the city council be
6 adopted?

7 (b) If a majority of the votes cast on the question at any
8 election are for minority representation in the city council,
9 the members of the city council, except as otherwise provided,
10 thereafter shall be elected as provided in Section 3.1-15-35.

11 (c) The city council, at least 30 days before the first day
12 fixed by law for the filing of candidate petitions for the next
13 general municipal election, shall apportion the city by
14 dividing its population, as ascertained by an official
15 publication of any national, state, school, or city census, by
16 any number not less than 2 nor more than 6. The quotient shall
17 be the ratio of representation in the city council. Districts
18 shall be formed of contiguous and compact territory and
19 contain, as near as practicable, an equal number of
20 inhabitants.

21 (d) If a majority of the votes cast on the question at any
22 election are against minority representation in the city
23 council, the members of the city council shall be elected as
24 otherwise provided in this Code.

25 (e) At any time after the incorporation of a city under
26 this Code, on petition of electors equal in number to

1 one-eighth the number of legal votes cast at the next
2 preceding general municipal election, the city clerk shall
3 certify the question of the adoption or retention of minority
4 representation to the proper election authority for submission
5 to the electors of that city. The proposition shall be in the
6 same form as provided in this Section, except that the word
7 "retained" shall be substituted for the word "adopted" when
8 appropriate. A question of minority representation, however,
9 shall not be submitted more than once within 32 months.

10 (f) If the city council of any city adopting minority
11 representation as provided in this Section has not fixed a
12 ratio of representation and formed the districts by the time
13 specified in this Section, those acts may be done by any later
14 city council. All official acts done and ordinances passed by
15 a city council elected at large by the electors of a city that
16 has adopted a minority representation plan shall be as valid
17 and binding as if the alderpersons ~~aldermen~~ had been elected
18 from districts.

19 (Source: P.A. 87-1119.)

20 (65 ILCS 5/3.1-15-35) (from Ch. 24, par. 3.1-15-35)

21 Sec. 3.1-15-35. Alderpersons ~~Aldermen~~ under minority
22 representation plan. Every district under a minority
23 representation plan shall be entitled to 3 alderpersons
24 ~~aldermen~~. Alderpersons ~~Aldermen~~ shall hold their offices for 4
25 years and until their successors have been elected and

1 qualified, except in cities that have adopted a 2 year term
2 under Section 3.1-10-65. There shall be elected in each
3 district as many alderpersons ~~aldermen~~ as the district is
4 entitled to. In all of these elections for alderpersons
5 ~~aldermen~~, each elector may cast as many votes as there are
6 alderpersons ~~aldermen~~ to be elected in the elector's district,
7 or may distribute his or her votes, or equal parts of the
8 votes, among the candidates as the elector sees fit. The
9 candidate highest in votes is elected if only one alderperson
10 ~~alderman~~ is elected; the candidates highest and next highest
11 in votes are elected if only 2 alderpersons ~~aldermen~~ are
12 elected; and the 3 highest candidates in votes are elected
13 when 3 alderpersons ~~aldermen~~ are elected. Vacancies shall be
14 filled as provided in Sections 3.1-10-50 and 3.1-10-55 by
15 either interim election or appointment. An appointment to fill
16 a vacancy shall be made within 60 days after the vacancy
17 occurs. The requirement that an appointment be made within 60
18 days is an exclusive power and function of the State and is a
19 denial and limitation under Article VII, Section 6, subsection
20 (h) of the Illinois Constitution of the power of a home rule
21 municipality to require that an appointment be made within a
22 different period after the vacancy occurs.

23 (Source: P.A. 87-1052; 87-1119; 88-45.)

24 (65 ILCS 5/3.1-15-40) (from Ch. 24, par. 3.1-15-40)

25 Sec. 3.1-15-40. Staggered elections under minority plans.

1 In all cities that adopt or have adopted the minority
2 representation plan for the election of alderpersons ~~aldermen~~
3 and have not already staggered the terms of their alderpersons
4 ~~aldermen~~, the city council may provide by ordinance that at
5 any ensuing general municipal election for city officers the
6 alderpersons ~~aldermen~~ in every alternate district shall be
7 elected for one term of 2 years and, at the expiration of that
8 term of 2 years, for regular terms of 4 years. This Section
9 does not prohibit a city from voting in favor of a 2 year term
10 for city officers as provided in Section 3.1-10-65. The
11 provisions of the general election law shall govern elections
12 under this Section.

13 (Source: P.A. 87-1119.)

14 (65 ILCS 5/3.1-20-10) (from Ch. 24, par. 3.1-20-10)

15 Sec. 3.1-20-10. Alderpersons ~~Aldermen~~; number.

16 (a) Except as otherwise provided in this Section, Section
17 3.1-20-20, or as otherwise provided in the case of
18 alderpersons-at-large ~~aldermen-at-large~~, the number of
19 alderpersons ~~aldermen~~, when not elected by the minority
20 representation plan, shall be determined using the most recent
21 federal decennial census results as follows:

22 (1) in cities not exceeding 3,000 inhabitants, 6
23 alderpersons ~~aldermen~~;

24 (2) in cities exceeding 3,000 but not exceeding
25 15,000, 8 alderpersons ~~aldermen~~;

1 (3) in cities exceeding 15,000 but not exceeding
2 20,000, 10 alderpersons ~~aldermen~~;

3 (4) in cities exceeding 20,000 but not exceeding
4 50,000, 14 alderpersons ~~aldermen~~;

5 (5) in cities exceeding 50,000 but not exceeding
6 70,000, 16 alderpersons ~~aldermen~~;

7 (6) in cities exceeding 70,000 but not exceeding
8 90,000, 18 alderpersons ~~aldermen~~; and

9 (7) in cities exceeding 90,000 but not exceeding
10 500,000, 20 alderpersons ~~aldermen~~.

11 (b) Instead of the number of alderpersons ~~aldermen~~ set
12 forth in subsection (a), a municipality with 15,000 or more
13 inhabitants may adopt, either by ordinance or by resolution,
14 not more than one year after the municipality's receipt of the
15 new federal decennial census results, the following number of
16 alderpersons ~~aldermen~~: in cities exceeding 15,000 but not
17 exceeding 20,000, 8 alderpersons ~~aldermen~~; exceeding 20,000
18 but not exceeding 50,000, 10 alderpersons ~~aldermen~~; exceeding
19 50,000 but not exceeding 70,000, 14 alderpersons ~~aldermen~~;
20 exceeding 70,000 but not exceeding 90,000, 16 alderpersons
21 ~~aldermen~~; and exceeding 90,000 but not exceeding 500,000, 18
22 alderpersons ~~aldermen~~.

23 (c) Instead of the number of alderpersons ~~aldermen~~ set
24 forth in subsection (a), a municipality with 40,000 or more
25 inhabitants may adopt, either by ordinance or by resolution,
26 not more than one year after the municipality's receipt of the

1 new federal decennial census results, the following number of
2 alderpersons ~~aldermen~~: in cities exceeding 40,000 but not
3 exceeding 50,000, 16 alderpersons ~~aldermen~~.

4 (d) If, according to the most recent federal decennial
5 census results, the population of a municipality increases or
6 decreases under this Section, then the municipality may adopt
7 an ordinance or resolution to retain the number of
8 alderpersons ~~aldermen~~ that existed before the most recent
9 federal decennial census results. The ordinance or resolution
10 may not be adopted more than one year after the municipality's
11 receipt of the most recent federal decennial census results.

12 (Source: P.A. 96-1156, eff. 7-21-10; 97-301, eff. 8-11-11;
13 97-1091, eff. 8-24-12.)

14 (65 ILCS 5/3.1-20-15) (from Ch. 24, par. 3.1-20-15)

15 Sec. 3.1-20-15. Division into wards. Except as otherwise
16 provided in Section 3.1-20-20, every city shall have one-half
17 as many wards as the total number of alderpersons ~~aldermen~~ to
18 which the city is entitled. The city council, from time to
19 time, shall divide the city into that number of wards.

20 (Source: P.A. 87-1119.)

21 (65 ILCS 5/3.1-20-20) (from Ch. 24, par. 3.1-20-20)

22 Sec. 3.1-20-20. Alderspersons ~~Aldermen~~; restrict or
23 reinstate number.

24 (a) In a city of less than 100,000 inhabitants, a

1 proposition to restrict the number of alderpersons ~~aldermen~~ to
2 one-half of the total authorized by Section 3.1-20-10, with
3 one alderperson ~~alderman~~ representing each ward, shall be
4 certified by the city clerk to the proper election
5 authorities, who shall submit the proposition at an election
6 in accordance with the general election law, if a petition
7 requesting that action is signed by electors of the city
8 numbering not less than 10% of the total vote cast at the last
9 election for mayor of the city and the petition is filed with
10 the city clerk.

11 The proposition shall be substantially in the following
12 form:

13 Shall (name of city) restrict the number of
14 alderpersons ~~aldermen~~ to (state number) (one-half of the
15 total authorized by Section 3.1-20-10 of the Illinois
16 Municipal Code), with one alderperson ~~alderman~~
17 representing each ward?

18 If a majority of those voting on the proposition vote in
19 favor of it, all existing ~~aldermanic~~ terms of alderpersons
20 shall expire as of the date of the next regular ~~aldermanic~~
21 election of alderpersons, at which time a full complement of
22 alderpersons ~~aldermen~~ shall be elected for the full term.

23 (b) In a city of less than 100,000 inhabitants, a
24 proposition to restrict the number of alderpersons ~~aldermen~~ to
25 one alderperson ~~alderman~~ per ward, with one alderperson
26 ~~alderman~~ representing each ward, plus an additional number of

1 ~~alderpersons~~ ~~aldermen~~ not to exceed the number of wards in the
2 city to be elected at large, shall be certified by the city
3 clerk to the proper election authorities, who shall submit the
4 proposition at an election in accordance with the general
5 election law, if a petition requesting that action is signed
6 by electors of the city numbering not less than 10% of the
7 total vote cast at the last election for mayor of the city and
8 the petition is filed with the city clerk.

9 The proposition shall be substantially in the following
10 form:

11 Shall (name of city) restrict the number of
12 ~~alderpersons~~ ~~aldermen~~ to (number), with one alderperson
13 ~~alderman~~ representing each ward, plus an additional
14 (number) alderperson ~~alderman~~ (~~alderpersons~~ ~~aldermen~~) to
15 be elected at large?

16 If a majority of those voting on the proposition vote in
17 favor of it, all existing ~~aldermanic~~ terms of alderpersons
18 shall expire as of the date of the next regular ~~aldermanic~~
19 election of alderpersons, at which time a full complement of
20 alderpersons ~~aldermen~~ shall be elected for the full term.

21 (c) In a city of less than 100,000 inhabitants where a
22 proposition under subsection (a) or (b) has been successful, a
23 proposition to reinstate the number of alderpersons ~~aldermen~~
24 in accordance with Section 3.1-20-10 shall be certified by the
25 city clerk to the proper election authorities, who shall
26 submit the proposition at an election in accordance with the

1 general election law, if a petition requesting that action has
2 been signed by electors of the city numbering not less than 10%
3 of the total vote cast at the last election for mayor of the
4 city and the petition has been filed with the city clerk.

5 The election authority must submit the proposition in
6 substantially the following form:

7 Shall (name of city) reinstate the number of
8 alderpersons ~~aldermen~~ to (number of alderpersons ~~aldermen~~
9 allowed by Section 3.1-20-10)?

10 The election authority must record the votes as "Yes" or "No".

11 If a majority of the electors voting on the proposition
12 vote in the affirmative, then, if the restriction in the
13 number of alderpersons ~~aldermen~~ has taken effect, all existing
14 ~~aldermanic~~ terms of alderpersons shall expire as of the date
15 of the next regular ~~aldermanic~~ election of alderpersons, at
16 which time a full complement of alderpersons ~~aldermen~~ shall be
17 elected for the full term and thereafter terms shall be
18 determined in accordance with Section 3.1-20-35.

19 (Source: P.A. 92-727, eff. 7-25-02.)

20 (65 ILCS 5/3.1-20-22) (from Ch. 24, par. 3.1-20-22)

21 Sec. 3.1-20-22. Alderpersons ~~Aldermen~~; staggered terms. In
22 any city of less than 100,000 inhabitants, a proposition to
23 stagger the terms of alderpersons ~~aldermen~~, with as nearly as
24 possible one-half of the alderpersons ~~aldermen~~ elected every 2
25 years, shall be certified by the city clerk to the proper

1 election authority, who shall submit the proposition at an
2 election in accordance with the general election law, if a
3 petition requesting that action is signed by electors of the
4 city numbering at least 10% of the total vote cast at the last
5 election for mayor of the city and is filed with the city
6 clerk.

7 The ballot shall have printed on it, but not as a part of
8 the proposition submitted, the following information for
9 voters: one alderperson ~~alderman~~ elected from each
10 even-numbered ward shall serve a term of 2 years; one
11 alderperson ~~alderman~~ elected from each odd-numbered ward shall
12 serve a term of 4 years.

13 The proposition shall be substantially in the following
14 form:

15 Shall (name of city) adopt a system of staggered terms
16 for alderpersons ~~aldermen~~?

17 If a majority of those voting on the proposition vote in
18 favor of it, then at the next regular election for
19 alderpersons ~~aldermen~~ one alderperson ~~alderman~~ shall be
20 elected from each even-numbered ward for a term of 2 years and
21 one alderperson ~~alderman~~ shall be elected from each
22 odd-numbered ward for a term of 4 years. Thereafter, their
23 successors shall be elected for terms of 4 years.

24 (Source: P.A. 87-1119.)

25 (65 ILCS 5/3.1-20-25) (from Ch. 24, par. 3.1-20-25)

1 Sec. 3.1-20-25. Redistricting a city.

2 (a) In the formation of wards, the number of inhabitants
3 of the city immediately preceding the division of the city
4 into wards shall be as nearly equal in population, and the
5 wards shall be of as compact and contiguous territory, as
6 practicable. Wards shall be created in a manner so that, as far
7 as practicable, no precinct shall be divided between 2 or more
8 wards.

9 (b) Whenever an official decennial census shows that a
10 city contains more or fewer wards than it is entitled to, the
11 city council of the city, by ordinance, shall redistrict the
12 city into as many wards as the city is entitled. This
13 redistricting shall be completed not less than 30 days before
14 the first day set by the general election law for the filing of
15 candidate petitions for the next succeeding election for city
16 officers. At this election there shall be elected the number
17 of alderpersons ~~aldermen~~ to which the city is entitled, except
18 as provided in subsection (c).

19 (c) If it appears from any official decennial census that
20 it is necessary to redistrict under subsection (b) or for any
21 other reason, the city council shall immediately proceed to
22 redistrict the city and shall hold the next city election in
23 accordance with the new redistricting. At this election the
24 alderpersons ~~aldermen~~ whose terms of office are not expiring
25 shall be considered alderpersons ~~aldermen~~ for the new wards
26 respectively in which their residences are situated. At this

1 election, in a municipality that is not a newly incorporated
2 municipality, a candidate for alderperson ~~alderman~~ may be
3 elected from any ward that contains a part of the ward in which
4 he or she resided at least one year next preceding the election
5 that follows the redistricting, and, if elected, that person
6 may be reelected from the new ward he or she represents if he
7 or she resides in that ward for at least one year next
8 preceding reelection. If there are 2 or more alderpersons
9 ~~aldermen~~ with terms of office not expiring and residing in the
10 same ward under the new redistricting, the alderperson
11 ~~alderman~~ who holds over for that ward shall be determined by
12 lot in the presence of the city council, in the manner directed
13 by the council, and all other alderpersons ~~aldermen~~ shall fill
14 their unexpired terms as alderpersons-at-large
15 ~~aldermen-at-large~~. The alderpersons-at-large
16 ~~aldermen-at-large~~, if any, shall have the same powers and
17 duties as all other alderpersons ~~aldermen~~, but upon the
18 expiration of their terms the offices of alderpersons-at-large
19 ~~aldermen-at-large~~ shall be abolished.

20 (d) If the redistricting results in one or more wards in
21 which no alderpersons ~~aldermen~~ reside whose terms of office
22 have not expired, 2 alderpersons ~~aldermen~~ shall be elected in
23 accordance with Section 3.1-20-35, unless the city elected
24 only one alderperson ~~alderman~~ per ward pursuant to a
25 referendum under subsection (a) of Section 3.1-20-20.

26 (e) A redistricting ordinance that has decreased the

1 number of wards of a city because of a decrease in population
2 of the city shall not be effective if, not less than 60 days
3 before the time fixed for the next succeeding general
4 municipal election, an official census is officially published
5 that shows that the city has regained a population that
6 entitles it to the number of wards that it had just before the
7 passage of the last redistricting ordinance.

8 (Source: P.A. 97-1091, eff. 8-24-12.)

9 (65 ILCS 5/3.1-20-30) (from Ch. 24, par. 3.1-20-30)

10 Sec. 3.1-20-30. Validation of actions. After an official
11 census is officially published, if a city is divided into a
12 greater number of wards and has elected a greater number of
13 alderpersons ~~aldermen~~ than the city is entitled to, the
14 division and election shall, nevertheless, be valid and all
15 acts, resolutions, and ordinances of the city council of that
16 city, if in other respects in compliance with law, are valid.

17 (Source: P.A. 87-1119.)

18 (65 ILCS 5/3.1-20-35) (from Ch. 24, par. 3.1-20-35)

19 Sec. 3.1-20-35. Determining terms.

20 (a) Alderpersons ~~Aldermen~~ elected at the first election
21 for city officers after the election of alderpersons ~~aldermen~~
22 for the initial terms provided for in Section 2-2-11 shall
23 draw lots to determine which alderpersons ~~aldermen~~ in each
24 ward shall hold office for a 4 year term, and until a successor

1 is elected and has qualified, and which alderpersons ~~aldermen~~
2 in each ward shall hold office for a 2 year term, and until a
3 successor is elected and has qualified. All alderpersons
4 ~~aldermen~~ thereafter elected shall hold office for a term of 4
5 years, and until their successors are elected and have
6 qualified, except in cities that adopt a 2 year term under
7 Section 3.1-10-65 and except as otherwise provided in Section
8 3.1-20-20.

9 (b) If a city that has had the minority representation
10 plan has voted not to retain the plan, then at the first
11 election for city officers following the vote 2 alderpersons
12 ~~aldermen~~ shall be elected from each ward in the city and their
13 terms shall be staggered in the manner set forth in subsection
14 (a). The tenure of these alderpersons ~~aldermen~~ and their
15 successors shall be the same as that stated in subsection (a).

16 (Source: P.A. 87-1119.)

17 (65 ILCS 5/3.1-20-40) (from Ch. 24, par. 3.1-20-40)

18 Sec. 3.1-20-40. Other officers; election rather than
19 appointment. Instead of providing for the appointment of the
20 following officers as provided in Section 3.1-30-5, the city
21 council, in its discretion, may provide by ordinance passed by
22 a two-thirds vote of all the alderpersons ~~aldermen~~ elected for
23 the election by the electors of the city of a city collector, a
24 city marshal, a city superintendent of streets, a corporation
25 counsel, a city comptroller, or any of them, and any other

1 officers which the city council considers necessary or
2 expedient. By ordinance or resolution, to take effect at the
3 end of the current fiscal year, the city council, by a like
4 vote, may discontinue any office so created and devolve the
5 duties of that office on any other city officer. After
6 discontinuance of an office, no officer filling that office
7 before its discontinuance shall have any claim against the
8 city for salary alleged to accrue after the date of
9 discontinuance.

10 (Source: P.A. 87-1119.)

11 (65 ILCS 5/3.1-20-45)

12 Sec. 3.1-20-45. Nonpartisan primary elections; uncontested
13 office. A city incorporated under this Code that elects
14 municipal officers at nonpartisan primary and general
15 elections shall conduct the elections as provided in the
16 Election Code, except that no office for which nomination is
17 uncontested shall be included on the primary ballot and no
18 primary shall be held for that office. For the purposes of this
19 Section, an office is uncontested when not more than 4 persons
20 to be nominated for each office have timely filed valid
21 nominating papers seeking nomination for the election to that
22 office.

23 Notwithstanding the preceding paragraph, when a person (i)
24 who has not timely filed valid nomination papers and (ii) who
25 intends to become a write-in candidate for nomination for any

1 office for which nomination is uncontested files a written
2 statement or notice of that intent with the proper election
3 official with whom the nomination papers for that office are
4 filed, if the write-in candidate becomes the fifth candidate
5 filed, a primary ballot must be prepared and a primary must be
6 held for the office. The statement or notice must be filed on
7 or before the 61st day before the consolidated primary
8 election. The statement must contain (i) the name and address
9 of the person intending to become a write-in candidate, (ii) a
10 statement that the person intends to become a write-in
11 candidate, and (iii) the office the person is seeking as a
12 write-in candidate. An election authority has no duty to
13 conduct a primary election or prepare a primary ballot unless
14 a statement meeting the requirements of this paragraph is
15 filed in a timely manner.

16 If there is a primary election, then candidates shall be
17 placed on the ballot for the next succeeding general municipal
18 election in the following manner:

19 (1) If one officer is to be elected, then the 2
20 candidates who receive the highest number of votes shall
21 be placed on the ballot for the next succeeding general
22 municipal election.

23 (2) If 2 alderpersons ~~aldermen~~ are to be elected at
24 large, then the 4 candidates who receive the highest
25 number of votes shall be placed on the ballot for the next
26 succeeding general municipal election.

1 (3) If 3 alderpersons ~~aldermen~~ are to be elected at
2 large, then the 6 candidates who receive the highest
3 number of votes shall be placed on the ballot for the next
4 succeeding general municipal election.

5 The name of a write-in candidate may not be placed on the
6 ballot for the next succeeding general municipal election
7 unless he or she receives a number of votes in the primary
8 election that equals or exceeds the number of signatures
9 required on a petition for nomination for that office or that
10 exceeds the number of votes received by at least one of the
11 candidates whose names were printed on the primary ballot for
12 nomination for or election to the same office.

13 (Source: P.A. 97-81, eff. 7-5-11.)

14 (65 ILCS 5/3.1-25-70) (from Ch. 24, par. 3.1-25-70)

15 Sec. 3.1-25-70. Trustees under special Acts.

16 (a) In every village and incorporated town incorporated
17 and existing under any special Act that, before June 4, 1909,
18 pursuant to any special Act, annually elected members of its
19 legislative body, the electors in the village or incorporated
20 town, instead of the legislative body now provided for by law,
21 shall elect 6 trustees. They shall hold their offices until
22 their respective successors are elected and have qualified. At
23 the first meeting of this board of 6 trustees, the terms of
24 office of the trustees shall be staggered, and thereafter
25 shall be for the same length of time as provided for

1 alderpersons ~~aldermen~~ in Section 3.1-20-35.

2 (b) The electors of the village or incorporated town may,
3 however, adopt a 2 year term for their trustees as provided in
4 Section 3.1-10-65. If this 2 year term is adopted, then at the
5 next general municipal election in the adopting village or
6 incorporated town, 3 trustees shall be elected, and they shall
7 hold their offices for terms of one year each. In the next
8 succeeding year, and in each year thereafter, 3 trustees shall
9 be elected in the adopting village or incorporated town, and
10 they shall hold their offices for terms of 2 years each.

11 (c) A village or incorporated town that, before January 1,
12 1942, has adopted a 2 year term for its trustees and is now
13 electing 3 trustees each year shall continue to elect 3
14 trustees each year for a term of 2 years each. A village or
15 incorporated town that, before January 1, 1942, has adopted a
16 2 year term for its trustees but is not now electing 3 trustees
17 each year shall elect 3 trustees at the next general municipal
18 election in that municipality, and they shall hold their
19 offices for terms of one year each. In the next succeeding
20 year, and in each year thereafter, 3 trustees shall be
21 elected, and they shall hold their offices for terms of 2 years
22 each.

23 (d) This Section shall not apply to or change the method of
24 election of the members of the legislative body of
25 incorporated towns that have superseded civil townships.

26 (Source: P.A. 87-1119.)

1 (65 ILCS 5/3.1-25-75) (from Ch. 24, par. 3.1-25-75)

2 Sec. 3.1-25-75. Districts; election of trustees.

3 (a) After a village with a population of 5,000 or more
4 adopts the provisions of this Section in the manner prescribed
5 in Section 3.1-25-80, the board of trustees by ordinance shall
6 divide and, whenever necessary thereafter, shall redistrict
7 the village into 6 compact and contiguous districts of
8 approximately equal population as required by law. This
9 redistricting shall be completed not less than 30 days before
10 the first day for the filing of nominating petitions for the
11 next succeeding election of village officers held in
12 accordance with the general election law.

13 (b) Each of the districts shall be represented by one
14 trustee who shall have been an actual resident of the district
15 for at least 6 months immediately before his or her election in
16 the first election after a redistricting, unless the trustee
17 is a resident of a newly incorporated municipality. Only the
18 electors of a district shall elect the trustee from that
19 district.

20 (c) The provisions of this Code relating to terms of
21 office of alderpersons ~~aldermen~~ in cities shall also apply to
22 the terms of office of trustees under this Section.

23 (Source: P.A. 95-646, eff. 1-1-08.)

24 (65 ILCS 5/3.1-35-35) (from Ch. 24, par. 3.1-35-35)

1 Sec. 3.1-35-35. Mayor or president pro tem; temporary
2 chairman.

3 (a) If the mayor or president is temporarily absent
4 because of an incapacity to perform official duties, but the
5 incapacity does not create a vacancy in the office, the
6 corporate authorities shall elect one of their members to act
7 as mayor or president pro tem. The mayor or president pro tem,
8 during this absence or disability, shall perform the duties
9 and possess all the rights and powers of the mayor or president
10 but shall not be entitled to vote both as mayor or president
11 pro tem and as alderperson ~~alderman~~ or trustee.

12 (b) In the absence of the mayor, president, acting mayor
13 or president, or mayor or president pro tem, the corporate
14 authorities may elect one of their members to act as a
15 temporary chairman. The temporary chairman shall have only the
16 powers of a presiding officer and a right to vote only in the
17 capacity as alderperson ~~alderman~~ or trustee on any ordinance,
18 resolution, or motion.

19 (Source: P.A. 87-1119.)

20 (65 ILCS 5/3.1-40-5) (from Ch. 24, par. 3.1-40-5)

21 Sec. 3.1-40-5. Composition. The city council shall consist
22 of the mayor and alderpersons ~~aldermen~~. It shall meet in
23 accordance with the Open Meetings Act. It shall keep a journal
24 of its own proceedings.

25 (Source: P.A. 87-1119.)

1 (65 ILCS 5/3.1-40-10) (from Ch. 24, par. 3.1-40-10)

2 Sec. 3.1-40-10. Judge of elections. The city council shall
3 be the sole judge of the election to office of the alderpersons
4 ~~aldermen~~. It shall also be the sole judge whether under
5 Section 3.1-10-5 alderpersons ~~aldermen~~ are eligible to hold
6 their offices. A court, however, shall not be prohibited from
7 hearing and determining a proceeding in quo warranto.

8 (Source: P.A. 87-1119.)

9 (65 ILCS 5/3.1-40-15) (from Ch. 24, par. 3.1-40-15)

10 Sec. 3.1-40-15. Rules; expulsion. The city council shall
11 determine its own rules of proceeding and punish its members
12 for disorderly conduct. With the concurrence of two-thirds of
13 the alderpersons ~~aldermen~~ then holding office, it may expel an
14 alderperson ~~alderman~~ from a meeting, but not a second time for
15 the same incident.

16 (Source: P.A. 87-1119.)

17 (65 ILCS 5/3.1-40-25) (from Ch. 24, par. 3.1-40-25)

18 Sec. 3.1-40-25. Meetings. The city council may prescribe,
19 by ordinance, the times and places of the council meetings and
20 the manner in which special council meetings may be called.
21 The mayor or any 3 alderpersons ~~aldermen~~ may call special
22 meetings of the city council. In addition to any notice
23 requirement prescribed by the city council, public notice of

1 meetings must be given as prescribed in Sections 2.02 and 2.03
2 of the Open Meetings Act.

3 (Source: P.A. 87-1119.)

4 (65 ILCS 5/3.1-40-30) (from Ch. 24, par. 3.1-40-30)

5 Sec. 3.1-40-30. Mayor presides. The mayor shall preside at
6 all meetings of the city council. Except as provided in
7 Articles 4 and 5 of this Code, the mayor shall not vote on any
8 ordinance, resolution, or motion except the following: (i)
9 where the vote of the alderpersons ~~aldermen~~ has resulted in a
10 tie; (ii) where one-half of the alderpersons ~~aldermen~~ elected
11 have voted in favor of an ordinance, resolution, or motion
12 even though there is no tie vote; or (iii) where a vote greater
13 than a majority of the corporate authorities is required by
14 this Code or an ordinance to adopt an ordinance, resolution,
15 or motion. Nothing in this Section shall deprive an acting
16 mayor or mayor pro tem from voting in the capacity as
17 alderperson ~~alderman~~, but he or she shall not be entitled to
18 another vote in the capacity as acting mayor or mayor pro tem.

19 (Source: P.A. 87-1119.)

20 (65 ILCS 5/3.1-40-35) (from Ch. 24, par. 3.1-40-35)

21 Sec. 3.1-40-35. Deferral of committee reports. Upon the
22 request of any 2 alderpersons ~~aldermen~~ present, any report of
23 a committee of the council shall be deferred for final action
24 to the next regular meeting of the council after the report is

1 made.

2 (Source: P.A. 87-1119.)

3 (65 ILCS 5/3.1-40-40) (from Ch. 24, par. 3.1-40-40)

4 Sec. 3.1-40-40. Vote required. The passage of all
5 ordinances for whatever purpose, and of any resolution or
6 motion (i) to create any liability against a city or (ii) for
7 the expenditure or appropriation of its money shall require
8 the concurrence of a majority of all members then holding
9 office on the city council, including the mayor, unless
10 otherwise expressly provided by this Code or any other Act
11 governing the passage of any ordinance, resolution, or motion.
12 Where the council consists of an odd number of alderpersons
13 ~~aldermen~~, however, the vote of the majority of the
14 alderpersons ~~aldermen~~ shall be sufficient to pass an
15 ordinance. The passage of an ordinance, resolution, or motion
16 to sell any school property shall require the concurrence of
17 three-fourths of all alderpersons ~~aldermen~~ then holding
18 office. The yeas and nays shall be taken upon the question of
19 the passage of the designated ordinances, resolutions, or
20 motions and recorded in the journal of the city council. In
21 addition, the corporate authorities at any meeting may by
22 unanimous consent take a single vote by yeas and nays on the
23 several questions of the passage of any 2 or more of the
24 designated ordinances, orders, resolutions, or motions placed
25 together for voting purposes in a single group. The single

1 vote shall be entered separately in the journal under the
2 designation "omnibus vote", and in that event the clerk may
3 enter the words "omnibus vote" or "consent agenda" in the
4 journal in each case instead of entering the names of the
5 members of city council voting "yea" and those voting "nay" on
6 the passage of each of the designated ordinances, orders,
7 resolutions, and motions included in the omnibus group or
8 consent agenda. The taking of a single or omnibus vote and the
9 entries of the words "omnibus vote" or "consent agenda" in the
10 journal shall be a sufficient compliance with the requirements
11 of this Section to all intents and purposes and with like
12 effect as if the vote in each case had been taken separately by
13 yeas and nays on the question of the passage of each ordinance,
14 order, resolution, and motion included in the omnibus group
15 and separately recorded in the journal. Likewise, the yeas and
16 nays shall be taken upon the question of the passage of any
17 other resolution or motion at the request of any alderperson
18 ~~alderman~~ and shall be recorded in the journal.

19 (Source: P.A. 87-1119.)

20 (65 ILCS 5/3.1-40-50) (from Ch. 24, par. 3.1-40-50)

21 Sec. 3.1-40-50. Reconsideration; passing over veto. Every
22 resolution and motion specified in Section 3.1-40-45, and
23 every ordinance, that is returned to the city council by the
24 mayor shall be reconsidered by the city council at the next
25 regular meeting following the regular meeting at which the

1 city council receives the mayor's written objection. If, after
2 reconsideration, two-thirds of all the alderpersons ~~aldermen~~
3 then holding office on the city council agree at that regular
4 meeting to pass an ordinance, resolution, or motion,
5 notwithstanding the mayor's refusal to approve it, then it
6 shall be effective. The vote on the question of passage over
7 the mayor's veto shall be by yeas and nays and shall be
8 recorded in the journal.

9 This Section does not apply to municipalities with more
10 than 500,000 inhabitants.

11 (Source: P.A. 91-489, eff. 1-1-00.)

12 (65 ILCS 5/3.1-40-55) (from Ch. 24, par. 3.1-40-55)

13 Sec. 3.1-40-55. Reconsideration; requisites. No vote of
14 the city council shall be reconsidered or rescinded at a
15 special meeting unless there are present at the special
16 meeting at least as many alderpersons ~~aldermen~~ as were present
17 when the vote was taken.

18 (Source: P.A. 87-1119.)

19 (65 ILCS 5/3.1-45-5) (from Ch. 24, par. 3.1-45-5)

20 Sec. 3.1-45-5. Composition; manner of acting. The board of
21 trustees shall consist of the president and trustees and,
22 except as otherwise provided in this Code, shall exercise the
23 same powers and perform the same duties as the city council in
24 cities. It shall pass ordinances, resolutions, and motions in

1 the same manner as a city council. The president of the board
2 of trustees may exercise the same veto power and powers in
3 Section 3.1-40-30, and with like effect, as the mayor of a
4 city. The trustees may pass motions, resolutions, and
5 ordinances over the president's veto in like manner as the
6 alderpersons ~~aldermen~~ of a city council.

7 (Source: P.A. 87-1119.)

8 (65 ILCS 5/3.1-45-15) (from Ch. 24, par. 3.1-45-15)

9 Sec. 3.1-45-15. Powers and duties. The trustees, except as
10 otherwise provided in this Code, shall perform the duties and
11 exercise the powers conferred upon the alderpersons ~~aldermen~~
12 of a city.

13 (Source: P.A. 87-1119.)

14 (65 ILCS 5/3.1-55-5) (from Ch. 24, par. 3.1-55-5)

15 Sec. 3.1-55-5. Certificate of appointment. Whenever a
16 person has been appointed or elected to office, the mayor or
17 president shall issue a certificate of appointment or
18 election, under the corporate seal, to the municipal clerk.
19 All officers elected or appointed under this Code, except the
20 municipal clerk, alderperson ~~alderman~~, mayor, trustees, and
21 president, shall be commissioned by warrant, under the
22 corporate seal, signed by the municipal clerk and the mayor,
23 acting mayor, or mayor pro tem, or presiding officer of the
24 corporate authorities.

1 (Source: P.A. 87-1119.)

2 (65 ILCS 5/4-1-2) (from Ch. 24, par. 4-1-2)

3 Sec. 4-1-2. Definitions. In this Article, unless the
4 context otherwise requires:

5 (a) Any office or officer named in Any act referred to in
6 this Article, when applied to cities or villages under the
7 commission form of municipal government, means the office or
8 officer having the same functions or duties under this Article
9 or under ordinances passed by authority of this Article.

10 (b) "Commissioner", "alderperson ~~alderman~~", or "village
11 trustee" means commissioner when applied to duties under this
12 Article.

13 (c) "City council", "board of trustees", or "corporate
14 authorities" means "council" when applied to duties under this
15 Article.

16 (d) "Franchise" includes every special privilege or right
17 in the streets, alleys, highways, bridges, subways, viaducts,
18 air, waters, public places, and other public property that
19 does not belong to the citizens generally by common right,
20 whether granted by the State or the city or village.

21 (e) "City" includes village.

22 (f) "Municipal" or "municipality" means either city or
23 village.

24 (g) "Treating" means the entertaining of a person with
25 food, drink, tobacco, or drugs.

1 (h) "Treats" means the food, drink, tobacco, or drugs,
 2 requested, offered, given, or received, in treating or for the
 3 entertainment of a person.

4 (Source: P.A. 87-1119.)

5 (65 ILCS 5/4-10-1) (from Ch. 24, par. 4-10-1)

6 Sec. 4-10-1. Any municipality, which has operated for more
 7 than 2 years under the commission form of municipal
 8 government, may abandon its operation under this article and
 9 accept the provisions of the general law of the State then
 10 applicable to municipalities, by proceedings as follows:

11 When a petition signed by electors of the municipality
 12 equal in number to at least 25% of the number of votes cast for
 13 the candidates for mayor at the last preceding general
 14 quadrennial municipal election is filed with the municipal
 15 clerk, the clerk shall certify the proposition to the proper
 16 election authorities for submission to the electors of the
 17 municipality. The proposition shall be in substantially the
 18 following form:

19 -----
 20 Shall the city (or village) YES
 21 of.... retain the commission -----
 22 form of municipal government? NO
 23 -----

24 In municipalities which have adopted the City Election
 25 Law, however, this proposition shall be filed with the clerk

1 of that board. However, in municipalities with less than
2 50,000 inhabitants this proposition shall only be submitted
3 within the year preceding the expiration of the terms of
4 office of the elective officers of the municipality and shall
5 not be submitted more often than once in that year. In
6 municipalities with 50,000 or more inhabitants this
7 proposition shall not be submitted more often than once in 22
8 months.

9 If a majority of the votes cast on this proposition are
10 against the proposition, the officers elected at the next
11 succeeding general municipal election shall be those then
12 prescribed in Article 3. Upon the qualification of these
13 officers the municipality shall become a city or village under
14 this Code, but this change shall not affect in any manner or
15 degree the property rights or liabilities of any nature of the
16 municipality, but shall merely extend to the change in its
17 form of government.

18 The first city council or board of trustees elected after
19 the abandonment of the commission form of municipal government
20 shall have the same number of alderpersons ~~aldermen~~ or
21 trustees as were provided in the municipality at the time of
22 its adoption of this article, and the municipality shall have
23 the same ward and precinct boundaries.

24 (Source: P.A. 81-1489.)

25 (65 ILCS 5/5-1-4) (from Ch. 24, par. 5-1-4)

1 Sec. 5-1-4. Procedure for adopting managerial form of
2 government.

3 (a) Cities and villages described in Section 5-1-1, in
4 order to vest themselves with the managerial form of municipal
5 government, shall act in accordance with the procedure
6 provided in Sections 5-1-4 through 5-1-11 unless modified
7 elsewhere in this Article 5. In cities that are operating
8 under Section 3.1-20-10 and villages operating under Section
9 3.1-25-75 at the time of the adoption of this Article 5, the
10 forms of petition and ballot prescribed in Sections 5-1-5 and
11 5-1-7 may at the option of the petitioners be modified to
12 contain the following additional proposition:

13 Shall (name of city or village), if it adopts the
14 managerial form of municipal government, continue to elect
15 alderpersons ~~aldermen~~ (or trustees) from wards (or
16 districts)?

17 (b) In any city operating under Section 3.1-20-10 at the
18 time of adoption of this Article 5, at the option of the
19 petitioners and in addition to the optional proposition
20 provided for in subsection (a), the forms of petition and
21 ballot prescribed in Sections 5-1-6 and 5-1-8 may be further
22 modified to contain the following additional proposition:

23 Shall only one alderperson ~~alderman~~ hereafter be
24 elected from each ward if (name of city) adopts the
25 managerial form of municipal government and also elects to
26 continue the alderperson ~~aldermanic~~ organization for the

1 city council?

2 (c) If 2 or more forms of petition allowed under this
3 Section are presented to the chief judge of the circuit court
4 or any judge of that circuit designated by the chief judge, the
5 judge shall cause only the question or questions contained in
6 the first petition so presented to be submitted to referendum,
7 if he or she finds that the petition is in proper form and
8 legally sufficient.

9 (d) If a majority of the electors voting on the
10 proposition vote to adopt the managerial form of municipal
11 government, then this Article 5 shall become effective in the
12 city or village upon the date of the next general municipal
13 election at which any corporate authority is elected. The
14 operation of the managerial form of municipal government, for
15 purposes of voting on the question to abandon set out in
16 Section 5-5-1, however, shall not be deemed to begin until a
17 manager is appointed.

18 (e) The city council or board of trustees of a city or
19 village that adopts the provisions of this Article 5 under
20 this Section may, if it so desires, by the adoption of an
21 ordinance immediately after the adoption of this Article 5 has
22 been proclaimed, appoint a city or village manager and
23 reorganize the administration of the municipality in
24 conformance with this Article 5. This Article 5, except as to
25 the membership of the council in cities or villages in which
26 representation by wards or districts has not been retained,

1 shall be in effect upon the proclamation of the results of the
2 adopting referendum.

3 (Source: P.A. 87-1119.)

4 (65 ILCS 5/5-2-1) (from Ch. 24, par. 5-2-1)

5 Sec. 5-2-1. If a city or village adopts the managerial
6 form of municipal government and also elects to choose
7 alderpersons ~~aldermen~~ or trustees, as the case may be, from
8 wards or districts, then the city council shall be constituted
9 as provided in Sections 5-2-2 through 5-2-10 and the village
10 board shall be constituted as provided in Section 5-2-11 and
11 the incumbent alderpersons ~~aldermen~~, trustees, mayor,
12 president, clerk and treasurer shall continue in office until
13 expiration of their present terms. If a city has voted to elect
14 only one alderperson ~~alderman~~ from each ward then no election
15 for a successor for the alderperson ~~alderman~~ from each ward
16 whose term next expires shall be held, and upon the expiration
17 of the terms of the alderpersons ~~aldermen~~ having the longest
18 time to serve at the time of adoption of this Article 5 only
19 one successor shall be elected from each ward. In case a city
20 votes to elect only one alderperson ~~alderman~~ from each ward,
21 the number of alderpersons ~~aldermen~~ prescribed by Section
22 5-2-2 shall be halved, for the purposes of this Article 5 and
23 the provisions of Section 5-2-4 prescribing the number of
24 wards shall not apply but such city shall have an equal number
25 of wards and alderpersons ~~aldermen~~. The mayor of a city and the

1 president of a village board shall be elected from the city or
2 village at large.

3 (Source: Laws 1961, p. 576.)

4 (65 ILCS 5/5-2-2) (from Ch. 24, par. 5-2-2)

5 Sec. 5-2-2. Except as otherwise provided in Section 5-2-3,
6 the number of alderpersons ~~aldermen~~, when not elected by the
7 minority representation plan, shall be as follows: In cities
8 not exceeding 3,000 inhabitants, 6 alderpersons ~~aldermen~~;
9 exceeding 3,000, but not exceeding 15,000, 8 alderpersons
10 ~~aldermen~~; exceeding 15,000 but not exceeding 20,000, 10
11 alderpersons ~~aldermen~~; exceeding 20,000 but not exceeding
12 30,000, 14 alderpersons ~~aldermen~~; and 2 additional
13 alderpersons ~~aldermen~~ for every 20,000 inhabitants over
14 30,000. In all cities of less than 500,000, 20 alderpersons
15 ~~aldermen~~ shall be the maximum number permitted except as
16 otherwise provided in the case of alderpersons-at-large
17 ~~aldermen-at-large~~. No redistricting shall be required in order
18 to reduce the number of alderpersons ~~aldermen~~ heretofore
19 provided for. Two alderpersons ~~aldermen~~ shall be elected to
20 represent each ward.

21 If it appears from any census specified in Section 5-2-5
22 and taken not earlier than 1940 that any city has the requisite
23 number of inhabitants to authorize it to increase the number
24 of alderpersons ~~aldermen~~, the city council shall immediately
25 proceed to redistrict the city in accordance with the

1 provisions of Section 5-2-5, and it shall hold the next city
2 election in accordance with the new redistricting. At this
3 election the alderpersons ~~aldermen~~ whose terms of office are
4 not expiring shall be considered alderpersons ~~aldermen~~ for the
5 new wards respectively in which their residences are situated.
6 At this election a candidate for alderperson ~~alderman~~ may be
7 elected from any ward that contains a part of the ward in which
8 he or she resided at least one year next preceding the election
9 that follows the redistricting, and, if elected, that person
10 may be reelected from the new ward he or she represents if he
11 or she resides in that ward for at least one year next
12 preceding reelection. If there are 2 or more alderpersons
13 ~~aldermen~~ with terms of office not expiring and residing in the
14 same ward under the new redistricting, the alderperson
15 ~~alderman~~ who holds over for that ward shall be determined by
16 lot in the presence of the city council, in whatever manner the
17 council shall direct and all other alderpersons ~~aldermen~~ shall
18 fill their unexpired terms as alderpersons-at-large
19 ~~aldermen-at-large~~. The alderpersons-at-large
20 ~~aldermen-at-large~~, if any, shall have the same power and
21 duties as all other alderpersons ~~aldermen~~ but upon expiration
22 of their terms the offices of alderpersons-at-large
23 ~~aldermen-at-large~~ shall be abolished.

24 If the re-districting results in one or more wards in
25 which no alderpersons ~~aldermen~~ reside whose terms of office
26 have not expired, 2 alderpersons ~~aldermen~~ shall be elected in

1 accordance with the provisions of Section 5-2-8.

2 (Source: P.A. 93-847, eff. 7-30-04.)

3 (65 ILCS 5/5-2-3) (from Ch. 24, par. 5-2-3)

4 Sec. 5-2-3. In any city or village of less than 100,000
5 inhabitants, a proposition to restrict the number of
6 alderpersons ~~aldermen~~ to one-half of the total authorized by
7 Section 5-2-2, with one alderperson ~~alderman~~ representing each
8 ward, shall be certified by the municipal clerk to the proper
9 election authority who shall submit the proposition at an
10 election in accordance with the general election law, if a
11 petition requesting such action is signed by electors of the
12 municipality numbering not less than 10% of the total vote
13 cast at the last election for mayor or president of the board
14 of trustees of the municipality, and is filed with the city or
15 village clerk in accordance with the general election law.

16 The proposition shall be substantially in the following
17 form:

18 -----

19 Shall the City (or Village) of
20 restrict the number of alderpersons YES
21 ~~aldermen~~ to one-half of the total
22 authorized by Section 5-2-2 of the -----
23 Illinois Municipal Code, with one NO
24 alderperson ~~alderman~~ representing each ward?
25 -----

1 -----
2 If a majority of those voting on the proposition vote in
3 favor of it, at the next regular election for alderpersons
4 ~~aldermen~~, one alderperson ~~alderman~~ shall be elected from each
5 even-numbered ward for a term of 2 years, and one alderperson
6 ~~alderman~~ shall be elected from each odd-numbered ward for a
7 term of 4 years. Thereafter, their successors shall be elected
8 for terms of 4 years.

9 (Source: P.A. 81-1489.)

10 (65 ILCS 5/5-2-4) (from Ch. 24, par. 5-2-4)

11 Sec. 5-2-4. Except as otherwise provided in Section 5-2-3,
12 every city shall have one-half as many wards as the total
13 number of alderpersons ~~aldermen~~ to which the city is entitled.
14 The city council, from time to time shall divide the city into
15 that number of wards. In the formation of wards the population
16 of each shall be as nearly equal, and the wards shall be of as
17 compact and contiguous territory, as practicable.

18 (Source: Laws 1961, p. 576.)

19 (65 ILCS 5/5-2-5) (from Ch. 24, par. 5-2-5)

20 Sec. 5-2-5. Whenever an official publication of any
21 national, state, school, or city census shows that any city
22 contains more or less wards than it is entitled to, the city
23 council of the city, by ordinance, shall redistrict the city
24 into as many wards only as the city is entitled. This

1 redistricting shall be completed not less than 30 days before
2 the first date fixed by law for the filing of candidate
3 petitions for the next succeeding election for city officers.
4 At this election there shall be elected the number of
5 alderpersons ~~aldermen~~ to which the city is entitled.

6 (Source: P.A. 81-1489.)

7 (65 ILCS 5/5-2-7) (from Ch. 24, par. 5-2-7)

8 Sec. 5-2-7. If, after a specified census is officially
9 published, any city is divided into a greater number of wards
10 and has elected a greater number of alderpersons ~~aldermen~~ than
11 the city is entitled, nevertheless such division and election
12 shall be valid and all acts, resolutions, and ordinances of
13 the city council of such city, if in other respects in
14 compliance with law, are valid.

15 (Source: Laws 1961, p. 576.)

16 (65 ILCS 5/5-2-8) (from Ch. 24, par. 5-2-8)

17 Sec. 5-2-8. Staggered terms; tenure.

18 (a) Alderpersons ~~Aldermen~~ elected at the first election
19 for city officers after the election of alderpersons ~~aldermen~~
20 for the initial terms provided for in Section 2-2-11 shall
21 draw lots to determine (i) which of the alderpersons ~~aldermen~~
22 in each ward shall hold for a 4 year term and until a successor
23 is elected and has qualified and (ii) which in each ward shall
24 hold for a 2 year term and until a successor is elected and has

1 qualified. All alderpersons ~~aldermen~~ elected after that first
2 election shall hold office for a term of 4 years and until
3 their successors are elected and have qualified, except in
4 cities that adopt a 2 year term as provided in Section
5 3.1-10-65 and except as is otherwise provided in Section
6 5-2-3.

7 (b) If a city that has had the minority representation
8 plan has voted not to retain the plan, then, at the first
9 election for city officers following the vote, 2 alderpersons
10 ~~aldermen~~ shall be elected from each ward in the city. Their
11 terms shall be staggered by the process specified in this
12 Section. The tenure of these alderpersons ~~aldermen~~ and their
13 successors shall be the same as that stated in subsection (a).

14 (Source: P.A. 87-1119.)

15 (65 ILCS 5/5-2-11) (from Ch. 24, par. 5-2-11)

16 Sec. 5-2-11. In any village which adopts this Article 5,
17 the board of trustees by ordinance shall divide and, whenever
18 necessary thereafter, shall redistrict the village into 6
19 compact and contiguous districts of approximately equal
20 population.

21 Each of the districts shall be represented by one trustee
22 who shall have been an actual resident of the district for at
23 least 6 months prior to his election, unless the trustee is a
24 resident of a newly incorporated municipality. Only the
25 electors of a district shall elect the trustee from that

1 district.

2 The provisions of Section 5-2-8 relating to terms of
3 office of alderpersons ~~aldermen~~ in cities shall also apply to
4 the terms of office of trustees under this section.

5 (Source: P.A. 95-646, eff. 1-1-08.)

6 (65 ILCS 5/5-2-12) (from Ch. 24, par. 5-2-12)

7 Sec. 5-2-12. Alderpersons ~~Aldermen~~ or trustees elected at
8 large; vacancies; mayor or president to preside.

9 (a) If a city or village adopts the managerial form of
10 municipal government but does not elect to choose alderpersons
11 ~~aldermen~~ or trustees from wards or districts, then the
12 following provisions of this Section shall be applicable.

13 (b) The city council shall be elected at large. In cities
14 of less than 50,000 population, the council shall consist of
15 (i) the mayor and 4 councilmen or (ii) the mayor and 6
16 councilmen if the size of the city council is increased under
17 subsection (k). In cities of at least 50,000 but less than
18 100,000 population, the council shall consist of the mayor and
19 6 councilmen. In cities of at least 100,000 but not more than
20 500,000 population, the council shall consist of the mayor and
21 8 councilmen.

22 (c) Except in villages that were governed by Article 4
23 immediately before the adoption of the managerial form of
24 municipal government, the village board shall be elected at
25 large and shall consist of a president and the number of

1 trustees provided for in Section 5-2-15 or 5-2-17, whichever
2 is applicable.

3 (d) The term of office of the mayor and councilmen shall be
4 4 years, provided that in cities of less than 50,000, the 2
5 councilmen receiving the lowest vote at the first election
6 shall serve for 2 years only; in cities of at least 50,000 but
7 less than 100,000, the 3 councilmen receiving the lowest vote
8 at the first election shall serve for 2 years only; and in
9 cities of at least 100,000 but not more than 500,000, the 4
10 councilmen receiving the lowest vote at the first election
11 shall serve for 2 years only.

12 (e) The election of councilmen shall be every 2 years.
13 After the first election, only 2 councilmen in cities of less
14 than 50,000, 3 councilmen in cities of at least 50,000 but less
15 than 100,000, or 4 councilmen in cities of at least 100,000 but
16 not more than 500,000, shall be voted for by each elector at
17 the primary elections, and only 2, 3, or 4 councilmen, as the
18 case may be, shall be voted for by each elector at each
19 biennial general municipal election, to serve for 4 years.

20 (f) In addition to the requirements of the general
21 election law, the ballots shall be in the form set out in
22 Section 5-2-13. In cities with less than 50,000, the form of
23 ballot prescribed in Section 5-2-13 shall be further modified
24 by printing in the place relating to councilmen the words
25 "Vote for not more than Two", or "Vote for not more than Three"
26 if the size of the city council is increased under subsection

1 (k), instead of the words "Vote for not more than Four". In
2 cities of at least 50,000 but less than 100,000, the ballot
3 shall be modified in that place by printing the words "Vote for
4 not more than Three" instead of the words "Vote for not more
5 than Four". Sections 4-3-5 through 4-3-18, insofar as they may
6 be applicable, shall govern the election of a mayor and
7 councilmen under this Section.

8 (g) If a vacancy occurs in the office of mayor or
9 councilman, the remaining members of the council, within 60
10 days after the vacancy occurs, shall fill the vacancy by
11 appointment of some person to the office for the balance of the
12 unexpired term or until the vacancy is filled by interim
13 election under Section 3.1-10-50, and until the successor is
14 elected and has qualified.

15 (h) Except in villages that were governed by Article 4
16 immediately before the adoption of the managerial form of
17 municipal government, in villages that have adopted this
18 Article 5 the term of office of the president, the number of
19 trustees to be elected, their terms of office, and the manner
20 of filling vacancies shall be governed by Sections 5-2-14
21 through 5-2-17.

22 (i) Any village that adopts the managerial form of
23 municipal government under this Article 5 and that,
24 immediately before that adoption, was governed by the
25 provisions of Article 4, shall continue to elect a mayor and 4
26 commissioners in accordance with Sections 4-3-5 through

1 4-3-18, insofar as they may be applicable, except that the 2
2 commissioners receiving the lowest vote among those elected at
3 the first election after this Article 5 becomes effective in
4 the village shall serve for 2 years only. After that first
5 election, the election of commissioners shall be every 2
6 years, and 2 commissioners shall be elected at each election
7 to serve for 4 years.

8 (j) The mayor or president shall preside at all meetings
9 of the council or board and on all ceremonial occasions.

10 (k) In cities of less than 50,000 population, the city
11 council may, by ordinance, provide that the city council
12 shall, after the next biennial general municipal election,
13 consist of 6 instead of 4 councilmen. If the size of the
14 council is increased to 6 councilmen, then at the next
15 biennial general municipal election, the electors shall vote
16 for 4 instead of 2 councilmen. Of the 4 councilmen elected at
17 that next election, the one receiving the lowest vote at that
18 election shall serve a 2-year term. Thereafter, all terms
19 shall be for 4 years.

20 (Source: P.A. 95-862, eff. 8-19-08.)

21 (65 ILCS 5/5-2-17) (from Ch. 24, par. 5-2-17)

22 Sec. 5-2-17. Trustees; certain villages incorporated under
23 special Acts.

24 (a) In every village specified in Section 5-2-12
25 incorporated and existing under any special Act that, before

1 June 4, 1909, under any special Act, annually elected members
2 of its legislative body, the electors of the village, instead
3 of the legislative body now provided for by law, shall elect 6
4 trustees. They shall hold their offices until their respective
5 successors are elected and have qualified. At the first
6 meeting of this board of 6 trustees, the terms of office of the
7 trustees shall be staggered. Thereafter, the terms shall be
8 for the same length of time as provided for alderpersons
9 ~~aldermen~~ in Section 3.1-20-35.

10 (b) The electors of a village or incorporated town
11 described in subsection (a) may, however, adopt a 2 year term
12 for their trustees as provided in Section 3.1-10-65. If this 2
13 year term is adopted, then at the next general municipal
14 election in the adopting village, 3 trustees shall be elected,
15 and they shall hold their offices for terms of one year each.
16 In the next succeeding year, and in each year thereafter, 3
17 trustees shall be elected in the adopting village, and they
18 shall hold their offices for terms of 2 years each.

19 (c) Any village described in subsection (a) that, before
20 January 2, 1942, has adopted a 2 year term for its trustees and
21 is now electing 3 trustees each year shall continue to elect 3
22 trustees each year for a term of 2 years each. Any village
23 described in subsection (a) that, before January 2, 1942, has
24 adopted a 2 year term for its trustees but is not now electing
25 3 trustees each year shall elect 3 trustees at the next general
26 municipal election in that village, and they shall hold their

1 offices for terms of one year each. In the next succeeding
 2 year, and in each year thereafter, 3 trustees shall be
 3 elected, and they shall hold their offices for terms of 2 years
 4 each.

5 (Source: P.A. 87-1119.)

6 (65 ILCS 5/5-2-18) (from Ch. 24, par. 5-2-18)

7 Sec. 5-2-18. In any city which has adopted this Article 5
 8 and which elects a mayor and councilmen as provided in Section
 9 5-2-12, a proposition to elect alderpersons ~~aldermen~~ from
 10 wards as provided in Article 3 of this Code, except that only
 11 one alderperson ~~alderman~~ may be elected from each ward, shall
 12 be certified by the city clerk to the proper election
 13 authority who shall submit such proposition at the general
 14 municipal election in accordance with the general election
 15 law, if a petition signed by electors of the city numbering not
 16 less than 10% of the total vote cast for mayor at the last
 17 preceding election, is filed with the city clerk.

18 The proposition shall be substantially in the following
 19 form:

20 -----

21 Shall the city of.... be divided
 22 into wards with one alderperson ~~alderman~~ to be YES
 23 elected from each ward, but with the -----
 24 mayor to be elected from the city NO
 25 at large?

1 -----
2 If a majority of those voting on the proposition vote
3 "yes", then the sitting city council shall proceed to divide
4 the city into wards in the manner provided in Article 3 and one
5 alderperson ~~alderman~~ shall be elected from each ward at the
6 next general municipal election of any city officer. Upon the
7 election and qualification of such alderpersons ~~aldermen~~ the
8 terms of office of all sitting councilmen shall expire. After
9 the adoption of such proposition the provisions of Article 3
10 shall be applicable to the division of the city into wards and
11 to the election of the mayor and alderpersons ~~aldermen~~ of such
12 city, except that only one alderperson ~~alderman~~ shall be
13 elected from each ward.

14 (Source: P.A. 81-1489.)

15 (65 ILCS 5/5-2-18.1) (from Ch. 24, par. 5-2-18.1)

16 Sec. 5-2-18.1. In any city or village which has adopted
17 this Article and also has elected to choose alderpersons
18 ~~aldermen~~ from wards or trustees from districts, as the case
19 may be, a proposition to elect the city council at large shall
20 be submitted to the electors in the manner herein provided.

21 Electors of such city or village, equal to not less than
22 10% of the total vote cast for all candidates for mayor or
23 president in the last preceding municipal election for such
24 office, may petition for the submission to a vote of the
25 electors of that city or village the proposition whether the

1 city council shall be elected at large. The petition shall be
 2 in the same form as prescribed in Section 5-1-6, except that
 3 said petition shall be modified as to the wording of the
 4 proposition to be voted upon to conform to the wording of the
 5 proposition as hereinafter set forth, and shall be filed with
 6 the city clerk in accordance with the general election law.
 7 The clerk shall certify the proposition to the proper election
 8 authorities who shall submit the proposition at an election in
 9 accordance with the general election law.

10 However, such proposition shall not be submitted at the
 11 general primary election for the municipality.

12 The proposition shall be in substantially the following
 13 form:

14 -----

15 Shall the city (or village) of
 16 elect the city council at YES
 17 large instead of alderpersons ~~aldermen~~ -----
 18 (or trustees) from wards (or NO
 19 districts)?

20 -----

21 If a majority of those voting on the proposition vote
 22 "yes", then the city council shall be elected at large at the
 23 next general municipal election and the provisions of Section
 24 5-2-12 shall be applicable. Upon the election and
 25 qualification of such council men or trustees, the terms of
 26 all sitting alderpersons ~~aldermen~~ shall expire.

1 (Source: P.A. 81-1489.)

2 (65 ILCS 5/5-2-18.2) (from Ch. 24, par. 5-2-18.2)

3 Sec. 5-2-18.2. In any city which has adopted this Article,
4 and also has elected to choose alderpersons ~~aldermen~~ from
5 wards, a proposition to elect part of the city council at large
6 and part from districts shall be submitted to the electors
7 upon the petition herein provided.

8 Electors of such city, equal in number to not less than 10%
9 of the total vote cast for all candidates for mayor in the last
10 preceding municipal election for such office, may petition for
11 the submission to a vote of the electors of that city the
12 proposition whether part of the city council shall be elected
13 at large and part from districts. The petition shall be in the
14 same form as prescribed in Section 5-1-6, except that said
15 petition shall be modified as to the wording of the
16 proposition to be voted upon, to conform to the wording of the
17 proposition as hereinafter set forth, and shall be filed with
18 the city clerk in accordance with the general election law.
19 The city clerk shall certify the proposition to the proper
20 election authorities who shall submit the proposition at an
21 election in accordance with the general election law.

22 However, such proposition shall not be submitted at the
23 general primary election for the municipality.

24 The proposition shall be substantially in the following
25 form:

1 -----

2 Shall the city of....

3 elect part of the councilmen YES

4 at large and part of -----

5 the councilmen from NO

6 districts?

7 -----

8 If a majority of those voting on the proposition vote
9 "yes", then at the next general municipal election and every 4
10 years thereafter, a mayor and part of the councilmen shall be
11 elected at large and part of the councilmen shall be elected
12 from wards, the total number of councilmen to be elected to
13 equal the number of alderpersons ~~aldermen~~ authorized to be
14 elected prior to adoption of the proposition.

15 The city council shall divide the city, whenever necessary
16 thereafter, into districts which shall be of as compact and
17 contiguous territory as practicable and of approximately equal
18 population. The number of such districts shall be equal to
19 half the number of alderpersons ~~aldermen~~ then authorized to be
20 elected to office in such city. If there is an odd number of
21 such alderpersons ~~aldermen~~, the number of districts
22 established shall be equal to the number which represents a
23 majority of the number of such alderpersons ~~aldermen~~.

24 One councilman, who is an actual resident of the district,
25 shall be elected from each district. Only the electors of a
26 district shall elect a councilman from that district. The rest

1 of the number of councilmen authorized shall be elected at
2 large.

3 The mayor and councilmen shall hold their respective
4 offices for the term of 4 years and until their successors are
5 elected and qualified. Upon the election and qualification of
6 the councilmen, the terms of all sitting alderpersons ~~aldermen~~
7 shall expire.

8 (Source: P.A. 81-1489.)

9 (65 ILCS 5/5-2-18.7) (from Ch. 24, par. 5-2-18.7)

10 Sec. 5-2-18.7. In any city which has adopted this Article,
11 and is electing the city council at large or has elected to
12 choose alderpersons ~~aldermen~~ from wards, a proposition to
13 elect part of the city council at large and part from districts
14 with staggered four year terms and biennial elections for
15 councilmen shall be submitted to the electors upon initiation
16 in the manner herein provided.

17 Electors of such city, equal in number to not less than 10%
18 of the total vote cast for all candidates for mayor in the last
19 preceding municipal election for such office, may petition for
20 submission, or, in the alternative, the city council may by
21 ordinance without a petition cause to be submitted, to a vote
22 of the electors of that city the proposition whether part of
23 the city council shall be elected at large and part from
24 districts with staggered four year terms and biennial
25 elections for councilmen. The petition shall be in the same

1 form as prescribed in Section 5-1-6, except that the petition
 2 shall be modified as to the wording of the proposition to be
 3 voted upon, to conform to the wording of the proposition as
 4 hereinafter set forth, and shall be filed with the city clerk
 5 in accordance with the general election law. The city clerk
 6 shall certify the proposition to the proper election
 7 authorities who shall submit the proposition at an election in
 8 accordance with the general election law.

9 However, such proposition shall not be submitted at the
 10 general primary election for the municipality.

11 The proposition shall be substantially in the following
 12 form:

13 -----

14 Shall the city of....
 15 elect part of the councilmen at large YES
 16 and part of the councilmen from -----
 17 districts with staggered four year NO
 18 terms and biennial elections?

19 -----

20 If a majority of those voting on the proposition vote
 21 "yes", then at the next general municipal election at which a
 22 mayor is to be elected, a mayor and councilmen shall be elected
 23 as hereinafter provided.

24 In cities of less than 50,000 population, the council
 25 shall consist of the mayor and 6 councilmen, 2 councilmen
 26 being elected at large and 4 councilmen being elected from

1 districts. In cities of 50,000 and not more than 500,000
2 population, the council shall consist of the mayor and 8
3 councilmen, 3 councilmen being elected at large and 5
4 councilmen being elected from districts.

5 The city council shall divide the city, whenever necessary
6 thereafter, into districts which shall be of as compact and
7 contiguous territory as practicable and of approximately equal
8 population. The number of such districts shall be the same as
9 the number of councilmen to be elected from districts.

10 One councilman who is an actual resident of the district,
11 shall be elected from each district. Only the electors of a
12 district shall elect a councilman from that district. The rest
13 of the number of councilmen authorized shall be elected at
14 large.

15 The term of office of the Mayor and Councilmen shall be 4
16 years, provided that at the first election the Councilmen
17 elected at large shall serve for 2 years only. Thereafter the
18 election of Councilmen shall be biennial, and after the first
19 election the Mayor and all Councilmen shall be elected for 4
20 year terms to fill expiring terms of incumbents.

21 The Mayor and Councilmen shall hold their respective
22 offices for the term of 4 years as herein provided, and until
23 their successors are elected and qualified. Upon the election
24 and qualification of the Councilmen, the terms of all sitting
25 alderpersons ~~aldermen~~ or councilmen elected at large pursuant
26 to the provisions of Section 5-2-12 shall expire.

1 For the first primary election a distinct ballot shall be
2 printed for each district. At the top of the ballot shall be
3 the following: CANDIDATES FOR NOMINATION FOR MAYOR (when Mayor
4 is to be elected) AND COUNCILMEN OF THE CITY OF.... AT THE
5 PRIMARY ELECTION. Under the subtitle of FOR MAYOR (when
6 applicable) shall be placed the following: (VOTE FOR ONE).
7 There shall be placed below the names of the candidates for
8 Mayor, if any, another subtitle as follows: FOR COUNCILMEN AT
9 LARGE. Following this subtitle there shall be an instruction
10 in this form, to be altered, however, to conform to the facts:
11 (VOTE FOR NOT MORE THAN....) (Insert number of Councilmen
12 being elected). Following the names of the candidates for
13 councilmen at large, there shall be another subtitle in the
14 following form: FOR DISTRICT COUNCILMAN. Following this
15 subtitle there shall be the following direction: (VOTE FOR
16 ONE). In other respects the ballots shall conform to the
17 applicable provisions of Sections 4-3-10 and 5-2-13.

18 To determine the number of nominees who shall be placed on
19 the ballot under each subtitle at the general municipal
20 election, the number of officers who will be chosen under each
21 subtitle shall be multiplied by 2. Only those candidates at
22 the primary election shall be nominees under each subtitle at
23 the general municipal election and, where but one officer is
24 to be elected, the 2 candidates receiving the highest number
25 of votes shall be placed upon the ballot for the next
26 succeeding general municipal election. Where 2 councilmen are

1 to be elected, the 4 candidates receiving the highest number
2 of votes shall be placed upon the ballot. Where 3 councilmen
3 are to be elected, the names of the 6 candidates receiving the
4 highest number of votes shall be placed upon the ballot.

5 The ballots for the election of officers at the first
6 general municipal election shall be prepared in compliance
7 with Section 4-3-16, with the following changes:

8 (1) Following the names of the candidates for Mayor (when
9 applicable) there shall be printed a subtitle: FOR COUNCILMAN
10 AT LARGE: following this subtitle shall be an instruction in
11 this form: (VOTE FOR NOT MORE THAN) (Insert number of
12 councilmen to be elected). The names of the nominees for
13 councilmen at large shall follow the instruction.

14 (2) Following the names of the nominees for councilmen at
15 large shall be printed another subtitle: FOR DISTRICT
16 COUNCILMAN. Following this subtitle shall be an instruction in
17 this form: (VOTE FOR ONE) and following this instruction shall
18 be printed the names of the 2 nominees.

19 Thereafter, the ballots for the biennial election shall be
20 prepared as hereinafter provided.

21 For the primary election at which Councilmen at large are
22 to be elected the form of the ballot shall be as follows:

23 At the top of the ballot shall be the following:
24 CANDIDATES FOR NOMINATION FOR MAYOR (when Mayor is to be
25 elected) AND COUNCILMEN OF THE CITY OF.... AT THE PRIMARY
26 ELECTION. Under the subtitle of FOR MAYOR (when applicable)

1 shall be placed the following: (VOTE FOR ONE). There shall be
2 placed below the names of the candidates for Mayor, if any,
3 another subtitle as follows: FOR COUNCILMEN AT LARGE.
4 Following this subtitle there shall be an instruction in this
5 form, to be altered, however, to conform to the facts: (VOTE
6 FOR NOT MORE THAN....) (Insert number of Councilmen being
7 elected).

8 For the primary election at which District Councilmen are
9 to be elected, a distinct ballot shall be printed for each
10 District. There shall be placed below the names of the
11 candidates for Mayor (when applicable) another subtitle as
12 follows: FOR DISTRICT COUNCILMAN. Following this subtitle
13 there shall be an instruction in this form: VOTE FOR ONE. In
14 all other respects the ballot shall conform to the applicable
15 provisions of Sections 4-3-10 and 5-2-13.

16 To determine the number of nominees who shall be placed on
17 the ballot under each subtitle at the general municipal
18 election, the number of officers who will be chosen under each
19 subtitle shall be multiplied by 2. Only those candidates at
20 the primary election shall be nominees under each subtitle at
21 the general municipal election and, where but one officer is
22 to be elected, the 2 candidates receiving the highest number
23 of votes shall be placed upon the ballot for the next
24 succeeding general municipal election. Where 2 councilmen are
25 to be elected, the 4 candidates receiving the highest number
26 of votes shall be placed upon the ballot. Where 3 councilmen

1 are to be elected, the names of the 6 candidates receiving the
2 highest number of votes shall be placed upon the ballot.

3 The ballots for the election of officers at the general
4 municipal election shall be prepared in compliance with
5 Section 4-3-16, with the following changes:

6 (1) For elections where candidates for Councilmen at large
7 are being elected, following the names of candidates for Mayor
8 (when applicable) there shall be printed a subtitle as
9 follows: FOR COUNCILMEN AT LARGE. Following this subtitle
10 there shall be an instruction in this form: (VOTE FOR NOT MORE
11 THAN....) (Insert number of Councilmen to be elected). The
12 names of the nominees for Councilmen at large shall follow the
13 instruction.

14 (2) For elections where district Councilmen are to be
15 elected, a distinct ballot shall be printed for each district,
16 and following the names of the candidates for Mayor (when
17 applicable) there shall be printed a subtitle as follows: FOR
18 DISTRICT COUNCILMAN. Following this subtitle there shall be an
19 instruction in this form: (VOTE FOR ONE) and following this
20 instruction shall be printed the names of the 2 nominees for
21 district Councilman.

22 Vacancies shall be filled as prescribed in Section 5-2-12,
23 provided that a vacancy in the office of a District Councilman
24 shall be filled by a person who is an actual resident of the
25 district in which the vacancy occurs.

26 (Source: P.A. 95-862, eff. 8-19-08.)

1 (65 ILCS 5/5-2-19) (from Ch. 24, par. 5-2-19)

2 Sec. 5-2-19. In any city which was operating under the
3 alderperson ~~aldermanic~~ form of government as provided in
4 Article 3 at the time of adoption of this Article 5 which did
5 not also elect to continue to choose alderpersons ~~aldermen~~
6 from wards, the city clerk and city treasurer shall be
7 nominated and elected in the same manner as provided in this
8 Article 5 for the nomination and election of the mayor and
9 councilmen. To achieve this result: wherever the term "mayor
10 or commissioners" appears in Sections 4-3-7 through 4-3-18, it
11 shall be construed to include the words "or clerk or
12 treasurer". The names of candidates for nomination shall be
13 placed on the primary election ballot prescribed in Section
14 5-2-13 and such ballot shall be modified to include the
15 heading "For Clerk--Vote for one" immediately following the
16 names of candidates for councilmen and to include the heading
17 "For Treasurer--Vote for one" immediately following the names
18 of candidates for clerk. The names of the 4 candidates
19 receiving the highest number of votes for each of the
20 respective offices shall be placed on the general municipal
21 election ballot prescribed in Section 5-2-13 which ballot
22 shall be modified to include such offices and names in the same
23 manner as is provided in this section for the primary ballot.
24 If any candidate nominated for the office of clerk or
25 treasurer dies or withdraws before the general municipal

1 election the name of the person receiving the fifth highest
2 number of votes for nomination to that office shall be placed
3 on the ballot for that election.

4 However, in any city not exceeding 100,000 inhabitants
5 which adopts this Article 5 and elects a mayor and
6 alderpersons ~~aldermen~~ or councilmen as provided in Section
7 5-2-12, or Sections 5-2-18 through 5-2-18.8, the council may,
8 in lieu of electing a clerk and treasurer as provided in the
9 above paragraph, provide by ordinance that the clerk or
10 treasurer or both for such city be appointed by the mayor with
11 the approval of the city council. If such officers are
12 appointed their terms of office, duties, compensation and
13 amount of bond required shall be the same as if they were
14 elected.

15 (Source: P.A. 95-699, eff. 11-9-07.)

16 (65 ILCS 5/5-3-1) (from Ch. 24, par. 5-3-1)

17 Sec. 5-3-1. In cities which do not elect to choose
18 alderpersons ~~aldermen~~ from wards and in cities which elect to
19 choose councilmen as provided in Sections 5-2-18.1 through
20 5-2-18.7, the mayor shall have the right to vote on all
21 questions coming before the council but shall have no power to
22 veto. The mayor and president shall be recognized as the
23 official head of the city or village by the courts for the
24 purpose of serving civil process and by the Governor for all
25 legal purposes.

1 The mayor or president of any city or village which adopts
2 this Article 5, other than one which at the time of adoption
3 was operating under or adopted the commission form of
4 government as provided in Article 4 or which does not retain
5 the election of alderpersons ~~aldermen~~ by wards or trustees by
6 districts, shall have veto power as provided in Sections 5-3-2
7 through 5-3-4, and ordinances or measures may be passed over
8 his veto as therein provided. Such mayor or president shall
9 have the power to vote as provided in Section 5-3-5.

10 If any other Acts or any Article of this Code, other than
11 Article 3 or Article 4, provides for the appointment of a
12 board, commission, or other agency by the mayor or president,
13 such appointments shall be made in manner so provided.

14 (Source: P.A. 100-863, eff. 8-14-18.)

15 (65 ILCS 5/5-3-3) (from Ch. 24, par. 5-3-3)

16 Sec. 5-3-3. Every resolution and motion, specified in
17 Section 5-3-2, and every ordinance, which is returned to the
18 council or board by the mayor or president shall be
19 reconsidered by the council or board. If, after such
20 reconsideration, two-thirds of all the alderpersons ~~aldermen~~
21 then holding office on the city council or two-thirds of all
22 the trustees then holding office on the village board agree to
23 pass an ordinance, resolution, or motion, notwithstanding the
24 mayor's or president's refusal to approve it, then it shall be
25 effective. The vote on the question of passage over the

1 mayor's or president's veto shall be by yeas and nays, and
2 shall be recorded in the journal.

3 (Source: Laws 1967, p. 3425.)

4 (65 ILCS 5/5-3-4) (from Ch. 24, par. 5-3-4)

5 Sec. 5-3-4. No vote of the city council or village board
6 shall be reconsidered or rescinded at a special meeting,
7 unless there are present at the special meeting as many
8 alderpersons ~~aldermen~~ or trustees as were present when the
9 vote was taken.

10 (Source: Laws 1961, p. 576.)

11 (65 ILCS 5/5-3-5) (from Ch. 24, par. 5-3-5)

12 Sec. 5-3-5. The mayor or president of any city or village
13 which elects alderpersons ~~aldermen~~ by wards or trustees by
14 districts shall not vote on any ordinance, resolution or
15 motion except: (1) where the vote of the alderpersons ~~aldermen~~
16 or trustees has resulted in a tie; (or) (2) where one-half of
17 the alderpersons ~~aldermen~~ or trustees then holding office have
18 voted in favor of an ordinance, resolution or motion even
19 though there is no tie vote; or (3) where a vote greater than a
20 majority of the corporate authorities is required by this Code
21 to adopt an ordinance, resolution or motion. In each instance
22 specified, the mayor or president shall vote. The following
23 mayors and presidents may vote on all questions coming before
24 the council or board: (1) mayors and presidents of cities and

1 villages operating under this article and Article 4, and (2)
2 mayors and presidents of cities and villages which do not
3 elect alderpersons ~~aldermen~~ by wards and trustees by
4 districts.

5 Nothing in this section shall deprive an acting mayor or
6 president or mayor or president pro tem from voting in his
7 capacity as alderperson ~~alderman~~ or trustee, but he shall not
8 be entitled to another vote in his capacity as acting mayor or
9 president or mayor or president pro tem.

10 (Source: Laws 1967, p. 3425.)

11 (65 ILCS 5/5-3-7) (from Ch. 24, par. 5-3-7)

12 Sec. 5-3-7. The council or board of trustees, as the case
13 may be, shall appoint a municipal manager, who shall be the
14 administrative head of the municipal government and who shall
15 be responsible for the efficient administration of all
16 departments. He shall be appointed without regard to his
17 political beliefs and need not be a resident of the city or
18 village when appointed. The manager shall be appointed for an
19 indefinite term, and the conditions of the manager's
20 employment may be set forth in an agreement. In the case of the
21 absence or disability of the manager, the council or village
22 board may designate a qualified administrative officer of the
23 municipality to perform the duties of the manager during such
24 absence or disability. The manager may at any time be removed
25 from office by a majority vote of the members of the council or

1 the board.

2 The powers and duties of the manager shall be:

3 (1) To enforce the laws and ordinances within the
4 municipality;

5 (2) To appoint and remove all directors of departments. No
6 appointment shall be made upon any basis other than that of
7 merit and fitness except that if the chief of the fire
8 department or the chief of the police department or both of
9 them are appointed in the manner as provided by ordinance
10 under Section 10-2.1-4 of this code, they may be removed or
11 discharged by the appointing authority. In such case the
12 appointing authority shall file with the corporate authorities
13 the reasons for such removal or discharge, which removal or
14 discharge shall not become effective unless confirmed by a
15 majority vote of the corporate authorities;

16 (3) To exercise control of all departments and divisions
17 thereof created in this Article 5, or that may be created by
18 the council or board of trustees;

19 (4) If the city or village was subject to the alderperson
20 ~~aldermanic~~ form provisions of Article 3 at the time of
21 adoption of this Article 5 to appoint and remove all officers
22 who are not required to be elected by Article 3;

23 (5) To have all the powers and exercise all the duties
24 granted elsewhere in this Code to municipal clerks and
25 comptrollers with respect to the preparation of a report of
26 estimated funds necessary to defray the expenses of the city

1 or village for the fiscal year for the consideration of the
2 corporate authorities prior to the preparation of the annual
3 appropriation ordinance;

4 (6) To attend all meetings of the council or board of
5 trustees with the right to take part in the discussions, but
6 with no right to vote;

7 (7) To recommend to the council or board of trustees for
8 adoption such measures as he may deem necessary or expedient;

9 (8) To perform such other duties as may be prescribed by
10 this Article 5 or may be required of him by ordinance or
11 resolution of the board of trustees or council.

12 (Source: P.A. 86-1023; 86-1039.)

13 (65 ILCS 5/5-3-8) (from Ch. 24, par. 5-3-8)

14 Sec. 5-3-8. Under the general supervision and
15 administrative control of the manager, there shall be such
16 departments as the council or village board may prescribe by
17 ordinance.

18 All officers of any city or village shall take and
19 subscribe the oath required by Section 5-3-9. All such
20 officers, except the mayor, president, alderpersons ~~aldermen~~,
21 councilmen, and trustees, shall execute bonds in the manner
22 provided by Section 5-3-9, which bonds shall be filed with the
23 clerk of the council or clerk of the village board.

24 (Source: Laws 1961, p. 576.)

1 (65 ILCS 5/5-4-1) (from Ch. 24, par. 5-4-1)

2 Sec. 5-4-1. The mayor and councilmen elected under the
3 provisions of Section 5-2-12 shall each receive for the
4 performance of their respective duties annual salaries fixed
5 by the council or village board. The corporate authorities in
6 cities which retain the election of alderpersons ~~aldermen~~ by
7 wards and the corporate authorities in villages shall receive
8 salaries as allowed in Sections 3-13-4 through 3-13-7,
9 whichever is appropriate.

10 (Source: Laws 1961, p. 576.)

11 (65 ILCS 5/5-4-3) (from Ch. 24, par. 5-4-3)

12 Sec. 5-4-3. In cities of not less than 100,000 and not more
13 than 500,000 population which did not also elect to continue
14 to choose alderpersons ~~aldermen~~ from wards, the city clerk
15 shall receive a salary of not less than \$8,500 per year and the
16 city treasurer shall receive a salary of not less than \$7,000
17 per year.

18 (Source: Laws 1961, p. 576.)

19 (65 ILCS 5/5-5-1) (from Ch. 24, par. 5-5-1)

20 Sec. 5-5-1. Petition for abandonment of managerial form;
21 referendum; succeeding elections of officers and alderpersons
22 ~~aldermen~~ or trustees.

23 (a) A city or village that has operated for 4 years or more
24 under the managerial form of municipal government may abandon

1 that organization as provided in this Section. For the
2 purposes of this Article, the operation of the managerial form
3 of municipal government shall be deemed to begin on the date of
4 the appointment of the first manager in the city or village.
5 When a petition for abandonment signed by electors of the
6 municipality equal in number to at least 10% of the number of
7 votes cast for candidates for mayor at the preceding general
8 quadrennial municipal election is filed with the circuit court
9 for the county in which that city or village is located, the
10 court shall set a date not less than 10 nor more than 30 days
11 thereafter for a hearing on the sufficiency of the petition.
12 Notice of the filing of the petition and of the date of the
13 hearing shall be given in writing to the city or village clerk
14 and to the mayor or village president at least 7 days before
15 the date of the hearing. If the petition is found sufficient,
16 the court shall enter an order directing that the proposition
17 be submitted at an election other than a primary election for
18 the municipality. The clerk of the court shall certify the
19 proposition to the proper election authorities for submission.
20 The proposition shall be in substantially the following form:

21 Shall (name of city or village) retain the managerial
22 form of municipal government?

23 (b) If the majority of the votes at the election are "yes",
24 then the proposition to abandon is rejected and the
25 municipality shall continue operating under this Article 5. If
26 the majority of the votes are "no", then the proposition to

1 abandon operation under this Article 5 is approved.

2 (c) If the proposition for abandonment is approved, the
3 city or village shall become subject to Article 3.1 or Article
4 4, whichever Article was in force in the city or village
5 immediately before the adoption of the plan authorized by this
6 Article 5, upon the election and qualification of officers to
7 be elected at the next succeeding general municipal election.
8 Those officers shall be those prescribed by Article 3.1 or
9 Article 4, as the case may be, but the change shall not in any
10 manner or degree affect the property rights or liabilities of
11 the city or village. The mayor, clerk, and treasurer and all
12 other elected officers of a city or village in office at the
13 time the proposition for abandonment is approved shall
14 continue in office until the expiration of the term for which
15 they were elected.

16 (d) If a city or village operating under this Article 5 has
17 alderpersons ~~aldermen~~ or trustees elected from wards or
18 districts and a proposition to abandon operation under this
19 Article 5 is approved, then the officers to be elected at the
20 next succeeding general municipal election shall be elected
21 from the same wards or districts as exist immediately before
22 the abandonment.

23 (e) If a city or village operating under this Article 5 has
24 a council or village board elected from the municipality at
25 large and a proposition to abandon operation under this
26 Article 5 is approved, then the first group of alderpersons

1 ~~aldermen~~, board of trustees, or commissioners so elected shall
2 be of the same number as was provided for in the municipality
3 at the time of the adoption of a plan under this Article 5,
4 with the same ward or district boundaries in cities or
5 villages that immediately before the adoption of this Article
6 5 had wards or districts, unless the municipal boundaries have
7 been changed. If there has been such a change, the council or
8 village board shall so alter the former ward or district
9 boundaries so as to conform as nearly as possible to the former
10 division. If the plan authorized by this Article 5 is
11 abandoned, the next general municipal election for officers
12 shall be held at the time specified in Section 3.1-10-75 or
13 3.1-25-15 for that election. The alderpersons ~~aldermen~~ or
14 trustees elected at that election shall, if the city or
15 village was operating under Article 3 at the time of adoption
16 of this Article 5 and had at that time staggered 4 year terms
17 of office for the alderpersons ~~aldermen~~ or trustees, choose by
18 lot which shall serve initial 2 year terms as provided by
19 Section 3.1-20-35 or 3.1-15-5, whichever may be applicable, in
20 the case of election of those officers at the first election
21 after a municipality is incorporated.

22 (f) The proposition to abandon the managerial form of
23 municipal government shall not be submitted in any city or
24 village oftener than once in 46 months.

25 (Source: P.A. 93-847, eff. 7-30-04; 94-645, eff. 8-22-05.)

1 (65 ILCS 5/5-5-5) (from Ch. 24, par. 5-5-5)

2 Sec. 5-5-5. Any city or village which has adopted this
3 Article 5 and was operating under Article 4 at the time of such
4 adoption may upon abandonment of this Article 5 also abandon
5 operation under Article 4, as provided in Section 4-10-1, and
6 by so doing shall become subject to the alderperson ~~aldermanic~~
7 form provisions of Article 3 and shall be subject to the
8 provisions of that Article 3 the same as if it had been
9 operating under Article 3 at the time this Article 5 was
10 adopted, except for any period of time after abandonment of
11 this Article 5 necessary to make the provisions of Article 3
12 fully and completely applicable.

13 Any city or village which has adopted this Article 5 and
14 was operating under Article 3 at the time of such adoption may
15 upon abandonment of this Article 5 also abandon operation
16 under Article 3 by adopting Article 4, as provided in Sections
17 4-2-2 through 4-2-9, and by so doing shall become subject to
18 the provisions of Article 4 and shall be subject to the
19 provisions of that Article 4 the same as if it had been
20 operating under Article 4 at the time this Article 5 was
21 adopted, except for any period of time after abandonment of
22 this Article 5 necessary to make the provisions of Article 4
23 fully and completely applicable.

24 (Source: Laws 1961, p. 576.)

25 (65 ILCS 5/6-3-2) (from Ch. 24, par. 6-3-2)

1 Sec. 6-3-2. Termination of terms of office.

2 The terms of office of all elected municipal officers
3 holding office at the time of the issuance of the certificate
4 of adoption of the strong mayor form of government by the
5 municipality pursuant to Division 2 of this Article 6 shall
6 terminate upon the election and qualification for office of
7 municipal officers pursuant to this Division 3 of Article 6,
8 except that where an existing form of municipal government has
9 the same number of wards as would be required hereunder, the
10 alderpersons ~~aldermen~~ holding office at the time of the
11 issuance of the certificate of adoption shall serve until the
12 expiration of the terms for which they were elected.

13 (Source: P.A. 76-746.)

14 (65 ILCS 5/6-3-3) (from Ch. 24, par. 6-3-3)

15 Sec. 6-3-3. Municipal officers - Terms.

16 The municipality shall have the following elected
17 officers: one mayor, one municipal clerk and one municipal
18 treasurer, all of whom shall be elected at large, and
19 alderpersons ~~aldermen~~, the number of which shall be as
20 follows: In cities not exceeding 25,000 inhabitants, 8
21 alderpersons ~~aldermen~~; between 25,001 and 40,000, 10
22 alderpersons ~~aldermen~~; between 40,001 and 60,000, 14
23 alderpersons ~~aldermen~~; between 60,001 and 80,000, 16
24 alderpersons ~~aldermen~~; and exceeding 80,000, 20 alderpersons
25 ~~aldermen~~. Two alderpersons ~~aldermen~~ shall be elected to

1 represent each ward.

2 (Source: P.A. 76-746.)

3 (65 ILCS 5/6-3-4) (from Ch. 24, par. 6-3-4)

4 Sec. 6-3-4. Terms of office.

5 All terms of office of officials elected pursuant to this
6 Division 3 of Article 6 shall be for terms of 4 years, except
7 that alderpersons ~~aldermen~~ elected at the first election for
8 city officers held pursuant to this Article 6 shall draw lots
9 so that one-half of the alderpersons ~~aldermen~~ shall hold for a
10 4 year term, and until their successors are elected and
11 qualified, and one-half of the alderpersons ~~aldermen~~ shall
12 hold for a 2 year term, and until their successors are elected
13 and qualified. All alderpersons ~~aldermen~~ thereafter elected
14 shall hold office for a term of 4 years, and until their
15 successors are elected and have qualified.

16 (Source: P.A. 76-746.)

17 (65 ILCS 5/6-3-5) (from Ch. 24, par. 6-3-5)

18 Sec. 6-3-5. Division into wards.

19 Every city shall have as many wards as one-half the total
20 number of alderpersons ~~aldermen~~ to which the city is entitled.
21 The city council, from time to time shall divide the city into
22 that number of wards. In the formation of wards the population
23 of each ward as determined by the latest city, state or
24 national census shall be as nearly equal and the wards shall be

1 of as compact and contiguous territory, as practicable.

2 (Source: P.A. 76-746.)

3 (65 ILCS 5/6-3-6) (from Ch. 24, par. 6-3-6)

4 Sec. 6-3-6. Redistricting of city. Whenever an official
5 publication of any national, state, school, or city census
6 shows that any city contains more or less wards than it is
7 entitled to, the city council of the city, by ordinance, shall
8 redistrict the city into as many wards only as the city is
9 entitled. This redistricting shall be completed not less than
10 30 days before the first date on which candidate petitions may
11 be filed for the next succeeding general municipal election.
12 At this election there shall be elected the number of
13 alderpersons ~~aldermen~~ to which the city is entitled.

14 (Source: P.A. 81-1489.)

15 (65 ILCS 5/6-3-7) (from Ch. 24, par. 6-3-7)

16 Sec. 6-3-7. Ward division and election of alderpersons
17 ~~aldermen~~ - Validation.

18 If, after a census is officially published, any city is
19 divided into a greater or lesser number of wards and has
20 elected a greater or lesser number of alderpersons ~~aldermen~~
21 than the city is entitled, nevertheless such division and
22 election shall be valid and all acts, resolutions and
23 ordinances of the city council of such city, if in other
24 respects in compliance with law, are valid.

1 (Source: P.A. 76-746.)

2 (65 ILCS 5/6-3-8) (from Ch. 24, par. 6-3-8)

3 Sec. 6-3-8. Resignation; vacancy. An alderperson ~~alderman~~
4 may resign from his or her office. A vacancy occurs in the
5 office of alderperson ~~alderman~~ by reason of resignation,
6 failure to elect or qualify, death, permanent physical or
7 mental disability, conviction of a disqualifying crime,
8 abandonment of office, or removal from office. If a vacancy
9 occurs in the office of alderperson ~~alderman~~ in one of these
10 ways or otherwise, the vacancy shall be filled as provided in
11 Sections 3.1-10-50 and 3.1-10-55. An appointment to fill a
12 vacancy shall be made within 60 days after the vacancy occurs.
13 The requirement that an appointment be made within 60 days is
14 an exclusive power and function of the State and is a denial
15 and limitation under Article VII, Section 6, subsection (h) of
16 the Illinois Constitution of the power of a home rule
17 municipality to require that an appointment be made within a
18 different period after the vacancy occurs.

19 (Source: P.A. 87-1052; 87-1119; 88-45.)

20 (65 ILCS 5/6-3-9) (from Ch. 24, par. 6-3-9)

21 Sec. 6-3-9. Qualifications of mayor, city clerk, city
22 treasurer and alderpersons ~~aldermen~~ - Eligibility for other
23 office.

24 No person shall be eligible to the office of mayor, city

1 clerk, city treasurer or alderperson ~~alderman~~:

2 (1) Unless he is a qualified elector of the municipality
3 and has resided therein at least one year next preceding his
4 election or appointment; or

5 (2) Unless, in the case of alderpersons ~~aldermen~~, he
6 resides within the ward for which he is elected; or

7 (3) If he is in arrears in the payment of any tax or other
8 indebtedness due to the city; or

9 (4) If he has been convicted in Illinois state courts or in
10 courts of the United States of malfeasance in office, bribery,
11 or other infamous crime.

12 No alderperson ~~alderman~~ shall be eligible to any office,
13 except that of acting mayor or mayor pro tem, the salary of
14 which is payable out of the city treasury, if at the time of
15 his appointment he is a member of the city council.

16 (Source: P.A. 76-746.)

17 (65 ILCS 5/6-3-10) (from Ch. 24, par. 6-3-10)

18 Sec. 6-3-10. General elections - Time for.

19 The first general election pursuant to this Division 3 of
20 Article 6 shall be held at the time the next general municipal
21 election would have been held had the municipality not adopted
22 this Article 6. At the first general election so held, one
23 mayor, one municipal clerk, one municipal treasurer shall be
24 elected at large and two alderpersons ~~aldermen~~ shall be
25 elected from each ward.

1 (Source: P.A. 76-746.)

2 (65 ILCS 5/6-4-3) (from Ch. 24, par. 6-4-3)

3 Sec. 6-4-3. Reconsideration - Passage over veto.

4 Every ordinance, which is returned to the council by the
5 mayor shall be reconsidered by the council. If, after such
6 reconsideration, three-fifths of all the alderpersons ~~aldermen~~
7 then holding office on the city council agree to pass an
8 ordinance, resolution, or motion, notwithstanding the mayor's
9 refusal to approve it, then it shall be effective.

10 (Source: P.A. 76-746.)

11 (65 ILCS 5/6-4-4) (from Ch. 24, par. 6-4-4)

12 Sec. 6-4-4. Vote of city council - Reconsideration.

13 No vote of the city council shall be reconsidered or
14 rescinded at a special meeting, unless there are present at
15 the special meeting as many alderpersons ~~aldermen~~ as were
16 present when the vote was taken.

17 (Source: P.A. 76-746.)

18 (65 ILCS 5/6-5-1) (from Ch. 24, par. 6-5-1)

19 Sec. 6-5-1. Mayor, clerk, treasurer and alderpersons
20 ~~aldermen~~.

21 The mayor, clerk, treasurer and alderpersons ~~aldermen~~
22 elected under the provisions of this Article 6 shall each
23 receive for the performance of their respective duties annual

1 salaries fixed by the city council. Such salaries shall not be
2 increased or decreased during any term of office. They must be
3 established six months prior to general municipal elections at
4 which such officials are to be voted on.

5 (Source: P.A. 76-746.)

6 (65 ILCS 5/7-1-15) (from Ch. 24, par. 7-1-15)

7 Sec. 7-1-15. Any municipality may be annexed to another
8 municipality to which it adjoins, by ordinances passed by a
9 majority vote of all the alderpersons ~~aldermen~~, trustees, or
10 commissioners then holding office in each municipality
11 desiring annexation. These ordinances shall specify the terms
12 of the annexation, and they shall be a binding contract if, but
13 only if:

14 (1) the annexation provided in these ordinances is
15 certified by the clerk to the proper election authority who
16 shall submit the question to a vote of the electors of both
17 municipalities at an election in accordance with the general
18 election law; and if

19 (2) the annexation is approved in each municipality by a
20 majority of all the voters voting on that question in each
21 municipality. If the ordinances fail to specify the terms of
22 annexation or specify only partially the terms of annexation,
23 the provisions of this article relating to the annexation of
24 one municipality to another shall apply but not as to any terms
25 agreed to in the ordinances of annexation.

1 The proposition shall be in substantially the following
2 form:

3 -----

4 Shall the municipality of YES

5 be annexed to the municipality -----

6 of....? NO

7 -----

8 Annexation shall neither affect nor impair any rights or
9 liabilities either in favor of or against either municipality.
10 Actions founded upon any right or liability may be commenced
11 despite the annexation and, together with pending actions, may
12 be prosecuted to final judgment and the enforcement thereof as
13 if annexation had not taken place.

14 (Source: P.A. 84-546.)

15 (65 ILCS 5/7-1-39) (from Ch. 24, par. 7-1-39)

16 Sec. 7-1-39. After a part of a municipality is annexed to
17 another municipality, any mayor, president, alderperson
18 ~~alderman~~, trustee, clerk, treasurer, or attorney for the
19 disconnecting municipality, who resides in the detached
20 territory, shall continue in office as an officer of the
21 disconnecting municipality until his successor has been
22 elected at the next regular municipal election in this
23 municipality and has qualified for office, or has been
24 appointed and has qualified following this election.

25 (Source: Laws 1961, p. 576.)

1 (65 ILCS 5/7-1-42) (from Ch. 24, par. 7-1-42)

2 Sec. 7-1-42. Redistricting after annexation.

3 (a) If the increase in population resulting from the
4 annexation of any territory to a city under the alderperson
5 ~~aldermanic~~ form of government is sufficient to entitle that
6 city to an increase in the number of alderpersons ~~aldermen~~ as
7 provided in Section 3.1-20-10, the corporate authorities shall
8 redistrict the city in accordance with Sections 3.1-20-15 and
9 3.1-20-25. Section 3.1-20-10 shall govern as to the hold-over
10 alderpersons ~~aldermen~~.

11 (b) If the increase in population is not sufficient to
12 entitle the city to an increase in the number of alderpersons
13 ~~aldermen~~, the corporate authorities shall make the annexed
14 territory a part of the ward or wards that it adjoins.

15 (c) If a village of over 25,000 population is divided into
16 6 districts as provided in Section 3.1-25-75, the corporate
17 authorities shall make any territory annexed to the village a
18 part of the districts that the territory adjoins.

19 (d) Nothing contained in this Section 7-1-42 shall prevent
20 the corporate authorities of any municipality from
21 redistricting the municipality according to law. Whenever the
22 enlarged annexing municipality is redistricted, the corporate
23 authorities are under no duty to treat the annexed territory
24 as a unit and they may divide it as if it had always been a
25 part of the municipality.

1 (e) The number of inhabitants determined by the last
 2 national, state, or school census in the annexed territory and
 3 in the annexing municipality controls in the application of
 4 this Section.

5 (Source: P.A. 87-1119.)

6 (65 ILCS 5/7-2-1) (from Ch. 24, par. 7-2-1)

7 Sec. 7-2-1. Any 2 or more incorporated contiguous
 8 municipalities wholly or substantially situated in a single
 9 county may be united into one incorporated city by a
 10 compliance with Sections 7-1-16 and 7-1-17, with the following
 11 exceptions:

12 (1) The petition (a) shall be signed by electors of each of
 13 the municipalities seeking a union, (b) shall state the name
 14 by which the united municipality is to be known, and (c) shall
 15 state the form of municipal government under which the united
 16 municipality is to be governed.

17 (2) The question shall be in substantially the following
 18 form:

19 -----

20 Shall the city, village, or
 21 incorporated town (as the
 22 case may be) of.....
 23 and the city, village, or
 24 incorporated town (as the case YES
 25 may be) of....., (and

1 in this manner as far as
 2 necessary, filling blanks with
 3 the names of the municipalities
 4 to be united), be united -----
 5 into a single municipality
 6 under the name of.....
 7 with the..... form of
 8 municipal government (filling
 9 the blank with the word NO
 10 "Aldersperson" ~~"Aldermanic"~~ or "Commission"
 11 or the words "Managerial With
 12 Alderspersons ~~Aldermen~~ Chosen From Wards Or
 13 Districts" as the case may be)?

14 -----

15 No other proposition shall appear thereon.
 16 If the majority of the votes cast in each municipality
 17 specified in the petition is in favor of the proposition, the
 18 municipalities are united.
 19 (Source: P.A. 87-278.)

20 (65 ILCS 5/7-2-19) (from Ch. 24, par. 7-2-19)
 21 Sec. 7-2-19. Whenever a united city is formed by a
 22 compliance with Section 7-2-1 and the decision is in favor of
 23 an alderperson ~~aldermanic~~ form of municipal government, the
 24 united city shall be governed, after the first election held
 25 in compliance with Section 7-2-7, by a council composed of a

1 mayor and a board of alderpersons ~~aldermen~~ selected by the
2 electors of the united city as provided by the provisions of
3 this Code relating to the election of city officers, except
4 that all elections in a united city are controlled by the City
5 Election Law as provided in Section 7-2-6.

6 (Source: Laws 1961, p. 576.)

7 (65 ILCS 5/7-2-28) (from Ch. 24, par. 7-2-28)

8 Sec. 7-2-28. Whenever a united city is formed by a
9 compliance with Section 7-2-1 of municipal government with
10 alderpersons ~~aldermen~~ chosen from wards or districts, the
11 united city shall be and the decision is in favor of a
12 managerial form governed, after the first election held in
13 compliance with Section 7-2-7, by a council composed of a
14 mayor and a board of alderpersons ~~aldermen~~ selected by the
15 electors of the united city as provided by the provisions of
16 this Code relating to the election of city officers, except
17 all elections in a united city are controlled by the City
18 Election Law as provided in Section 7-2-6, and by a municipal
19 manager appointed by the council as provided in Article 5.

20 (Source: Laws 1965, p. 1267.)

21 (65 ILCS 5/8-9-1) (from Ch. 24, par. 8-9-1)

22 Sec. 8-9-1. In municipalities of less than 500,000 except
23 as otherwise provided in Articles 4 and 5 any work or other
24 public improvement which is not to be paid for in whole or in

1 part by special assessment or special taxation, when the
2 expense thereof will exceed \$25,000, shall be constructed
3 either (1) by a contract let to the lowest responsible bidder
4 after advertising for bids, in the manner prescribed by
5 ordinance, except that any such contract may be entered into
6 by the proper officers without advertising for bids, if
7 authorized by a vote of two-thirds of all the alderpersons
8 ~~aldermen~~ or trustees then holding office; or (2) in the
9 following manner, if authorized by a vote of two-thirds of all
10 the alderpersons ~~aldermen~~ or trustees then holding office,
11 to-wit: the commissioner of public works or other proper
12 officers to be designated by ordinance, shall superintend and
13 cause to be carried out the construction of the work or other
14 public improvement and shall employ exclusively for the
15 performance of all manual labor thereon, laborers and artisans
16 whom the municipality shall pay by the day or hour; and all
17 material of the value of \$25,000 and upward used in the
18 construction of the work or other public improvement, shall be
19 purchased by contract let to the lowest responsible bidder in
20 the manner to be prescribed by ordinance. However, nothing
21 contained in this section shall apply to any contract by a
22 city, village or incorporated town with the federal government
23 or any agency thereof.

24 In every city which has adopted Division 1 of Article 10,
25 every such laborer or artisan shall be certified by the civil
26 service commission to the commissioner of public works or

1 other proper officers, in accordance with the requirement of
2 that division.

3 In municipalities of 500,000 or more population the
4 letting of contracts for work or other public improvements of
5 the character described in this section shall be governed by
6 the provisions of Division 10 of this Article 8.

7 (Source: P.A. 100-338, eff. 8-25-17.)

8 (65 ILCS 5/10-1-30) (from Ch. 24, par. 10-1-30)

9 Sec. 10-1-30. No officer or employee in the service of
10 such municipality shall, directly or indirectly, give or hand
11 over to any officer or employee in such service, or to any
12 senator or representative or alderperson ~~alderman~~, councilman,
13 trustee or commissioner, any money or other valuable thing, on
14 account of or to be applied to the promotion of any party or
15 political object whatever.

16 (Source: Laws 1961, p. 3252.)

17 (65 ILCS 5/10-3-5) (from Ch. 24, par. 10-3-5)

18 Sec. 10-3-5. Any mayor, president, commissioner,
19 alderperson ~~alderman~~, or trustee, who violates the provisions
20 of Section 10-3-3, is guilty of a Class B misdemeanor.

21 (Source: P.A. 77-2500.)

22 (65 ILCS 5/11-13-1.1) (from Ch. 24, par. 11-13-1.1)

23 Sec. 11-13-1.1. The corporate authorities of any

1 municipality may in its ordinances passed under the authority
2 of this Division 13 provide for the classification of special
3 uses. Such uses may include but are not limited to public and
4 quasi-public uses affected with the public interest, uses
5 which may have a unique, special or unusual impact upon the use
6 or enjoyment of neighboring property, and planned
7 developments. A use may be a permitted use in one or more
8 zoning districts, and a special use in one or more other zoning
9 districts. A special use shall be permitted only after a
10 public hearing before some commission or committee designated
11 by the corporate authorities, with prior notice thereof given
12 in the manner as provided in Section 11-13-6 and 11-13-7. Any
13 notice required by this Section need not include a metes and
14 bounds legal description of the area classified for special
15 uses, provided that the notice includes: (i) the common street
16 address or addresses and (ii) the property index number
17 ("PIN") or numbers of all the parcels of real property
18 contained in the area classified for special uses. A special
19 use shall be permitted only upon evidence that such use meets
20 standards established for such classification in the
21 ordinances, and the granting of permission therefor may be
22 subject to conditions reasonably necessary to meet such
23 standards. In addition, any proposed special use which fails
24 to receive the approval of the commission or committee
25 designated by the corporate authorities to hold the public
26 hearing shall not be approved by the corporate authorities

1 except by a favorable majority vote of all alderpersons
2 ~~aldermen~~, commissioners or trustees of the municipality then
3 holding office; however, the corporate authorities may by
4 ordinance increase the vote requirement to two-thirds of all
5 alderpersons ~~aldermen~~, commissioners or trustees of the
6 municipality then holding office.

7 (Source: P.A. 97-336, eff. 8-12-11.)

8 (65 ILCS 5/11-13-10) (from Ch. 24, par. 11-13-10)

9 Sec. 11-13-10. In municipalities of less than 500,000
10 population, where a variation is to be made by ordinance, upon
11 the report of the board of appeals, the corporate authorities,
12 by ordinance, without further public hearing, may adopt any
13 proposed variation or may refer it back to the board for
14 further consideration, and any proposed variation which fails
15 to receive the approval of the board of appeals shall not be
16 passed except by the favorable vote of two-thirds of all
17 alderpersons ~~aldermen~~ or trustees of the municipality.

18 (Source: Laws 1961, p. 576.)

19 (65 ILCS 5/11-13-14) (from Ch. 24, par. 11-13-14)

20 Sec. 11-13-14. The regulations imposed and the districts
21 created under the authority of this Division 13 may be amended
22 from time to time by ordinance after the ordinance
23 establishing them has gone into effect, but no such amendments
24 shall be made without a hearing before some commission or

1 committee designated by the corporate authorities. Notice
2 shall be given of the time and place of the hearing, not more
3 than 30 nor less than 15 days before the hearing, by publishing
4 a notice thereof at least once in one or more newspapers
5 published in the municipality, or, if no newspaper is
6 published therein, then in one or more newspapers with a
7 general circulation within the municipality. In municipalities
8 with less than 500 population in which no newspaper is
9 published, publication may be made instead by posting a notice
10 in 3 prominent places within municipality. In case of a
11 written protest against any proposed amendment of the
12 regulations or districts, signed and acknowledged by the
13 owners of 20% of the frontage proposed to be altered, or by the
14 owners of 20% of the frontage immediately adjoining or across
15 an alley therefrom, or by the owners of the 20% of the frontage
16 directly opposite the frontage proposed to be altered, is
17 filed with the clerk of the municipality, the amendment shall
18 not be passed except by a favorable vote of two-thirds of the
19 alderpersons ~~aldermen~~ or trustees of the municipality then
20 holding office. In such cases, a copy of the written protest
21 shall be served by the protestor or protestors on the
22 applicant for the proposed amendments and a copy upon the
23 applicant's attorney, if any, by certified mail at the address
24 of such applicant and attorney shown in the application for
25 the proposed amendment. Any notice required by this Section
26 need not include a metes and bounds legal description,

1 provided that the notice includes: (i) the common street
2 address or addresses and (ii) the property index number
3 ("PIN") or numbers of all the parcels of real property
4 contained in the affected area.

5 (Source: P.A. 97-336, eff. 8-12-11.)

6 (65 ILCS 5/11-13-14.1) (from Ch. 24, par. 11-13-14.1)

7 Sec. 11-13-14.1. Notwithstanding any other provision to
8 the contrary in this Division 13:

9 (A) The corporate authorities of any municipality may by
10 ordinance establish the position of hearing officer and
11 delegate to a hearing officer the authority to: (i) conduct
12 any public hearing -- other than a public hearing provided for
13 in Section 11-13-2 -- required to be held under this Division
14 13 in connection with applications for any special use,
15 variation, amendment or other change or modification in any
16 ordinance of the municipality adopted pursuant to this
17 Division 13; and (ii) hear and decide appeals from and review
18 any order, requirement, decision or determination made by an
19 administrative official charged with the enforcement of any
20 ordinance adopted pursuant to this Division 13.

21 (B) When a hearing officer is designated to conduct a
22 public hearing in a matter otherwise required to be heard in
23 accordance with this Division 13 by some commission or
24 committee designated by the corporate authorities of the
25 municipality: (i) notice of such hearing shall be given in the

1 same time and manner as is provided by this Division 13 for the
2 giving of notice of hearing when any such matter is to be heard
3 by some commission or committee designated by the corporate
4 authorities; (ii) the hearing officer shall exercise and
5 perform the same powers and duties as such commission or
6 committee is required to exercise and perform when conducting
7 a public hearing in any such matter; and (iii) the hearing
8 officer shall render a written recommendation to the corporate
9 authorities within such time and in such manner and form as the
10 corporate authorities shall require.

11 (C) When a hearing officer is designated to conduct a
12 public hearing in a matter otherwise required to be heard in
13 accordance with this Division 13 by the board of appeals, or
14 when a hearing officer is designated to hear and decide
15 appeals from and review any order, requirement, decision or
16 determination made by an administrative official charged with
17 the enforcement of any ordinance adopted pursuant to this
18 Division 13: (i) notice of hearing shall be given in the same
19 time and manner as is provided by this Division 13 for the
20 giving of notice of hearing when any such matter is to be heard
21 by the board of appeals; (ii) the hearing officer in passing
22 upon and determining any matter otherwise within the
23 jurisdiction of the board of appeals shall be governed by all
24 of the standards, rules and conditions imposed by this
25 Division 13 to govern the board of appeals when it passes upon
26 and determines any such matter; and (iii) the hearing officer

1 shall exercise and perform all of the powers and duties of the
2 board of appeals in the same manner and to the same effect as
3 provided in this Division 13 with respect to the board of
4 appeals, provided that:

5 1. When the hearing officer is passing upon an application
6 for variation or special use and the power to determine and
7 approve such variation or special use is reserved to the
8 corporate authorities, then upon report of the hearing officer
9 the corporate authorities may by ordinance without further
10 public hearing adopt any proposed variation or special use or
11 may refer it back to the hearing officer for further
12 consideration, and any proposed variation or special use which
13 fails to receive the approval of the hearing officer shall not
14 be passed except by the favorable vote of 2/3 of all
15 alderperson ~~alderman~~ or trustees of the municipality;

16 2. When the hearing officer is passing upon an application
17 for variation or special use and the power to determine and
18 approve such variation or special use is not reserved to the
19 corporate authorities, or when the hearing officer is hearing
20 and deciding appeals from or reviewing any order, requirement,
21 decision or determination made by an administrative official
22 charged with the enforcement of any ordinance adopted pursuant
23 to this Division 13, the determination made by the hearing
24 officer with respect to any such matter shall constitute a
25 final administrative decision which is subject to judicial
26 review pursuant to the provisions of the "Administrative

1 Review Law", as now or hereafter amended.

2 (D) The corporate authorities of the municipality may
3 provide general or specific rules implementing but not
4 inconsistent with the provisions of this Section, including
5 rules relative to the time and manner in which hearing
6 officers are designated to conduct public hearings and rules
7 governing the manner in which such hearings are conducted and
8 matters heard therein passed upon and determined.

9 (E) Hearing officers shall be appointed on the basis of
10 training and experience which qualifies them to conduct
11 hearings, make recommendations or findings of fact and
12 conclusions on the matters heard and otherwise exercise and
13 perform the powers, duties and functions delegated in
14 accordance with this Section. Hearing officers shall receive
15 such compensation as the corporate authorities of the
16 municipality shall provide, and any municipality may establish
17 a schedule of fees to defray the costs of providing a hearing
18 officer.

19 (F) This Section is intended to furnish an alternative or
20 supplemental procedure which a municipality in its discretion
21 may provide for hearing, determining, reviewing and deciding
22 matters which arise under any ordinance adopted by the
23 municipality pursuant to this Division 13, but nothing in this
24 Section shall be deemed to limit or prevent the use of any
25 existing procedure available to a municipality under this
26 Division 13 for hearing, approving or denying applications for

1 a special use, variation, amendment or other change or
2 modification of any such ordinance, or for hearing and
3 deciding appeals from and reviewing any order, requirement,
4 decision or determination made by an administrative official
5 charged with the enforcement of any such ordinance.

6 (Source: P.A. 84-960.)

7 (65 ILCS 5/11-80-5) (from Ch. 24, par. 11-80-5)

8 Sec. 11-80-5. The corporate authorities of each
9 municipality, with the concurrence of two-thirds of all of the
10 alderpersons ~~aldermen~~, trustees or commissioners elected
11 therein, may levy and collect annually, in addition to all
12 other taxes now authorized by law, a tax of not to exceed .05%
13 of the value, as equalized or assessed by the Department of
14 Revenue, of the taxable property in the municipality, to be
15 used exclusively for the purpose of lighting streets. The tax
16 authorized by this Section is in addition to taxes for general
17 corporate purposes authorized by Section 8-3-1.

18 The foregoing tax rate limitation, insofar as it is
19 applicable to municipalities of less than 500,000 population,
20 may be increased or decreased under the referendum provisions
21 of the General Revenue Law of Illinois.

22 (Source: P.A. 86-280.)

23 (65 ILCS 5/11-91-1) (from Ch. 24, par. 11-91-1)

24 Sec. 11-91-1. Whenever the corporate authorities of any

1 municipality, whether incorporated by special act or under any
2 general law, determine that the public interest will be
3 subserved by vacating any street or alley, or part thereof,
4 within their jurisdiction in any incorporated area, they may
5 vacate that street or alley, or part thereof, by an ordinance.
6 The ordinance shall provide the legal description or permanent
7 index number of the particular parcel or parcels of property
8 acquiring title to the vacated property. But this ordinance
9 shall be passed by the affirmative vote of at least
10 three-fourths of the alderpersons ~~aldermen~~, trustees or
11 commissioners then holding office. This vote shall be taken by
12 ayes and noes and entered on the records of the corporate
13 authorities.

14 No ordinance shall be passed vacating any street or alley
15 under a municipality's jurisdiction and within an
16 unincorporated area without notice thereof and a hearing
17 thereon. At least 15 days prior to such a hearing, notice of
18 its time, place and subject matter shall be published in a
19 newspaper of general circulation within the unincorporated
20 area which the street or alley proposed for vacation serves.
21 At the hearing all interested persons shall be heard
22 concerning the proposal for vacation.

23 The ordinance may provide that it shall not become
24 effective until the owners of all property or the owner or
25 owners of a particular parcel or parcels of property abutting
26 upon the street or alley, or part thereof so vacated, shall pay

1 compensation in an amount which, in the judgment of the
2 corporate authorities, shall be the fair market value of the
3 property acquired or of the benefits which will accrue to them
4 by reason of that vacation, and if there are any public service
5 facilities in such street or alley, or part thereof, the
6 ordinance shall also reserve to the municipality or to the
7 public utility, as the case may be, owning such facilities,
8 such property, rights of way and easements as, in the judgment
9 of the corporate authorities, are necessary or desirable for
10 continuing public service by means of those facilities and for
11 the maintenance, renewal and reconstruction thereof. If the
12 ordinance provides that only the owner or owners of one
13 particular parcel of abutting property shall make payment,
14 then the owner or owners of the particular parcel shall
15 acquire title to the entire vacated street or alley, or the
16 part thereof vacated.

17 The determination of the corporate authorities that the
18 nature and extent of the public use or public interest to be
19 subserved in such as to warrant the vacation of any street or
20 alley, or part thereof, is conclusive, and the passage of such
21 an ordinance is sufficient evidence of that determination,
22 whether so recited in the ordinance or not. The relief to the
23 public from further burden and responsibility of maintaining
24 any street or alley, or part thereof, constitutes a public use
25 or public interest authorizing the vacation.

26 When property is damaged by the vacation or closing of any

1 street or alley, the damage shall be ascertained and paid as
2 provided by law.

3 (Source: P.A. 93-383, eff. 7-25-03; 93-703, eff. 7-9-04.)

4 (65 ILCS 5/11-101-2) (from Ch. 24, par. 11-101-2)

5 Sec. 11-101-2. Whenever the corporate authorities of any
6 municipality have established an airport outside the corporate
7 limits of the municipality and have determined that it is
8 essential to the proper and safe construction and maintenance
9 of such airport to vacate any roads, highways, streets,
10 alleys, or parts thereof in unincorporated territory lying
11 within the airport area or any enlargement thereof, and have
12 determined that the public interest will be subserved by such
13 vacation, they may vacate such roads, highways, streets,
14 alleys, or parts thereof, by an ordinance. Provided however,
15 that such municipality shall have first acquired the land on
16 both sides of such roads, highways, streets, alleys, or parts
17 thereof; provided, also, that in the case of a road, highway,
18 street or alley or part thereof, under the jurisdiction of the
19 Department of Transportation, the consent of the Department
20 shall be obtained before the ordinance shall become effective.
21 Such ordinance shall be passed by the affirmative vote of at
22 least 3/4 of all alderpersons ~~aldermen~~, trustees or
23 commissioners authorized by law to be elected. Such vacation
24 shall be effective upon passage of the ordinance and recording
25 of a certified copy thereof with the recorder of the county

1 within which the roads, highways, streets, alleys, or parts
2 thereof are situated.

3 (Source: P.A. 83-358.)

4 Section 30. The Revised Cities and Villages Act of 1941 is
5 amended by changing Sections 21-5.1, 21-7, and 21-14 and the
6 heading of Article prec. Sec. 21-22 and Sections 21-22, 21-23,
7 21-24, 21-25, 21-26, 21-27, 21-28, 21-29, 21-30, 21-32, 21-33,
8 21-34, 21-38, 21-39, 21-40, and 21-41 as follows:

9 (65 ILCS 20/21-5.1) (from Ch. 24, par. 21-5.1)

10 Sec. 21-5.1. Vice Mayor - Election - Duties -
11 Compensation.) Following election and qualification of
12 alderpersons ~~aldermen~~ at a general election as provided by
13 Section 21-22 of this Act, the City Council shall elect, from
14 among its members, a Vice Mayor, to serve as interim Mayor of
15 Chicago in the event that a vacancy occurs in the office of
16 Mayor or in the event that the Council determines, by 3/5 vote,
17 that the Mayor is under a permanent or protracted disability
18 caused by illness or injury which renders the Mayor unable to
19 serve. The Vice Mayor shall serve as interim Mayor. He will
20 serve until the City Council shall elect one of its members
21 acting Mayor or until the mayoral term expires.

22 The Vice Mayor shall receive no compensation as such, but
23 shall receive compensation as an alderperson ~~alderman~~ even
24 while serving as interim Mayor. While serving as interim

1 Mayor, the Vice Mayor shall possess all rights and powers and
2 shall perform the duties of Mayor.

3 (Source: P.A. 80-308.)

4 (65 ILCS 20/21-7) (from Ch. 24, par. 21-7)

5 Sec. 21-7. Compensation of officers.

6 The compensation of all officers shall be by salary. No
7 officer shall be allowed any fees, perquisites or emoluments
8 or any reward or compensation aside from his salary, but all
9 fees and earnings of his office or department shall be paid by
10 him into the city treasury. The city council shall fix the
11 salaries of all officers, except those who are elected or
12 appointed for a definite term fixed by statute, in the annual
13 appropriation ordinance and those salaries shall not be
14 altered during the same fiscal year. The city council, by
15 ordinance other than the appropriation ordinance, shall fix
16 the compensation of each officer who is elected or appointed
17 for a definite term fixed by statute and his salary shall not
18 be increased or diminished during his term of office. The
19 chairman of the finance committee of the city council shall
20 receive in addition to his or her salary as an alderperson
21 ~~alderman~~ such additional compensation, not exceeding \$3,500.00
22 per annum, as may be provided in the annual appropriation
23 ordinance for his or her services as chairman of said
24 committee.

25 (Source: Laws 1947, p. 497.)

1 (65 ILCS 20/21-14) (from Ch. 24, par. 21-14)

2 Sec. 21-14. Member residency before election; member not
3 to hold other office.

4 (a) No member may be elected or appointed to the city
5 council after the effective date of this amendatory Act of the
6 93rd General Assembly unless he or she has resided in the ward
7 he or she seeks to represent at least one year next preceding
8 the date of the election or appointment. In the election
9 following redistricting, a candidate for alderperson ~~alderman~~
10 may be elected from any ward containing a part of the ward in
11 which he or she resided for at least one year next preceding
12 the election that follows the redistricting, and, if elected,
13 that person may be reelected from the new ward he or she
14 represents if he or she resides in that ward for at least one
15 year next preceding the reelection.

16 (b) No member of the city council shall at the same time
17 hold any other civil service office under the federal, state
18 or city government, except if such member is granted a leave of
19 absence from such civil service office, or except in the
20 National Guard, or as a notary public, and except such
21 honorary offices as go by appointment without compensation.

22 (Source: P.A. 93-847, eff. 7-30-04.)

23 (65 ILCS 20/prec. Sec. 21-22 heading)

24 ELECTION OF ALDERPERSONS ~~ALDERMEN~~

1 (65 ILCS 20/21-22) (from Ch. 24, par. 21-22)

2 Sec. 21-22. General election for alderpersons ~~aldermen~~;
3 vacancies.

4 (a) A general election for alderpersons ~~aldermen~~ shall be
5 held in the year 1943 and every 4 years thereafter, at which
6 one alderperson ~~alderman~~ shall be elected from each of the 50
7 wards provided for by this Article. The alderpersons ~~aldermen~~
8 elected shall serve for a term of 4 years beginning at noon on
9 the third Monday in May following the election of city
10 officers, and until their successors are elected and have
11 qualified. All elections for alderpersons ~~aldermen~~ shall be in
12 accordance with the provisions of law in force and operative
13 in the City of Chicago for such elections at the time the
14 elections are held.

15 (b) Vacancies occurring in the office of alderperson
16 ~~alderman~~ shall be filled in the manner prescribed for filling
17 vacancies in Section 3.1-10-51 of the Illinois Municipal Code.
18 An appointment to fill a vacancy shall be made within 60 days
19 after the vacancy occurs. The requirement that an appointment
20 be made within 60 days is an exclusive power and function of
21 the State and is a denial and limitation under Article VII,
22 Section 6, subsection (h) of the Illinois Constitution of the
23 power of a home rule municipality to require that an
24 appointment be made within a different period after the
25 vacancy occurs.

1 (Source: P.A. 95-1041, eff. 3-25-09.)

2 (65 ILCS 20/21-23) (from Ch. 24, par. 21-23)

3 Sec. 21-23. Salaries of alderpersons ~~aldermen~~.

4 The alderpersons ~~aldermen~~ in office when this article is
5 adopted and the alderpersons ~~aldermen~~ elected under the
6 provisions of this article may receive for their services such
7 compensation as shall be fixed by ordinance, at the rate of not
8 to exceed eight thousand dollars per annum for each
9 alderperson ~~alderman~~.

10 (Source: Laws 1953, p. 1781.)

11 (65 ILCS 20/21-24) (from Ch. 24, par. 21-24)

12 Sec. 21-24. Application - Recall elections. The provisions
13 of this Article shall apply to all elections for alderpersons
14 ~~aldermen~~ in the city of Chicago. The name of no person shall be
15 printed upon the official ballot as a candidate for
16 alderperson ~~alderman~~, unless the terms of this Article shall
17 have been complied with. If recall elections are provided for,
18 to be held within the city of Chicago, the provisions of this
19 Article shall apply to such elections, except to the extent
20 that provisions inconsistent herewith are made by the law
21 providing for such recall elections.

22 (Source: Laws 1941, vol. 2, p. 19.)

23 (65 ILCS 20/21-25) (from Ch. 24, par. 21-25)

1 Sec. 21-25. Times for elections.) General elections for
2 alderpersons ~~aldermen~~ shall be held in the year or years fixed
3 by law for holding the same, on the last Tuesday of February of
4 such year. Any supplementary election for alderpersons
5 ~~aldermen~~ held under the provisions of this article shall be
6 held on the first Tuesday of April next following the holding
7 of such general ~~aldermanic~~ election of alderpersons.

8 (Source: P.A. 80-1469.)

9 (65 ILCS 20/21-26) (from Ch. 24, par. 21-26)

10 Sec. 21-26. Candidates receiving majority elected -
11 Supplementary elections.

12 The candidate receiving a majority of the votes cast for
13 alderperson ~~alderman~~ in each ward at any general or special
14 election shall be declared elected. In the event that no
15 candidate receives a majority of such votes in any ward or
16 wards a supplementary election shall be held at the time
17 prescribed in Section 21-25. At such supplementary election
18 the names of the candidates in each of such wards receiving the
19 highest and second highest number of votes at the preceding
20 general or special election and no others shall be placed on
21 the official ballot: Provided, however, that if there be any
22 candidate who, under the provisions of this Section would have
23 been entitled to a place on the ballot at the supplementary
24 election except for the fact that some other candidate
25 received an equal number of votes, then all such candidates

1 receiving such equal number of votes shall have their names
2 printed on the ballot as candidates at such succeeding
3 supplementary election. The candidate receiving the highest
4 number of votes at such supplementary election shall be
5 declared elected. Such supplementary election shall be deemed
6 a special election under the election and ballot laws in force
7 in the city of Chicago and shall be governed thereby except in
8 so far as such laws are inconsistent with the provisions of
9 this article.

10 (Source: Laws 1941, vol. 2, p. 19.)

11 (65 ILCS 20/21-27) (from Ch. 24, par. 21-27)

12 Sec. 21-27. Election contest-Complaint. Any candidate
13 whose name appears on the ballots used in any ward of the city
14 at any election for alderperson ~~alderman~~, may contest the
15 election of the candidate who appears to be elected from such
16 ward on the face of the returns, or may contest the right of
17 the candidates who appear to have received the highest and
18 second highest number of votes to places on the official
19 ballot at any supplementary election, by filing within 5 days
20 after such election with the Clerk of the Circuit Court of Cook
21 County, a complaint in writing, verified by the candidate
22 making the contest, setting forth the grounds of the contest.
23 The contestant in each contest shall also serve notice on all
24 persons who were candidates for alderperson ~~alderman~~ of such
25 ward at the election, within such 5 days, informing them that

1 such complaint has been or will be filed. The Circuit Court of
2 Cook County shall have jurisdiction to hear and determine such
3 contest. All proceedings in relation to such contest after the
4 filing of such complaint shall be the same, as near as may be,
5 as provided for in the case of a contest at a primary election
6 in such city. In case the court shall decide that the complaint
7 is insufficient in law, or that the candidate who appears to
8 have been elected on the face of the return has been duly
9 elected, the complaint shall be dismissed. If it shall appear
10 to the satisfaction of the court that the face of the returns
11 are not correct, and that the candidate who appears thereby to
12 have been elected was not in fact elected, then the candidates
13 having the highest and second highest number of votes as
14 determined by such contest shall be candidates at the
15 subsequent supplementary election as provided for in section
16 21-26.

17 (Source: P.A. 83-334.)

18 (65 ILCS 20/21-28) (from Ch. 24, par. 21-28)

19 Sec. 21-28. Nomination by petition.

20 (a) All nominations for alderperson ~~alderman~~ of any ward
21 in the city shall be by petition. Each petition for nomination
22 of a candidate shall be signed by at least 473 legal voters of
23 the ward.

24 (b) All nominations for mayor, city clerk, and city
25 treasurer in the city shall be by petition. Each petition for

1 nomination of a candidate must be signed by at least 12,500
2 legal voters of the city.

3 (c) All such petitions, and procedure with respect
4 thereto, shall conform in other respects to the provisions of
5 the election and ballot laws then in force in the city of
6 Chicago concerning the nomination of independent candidates
7 for public office by petition. The method of nomination herein
8 provided is exclusive of and replaces all other methods
9 heretofore provided by law.

10 (Source: P.A. 98-115, eff. 7-29-13; 98-1171, eff. 6-1-15.)

11 (65 ILCS 20/21-29) (from Ch. 24, par. 21-29)

12 Sec. 21-29. Withdrawals and substitution of candidates.

13 Any candidate for alderperson ~~alderman~~ under the
14 provisions of this article may withdraw his name as a
15 candidate by filing with the board of election commissioners
16 of the city of Chicago not later than the date of certification
17 of the ballot his written request signed by him and duly
18 acknowledged before an officer qualified to take
19 acknowledgements of deeds, whereupon his name shall not be
20 printed as a candidate upon the official ballot.

21 If any candidate at an ~~aldermanic~~ election of alderpersons
22 who was not elected as provided for in this article but who
23 shall have received sufficient votes to entitle him to a place
24 on the official ballot at the ensuing supplementary election
25 shall die or withdraw his candidacy before such supplementary

1 election, the name of the candidate who shall receive the next
2 highest number of votes shall be printed on the ballot in lieu
3 of the name of the candidate who shall have died or withdrawn
4 his candidacy.

5 (Source: P.A. 96-1008, eff. 7-6-10.)

6 (65 ILCS 20/21-30) (from Ch. 24, par. 21-30)

7 Sec. 21-30. Form of ballot. Ballots to be used at any
8 general, supplementary or special election for alderpersons
9 ~~aldermen~~ held under the provisions of this Article, in
10 addition to other requirements of law, shall conform to the
11 following requirements:

12 (1) At the top of the ballots shall be printed in
13 capital letters the words designating the ballot. If a
14 general ~~aldermanic~~ election of alderpersons the words
15 shall be "Official ~~aldermanic~~ election of alderpersons
16 ballot"; if a supplementary election the designating words
17 shall be "Official supplementary ~~aldermanic~~ election of
18 alderpersons ballot"; if a special ~~aldermanic~~ election of
19 alderpersons, the words shall be "Special ~~aldermanic~~
20 election of alderpersons ballot."

21 (2) Beginning not less than one inch below such
22 designating words and extending across the face of the
23 ballot, the title of each office to be filled shall be
24 printed in capital letters.

25 (3) The names of candidates for different terms of

1 service therein (if any there be), shall be arranged and
2 printed in groups according to the length of such terms.

3 (4) Immediately below the title of each office or
4 group heading indicating the term of office, shall be
5 printed in small letters the directions to voters, "Vote
6 for one."

7 (5) Following thereupon shall be printed the names of
8 the candidates for such office according to the title and
9 the term thereof and below the name of each candidate
10 shall be printed his place of residence, stating the
11 street and number (if any). The names of candidates shall
12 be printed in capital letters not less than one-eighth nor
13 more than one-quarter of an inch in height, and
14 immediately at the left of the name of each candidate
15 shall be printed a square, the sides of which shall not be
16 less than one-quarter of an inch in length. The names of
17 all the candidates for each office shall be printed in a
18 column and arranged in the order hereinafter designated;
19 all names of candidates shall be printed in uniform type;
20 the places of residence of such candidates shall be
21 printed in uniform type; and squares upon said ballots
22 shall be of uniform size; and spaces between the names of
23 the candidates for the same office shall be of uniform
24 size.

25 (6) The names of the candidates for alderperson
26 ~~alderman~~ shall appear upon the ballot in the order in

1 which petitions for nomination have been filed in the
2 office of the board of election commissioners. However, 2
3 or more petitions filed within the last hour of the filing
4 deadline shall be deemed filed simultaneously. Where 2 or
5 more petitions are received simultaneously, the board of
6 election commissioners shall break ties and determine the
7 order of filing by means of a lottery or other fair and
8 impartial method of random selection approved by the board
9 of election commissioners. Such lottery shall be conducted
10 within 9 days following the last day for petition filing
11 and shall be open to the public. Seven days written notice
12 of the time and place of conducting such random selection
13 shall be given, by the board of election commissioners, to
14 the Chairman of each political party and to each
15 organization of citizens within the city which was
16 entitled, under the Election Code, at the next preceding
17 election, to have pollwatchers present on the day of
18 election. The board of election commissioners shall post
19 in a conspicuous, open and public place, at the entrance
20 of the office, notice of the time and place of such
21 lottery. The board of election commissioners shall adopt
22 rules and regulations governing the procedures for the
23 conduct of such lottery.

24 (Source: P.A. 98-115, eff. 7-29-13.)

25 (65 ILCS 20/21-32) (from Ch. 24, par. 21-32)

1 Sec. 21-32. Party designations prohibited - Ballot to be
2 separate from other ballots. No party name, party initial,
3 party circle platform, principle, appellation or
4 distinguishing mark of any kind shall be printed upon any
5 election ballot used at any election for mayor, city clerk,
6 city treasurer, or alderperson ~~alderman~~ held under the
7 provisions of this Article.

8 (Source: P.A. 98-115, eff. 7-29-13.)

9 (65 ILCS 20/21-33) (from Ch. 24, par. 21-33)

10 Sec. 21-33. Challengers and watchers.

11 Any candidate for alderperson ~~alderman~~ under the terms of
12 this article may appoint in writing over his signature not
13 more than one representative for each place of voting, who
14 shall have the right to act as challenger and watcher for such
15 candidate at any election at which his name is being voted
16 upon. Such challenger and watcher shall have the same powers
17 and privileges as a challenger and watcher under the election
18 laws of this State applicable to Chicago. No political party
19 shall have the right to keep any challenger or watcher at any
20 polling place at any election held under the provisions of
21 this article unless candidates for some office other than
22 alderperson ~~alderman~~ are to be voted for at the same time.

23 (Source: Laws 1941, vol. 2, p. 19.)

24 (65 ILCS 20/21-34) (from Ch. 24, par. 21-34)

1 Sec. 21-34. Certificate of election.

2 No certificate of election shall be given to any candidate
3 who shall be declared elected at any general ~~aldermanic~~
4 election of alderpersons until after the date fixed by this
5 Article for the holding of the supplementary election provided
6 for in this Article.

7 (Source: Laws 1941, vol. 2, p. 19.)

8 (65 ILCS 20/21-38) (from Ch. 24, par. 21-38)

9 Sec. 21-38. Redistricting every ten years.

10 If the city council has not redistricted the city of
11 Chicago since the taking of the national census of 1940, then
12 within three months after the adoption of this article by the
13 voters it shall be the duty of the city council to pass an
14 ordinance redistricting the city into fifty wards in
15 accordance with the provisions of this article.

16 On or before the first day of December, of the year
17 following the year in which the national census is taken, and
18 every ten years thereafter, the city council shall by
19 ordinance redistrict the city on the basis of the national
20 census of the preceding year. All elections of alderpersons
21 ~~aldermen~~ shall be held from the existing wards until a
22 redistricting is had as provided for in this article.

23 (Source: Laws 1941, vol. 2, p. 19.)

24 (65 ILCS 20/21-39) (from Ch. 24, par. 21-39)

1 Sec. 21-39. When redistricting ordinance takes effect -
2 Substitute ordinance may be submitted. No such redistricting
3 ordinance shall take effect until the expiration of 15 days
4 after its passage. If within such 15 days 1/5 or more of the
5 alderpersons ~~aldermen~~ elected, who did not vote to pass such
6 redistricting ordinance, file with the city clerk a proposed
7 substitute ordinance redistricting the city in accordance with
8 the provisions of this article, together with a petition
9 signed by them demanding that the question of the adoption of
10 the redistricting ordinance passed by the city council,
11 together with the question of the adoption of such substitute
12 ordinance, be submitted to the voters, then such redistricting
13 ordinance passed by the city council shall not go into effect
14 until the question of this adoption shall have been submitted
15 to a popular vote: Provided, that no alderperson ~~alderman~~
16 shall have the right to sign more than one such petition. Upon
17 the expiration of such 15 days the city clerk shall promptly
18 certify to the board of election commissioners of the city of
19 Chicago, the ordinance passed by the city council and such
20 substitute ordinance or ordinances and petition or petitions,
21 and it shall thereupon be the duty of the board of election
22 commissioners to submit the ordinances so certified to a
23 popular vote at the next general or municipal election, to be
24 held in and for the entire city not less than 40 days after the
25 passage of such redistricting ordinance by the city council.

26 (Source: P.A. 81-1489.)

1 (65 ILCS 20/21-40) (from Ch. 24, par. 21-40)

2 Sec. 21-40. Failure of council to act - One-fifth of the
3 alderpersons ~~aldermen~~ may submit redistricting ordinance.

4 If the city council shall fail at any time to pass a
5 redistricting ordinance as required in this article, one-fifth
6 or more of the alderpersons ~~aldermen~~ elected shall have the
7 right to file with the city clerk, not less than 40 days before
8 the date of holding any general, municipal, or special
9 election, to be held in and for the entire city, an ordinance
10 redistricting the city in accordance with the provisions of
11 this article, together with a petition signed by them
12 demanding that such ordinance be submitted to the legal voters
13 at the next such election in and for the entire city to be held
14 not less than 40 days after the filing of such ordinance and
15 petition: Provided, that no alderperson ~~alderman~~ shall have
16 the right to sign more than one such petition. Upon the
17 expiration of the time for filing any such ordinance the city
18 clerk shall promptly certify to the board of election
19 commissioners of the city of Chicago any ordinance or
20 ordinances, together with any petition or petitions, so filed
21 and thereupon it shall be the duty of the board of election
22 commissioners to submit such ordinance or ordinances to a
23 popular vote at the election specified in such petition or
24 petitions: Provided, that if, after the filing of any such
25 ordinance and petition and not less than 40 days prior to such

1 election, the city council shall pass an ordinance
2 redistricting the city, then the question of the adoption of
3 any ordinance or ordinances filed with the city clerk in
4 accordance with the provisions of this section shall not be
5 submitted to a popular vote. However, after such action by the
6 city council, a substitute ordinance or ordinances may be
7 proposed in the manner provided in this article.

8 (Source: Laws 1941, vol. 2, p. 19.)

9 (65 ILCS 20/21-41) (from Ch. 24, par. 21-41)

10 Sec. 21-41. Redistricting ordinance submitted - Form of
11 ballot.

12 If the question of the adoption of one of two or more
13 redistricting ordinances is submitted to the voters at any
14 election, the ballots used for the submission of such
15 proposition shall, in addition to the other requirements of
16 law, conform substantially to the following requirements:

17 1. Above the propositions submitted the following words
18 shall be printed in capital letters:

19 "PROPOSITIONS FOR THE REDISTRICTING OF THE CITY OF
20 CHICAGO."

21 2. Immediately below said words shall be printed in small
22 letters the direction to voters:

23 "Vote for One."

24 3. Following thereupon shall be printed each proposition
25 to be voted upon in substantially the following form:

1 -----
 2 For the adoption of an ordinance for the redistricting
 3 of the City of Chicago (here insert "passed by the city
 4 council" or "proposed by Alderpersons ~~Aldermen~~ (here
 5 insert names of the alderpersons ~~aldermen~~ signing
 6 petition)" as the case may require.

7 -----
 8 For the adoption of an ordinance for the redistricting
 9 of the City of Chicago proposed by Alderpersons ~~Aldermen~~
 10 (here insert names of the alderpersons ~~aldermen~~ signing
 11 the petition).

12 -----
 13 Whenever the question of the adoption of but one
 14 redistricting ordinance shall be submitted to the voters, the
 15 form of the ballot shall be substantially as follows:

16 -----
 17 Shall the ordinance proposed by Alderpersons ~~Aldermen~~
 18 (Here insert the names of the alderpersons ~~aldermen~~
 19 signing the petition) be adopted?

20 -----
 21 YES NO
 22 -----

1 4. All the propositions shall be printed in uniform type.
2 (Source: Laws 1941, vol. 2, p. 19.)

3 Section 35. The Civic Center Code is amended by changing
4 Sections 210-20, 210-25, 270-20, and 270-25 as follows:

5 (70 ILCS 200/210-20)

6 Sec. 210-20. Board members designated. The mayor and
7 alderpersons ~~aldermen~~, ex officio, of the City of Pontiac
8 shall be the members of the Board. Before entering upon the
9 duties of his office, each member of the Board shall take and
10 subscribe the constitutional oath of office and file it in the
11 office of the Secretary of State.

12 (Source: P.A. 90-328, eff. 1-1-98.)

13 (70 ILCS 200/210-25)

14 Sec. 210-25. Board members; terms. Members of the Board
15 shall hold office until their respective successors as mayor
16 or alderpersons ~~aldermen~~ of the City of Pontiac have been
17 appointed and qualified.

18 (Source: P.A. 90-328, eff. 1-1-98.)

19 (70 ILCS 200/270-20)

20 Sec. 270-20. Board members. The mayor and alderpersons
21 ~~aldermen~~, ex officio, of the City of Waukegan shall be the
22 members of the Board. Before entering upon the duties of his

1 office, each member of the Board shall take and subscribe the
2 constitutional oath of office and file it in the office of the
3 Secretary of State.

4 (Source: P.A. 90-328, eff. 1-1-98.)

5 (70 ILCS 200/270-25)

6 Sec. 270-25. Board member terms. Members of the Board
7 shall hold office until their respective successors as mayor
8 or alderpersons ~~aldermen~~ of the City of Waukegan have been
9 appointed and qualified.

10 (Source: P.A. 90-328, eff. 1-1-98.)

11 Section 40. The Metropolitan Pier and Exposition Authority
12 Act is amended by changing Section 5.6 as follows:

13 (70 ILCS 210/5.6)

14 Sec. 5.6. Marketing agreement.

15 (a) The Authority shall enter into a marketing agreement
16 with a not-for-profit organization headquartered in Chicago
17 and recognized by the Department of Commerce and Economic
18 Opportunity as a certified local tourism and convention bureau
19 entitled to receive State tourism grant funds, provided the
20 bylaws of the organization establish a board of the
21 organization that is comprised of 35 members serving 3-year
22 staggered terms, including the following:

23 (1) no less than 8 members appointed by the Mayor of

1 Chicago, to include:

2 (A) a Chair of the board of the organization
3 appointed by the Mayor of the City of Chicago from
4 among the business and civic leaders of Chicago who
5 are not engaged in the hospitality business or who
6 have not served as a member of the Board or as chief
7 executive officer of the Authority; and

8 (B) 7 members from among the cultural, economic
9 development, or civic leaders of Chicago;

10 (2) the chairperson of the interim board or Board of
11 the Authority, or his or her designee;

12 (3) a representative from the department in the City
13 of Chicago that is responsible for the operation of
14 Chicago-area airports;

15 (4) a representative from the department in the City
16 of Chicago that is responsible for the regulation of
17 Chicago-area livery vehicles;

18 (5) at least 1, but no more than:

19 (A) 5 members from the hotel industry;

20 (B) 5 members representing Chicago arts and
21 cultural institutions or projects;

22 (C) 2 members from the restaurant industry;

23 (D) 2 members employed by or representing an
24 entity responsible for a trade show;

25 (E) 2 members representing unions;

26 (F) 2 members from the attractions industry; and

1 (6) the Director of the Illinois Department of
2 Commerce and Economic Opportunity, ex officio.

3 The bylaws of the organization may provide for the
4 appointment of a City of Chicago alderperson ~~alderman~~ as an ex
5 officio member, and may provide for other ex officio members
6 who shall serve terms of one year.

7 Persons with a real or apparent conflict of interest shall
8 not be appointed to the board. Members of the board of the
9 organization shall not serve more than 2 terms. The bylaws
10 shall require the following: (i) that the Chair of the
11 organization name no less than 5 and no more than 9 members to
12 the Executive Committee of the organization, one of whom must
13 be the chairperson of the interim board or Board of the
14 Authority, and (ii) a provision concerning conflict of
15 interest and a requirement that a member abstain from
16 participating in board action if there is a threat to the
17 independence of judgment created by any conflict of interest
18 or if participation is likely to have a negative effect on
19 public confidence in the integrity of the board.

20 (b) The Authority shall notify the Department of Revenue
21 within 10 days after entering into a contract pursuant to this
22 Section.

23 (Source: P.A. 96-898, eff. 5-27-10; 96-899, eff. 5-28-10;
24 97-1122, eff. 8-27-12.)

25 Section 45. The Beardstown Regional Flood Prevention

1 District Act is amended by changing Section 10 as follows:

2 (70 ILCS 755/10)

3 Sec. 10. Commissioners.

4 (a) The affairs of the district shall be managed by a board
5 of 7 commissioners: one shall be appointed by the chairperson
6 of the county board; one shall be appointed by the Mayor of the
7 City of Beardstown; one shall be appointed by the Beardstown
8 Sanitary District; one shall be appointed by the South
9 Beardstown Levee and Drainage District; one shall be appointed
10 by the Valley Levee and Drainage District; one shall be
11 appointed by the Lost Creek Levee and Drainage District; and
12 one shall be appointed by a majority vote of the other 6
13 commissioners. All initial appointments under this Section
14 must be made within 60 days after the district is organized.

15 (b) Of the initial appointments, 3 commissioners shall
16 serve a 2-year term and 4 commissioners shall serve a 4-year
17 term, as determined by lot. Their successors shall be
18 appointed for 4-year terms. No commissioner may serve for more
19 than 20 years. Vacancies shall be filled in the same manner as
20 original appointments.

21 (c) Each commissioner must be a legal voter in Cass
22 County, and all commissioners shall reside in and own property
23 that is located within the district. Commissioners shall serve
24 without compensation, but may be reimbursed for reasonable
25 expenses incurred in the performance of their duties.

1 (d) A majority of the commissioners shall constitute a
2 quorum of the board for the transaction of business. An
3 affirmative vote of a majority of the commissioners shall be
4 sufficient to approve any action or expenditure.

5 (e) An alderperson ~~alderman~~ of the City of Beardstown, a
6 member of the county board, and a commissioner of each of the
7 aforementioned drainage districts and sanitation district may
8 be appointed to serve concurrently as commissioners of the
9 district, and the appointment shall be deemed lawful and not
10 to constitute a violation of the Public Officer Prohibited
11 Activities Act, nor to create an impermissible conflict of
12 interest or incompatibility of offices.

13 (Source: P.A. 97-309, eff. 8-11-11.)

14 Section 50. The Park System Civil Service Act is amended
15 by changing Section 23 as follows:

16 (70 ILCS 1210/23) (from Ch. 24 1/2, par. 102)

17 Sec. 23. No officer or employee in the service of any such
18 park district shall, directly or indirectly, give or hand over
19 to any officer or employee in said classified civil service,
20 or to any senator or representative or alderperson ~~alderman~~,
21 councilman or park commissioner, any money or other valuable
22 thing on account of or to be applied to the promotion of any
23 party or political object whatever.

24 (Source: Laws 1911, p. 211.)

1 Section 55. The Park Annuity and Benefit Fund Civil
2 Service Act is amended by changing Section 25 as follows:

3 (70 ILCS 1215/25) (from Ch. 24 1/2, par. 138)

4 Sec. 25. No officer or employee in the service of such Park
5 Employees' and Retirement Board Employees' Annuity and Benefit
6 Fund shall, directly or indirectly, give or hand over to any
7 officer or employee in said classified civil service, or to
8 any senator, representative, alderperson ~~alderman~~, councilman,
9 park commissioner or trustee, any money or other valuable
10 thing on account of or to be applied to the promotion of any
11 party or political object whatever.

12 (Source: Laws 1963, p. 138.)

13 Section 60. The Metropolitan Water Reclamation District
14 Act is amended by changing Section 4.25 as follows:

15 (70 ILCS 2605/4.25) (from Ch. 42, par. 323.25)

16 Sec. 4.25. Political contributions and campaigns.

17 (a) During a commissioner's or an employee's compensated
18 time, other than vacation, personal, holiday, or compensatory
19 time off, a commissioner or an employee in the service of the
20 sanitary district shall not, directly or indirectly, give or
21 hand over to any commissioner or employee, or to any senator,
22 representative, alderperson ~~alderman~~, councilman, or trustee,

1 any money or other valuable thing on account of or to be
2 applied to the promotion of any party or political object
3 whatever.

4 (b) During an employee's compensated time, other than
5 vacation, personal, holiday, or compensatory time off, an
6 employee shall not take any part in the management or affairs
7 of any political party or in any political campaign, except to
8 exercise his or her right as a citizen privately to express his
9 or her opinion, and to cast his or her vote, provided, however,
10 that an employee shall have the right to hold any public
11 office, either by appointment or election, that is not
12 incompatible with his or her duties as an employee of the
13 District, and provided further that the employee does not
14 campaign or otherwise engage in political activity during his
15 or her compensated time other than vacation, personal,
16 holiday, or compensatory time off.

17 (c) This Section shall not be deemed to authorize conduct
18 prohibited by the Federal Hatch Act by employees subject to
19 that Act.

20 (d) For the purposes of this Section, "compensated time"
21 means any time worked by or credited to an employee that counts
22 toward any minimum work time requirement imposed as a
23 condition of employment with the sanitary district, but does
24 not include any designated holidays or any period when the
25 employee is on a leave of absence. With respect to
26 commissioners, "compensated time" means any period of time

1 when the commissioner is on the premises under the control of
2 the sanitary district and any other time when the commissioner
3 is executing his or her official duties, regardless of
4 location.

5 For the purposes of this Section, "compensatory time off"
6 means authorized time off earned by or awarded to an employee
7 to compensate in whole or in part for time worked in excess of
8 the minimum work time required of that employee as a condition
9 of employment with the sanitary district.

10 (Source: P.A. 97-125, eff. 7-14-11.)

11 Section 65. The School Code is amended by changing
12 Sections 34-210, 34-230, and 34-235 as follows:

13 (105 ILCS 5/34-210)

14 Sec. 34-210. The Educational Facility Master Plan.

15 (a) In accordance with the schedule set forth in this
16 Article, the chief executive officer or his or her designee
17 shall prepare a 10-year educational facility master plan every
18 5 years, with updates 2 1/2 years after the approval of the
19 initial 10-year plan, with the first such educational facility
20 master plan to be approved on or before October 1, 2013.

21 (b) The educational facility master plan shall provide
22 community area level plans and individual school master plans
23 with options for addressing the facility and space needs for
24 each facility operated by the district over a 10-year period.

1 (c) The data, information, and analysis that shall inform
2 the educational facility master plan shall be published on the
3 district's Internet website and shall include the following:

4 (1) a description of the district's guiding
5 educational goals and standards;

6 (2) a brief description of the types of instructional
7 programs and services delivered in each school, including
8 specific plans for special education programs, early
9 childhood education programs, career and technical
10 education programs, and any other programs that are space
11 sensitive to avoid space irregularities;

12 (3) a description of the process, procedure, and
13 timeline for community participation in the development of
14 the plan;

15 (3.5) A description of a communications and community
16 involvement plan for each community in the City of Chicago
17 that includes the engagement of students, school
18 personnel, parents, and key stakeholders throughout the
19 community and all of the following:

20 (A) community action councils;

21 (B) local school councils or, if not present,
22 alternative parent and community governance for that
23 school;

24 (C) the Chicago Teachers Union; and

25 (D) all current principals.

26 (4) the enrollment capacity of each school and its

1 rate of enrollment and historical and projected
2 enrollment, and current and projected demographic
3 information for the neighborhood surrounding the district
4 based on census data;

5 (5) a report on the assessment of individual building
6 and site conditions;

7 (6) a data table with historical and projected
8 enrollment data by school by grade;

9 (7) community analysis, including a study of current
10 and projected demographics, land usage, transportation
11 plans, residential housing and commercial development,
12 private schools, plans for water and sewage service
13 expansion or redevelopment, and institutions of higher
14 education;

15 (8) an analysis of the facility needs and requirements
16 and a process to address critical facility capital needs
17 of every school building, which shall be publicly
18 available on the district's Internet website for schools
19 and communities to have access to the information;

20 (9) identification of potential sources of funding for
21 the implementation of the Educational Facility Master
22 Plan, including financial options through tax increment
23 financing, property tax levies for schools, and bonds that
24 address critical facility needs; and

25 (10) any school building disposition, including a plan
26 delineating the process through which citizen involvement

1 is facilitated and establishing the criteria that is
2 utilized in building disposition decisions, one of which
3 shall be consideration of the impact of any proposed new
4 use of a school building on the neighborhood in which the
5 school building is located and how it may impact
6 enrollment of schools in that community area.

7 (d) On or before May 1, 2013, the chief executive officer
8 or his or her designee shall prepare and distribute for
9 comment a preliminary draft of the Educational Facility Master
10 Plan. The draft plan shall be distributed to the City of
11 Chicago, the County of Cook, the Chicago Park District, the
12 Chicago Housing Authority, the Chicago Transit Authority,
13 attendance centers operated by the district, and charter
14 schools operating within the district. Each attendance center
15 shall make the draft plan available to the local school
16 council at the annual organizational meeting or to an
17 alternative advisory body and to the parents, guardians, and
18 staff of the school. The draft plan also shall be distributed
19 to each State Senator and State Representative with a district
20 in the City of Chicago, to the Mayor of the City of Chicago,
21 and to each alderperson ~~alderman~~ of the City.

22 (e) The chief executive or his or her designee shall
23 publish a procedure for conducting regional public hearings
24 and submitting public comments on the draft plan and an annual
25 capital improvement hearing that shall discuss the district's
26 annual capital budget and that is not in conjunction with

1 operating budget hearings.

2 (f) After consideration of public input on the draft plan,
3 the chief executive officer or his or her designee shall
4 prepare and publish a report describing the public input
5 gathered and the process used to incorporate public input in
6 the development of the final plan to be recommended to the
7 Board.

8 (g) The chief executive officer shall present the final
9 plan and report to the Board for final consideration and
10 approval.

11 (h) The final approved Educational Facility Master Plan
12 shall be published on the district's website.

13 (i) No later than July 1, 2016, and every 5 years
14 thereafter, the chief executive officer or his or her designee
15 shall prepare and submit for public comment a draft revised
16 Educational Facility Master Plan following the procedures
17 required for development of the original plan.

18 (j) This proposed revised plan shall reflect the progress
19 achieved during the first 2 1/2 years of the Educational
20 Facility Master Plan.

21 (k) On or before December 1, 2018, the Board shall adopt a
22 policy to address under-enrolled schools. The policy must
23 contain a list of potential interventions to address schools
24 with declining enrollment, including, but not limited to,
25 action by the district to: (i) create a request for proposals
26 for joint use of the school with an intergovernmental rental

1 or other outside entity rental, (ii) except for a charter
2 school, cease any potential plans for school expansion that
3 may negatively impact enrollment at the under-enrolled school,
4 (iii) redraft attendance boundaries to maximize enrollment of
5 additional students, or (iv) work with under-enrolled schools
6 to identify opportunities to increase enrollment and lower the
7 costs of occupancy through joint use agreements.

8 (Source: P.A. 99-531, eff. 7-8-16; 100-965, eff. 8-19-18.)

9 (105 ILCS 5/34-230)

10 Sec. 34-230. School action public meetings and hearings.

11 (a) By October 1 of each year, the chief executive officer
12 shall prepare and publish guidelines for school actions. The
13 guidelines shall outline the academic and non-academic
14 criteria for a school action. These guidelines shall be
15 created with the involvement of local school councils,
16 parents, educators, and community organizations. These
17 guidelines, and each subsequent revision, shall be subject to
18 a public comment period of at least 21 days before their
19 approval.

20 (b) The chief executive officer shall announce all
21 proposed school actions to be taken at the close of the current
22 academic year consistent with the guidelines by December 1 of
23 each year.

24 (c) On or before December 1 of each year, the chief
25 executive officer shall publish notice of the proposed school

1 actions.

2 (1) Notice of the proposal for a school action shall
3 include a written statement of the basis for the school
4 action, an explanation of how the school action meets the
5 criteria set forth in the guidelines, and a draft School
6 Transition Plan identifying the items required in Section
7 34-225 of this Code for all schools affected by the school
8 action. The notice shall state the date, time, and place
9 of the hearing or meeting. For a school closure only, 8
10 months after notice is given, the chief executive officer
11 must publish on the district's website a full financial
12 report on the closure that includes an analysis of the
13 closure's costs and benefits to the district.

14 (2) The chief executive officer or his or her designee
15 shall provide notice to the principal, staff, local school
16 council, and parents or guardians of any school that is
17 subject to the proposed school action.

18 (3) The chief executive officer shall provide written
19 notice of any proposed school action to the State Senator,
20 State Representative, and alderperson ~~alderman~~ for the
21 school or schools that are subject to the proposed school
22 action.

23 (4) The chief executive officer shall publish notice
24 of proposed school actions on the district's Internet
25 website.

26 (5) The chief executive officer shall provide notice

1 of proposed school actions at least 30 calendar days in
2 advance of a public hearing or meeting. The notice shall
3 state the date, time, and place of the hearing or meeting.
4 No Board decision regarding a proposed school action may
5 take place less than 60 days after the announcement of the
6 proposed school action.

7 (d) The chief executive officer shall publish a brief
8 summary of the proposed school actions and the date, time, and
9 place of the hearings or meetings in a newspaper of general
10 circulation.

11 (e) The chief executive officer shall designate at least 3
12 opportunities to elicit public comment at a hearing or meeting
13 on a proposed school action and shall do the following:

14 (1) Convene at least one public hearing at the
15 centrally located office of the Board.

16 (2) Convene at least 2 additional public hearings or
17 meetings at a location convenient to the school community
18 subject to the proposed school action.

19 (f) Public hearings shall be conducted by a qualified
20 independent hearing officer chosen from a list of independent
21 hearing officers. The general counsel shall compile and
22 publish a list of independent hearing officers by November 1
23 of each school year. The independent hearing officer shall
24 have the following qualifications:

25 (1) he or she must be a licensed attorney eligible to
26 practice law in Illinois;

1 (2) he or she must not be an employee of the Board; and

2 (3) he or she must not have represented the Board, its
3 employees or any labor organization representing its
4 employees, any local school council, or any charter or
5 contract school in any capacity within the last year.

6 The independent hearing officer shall issue a written
7 report that summarizes the hearing and determines whether the
8 chief executive officer complied with the requirements of this
9 Section and the guidelines.

10 The chief executive officer shall publish the report on
11 the district's Internet website within 5 calendar days after
12 receiving the report and at least 15 days prior to any Board
13 action being taken.

14 (g) Public meetings shall be conducted by a representative
15 of the chief executive officer. A summary of the public
16 meeting shall be published on the district's Internet website
17 within 5 calendar days after the meeting.

18 (h) If the chief executive officer proposes a school
19 action without following the mandates set forth in this
20 Section, the proposed school action shall not be approved by
21 the Board during the school year in which the school action was
22 proposed.

23 (Source: P.A. 101-133, eff. 7-26-19.)

24 (105 ILCS 5/34-235)

25 (Text of Section from P.A. 97-473)

1 Sec. 34-235. Emergencies. Nothing in Sections 34-200
2 through 34-235 of this Code prevents the district from taking
3 emergency action to protect the health and safety of students
4 and staff in an attendance center. In the event of an emergency
5 that requires the district to close all or part of a school
6 facility, including compliance with a directive of a duly
7 authorized public safety agency, the chief executive officer
8 or his or her designees are authorized to take all steps
9 necessary to protect the safety of students and staff,
10 including relocation of the attendance center to another
11 location or closing the attendance center. In such cases, the
12 chief executive officer shall provide written notice of the
13 basis for the emergency action within 3 days after declaring
14 the emergency and shall publish the steps that have been taken
15 or will be taken to address the emergency within 10 days after
16 declaring the emergency. The notice shall be posted on the
17 district's website and provided to the principal, the local
18 school council, and the State Senator, the State
19 Representative, and the alderperson ~~Alderman~~ of the school
20 that is the subject of the emergency action. The notice shall
21 explain why the district could not comply with the provisions
22 in Sections 34-200 through 34-235 of this Code.

23 (Source: P.A. 97-473, eff. 1-1-12.)

24 (Text of Section from P.A. 97-474)

25 Sec. 34-235. Emergencies. Nothing in Sections 34-200

1 through 34-235 of this Code prevents the district from taking
2 emergency action to protect the health and safety of students
3 and staff in an attendance center. In the event of an emergency
4 that requires the district to close all or part of a school
5 facility, including compliance with a directive of a duly
6 authorized public safety agency, the chief executive officer
7 or his or her designees are authorized to take all steps
8 necessary to protect the safety of students and staff,
9 including relocation of the attendance center to another
10 location or closing the attendance center. In such cases, the
11 chief executive officer shall provide written notice of the
12 basis for the emergency action within 3 days after declaring
13 the emergency and shall publish the steps that have been taken
14 or will be taken to address the emergency within 10 days after
15 declaring the emergency. The notice shall be posted on the
16 district's website and provided to the principal, the local
17 school council, and the State Senator, the State
18 Representative, and the alderperson ~~alderman~~ of the school
19 that is the subject of the emergency action. The notice shall
20 explain why the district could not comply with the provisions
21 in Sections 34-200 through 34-235 of this Code.

22 (Source: P.A. 97-474, eff. 8-22-11.)

23 Section 70. The Liquor Control Act of 1934 is amended by
24 changing Sections 4-1, 6-2, and 6-11 as follows:

1 (235 ILCS 5/4-1) (from Ch. 43, par. 110)

2 Sec. 4-1. In every city, village or incorporated town, the
3 city council or president and board of trustees, and in
4 counties in respect of territory outside the limits of any
5 such city, village or incorporated town the county board shall
6 have the power by general ordinance or resolution to determine
7 the number, kind and classification of licenses, for sale at
8 retail of alcoholic liquor not inconsistent with this Act and
9 the amount of the local licensee fees to be paid for the
10 various kinds of licenses to be issued in their political
11 subdivision, except those issued to the specific non-beverage
12 users exempt from payment of license fees under Section 5-3
13 which shall be issued without payment of any local license
14 fees, and the manner of distribution of such fees after their
15 collection; to regulate or prohibit the presence of persons
16 under the age of 21 on the premises of licensed retail
17 establishments of various kinds and classifications where
18 alcoholic liquor is drawn, poured, mixed or otherwise served
19 for consumption on the premises; to prohibit any minor from
20 drawing, pouring, or mixing any alcoholic liquor as an
21 employee of any retail licensee; and to prohibit any minor
22 from at any time attending any bar and from drawing, pouring or
23 mixing any alcoholic liquor in any licensed retail premises;
24 and to establish such further regulations and restrictions
25 upon the issuance of and operations under local licenses not
26 inconsistent with law as the public good and convenience may

1 require; and to provide penalties for the violation of
2 regulations and restrictions, including those made by county
3 boards, relative to operation under local licenses; provided,
4 however, that in the exercise of any of the powers granted in
5 this section, the issuance of such licenses shall not be
6 prohibited except for reasons specifically enumerated in
7 Sections 6-2, 6-11, 6-12 and 6-25 of this Act.

8 However, in any municipality with a population exceeding
9 1,000,000 that has adopted the form of government authorized
10 under "An Act concerning cities, villages, and incorporated
11 towns, and to repeal certain Acts herein named", approved
12 August 15, 1941, as amended, no person shall be granted any
13 license or privilege to sell alcoholic liquors between the
14 hours of two o'clock a.m. and seven o'clock a.m. on week days
15 unless such person has given at least 14 days prior written
16 notice to the alderperson ~~alderman~~ of the ward in which such
17 person's licensed premises are located stating his intention
18 to make application for such license or privilege and unless
19 evidence confirming service of such written notice is included
20 in such application. Any license or privilege granted in
21 violation of this paragraph shall be null and void.

22 (Source: P.A. 99-46, eff. 7-15-15.)

23 (235 ILCS 5/6-2) (from Ch. 43, par. 120)

24 Sec. 6-2. Issuance of licenses to certain persons
25 prohibited.

1 (a) Except as otherwise provided in subsection (b) of this
2 Section and in paragraph (1) of subsection (a) of Section
3 3-12, no license of any kind issued by the State Commission or
4 any local commission shall be issued to:

5 (1) A person who is not a resident of any city, village
6 or county in which the premises covered by the license are
7 located; except in case of railroad or boat licenses.

8 (2) A person who is not of good character and
9 reputation in the community in which he resides.

10 (3) (Blank).

11 (4) A person who has been convicted of a felony under
12 any Federal or State law, unless the Commission determines
13 that such person will not be impaired by the conviction in
14 engaging in the licensed practice after considering
15 matters set forth in such person's application in
16 accordance with Section 6-2.5 of this Act and the
17 Commission's investigation.

18 (5) A person who has been convicted of keeping a place
19 of prostitution or keeping a place of juvenile
20 prostitution, promoting prostitution that involves keeping
21 a place of prostitution, or promoting juvenile
22 prostitution that involves keeping a place of juvenile
23 prostitution.

24 (6) A person who has been convicted of pandering.

25 (7) A person whose license issued under this Act has
26 been revoked for cause.

1 (8) A person who at the time of application for
2 renewal of any license issued hereunder would not be
3 eligible for such license upon a first application.

4 (9) A copartnership, if any general partnership
5 thereof, or any limited partnership thereof, owning more
6 than 5% of the aggregate limited partner interest in such
7 copartnership would not be eligible to receive a license
8 hereunder for any reason other than residence within the
9 political subdivision, unless residency is required by
10 local ordinance.

11 (10) A corporation or limited liability company, if
12 any member, officer, manager or director thereof, or any
13 stockholder or stockholders owning in the aggregate more
14 than 5% of the stock of such corporation, would not be
15 eligible to receive a license hereunder for any reason
16 other than residence within the political subdivision.

17 (10a) A corporation or limited liability company
18 unless it is incorporated or organized in Illinois, or
19 unless it is a foreign corporation or foreign limited
20 liability company which is qualified under the Business
21 Corporation Act of 1983 or the Limited Liability Company
22 Act to transact business in Illinois. The Commission shall
23 permit and accept from an applicant for a license under
24 this Act proof prepared from the Secretary of State's
25 website that the corporation or limited liability company
26 is in good standing and is qualified under the Business

1 Corporation Act of 1983 or the Limited Liability Company
2 Act to transact business in Illinois.

3 (11) A person whose place of business is conducted by
4 a manager or agent unless the manager or agent possesses
5 the same qualifications required by the licensee.

6 (12) A person who has been convicted of a violation of
7 any Federal or State law concerning the manufacture,
8 possession or sale of alcoholic liquor, subsequent to the
9 passage of this Act or has forfeited his bond to appear in
10 court to answer charges for any such violation, unless the
11 Commission determines, in accordance with Section 6-2.5 of
12 this Act, that the person will not be impaired by the
13 conviction in engaging in the licensed practice.

14 (13) A person who does not beneficially own the
15 premises for which a license is sought, or does not have a
16 lease thereon for the full period for which the license is
17 to be issued.

18 (14) Any law enforcing public official, including
19 members of local liquor control commissions, any mayor,
20 alderperson ~~alderman~~, or member of the city council or
21 commission, any president of the village board of
22 trustees, any member of a village board of trustees, or
23 any president or member of a county board; and no such
24 official shall have a direct interest in the manufacture,
25 sale, or distribution of alcoholic liquor, except that a
26 license may be granted to such official in relation to

1 premises that are not located within the territory subject
2 to the jurisdiction of that official if the issuance of
3 such license is approved by the State Liquor Control
4 Commission and except that a license may be granted, in a
5 city or village with a population of 55,000 or less, to any
6 alderperson ~~alderman~~, member of a city council, or member
7 of a village board of trustees in relation to premises
8 that are located within the territory subject to the
9 jurisdiction of that official if (i) the sale of alcoholic
10 liquor pursuant to the license is incidental to the
11 selling of food, (ii) the issuance of the license is
12 approved by the State Commission, (iii) the issuance of
13 the license is in accordance with all applicable local
14 ordinances in effect where the premises are located, and
15 (iv) the official granted a license does not vote on
16 alcoholic liquor issues pending before the board or
17 council to which the license holder is elected.
18 Notwithstanding any provision of this paragraph (14) to
19 the contrary, an alderperson ~~alderman~~ or member of a city
20 council or commission, a member of a village board of
21 trustees other than the president of the village board of
22 trustees, or a member of a county board other than the
23 president of a county board may have a direct interest in
24 the manufacture, sale, or distribution of alcoholic liquor
25 as long as he or she is not a law enforcing public
26 official, a mayor, a village board president, or president

1 of a county board. To prevent any conflict of interest,
2 the elected official with the direct interest in the
3 manufacture, sale, or distribution of alcoholic liquor
4 shall not participate in any meetings, hearings, or
5 decisions on matters impacting the manufacture, sale, or
6 distribution of alcoholic liquor. Furthermore, the mayor
7 of a city with a population of 55,000 or less or the
8 president of a village with a population of 55,000 or less
9 may have an interest in the manufacture, sale, or
10 distribution of alcoholic liquor as long as the council or
11 board over which he or she presides has made a local liquor
12 control commissioner appointment that complies with the
13 requirements of Section 4-2 of this Act.

14 (15) A person who is not a beneficial owner of the
15 business to be operated by the licensee.

16 (16) A person who has been convicted of a gambling
17 offense as proscribed by any of subsections (a) (3)
18 through (a) (11) of Section 28-1 of, or as proscribed by
19 Section 28-1.1 or 28-3 of, the Criminal Code of 1961 or the
20 Criminal Code of 2012, or as proscribed by a statute
21 replaced by any of the aforesaid statutory provisions.

22 (17) A person or entity to whom a federal wagering
23 stamp has been issued by the federal government, unless
24 the person or entity is eligible to be issued a license
25 under the Raffles and Poker Runs Act or the Illinois Pull
26 Tabs and Jar Games Act.

1 (18) A person who intends to sell alcoholic liquors
2 for use or consumption on his or her licensed retail
3 premises who does not have liquor liability insurance
4 coverage for that premises in an amount that is at least
5 equal to the maximum liability amounts set out in
6 subsection (a) of Section 6-21.

7 (19) A person who is licensed by any licensing
8 authority as a manufacturer of beer, or any partnership,
9 corporation, limited liability company, or trust or any
10 subsidiary, affiliate, or agent thereof, or any other form
11 of business enterprise licensed as a manufacturer of beer,
12 having any legal, equitable, or beneficial interest,
13 directly or indirectly, in a person licensed in this State
14 as a distributor or importing distributor. For purposes of
15 this paragraph (19), a person who is licensed by any
16 licensing authority as a "manufacturer of beer" shall also
17 mean a brewer and a non-resident dealer who is also a
18 manufacturer of beer, including a partnership,
19 corporation, limited liability company, or trust or any
20 subsidiary, affiliate, or agent thereof, or any other form
21 of business enterprise licensed as a manufacturer of beer.

22 (20) A person who is licensed in this State as a
23 distributor or importing distributor, or any partnership,
24 corporation, limited liability company, or trust or any
25 subsidiary, affiliate, or agent thereof, or any other form
26 of business enterprise licensed in this State as a

1 distributor or importing distributor having any legal,
2 equitable, or beneficial interest, directly or indirectly,
3 in a person licensed as a manufacturer of beer by any
4 licensing authority, or any partnership, corporation,
5 limited liability company, or trust or any subsidiary,
6 affiliate, or agent thereof, or any other form of business
7 enterprise, except for a person who owns, on or after the
8 effective date of this amendatory Act of the 98th General
9 Assembly, no more than 5% of the outstanding shares of a
10 manufacturer of beer whose shares are publicly traded on
11 an exchange within the meaning of the Securities Exchange
12 Act of 1934. For the purposes of this paragraph (20), a
13 person who is licensed by any licensing authority as a
14 "manufacturer of beer" shall also mean a brewer and a
15 non-resident dealer who is also a manufacturer of beer,
16 including a partnership, corporation, limited liability
17 company, or trust or any subsidiary, affiliate, or agent
18 thereof, or any other form of business enterprise licensed
19 as a manufacturer of beer.

20 (b) A criminal conviction of a corporation is not grounds
21 for the denial, suspension, or revocation of a license applied
22 for or held by the corporation if the criminal conviction was
23 not the result of a violation of any federal or State law
24 concerning the manufacture, possession or sale of alcoholic
25 liquor, the offense that led to the conviction did not result
26 in any financial gain to the corporation and the corporation

1 has terminated its relationship with each director, officer,
2 employee, or controlling shareholder whose actions directly
3 contributed to the conviction of the corporation. The
4 Commission shall determine if all provisions of this
5 subsection (b) have been met before any action on the
6 corporation's license is initiated.

7 (Source: P.A. 100-286, eff. 1-1-18; 101-541, eff. 8-23-19.)

8 (235 ILCS 5/6-11)

9 Sec. 6-11. Sale near churches, schools, and hospitals.

10 (a) No license shall be issued for the sale at retail of
11 any alcoholic liquor within 100 feet of any church, school
12 other than an institution of higher learning, hospital, home
13 for aged or indigent persons or for veterans, their spouses or
14 children or any military or naval station, provided, that this
15 prohibition shall not apply to hotels offering restaurant
16 service, regularly organized clubs, or to restaurants, food
17 shops or other places where sale of alcoholic liquors is not
18 the principal business carried on if the place of business so
19 exempted is not located in a municipality of more than 500,000
20 persons, unless required by local ordinance; nor to the
21 renewal of a license for the sale at retail of alcoholic liquor
22 on premises within 100 feet of any church or school where the
23 church or school has been established within such 100 feet
24 since the issuance of the original license. In the case of a
25 church, the distance of 100 feet shall be measured to the

1 nearest part of any building used for worship services or
2 educational programs and not to property boundaries.

3 (a-5) Notwithstanding any provision of this Section to the
4 contrary, a local liquor control commissioner may grant an
5 exemption to the prohibition in subsection (a) of this Section
6 if a local rule or ordinance authorizes the local liquor
7 control commissioner to grant that exemption.

8 (b) Nothing in this Section shall prohibit the issuance of
9 a retail license authorizing the sale of alcoholic liquor to a
10 restaurant, the primary business of which is the sale of goods
11 baked on the premises if (i) the restaurant is newly
12 constructed and located on a lot of not less than 10,000 square
13 feet, (ii) the restaurant costs at least \$1,000,000 to
14 construct, (iii) the licensee is the titleholder to the
15 premises and resides on the premises, and (iv) the
16 construction of the restaurant is completed within 18 months
17 of July 10, 1998 (the effective date of Public Act 90-617).

18 (c) Nothing in this Section shall prohibit the issuance of
19 a retail license authorizing the sale of alcoholic liquor
20 incidental to a restaurant if (1) the primary business of the
21 restaurant consists of the sale of food where the sale of
22 liquor is incidental to the sale of food and the applicant is a
23 completely new owner of the restaurant, (2) the immediately
24 prior owner or operator of the premises where the restaurant
25 is located operated the premises as a restaurant and held a
26 valid retail license authorizing the sale of alcoholic liquor

1 at the restaurant for at least part of the 24 months before the
2 change of ownership, and (3) the restaurant is located 75 or
3 more feet from a school.

4 (d) In the interest of further developing Illinois'
5 economy in the area of commerce, tourism, convention, and
6 banquet business, nothing in this Section shall prohibit
7 issuance of a retail license authorizing the sale of alcoholic
8 beverages to a restaurant, banquet facility, grocery store, or
9 hotel having not fewer than 150 guest room accommodations
10 located in a municipality of more than 500,000 persons,
11 notwithstanding the proximity of such hotel, restaurant,
12 banquet facility, or grocery store to any church or school, if
13 the licensed premises described on the license are located
14 within an enclosed mall or building of a height of at least 6
15 stories, or 60 feet in the case of a building that has been
16 registered as a national landmark, or in a grocery store
17 having a minimum of 56,010 square feet of floor space in a
18 single story building in an open mall of at least 3.96 acres
19 that is adjacent to a public school that opened as a boys
20 technical high school in 1934, or in a grocery store having a
21 minimum of 31,000 square feet of floor space in a single story
22 building located a distance of more than 90 feet but less than
23 100 feet from a high school that opened in 1928 as a junior
24 high school and became a senior high school in 1933, and in
25 each of these cases if the sale of alcoholic liquors is not the
26 principal business carried on by the licensee.

1 For purposes of this Section, a "banquet facility" is any
2 part of a building that caters to private parties and where the
3 sale of alcoholic liquors is not the principal business.

4 (e) Nothing in this Section shall prohibit the issuance of
5 a license to a church or private school to sell at retail
6 alcoholic liquor if any such sales are limited to periods when
7 groups are assembled on the premises solely for the promotion
8 of some common object other than the sale or consumption of
9 alcoholic liquors.

10 (f) Nothing in this Section shall prohibit a church or
11 church affiliated school located in a home rule municipality
12 or in a municipality with 75,000 or more inhabitants from
13 locating within 100 feet of a property for which there is a
14 preexisting license to sell alcoholic liquor at retail. In
15 these instances, the local zoning authority may, by ordinance
16 adopted simultaneously with the granting of an initial special
17 use zoning permit for the church or church affiliated school,
18 provide that the 100-foot restriction in this Section shall
19 not apply to that church or church affiliated school and
20 future retail liquor licenses.

21 (g) Nothing in this Section shall prohibit the issuance of
22 a retail license authorizing the sale of alcoholic liquor at
23 premises within 100 feet, but not less than 90 feet, of a
24 public school if (1) the premises have been continuously
25 licensed to sell alcoholic liquor for a period of at least 50
26 years, (2) the premises are located in a municipality having a

1 population of over 500,000 inhabitants, (3) the licensee is an
2 individual who is a member of a family that has held the
3 previous 3 licenses for that location for more than 25 years,
4 (4) the principal of the school and the alderperson ~~alderman~~
5 of the ward in which the school is located have delivered a
6 written statement to the local liquor control commissioner
7 stating that they do not object to the issuance of a license
8 under this subsection (g), and (5) the local liquor control
9 commissioner has received the written consent of a majority of
10 the registered voters who live within 200 feet of the
11 premises.

12 (h) Notwithstanding any provision of this Section to the
13 contrary, nothing in this Section shall prohibit the issuance
14 or renewal of a license authorizing the sale of alcoholic
15 liquor within premises and at an outdoor patio area attached
16 to premises that are located in a municipality with a
17 population in excess of 300,000 inhabitants and that are
18 within 100 feet of a church if:

19 (1) the sale of alcoholic liquor at the premises is
20 incidental to the sale of food,

21 (2) the sale of liquor is not the principal business
22 carried on by the licensee at the premises,

23 (3) the premises are less than 1,000 square feet,

24 (4) the premises are owned by the University of
25 Illinois,

26 (5) the premises are immediately adjacent to property

1 owned by a church and are not less than 20 nor more than 40
2 feet from the church space used for worship services, and

3 (6) the principal religious leader at the place of
4 worship has indicated his or her support for the issuance
5 of the license in writing.

6 (i) Notwithstanding any provision in this Section to the
7 contrary, nothing in this Section shall prohibit the issuance
8 or renewal of a license to sell alcoholic liquor at a premises
9 that is located within a municipality with a population in
10 excess of 300,000 inhabitants and is within 100 feet of a
11 church, synagogue, or other place of worship if:

12 (1) the primary entrance of the premises and the
13 primary entrance of the church, synagogue, or other place
14 of worship are at least 100 feet apart, on parallel
15 streets, and separated by an alley; and

16 (2) the principal religious leader at the place of
17 worship has not indicated his or her opposition to the
18 issuance or renewal of the license in writing.

19 (j) Notwithstanding any provision in this Section to the
20 contrary, nothing in this Section shall prohibit the issuance
21 of a retail license authorizing the sale of alcoholic liquor
22 at a theater that is within 100 feet of a church if (1) the
23 church owns the theater, (2) the church leases the theater to
24 one or more entities, and (3) the theater is used by at least 5
25 different not-for-profit theater groups.

26 (k) Notwithstanding any provision in this Section to the

1 contrary, nothing in this Section shall prohibit the issuance
2 or renewal of a license authorizing the sale of alcoholic
3 liquor at a premises that is located within a municipality
4 with a population in excess of 1,000,000 inhabitants and is
5 within 100 feet of a school if:

6 (1) the primary entrance of the premises and the
7 primary entrance of the school are parallel, on different
8 streets, and separated by an alley;

9 (2) the southeast corner of the premises are at least
10 350 feet from the southwest corner of the school;

11 (3) the school was built in 1978;

12 (4) the sale of alcoholic liquor at the premises is
13 incidental to the sale of food;

14 (5) the sale of alcoholic liquor is not the principal
15 business carried on by the licensee at the premises;

16 (6) the applicant is the owner of the restaurant and
17 has held a valid license authorizing the sale of alcoholic
18 liquor for the business to be conducted on the premises at
19 a different location for more than 7 years; and

20 (7) the premises is at least 2,300 square feet and
21 sits on a lot that is between 6,100 and 6,150 square feet.

22 (1) Notwithstanding any provision in this Section to the
23 contrary, nothing in this Section shall prohibit the issuance
24 or renewal of a license authorizing the sale of alcoholic
25 liquor at a premises that is located within a municipality
26 with a population in excess of 1,000,000 inhabitants and is

1 within 100 feet of a church or school if:

2 (1) the primary entrance of the premises and the
3 closest entrance of the church or school is at least 90
4 feet apart and no greater than 95 feet apart;

5 (2) the shortest distance between the premises and the
6 church or school is at least 80 feet apart and no greater
7 than 85 feet apart;

8 (3) the applicant is the owner of the restaurant and
9 on November 15, 2006 held a valid license authorizing the
10 sale of alcoholic liquor for the business to be conducted
11 on the premises for at least 14 different locations;

12 (4) the sale of alcoholic liquor at the premises is
13 incidental to the sale of food;

14 (5) the sale of alcoholic liquor is not the principal
15 business carried on by the licensee at the premises;

16 (6) the premises is at least 3,200 square feet and
17 sits on a lot that is between 7,150 and 7,200 square feet;
18 and

19 (7) the principal religious leader at the place of
20 worship has not indicated his or her opposition to the
21 issuance or renewal of the license in writing.

22 (m) Notwithstanding any provision in this Section to the
23 contrary, nothing in this Section shall prohibit the issuance
24 or renewal of a license authorizing the sale of alcoholic
25 liquor at a premises that is located within a municipality
26 with a population in excess of 1,000,000 inhabitants and is

1 within 100 feet of a church if:

2 (1) the premises and the church are perpendicular, and
3 the primary entrance of the premises faces South while the
4 primary entrance of the church faces West and the distance
5 between the two entrances is more than 100 feet;

6 (2) the shortest distance between the premises lot
7 line and the exterior wall of the church is at least 80
8 feet;

9 (3) the church was established at the current location
10 in 1916 and the present structure was erected in 1925;

11 (4) the premises is a single story, single use
12 building with at least 1,750 square feet and no more than
13 2,000 square feet;

14 (5) the sale of alcoholic liquor at the premises is
15 incidental to the sale of food;

16 (6) the sale of alcoholic liquor is not the principal
17 business carried on by the licensee at the premises; and

18 (7) the principal religious leader at the place of
19 worship has not indicated his or her opposition to the
20 issuance or renewal of the license in writing.

21 (n) Notwithstanding any provision in this Section to the
22 contrary, nothing in this Section shall prohibit the issuance
23 or renewal of a license authorizing the sale of alcoholic
24 liquor at a premises that is located within a municipality
25 with a population in excess of 1,000,000 inhabitants and is
26 within 100 feet of a school if:

1 (1) the school is a City of Chicago School District
2 299 school;

3 (2) the school is located within subarea E of City of
4 Chicago Residential Business Planned Development Number
5 70;

6 (3) the sale of alcoholic liquor is not the principal
7 business carried on by the licensee on the premises;

8 (4) the sale of alcoholic liquor at the premises is
9 incidental to the sale of food; and

10 (5) the administration of City of Chicago School
11 District 299 has expressed, in writing, its support for
12 the issuance of the license.

13 (o) Notwithstanding any provision of this Section to the
14 contrary, nothing in this Section shall prohibit the issuance
15 or renewal of a retail license authorizing the sale of
16 alcoholic liquor at a premises that is located within a
17 municipality in excess of 1,000,000 inhabitants and within 100
18 feet of a church if:

19 (1) the sale of alcoholic liquor at the premises is
20 incidental to the sale of food;

21 (2) the sale of alcoholic liquor is not the principal
22 business carried on by the licensee at the premises;

23 (3) the premises is located on a street that runs
24 perpendicular to the street on which the church is
25 located;

26 (4) the primary entrance of the premises is at least

1 100 feet from the primary entrance of the church;

2 (5) the shortest distance between any part of the
3 premises and any part of the church is at least 60 feet;

4 (6) the premises is between 3,600 and 4,000 square
5 feet and sits on a lot that is between 3,600 and 4,000
6 square feet; and

7 (7) the premises was built in the year 1909.

8 For purposes of this subsection (o), "premises" means a
9 place of business together with a privately owned outdoor
10 location that is adjacent to the place of business.

11 (p) Notwithstanding any provision in this Section to the
12 contrary, nothing in this Section shall prohibit the issuance
13 or renewal of a license authorizing the sale of alcoholic
14 liquor at a premises that is located within a municipality
15 with a population in excess of 1,000,000 inhabitants and
16 within 100 feet of a church if:

17 (1) the shortest distance between the backdoor of the
18 premises, which is used as an emergency exit, and the
19 church is at least 80 feet;

20 (2) the church was established at the current location
21 in 1889; and

22 (3) liquor has been sold on the premises since at
23 least 1985.

24 (q) Notwithstanding any provision of this Section to the
25 contrary, nothing in this Section shall prohibit the issuance
26 or renewal of a license authorizing the sale of alcoholic

1 liquor within a premises that is located in a municipality
2 with a population in excess of 1,000,000 inhabitants and
3 within 100 feet of a church-owned property if:

4 (1) the premises is located within a larger building
5 operated as a grocery store;

6 (2) the area of the premises does not exceed 720
7 square feet and the area of the larger building exceeds
8 18,000 square feet;

9 (3) the larger building containing the premises is
10 within 100 feet of the nearest property line of a
11 church-owned property on which a church-affiliated school
12 is located;

13 (4) the sale of liquor is not the principal business
14 carried on within the larger building;

15 (5) the primary entrance of the larger building and
16 the premises and the primary entrance of the
17 church-affiliated school are on different, parallel
18 streets, and the distance between the 2 primary entrances
19 is more than 100 feet;

20 (6) the larger building is separated from the
21 church-owned property and church-affiliated school by an
22 alley;

23 (7) the larger building containing the premises and
24 the church building front are on perpendicular streets and
25 are separated by a street; and

26 (8) (Blank).

1 (r) Notwithstanding any provision of this Section to the
2 contrary, nothing in this Section shall prohibit the issuance,
3 renewal, or maintenance of a license authorizing the sale of
4 alcoholic liquor incidental to the sale of food within a
5 restaurant established in a premises that is located in a
6 municipality with a population in excess of 1,000,000
7 inhabitants and within 100 feet of a church if:

8 (1) the primary entrance of the church and the primary
9 entrance of the restaurant are at least 100 feet apart;

10 (2) the restaurant has operated on the ground floor
11 and lower level of a multi-story, multi-use building for
12 more than 40 years;

13 (3) the primary business of the restaurant consists of
14 the sale of food where the sale of liquor is incidental to
15 the sale of food;

16 (4) the sale of alcoholic liquor is conducted
17 primarily in the below-grade level of the restaurant to
18 which the only public access is by a staircase located
19 inside the restaurant; and

20 (5) the restaurant has held a license authorizing the
21 sale of alcoholic liquor on the premises for more than 40
22 years.

23 (s) Notwithstanding any provision of this Section to the
24 contrary, nothing in this Section shall prohibit renewal of a
25 license authorizing the sale of alcoholic liquor at a premises
26 that is located within a municipality with a population more

1 than 5,000 and less than 10,000 and is within 100 feet of a
2 church if:

3 (1) the church was established at the location within
4 100 feet of the premises after a license for the sale of
5 alcoholic liquor at the premises was first issued;

6 (2) a license for sale of alcoholic liquor at the
7 premises was first issued before January 1, 2007; and

8 (3) a license for the sale of alcoholic liquor on the
9 premises has been continuously in effect since January 1,
10 2007, except for interruptions between licenses of no more
11 than 90 days.

12 (t) Notwithstanding any provision of this Section to the
13 contrary, nothing in this Section shall prohibit the issuance
14 or renewal of a license authorizing the sale of alcoholic
15 liquor incidental to the sale of food within a restaurant that
16 is established in a premises that is located in a municipality
17 with a population in excess of 1,000,000 inhabitants and
18 within 100 feet of a school and a church if:

19 (1) the restaurant is located inside a five-story
20 building with over 16,800 square feet of commercial space;

21 (2) the area of the premises does not exceed 31,050
22 square feet;

23 (3) the area of the restaurant does not exceed 5,800
24 square feet;

25 (4) the building has no less than 78 condominium
26 units;

1 (5) the construction of the building in which the
2 restaurant is located was completed in 2006;

3 (6) the building has 10 storefront properties, 3 of
4 which are used for the restaurant;

5 (7) the restaurant will open for business in 2010;

6 (8) the building is north of the school and separated
7 by an alley; and

8 (9) the principal religious leader of the church and
9 either the alderperson ~~alderman~~ of the ward in which the
10 school is located or the principal of the school have
11 delivered a written statement to the local liquor control
12 commissioner stating that he or she does not object to the
13 issuance of a license under this subsection (t).

14 (u) Notwithstanding any provision in this Section to the
15 contrary, nothing in this Section shall prohibit the issuance
16 or renewal of a license to sell alcoholic liquor at a premises
17 that is located within a municipality with a population in
18 excess of 1,000,000 inhabitants and within 100 feet of a
19 school if:

20 (1) the premises operates as a restaurant and has been
21 in operation since February 2008;

22 (2) the applicant is the owner of the premises;

23 (3) the sale of alcoholic liquor is incidental to the
24 sale of food;

25 (4) the sale of alcoholic liquor is not the principal
26 business carried on by the licensee on the premises;

1 (5) the premises occupy the first floor of a 3-story
2 building that is at least 90 years old;

3 (6) the rear lot of the school and the rear corner of
4 the building that the premises occupy are separated by an
5 alley;

6 (7) the distance from the southwest corner of the
7 property line of the school and the northeast corner of
8 the building that the premises occupy is at least 16 feet,
9 5 inches;

10 (8) the distance from the rear door of the premises to
11 the southwest corner of the property line of the school is
12 at least 93 feet;

13 (9) the school is a City of Chicago School District
14 299 school;

15 (10) the school's main structure was erected in 1902
16 and an addition was built to the main structure in 1959;
17 and

18 (11) the principal of the school and the alderperson
19 ~~alderman~~ in whose district the premises are located have
20 expressed, in writing, their support for the issuance of
21 the license.

22 (v) Notwithstanding any provision in this Section to the
23 contrary, nothing in this Section shall prohibit the issuance
24 or renewal of a license authorizing the sale of alcoholic
25 liquor at a premises that is located within a municipality
26 with a population in excess of 1,000,000 inhabitants and is

1 within 100 feet of a school if:

2 (1) the total land area of the premises for which the
3 license or renewal is sought is more than 600,000 square
4 feet;

5 (2) the premises for which the license or renewal is
6 sought has more than 600 parking stalls;

7 (3) the total area of all buildings on the premises
8 for which the license or renewal is sought exceeds 140,000
9 square feet;

10 (4) the property line of the premises for which the
11 license or renewal is sought is separated from the
12 property line of the school by a street;

13 (5) the distance from the school's property line to
14 the property line of the premises for which the license or
15 renewal is sought is at least 60 feet;

16 (6) as of June 14, 2011 (the effective date of Public
17 Act 97-9), the premises for which the license or renewal
18 is sought is located in the Illinois Medical District.

19 (w) Notwithstanding any provision in this Section to the
20 contrary, nothing in this Section shall prohibit the issuance
21 or renewal of a license to sell alcoholic liquor at a premises
22 that is located within a municipality with a population in
23 excess of 1,000,000 inhabitants and within 100 feet of a
24 church if:

25 (1) the sale of alcoholic liquor at the premises is
26 incidental to the sale of food;

1 (2) the sale of alcoholic liquor is not the principal
2 business carried on by the licensee at the premises;

3 (3) the premises occupy the first floor and basement
4 of a 2-story building that is 106 years old;

5 (4) the premises is at least 7,000 square feet and
6 located on a lot that is at least 11,000 square feet;

7 (5) the premises is located directly west of the
8 church, on perpendicular streets, and separated by an
9 alley;

10 (6) the distance between the property line of the
11 premises and the property line of the church is at least 20
12 feet;

13 (7) the distance between the primary entrance of the
14 premises and the primary entrance of the church is at
15 least 130 feet; and

16 (8) the church has been at its location for at least 40
17 years.

18 (x) Notwithstanding any provision of this Section to the
19 contrary, nothing in this Section shall prohibit the issuance
20 or renewal of a license authorizing the sale of alcoholic
21 liquor at a premises that is located within a municipality
22 with a population in excess of 1,000,000 inhabitants and
23 within 100 feet of a church if:

24 (1) the sale of alcoholic liquor is not the principal
25 business carried on by the licensee at the premises;

26 (2) the church has been operating in its current

1 location since 1973;

2 (3) the premises has been operating in its current
3 location since 1988;

4 (4) the church and the premises are owned by the same
5 parish;

6 (5) the premises is used for cultural and educational
7 purposes;

8 (6) the primary entrance to the premises and the
9 primary entrance to the church are located on the same
10 street;

11 (7) the principal religious leader of the church has
12 indicated his support of the issuance of the license;

13 (8) the premises is a 2-story building of
14 approximately 23,000 square feet; and

15 (9) the premises houses a ballroom on its ground floor
16 of approximately 5,000 square feet.

17 (y) Notwithstanding any provision of this Section to the
18 contrary, nothing in this Section shall prohibit the issuance
19 or renewal of a license authorizing the sale of alcoholic
20 liquor at a premises that is located within a municipality
21 with a population in excess of 1,000,000 inhabitants and
22 within 100 feet of a school if:

23 (1) the sale of alcoholic liquor is not the principal
24 business carried on by the licensee at the premises;

25 (2) the sale of alcoholic liquor at the premises is
26 incidental to the sale of food;

1 (3) according to the municipality, the distance
2 between the east property line of the premises and the
3 west property line of the school is 97.8 feet;

4 (4) the school is a City of Chicago School District
5 299 school;

6 (5) the school has been operating since 1959;

7 (6) the primary entrance to the premises and the
8 primary entrance to the school are located on the same
9 street;

10 (7) the street on which the entrances of the premises
11 and the school are located is a major diagonal
12 thoroughfare;

13 (8) the premises is a single-story building of
14 approximately 2,900 square feet; and

15 (9) the premises is used for commercial purposes only.

16 (z) Notwithstanding any provision of this Section to the
17 contrary, nothing in this Section shall prohibit the issuance
18 or renewal of a license authorizing the sale of alcoholic
19 liquor at a premises that is located within a municipality
20 with a population in excess of 1,000,000 inhabitants and
21 within 100 feet of a mosque if:

22 (1) the sale of alcoholic liquor is not the principal
23 business carried on by the licensee at the premises;

24 (2) the licensee shall only sell packaged liquors at
25 the premises;

26 (3) the licensee is a national retail chain having

1 over 100 locations within the municipality;

2 (4) the licensee has over 8,000 locations nationwide;

3 (5) the licensee has locations in all 50 states;

4 (6) the premises is located in the North-East quadrant
5 of the municipality;

6 (7) the premises is a free-standing building that has
7 "drive-through" pharmacy service;

8 (8) the premises has approximately 14,490 square feet
9 of retail space;

10 (9) the premises has approximately 799 square feet of
11 pharmacy space;

12 (10) the premises is located on a major arterial
13 street that runs east-west and accepts truck traffic; and

14 (11) the alderperson ~~alderman~~ of the ward in which the
15 premises is located has expressed, in writing, his or her
16 support for the issuance of the license.

17 (aa) Notwithstanding any provision of this Section to the
18 contrary, nothing in this Section shall prohibit the issuance
19 or renewal of a license authorizing the sale of alcoholic
20 liquor at a premises that is located within a municipality
21 with a population in excess of 1,000,000 inhabitants and
22 within 100 feet of a church if:

23 (1) the sale of alcoholic liquor is not the principal
24 business carried on by the licensee at the premises;

25 (2) the licensee shall only sell packaged liquors at
26 the premises;

1 (3) the licensee is a national retail chain having
2 over 100 locations within the municipality;

3 (4) the licensee has over 8,000 locations nationwide;

4 (5) the licensee has locations in all 50 states;

5 (6) the premises is located in the North-East quadrant
6 of the municipality;

7 (7) the premises is located across the street from a
8 national grocery chain outlet;

9 (8) the premises has approximately 16,148 square feet
10 of retail space;

11 (9) the premises has approximately 992 square feet of
12 pharmacy space;

13 (10) the premises is located on a major arterial
14 street that runs north-south and accepts truck traffic;
15 and

16 (11) the alderperson ~~alderman~~ of the ward in which the
17 premises is located has expressed, in writing, his or her
18 support for the issuance of the license.

19 (bb) Notwithstanding any provision of this Section to the
20 contrary, nothing in this Section shall prohibit the issuance
21 or renewal of a license authorizing the sale of alcoholic
22 liquor at a premises that is located within a municipality
23 with a population in excess of 1,000,000 inhabitants and
24 within 100 feet of a church if:

25 (1) the sale of alcoholic liquor is not the principal
26 business carried on by the licensee at the premises;

1 (2) the sale of alcoholic liquor at the premises is
2 incidental to the sale of food;

3 (3) the primary entrance to the premises and the
4 primary entrance to the church are located on the same
5 street;

6 (4) the premises is across the street from the church;

7 (5) the street on which the premises and the church
8 are located is a major arterial street that runs
9 east-west;

10 (6) the church is an elder-led and Bible-based
11 Assyrian church;

12 (7) the premises and the church are both single-story
13 buildings;

14 (8) the storefront directly west of the church is
15 being used as a restaurant; and

16 (9) the distance between the northern-most property
17 line of the premises and the southern-most property line
18 of the church is 65 feet.

19 (cc) Notwithstanding any provision of this Section to the
20 contrary, nothing in this Section shall prohibit the issuance
21 or renewal of a license authorizing the sale of alcoholic
22 liquor at a premises that is located within a municipality
23 with a population in excess of 1,000,000 inhabitants and
24 within 100 feet of a school if:

25 (1) the sale of alcoholic liquor is not the principal
26 business carried on by the licensee at the premises;

1 (2) the licensee shall only sell packaged liquors at
2 the premises;

3 (3) the licensee is a national retail chain;

4 (4) as of October 25, 2011, the licensee has 1,767
5 stores operating nationwide, 87 stores operating in the
6 State, and 10 stores operating within the municipality;

7 (5) the licensee shall occupy approximately 124,000
8 square feet of space in the basement and first and second
9 floors of a building located across the street from a
10 school;

11 (6) the school opened in August of 2009 and occupies
12 approximately 67,000 square feet of space; and

13 (7) the building in which the premises shall be
14 located has been listed on the National Register of
15 Historic Places since April 17, 1970.

16 (dd) Notwithstanding any provision in this Section to the
17 contrary, nothing in this Section shall prohibit the issuance
18 or renewal of a license authorizing the sale of alcoholic
19 liquor within a full-service grocery store at a premises that
20 is located within a municipality with a population in excess
21 of 1,000,000 inhabitants and is within 100 feet of a school if:

22 (1) the premises is constructed on land that was
23 purchased from the municipality at a fair market price;

24 (2) the premises is constructed on land that was
25 previously used as a parking facility for public safety
26 employees;

1 (3) the sale of alcoholic liquor is not the principal
2 business carried on by the licensee at the premises;

3 (4) the main entrance to the store is more than 100
4 feet from the main entrance to the school;

5 (5) the premises is to be new construction;

6 (6) the school is a private school;

7 (7) the principal of the school has given written
8 approval for the license;

9 (8) the alderperson ~~alderman~~ of the ward where the
10 premises is located has given written approval of the
11 issuance of the license;

12 (9) the grocery store level of the premises is between
13 60,000 and 70,000 square feet; and

14 (10) the owner and operator of the grocery store
15 operates 2 other grocery stores that have alcoholic liquor
16 licenses within the same municipality.

17 (ee) Notwithstanding any provision in this Section to the
18 contrary, nothing in this Section shall prohibit the issuance
19 or renewal of a license authorizing the sale of alcoholic
20 liquor within a full-service grocery store at a premises that
21 is located within a municipality with a population in excess
22 of 1,000,000 inhabitants and is within 100 feet of a school if:

23 (1) the premises is constructed on land that once
24 contained an industrial steel facility;

25 (2) the premises is located on land that has undergone
26 environmental remediation;

1 (3) the premises is located within a retail complex
2 containing retail stores where some of the stores sell
3 alcoholic beverages;

4 (4) the principal activity of any restaurant in the
5 retail complex is the sale of food, and the sale of
6 alcoholic liquor is incidental to the sale of food;

7 (5) the sale of alcoholic liquor is not the principal
8 business carried on by the grocery store;

9 (6) the entrance to any business that sells alcoholic
10 liquor is more than 100 feet from the entrance to the
11 school;

12 (7) the alderperson ~~alderman~~ of the ward where the
13 premises is located has given written approval of the
14 issuance of the license; and

15 (8) the principal of the school has given written
16 consent to the issuance of the license.

17 (ff) Notwithstanding any provision of this Section to the
18 contrary, nothing in this Section shall prohibit the issuance
19 or renewal of a license authorizing the sale of alcoholic
20 liquor at a premises that is located within a municipality
21 with a population in excess of 1,000,000 inhabitants and
22 within 100 feet of a school if:

23 (1) the sale of alcoholic liquor is not the principal
24 business carried on at the premises;

25 (2) the sale of alcoholic liquor at the premises is
26 incidental to the operation of a theater;

1 (3) the premises is a one and one-half-story building
2 of approximately 10,000 square feet;

3 (4) the school is a City of Chicago School District
4 299 school;

5 (5) the primary entrance of the premises and the
6 primary entrance of the school are at least 300 feet apart
7 and no more than 400 feet apart;

8 (6) the alderperson ~~alderman~~ of the ward in which the
9 premises is located has expressed, in writing, his support
10 for the issuance of the license; and

11 (7) the principal of the school has expressed, in
12 writing, that there is no objection to the issuance of a
13 license under this subsection (ff).

14 (gg) Notwithstanding any provision of this Section to the
15 contrary, nothing in this Section shall prohibit the issuance
16 or renewal of a license authorizing the sale of alcoholic
17 liquor incidental to the sale of food within a restaurant or
18 banquet facility established in a premises that is located in
19 a municipality with a population in excess of 1,000,000
20 inhabitants and within 100 feet of a church if:

21 (1) the sale of alcoholic liquor is not the principal
22 business carried on by the licensee at the premises;

23 (2) the property on which the church is located and
24 the property on which the premises are located are both
25 within a district originally listed on the National
26 Register of Historic Places on February 14, 1979;

1 (3) the property on which the premises are located
2 contains one or more multi-story buildings that are at
3 least 95 years old and have no more than three stories;

4 (4) the building in which the church is located is at
5 least 120 years old;

6 (5) the property on which the church is located is
7 immediately adjacent to and west of the property on which
8 the premises are located;

9 (6) the western boundary of the property on which the
10 premises are located is no less than 118 feet in length and
11 no more than 122 feet in length;

12 (7) as of December 31, 2012, both the church property
13 and the property on which the premises are located are
14 within 250 feet of City of Chicago Business-Residential
15 Planned Development Number 38;

16 (8) the principal religious leader at the place of
17 worship has indicated his or her support for the issuance
18 of the license in writing; and

19 (9) the alderperson ~~alderman~~ in whose district the
20 premises are located has expressed his or her support for
21 the issuance of the license in writing.

22 For the purposes of this subsection, "banquet facility"
23 means the part of the building that is located on the floor
24 above a restaurant and caters to private parties and where the
25 sale of alcoholic liquors is not the principal business.

26 (hh) Notwithstanding any provision of this Section to the

1 contrary, nothing in this Section shall prohibit the issuance
2 or renewal of a license authorizing the sale of alcoholic
3 liquor within a hotel and at an outdoor patio area attached to
4 the hotel that are located in a municipality with a population
5 in excess of 1,000,000 inhabitants and that are within 100
6 feet of a hospital if:

7 (1) the sale of alcoholic liquor is not the principal
8 business carried on by the licensee at the hotel;

9 (2) the hotel is located within the City of Chicago
10 Business Planned Development Number 468; and

11 (3) the hospital is located within the City of Chicago
12 Institutional Planned Development Number 3.

13 (ii) Notwithstanding any provision of this Section to the
14 contrary, nothing in this Section shall prohibit the issuance
15 or renewal of a license authorizing the sale of alcoholic
16 liquor within a restaurant and at an outdoor patio area
17 attached to the restaurant that are located in a municipality
18 with a population in excess of 1,000,000 inhabitants and that
19 are within 100 feet of a church if:

20 (1) the sale of alcoholic liquor at the premises is
21 not the principal business carried on by the licensee and
22 is incidental to the sale of food;

23 (2) the restaurant has been operated on the street
24 level of a 2-story building located on a corner lot since
25 2008;

26 (3) the restaurant is between 3,700 and 4,000 square

1 feet and sits on a lot that is no more than 6,200 square
2 feet;

3 (4) the primary entrance to the restaurant and the
4 primary entrance to the church are located on the same
5 street;

6 (5) the street on which the restaurant and the church
7 are located is a major east-west street;

8 (6) the restaurant and the church are separated by a
9 one-way northbound street;

10 (7) the church is located to the west of and no more
11 than 65 feet from the restaurant; and

12 (8) the principal religious leader at the place of
13 worship has indicated his or her consent to the issuance
14 of the license in writing.

15 (jj) Notwithstanding any provision of this Section to the
16 contrary, nothing in this Section shall prohibit the issuance
17 or renewal of a license authorizing the sale of alcoholic
18 liquor at premises located within a municipality with a
19 population in excess of 1,000,000 inhabitants and within 100
20 feet of a church if:

21 (1) the sale of alcoholic liquor is not the principal
22 business carried on by the licensee at the premises;

23 (2) the sale of alcoholic liquor is incidental to the
24 sale of food;

25 (3) the premises are located east of the church, on
26 perpendicular streets, and separated by an alley;

1 (4) the distance between the primary entrance of the
2 premises and the primary entrance of the church is at
3 least 175 feet;

4 (5) the distance between the property line of the
5 premises and the property line of the church is at least 40
6 feet;

7 (6) the licensee has been operating at the premises
8 since 2012;

9 (7) the church was constructed in 1904;

10 (8) the alderperson ~~alderman~~ of the ward in which the
11 premises is located has expressed, in writing, his or her
12 support for the issuance of the license; and

13 (9) the principal religious leader of the church has
14 delivered a written statement that he or she does not
15 object to the issuance of a license under this subsection
16 (jj).

17 (kk) Notwithstanding any provision of this Section to the
18 contrary, nothing in this Section shall prohibit the issuance
19 or renewal of a license authorizing the sale of alcoholic
20 liquor at a premises that is located within a municipality
21 with a population in excess of 1,000,000 inhabitants and
22 within 100 feet of a school if:

23 (1) the sale of alcoholic liquor is not the principal
24 business carried on by the licensee at the premises;

25 (2) the licensee shall only sell packaged liquors on
26 the premises;

1 (3) the licensee is a national retail chain;

2 (4) as of February 27, 2013, the licensee had 1,778
3 stores operating nationwide, 89 operating in this State,
4 and 11 stores operating within the municipality;

5 (5) the licensee shall occupy approximately 169,048
6 square feet of space within a building that is located
7 across the street from a tuition-based preschool; and

8 (6) the alderperson ~~alderman~~ of the ward in which the
9 premises is located has expressed, in writing, his or her
10 support for the issuance of the license.

11 (11) Notwithstanding any provision of this Section to the
12 contrary, nothing in this Section shall prohibit the issuance
13 or renewal of a license authorizing the sale of alcoholic
14 liquor at a premises that is located within a municipality
15 with a population in excess of 1,000,000 inhabitants and
16 within 100 feet of a school if:

17 (1) the sale of alcoholic liquor is not the principal
18 business carried on by the licensee at the premises;

19 (2) the licensee shall only sell packaged liquors on
20 the premises;

21 (3) the licensee is a national retail chain;

22 (4) as of February 27, 2013, the licensee had 1,778
23 stores operating nationwide, 89 operating in this State,
24 and 11 stores operating within the municipality;

25 (5) the licensee shall occupy approximately 191,535
26 square feet of space within a building that is located

1 across the street from an elementary school; and

2 (6) the alderperson ~~alderman~~ of the ward in which the
3 premises is located has expressed, in writing, his or her
4 support for the issuance of the license.

5 (mm) Notwithstanding any provision of this Section to the
6 contrary, nothing in this Section shall prohibit the issuance
7 or renewal of a license authorizing the sale of alcoholic
8 liquor within premises and at an outdoor patio or sidewalk
9 cafe, or both, attached to premises that are located in a
10 municipality with a population in excess of 1,000,000
11 inhabitants and that are within 100 feet of a hospital if:

12 (1) the primary business of the restaurant consists of
13 the sale of food where the sale of liquor is incidental to
14 the sale of food;

15 (2) as a restaurant, the premises may or may not offer
16 catering as an incidental part of food service;

17 (3) the primary business of the restaurant is
18 conducted in space owned by a hospital or an entity owned
19 or controlled by, under common control with, or that
20 controls a hospital, and the chief hospital administrator
21 has expressed his or her support for the issuance of the
22 license in writing; and

23 (4) the hospital is an adult acute care facility
24 primarily located within the City of Chicago Institutional
25 Planned Development Number 3.

26 (nn) Notwithstanding any provision of this Section to the

1 contrary, nothing in this Section shall prohibit the issuance
2 or renewal of a license authorizing the sale of alcoholic
3 liquor at a premises that is located within a municipality
4 with a population in excess of 1,000,000 inhabitants and
5 within 100 feet of a church if:

6 (1) the sale of alcoholic liquor is not the principal
7 business carried out on the premises;

8 (2) the sale of alcoholic liquor at the premises is
9 incidental to the operation of a theater;

10 (3) the premises are a building that was constructed
11 in 1913 and opened on May 24, 1915 as a vaudeville theater,
12 and the premises were converted to a motion picture
13 theater in 1935;

14 (4) the church was constructed in 1889 with a stone
15 exterior;

16 (5) the primary entrance of the premises and the
17 primary entrance of the church are at least 100 feet
18 apart;

19 (6) the principal religious leader at the place of
20 worship has indicated his or her consent to the issuance
21 of the license in writing; and

22 (7) the alderperson ~~alderman~~ in whose ward the
23 premises are located has expressed his or her support for
24 the issuance of the license in writing.

25 (oo) Notwithstanding any provision of this Section to the
26 contrary, nothing in this Section shall prohibit the issuance

1 or renewal of a license authorizing the sale of alcoholic
2 liquor at a premises that is located within a municipality
3 with a population in excess of 1,000,000 inhabitants and
4 within 100 feet of a mosque, church, or other place of worship
5 if:

6 (1) the primary entrance of the premises and the
7 primary entrance of the mosque, church, or other place of
8 worship are perpendicular and are on different streets;

9 (2) the primary entrance to the premises faces West
10 and the primary entrance to the mosque, church, or other
11 place of worship faces South;

12 (3) the distance between the 2 primary entrances is at
13 least 100 feet;

14 (4) the mosque, church, or other place of worship was
15 established in a location within 100 feet of the premises
16 after a license for the sale of alcohol at the premises was
17 first issued;

18 (5) the mosque, church, or other place of worship was
19 established on or around January 1, 2011;

20 (6) a license for the sale of alcohol at the premises
21 was first issued on or before January 1, 1985;

22 (7) a license for the sale of alcohol at the premises
23 has been continuously in effect since January 1, 1985,
24 except for interruptions between licenses of no more than
25 90 days; and

26 (8) the premises are a single-story, single-use

1 building of at least 3,000 square feet and no more than
2 3,380 square feet.

3 (pp) Notwithstanding any provision of this Section to the
4 contrary, nothing in this Section shall prohibit the issuance
5 or renewal of a license authorizing the sale of alcoholic
6 liquor incidental to the sale of food within a restaurant or
7 banquet facility established on premises that are located in a
8 municipality with a population in excess of 1,000,000
9 inhabitants and within 100 feet of at least one church if:

10 (1) the sale of liquor shall not be the principal
11 business carried on by the licensee at the premises;

12 (2) the premises are at least 2,000 square feet and no
13 more than 10,000 square feet and is located in a
14 single-story building;

15 (3) the property on which the premises are located is
16 within an area that, as of 2009, was designated as a
17 Renewal Community by the United States Department of
18 Housing and Urban Development;

19 (4) the property on which the premises are located and
20 the properties on which the churches are located are on
21 the same street;

22 (5) the property on which the premises are located is
23 immediately adjacent to and east of the property on which
24 at least one of the churches is located;

25 (6) the property on which the premises are located is
26 across the street and southwest of the property on which

1 another church is located;

2 (7) the principal religious leaders of the churches
3 have indicated their support for the issuance of the
4 license in writing; and

5 (8) the alderperson ~~alderman~~ in whose ward the
6 premises are located has expressed his or her support for
7 the issuance of the license in writing.

8 For purposes of this subsection (pp), "banquet facility"
9 means the part of the building that caters to private parties
10 and where the sale of alcoholic liquors is not the principal
11 business.

12 (qq) Notwithstanding any provision of this Section to the
13 contrary, nothing in this Section shall prohibit the issuance
14 or renewal of a license authorizing the sale of alcoholic
15 liquor on premises that are located within a municipality with
16 a population in excess of 1,000,000 inhabitants and within 100
17 feet of a church or school if:

18 (1) the primary entrance of the premises and the
19 closest entrance of the church or school are at least 200
20 feet apart and no greater than 300 feet apart;

21 (2) the shortest distance between the premises and the
22 church or school is at least 66 feet apart and no greater
23 than 81 feet apart;

24 (3) the premises are a single-story, steel-framed
25 commercial building with at least 18,042 square feet, and
26 was constructed in 1925 and 1997;

1 (4) the owner of the business operated within the
2 premises has been the general manager of a similar
3 supermarket within one mile from the premises, which has
4 had a valid license authorizing the sale of alcoholic
5 liquor since 2002, and is in good standing with the City of
6 Chicago;

7 (5) the principal religious leader at the place of
8 worship has indicated his or her support to the issuance
9 or renewal of the license in writing;

10 (6) the alderperson ~~alderman~~ of the ward has indicated
11 his or her support to the issuance or renewal of the
12 license in writing; and

13 (7) the principal of the school has indicated his or
14 her support to the issuance or renewal of the license in
15 writing.

16 (rr) Notwithstanding any provision of this Section to the
17 contrary, nothing in this Section shall prohibit the issuance
18 or renewal of a license authorizing the sale of alcoholic
19 liquor at premises located within a municipality with a
20 population in excess of 1,000,000 inhabitants and within 100
21 feet of a club that leases space to a school if:

22 (1) the sale of alcoholic liquor is not the principal
23 business carried out on the premises;

24 (2) the sale of alcoholic liquor at the premises is
25 incidental to the operation of a grocery store;

26 (3) the premises are a building of approximately 1,750

1 square feet and is rented by the owners of the grocery
2 store from a family member;

3 (4) the property line of the premises is approximately
4 68 feet from the property line of the club;

5 (5) the primary entrance of the premises and the
6 primary entrance of the club where the school leases space
7 are at least 100 feet apart;

8 (6) the director of the club renting space to the
9 school has indicated his or her consent to the issuance of
10 the license in writing; and

11 (7) the alderperson ~~alderman~~ in whose district the
12 premises are located has expressed his or her support for
13 the issuance of the license in writing.

14 (ss) Notwithstanding any provision of this Section to the
15 contrary, nothing in this Section shall prohibit the issuance
16 or renewal of a license authorizing the sale of alcoholic
17 liquor at premises located within a municipality with a
18 population in excess of 1,000,000 inhabitants and within 100
19 feet of a church if:

20 (1) the premises are located within a 15 unit building
21 with 13 residential apartments and 2 commercial spaces,
22 and the licensee will occupy both commercial spaces;

23 (2) a restaurant has been operated on the premises
24 since June 2011;

25 (3) the restaurant currently occupies 1,075 square
26 feet, but will be expanding to include 975 additional

1 square feet;

2 (4) the sale of alcoholic liquor is not the principal
3 business carried on by the licensee at the premises;

4 (5) the premises are located south of the church and
5 on the same street and are separated by a one-way
6 westbound street;

7 (6) the primary entrance of the premises is at least
8 93 feet from the primary entrance of the church;

9 (7) the shortest distance between any part of the
10 premises and any part of the church is at least 72 feet;

11 (8) the building in which the restaurant is located
12 was built in 1910;

13 (9) the alderperson ~~alderman~~ of the ward in which the
14 premises are located has expressed, in writing, his or her
15 support for the issuance of the license; and

16 (10) the principal religious leader of the church has
17 delivered a written statement that he or she does not
18 object to the issuance of a license under this subsection
19 (ss).

20 (tt) Notwithstanding any provision of this Section to the
21 contrary, nothing in this Section shall prohibit the issuance
22 or renewal of a license authorizing the sale of alcoholic
23 liquor at premises located within a municipality with a
24 population in excess of 1,000,000 inhabitants and within 100
25 feet of a church if:

26 (1) the sale of alcoholic liquor is not the principal

1 business carried on by the licensee at the premises;

2 (2) the sale of alcoholic liquor is incidental to the
3 sale of food;

4 (3) the sale of alcoholic liquor at the premises was
5 previously authorized by a package goods liquor license;

6 (4) the premises are at least 40,000 square feet with
7 25 parking spaces in the contiguous surface lot to the
8 north of the store and 93 parking spaces on the roof;

9 (5) the shortest distance between the lot line of the
10 parking lot of the premises and the exterior wall of the
11 church is at least 80 feet;

12 (6) the distance between the building in which the
13 church is located and the building in which the premises
14 are located is at least 180 feet;

15 (7) the main entrance to the church faces west and is
16 at least 257 feet from the main entrance of the premises;
17 and

18 (8) the applicant is the owner of 10 similar grocery
19 stores within the City of Chicago and the surrounding area
20 and has been in business for more than 30 years.

21 (uu) Notwithstanding any provision of this Section to the
22 contrary, nothing in this Section shall prohibit the issuance
23 or renewal of a license authorizing the sale of alcoholic
24 liquor at premises located within a municipality with a
25 population in excess of 1,000,000 inhabitants and within 100
26 feet of a church if:

1 (1) the sale of alcoholic liquor is not the principal
2 business carried on by the licensee at the premises;

3 (2) the sale of alcoholic liquor is incidental to the
4 operation of a grocery store;

5 (3) the premises are located in a building that is
6 approximately 68,000 square feet with 157 parking spaces
7 on property that was previously vacant land;

8 (4) the main entrance to the church faces west and is
9 at least 500 feet from the entrance of the premises, which
10 faces north;

11 (5) the church and the premises are separated by an
12 alley;

13 (6) the applicant is the owner of 9 similar grocery
14 stores in the City of Chicago and the surrounding area and
15 has been in business for more than 40 years; and

16 (7) the alderperson ~~alderman~~ of the ward in which the
17 premises are located has expressed, in writing, his or her
18 support for the issuance of the license.

19 (vv) Notwithstanding any provision of this Section to the
20 contrary, nothing in this Section shall prohibit the issuance
21 or renewal of a license authorizing the sale of alcoholic
22 liquor at premises located within a municipality with a
23 population in excess of 1,000,000 inhabitants and within 100
24 feet of a church if:

25 (1) the sale of alcoholic liquor is the principal
26 business carried on by the licensee at the premises;

1 (2) the sale of alcoholic liquor is primary to the
2 sale of food;

3 (3) the premises are located south of the church and
4 on perpendicular streets and are separated by a driveway;

5 (4) the primary entrance of the premises is at least
6 100 feet from the primary entrance of the church;

7 (5) the shortest distance between any part of the
8 premises and any part of the church is at least 15 feet;

9 (6) the premises are less than 100 feet from the
10 church center, but greater than 100 feet from the area
11 within the building where church services are held;

12 (7) the premises are 25,830 square feet and sit on a
13 lot that is 0.48 acres;

14 (8) the premises were once designated as a Korean
15 American Presbyterian Church and were once used as a
16 Masonic Temple;

17 (9) the premises were built in 1910;

18 (10) the alderperson ~~alderman~~ of the ward in which the
19 premises are located has expressed, in writing, his or her
20 support for the issuance of the license; and

21 (11) the principal religious leader of the church has
22 delivered a written statement that he or she does not
23 object to the issuance of a license under this subsection
24 (vv).

25 For the purposes of this subsection (vv), "premises" means
26 a place of business together with a privately owned outdoor

1 location that is adjacent to the place of business.

2 (ww) Notwithstanding any provision of this Section to the
3 contrary, nothing in this Section shall prohibit the issuance
4 or renewal of a license authorizing the sale of alcoholic
5 liquor at premises located within a municipality with a
6 population in excess of 1,000,000 inhabitants and within 100
7 feet of a school if:

8 (1) the school is located within Sub Area III of City
9 of Chicago Residential-Business Planned Development Number
10 523, as amended; and

11 (2) the premises are located within Sub Area I, Sub
12 Area II, or Sub Area IV of City of Chicago
13 Residential-Business Planned Development Number 523, as
14 amended.

15 (xx) Notwithstanding any provision of this Section to the
16 contrary, nothing in this Section shall prohibit the issuance
17 or renewal of a license authorizing the sale of alcoholic
18 liquor at premises located within a municipality with a
19 population in excess of 1,000,000 inhabitants and within 100
20 feet of a church if:

21 (1) the sale of wine or wine-related products is the
22 exclusive business carried on by the licensee at the
23 premises;

24 (2) the primary entrance of the premises and the
25 primary entrance of the church are at least 100 feet apart
26 and are located on different streets;

1 (3) the building in which the premises are located and
2 the building in which the church is located are separated
3 by an alley;

4 (4) the premises consists of less than 2,000 square
5 feet of floor area dedicated to the sale of wine or
6 wine-related products;

7 (5) the premises are located on the first floor of a
8 2-story building that is at least 99 years old and has a
9 residential unit on the second floor; and

10 (6) the principal religious leader at the church has
11 indicated his or her support for the issuance or renewal
12 of the license in writing.

13 (yy) Notwithstanding any provision of this Section to the
14 contrary, nothing in this Section shall prohibit the issuance
15 or renewal of a license authorizing the sale of alcoholic
16 liquor at premises located within a municipality with a
17 population in excess of 1,000,000 inhabitants and within 100
18 feet of a church if:

19 (1) the premises are a 27-story hotel containing 191
20 guest rooms;

21 (2) the sale of alcoholic liquor is not the principal
22 business carried on by the licensee at the premises and is
23 limited to a restaurant located on the first floor of the
24 hotel;

25 (3) the hotel is adjacent to the church;

26 (4) the site is zoned as DX-16;

1 (5) the principal religious leader of the church has
2 delivered a written statement that he or she does not
3 object to the issuance of a license under this subsection
4 (yy); and

5 (6) the alderperson ~~alderman~~ of the ward in which the
6 premises are located has expressed, in writing, his or her
7 support for the issuance of the license.

8 (zz) Notwithstanding any provision of this Section to the
9 contrary, nothing in this Section shall prohibit the issuance
10 or renewal of a license authorizing the sale of alcoholic
11 liquor at premises located within a municipality with a
12 population in excess of 1,000,000 inhabitants and within 100
13 feet of a church if:

14 (1) the premises are a 15-story hotel containing 143
15 guest rooms;

16 (2) the premises are approximately 85,691 square feet;

17 (3) a restaurant is operated on the premises;

18 (4) the restaurant is located in the first floor lobby
19 of the hotel;

20 (5) the sale of alcoholic liquor is not the principal
21 business carried on by the licensee at the premises;

22 (6) the hotel is located approximately 50 feet from
23 the church and is separated from the church by a public
24 street on the ground level and by air space on the upper
25 level, which is where the public entrances are located;

26 (7) the site is zoned as DX-16;

1 (8) the principal religious leader of the church has
2 delivered a written statement that he or she does not
3 object to the issuance of a license under this subsection
4 (zz); and

5 (9) the alderperson ~~alderman~~ of the ward in which the
6 premises are located has expressed, in writing, his or her
7 support for the issuance of the license.

8 (aaa) Notwithstanding any provision in this Section to the
9 contrary, nothing in this Section shall prohibit the issuance
10 or renewal of a license authorizing the sale of alcoholic
11 liquor within a full-service grocery store at premises located
12 within a municipality with a population in excess of 1,000,000
13 inhabitants and within 100 feet of a school if:

14 (1) the sale of alcoholic liquor is not the primary
15 business activity of the grocery store;

16 (2) the premises are newly constructed on land that
17 was formerly used by the Young Men's Christian
18 Association;

19 (3) the grocery store is located within a planned
20 development that was approved by the municipality in 2007;

21 (4) the premises are located in a multi-building,
22 mixed-use complex;

23 (5) the entrance to the grocery store is located more
24 than 200 feet from the entrance to the school;

25 (6) the entrance to the grocery store is located
26 across the street from the back of the school building,

1 which is not used for student or public access;

2 (7) the grocery store executed a binding lease for the
3 property in 2008;

4 (8) the premises consist of 2 levels and occupy more
5 than 80,000 square feet;

6 (9) the owner and operator of the grocery store
7 operates at least 10 other grocery stores that have
8 alcoholic liquor licenses within the same municipality;
9 and

10 (10) the director of the school has expressed, in
11 writing, his or her support for the issuance of the
12 license.

13 (bbb) Notwithstanding any provision of this Section to the
14 contrary, nothing in this Section shall prohibit the issuance
15 or renewal of a license authorizing the sale of alcoholic
16 liquor at premises located within a municipality with a
17 population in excess of 1,000,000 inhabitants and within 100
18 feet of a church if:

19 (1) the sale of alcoholic liquor at the premises is
20 incidental to the sale of food;

21 (2) the premises are located in a single-story
22 building of primarily brick construction containing at
23 least 6 commercial units constructed before 1940;

24 (3) the premises are located in a B3-2 zoning
25 district;

26 (4) the premises are less than 4,000 square feet;

1 (5) the church established its congregation in 1891
2 and completed construction of the church building in 1990;

3 (6) the premises are located south of the church;

4 (7) the premises and church are located on the same
5 street and are separated by a one-way westbound street;
6 and

7 (8) the principal religious leader of the church has
8 not indicated his or her opposition to the issuance or
9 renewal of the license in writing.

10 (ccc) Notwithstanding any provision of this Section to the
11 contrary, nothing in this Section shall prohibit the issuance
12 or renewal of a license authorizing the sale of alcoholic
13 liquor within a full-service grocery store at premises located
14 within a municipality with a population in excess of 1,000,000
15 inhabitants and within 100 feet of a church and school if:

16 (1) as of March 14, 2007, the premises are located in a
17 City of Chicago Residential-Business Planned Development
18 No. 1052;

19 (2) the sale of alcoholic liquor is not the principal
20 business carried on by the licensee at the premises;

21 (3) the sale of alcoholic liquor is incidental to the
22 operation of a grocery store and comprises no more than
23 10% of the total in-store sales;

24 (4) the owner and operator of the grocery store
25 operates at least 10 other grocery stores that have
26 alcoholic liquor licenses within the same municipality;

1 (5) the premises are new construction when the license
2 is first issued;

3 (6) the constructed premises are to be no less than
4 50,000 square feet;

5 (7) the school is a private church-affiliated school;

6 (8) the premises and the property containing the
7 church and church-affiliated school are located on
8 perpendicular streets and the school and church are
9 adjacent to one another;

10 (9) the pastor of the church and school has expressed,
11 in writing, support for the issuance of the license; and

12 (10) the alderperson ~~alderman~~ of the ward in which the
13 premises are located has expressed, in writing, his or her
14 support for the issuance of the license.

15 (ddd) Notwithstanding any provision of this Section to the
16 contrary, nothing in this Section shall prohibit the issuance
17 or renewal of a license authorizing the sale of alcoholic
18 liquor at premises located within a municipality with a
19 population in excess of 1,000,000 inhabitants and within 100
20 feet of a church or school if:

21 (1) the business has been issued a license from the
22 municipality to allow the business to operate a theater on
23 the premises;

24 (2) the theater has less than 200 seats;

25 (3) the premises are approximately 2,700 to 3,100
26 square feet of space;

1 (4) the premises are located to the north of the
2 church;

3 (5) the primary entrance of the premises and the
4 primary entrance of any church within 100 feet of the
5 premises are located either on a different street or
6 across a right-of-way from the premises;

7 (6) the primary entrance of the premises and the
8 primary entrance of any school within 100 feet of the
9 premises are located either on a different street or
10 across a right-of-way from the premises;

11 (7) the premises are located in a building that is at
12 least 100 years old; and

13 (8) any church or school located within 100 feet of
14 the premises has indicated its support for the issuance or
15 renewal of the license to the premises in writing.

16 (eee) Notwithstanding any provision of this Section to the
17 contrary, nothing in this Section shall prohibit the issuance
18 or renewal of a license authorizing the sale of alcoholic
19 liquor at premises located within a municipality with a
20 population in excess of 1,000,000 inhabitants and within 100
21 feet of a church and school if:

22 (1) the sale of alcoholic liquor is incidental to the
23 sale of food;

24 (2) the sale of alcoholic liquor is not the principal
25 business carried on by the applicant on the premises;

26 (3) a family-owned restaurant has operated on the

1 premises since 1957;

2 (4) the premises occupy the first floor of a 3-story
3 building that is at least 90 years old;

4 (5) the distance between the property line of the
5 premises and the property line of the church is at least 20
6 feet;

7 (6) the church was established at its current location
8 and the present structure was erected before 1900;

9 (7) the primary entrance of the premises is at least
10 75 feet from the primary entrance of the church;

11 (8) the school is affiliated with the church;

12 (9) the principal religious leader at the place of
13 worship has indicated his or her support for the issuance
14 of the license in writing;

15 (10) the principal of the school has indicated in
16 writing that he or she is not opposed to the issuance of
17 the license; and

18 (11) the alderperson ~~alderman~~ of the ward in which the
19 premises are located has expressed, in writing, his or her
20 lack of an objection to the issuance of the license.

21 (fff) Notwithstanding any provision of this Section to the
22 contrary, nothing in this Section shall prohibit the issuance
23 or renewal of a license authorizing the sale of alcoholic
24 liquor at premises located within a municipality with a
25 population in excess of 1,000,000 inhabitants and within 100
26 feet of a church if:

1 (1) the sale of alcoholic liquor is not the principal
2 business carried on by the licensee at the premises;

3 (2) the sale of alcoholic liquor at the premises is
4 incidental to the operation of a grocery store;

5 (3) the premises are a one-story building containing
6 approximately 10,000 square feet and are rented by the
7 owners of the grocery store;

8 (4) the sale of alcoholic liquor at the premises
9 occurs in a retail area of the grocery store that is
10 approximately 3,500 square feet;

11 (5) the grocery store has operated at the location
12 since 1984;

13 (6) the grocery store is closed on Sundays;

14 (7) the property on which the premises are located is
15 a corner lot that is bound by 3 streets and an alley, where
16 one street is a one-way street that runs north-south, one
17 street runs east-west, and one street runs
18 northwest-southeast;

19 (8) the property line of the premises is approximately
20 16 feet from the property line of the building where the
21 church is located;

22 (9) the premises are separated from the building
23 containing the church by a public alley;

24 (10) the primary entrance of the premises and the
25 primary entrance of the church are at least 100 feet
26 apart;

1 (11) representatives of the church have delivered a
2 written statement that the church does not object to the
3 issuance of a license under this subsection (fff); and

4 (12) the alderperson ~~alderman~~ of the ward in which the
5 grocery store is located has expressed, in writing, his or
6 her support for the issuance of the license.

7 (ggg) Notwithstanding any provision of this Section to the
8 contrary, nothing in this Section shall prohibit the issuance
9 or renewal of licenses authorizing the sale of alcoholic
10 liquor within a restaurant or lobby coffee house at premises
11 located within a municipality with a population in excess of
12 1,000,000 inhabitants and within 100 feet of a church and
13 school if:

14 (1) a residential retirement home formerly operated on
15 the premises and the premises are being converted into a
16 new apartment living complex containing studio and
17 one-bedroom apartments with ground floor retail space;

18 (2) the restaurant and lobby coffee house are located
19 within a Community Shopping District within the
20 municipality;

21 (3) the premises are located in a single-building,
22 mixed-use complex that, in addition to the restaurant and
23 lobby coffee house, contains apartment residences, a
24 fitness center for the residents of the apartment
25 building, a lobby designed as a social center for the
26 residents, a rooftop deck, and a patio with a dog run for

1 the exclusive use of the residents;

2 (4) the sale of alcoholic liquor is not the primary
3 business activity of the apartment complex, restaurant, or
4 lobby coffee house;

5 (5) the entrance to the apartment residence is more
6 than 310 feet from the entrance to the school and church;

7 (6) the entrance to the apartment residence is located
8 at the end of the block around the corner from the south
9 side of the school building;

10 (7) the school is affiliated with the church;

11 (8) the pastor of the parish, principal of the school,
12 and the titleholder to the church and school have given
13 written consent to the issuance of the license;

14 (9) the alderperson ~~alderman~~ of the ward in which the
15 premises are located has given written consent to the
16 issuance of the license; and

17 (10) the neighborhood block club has given written
18 consent to the issuance of the license.

19 (hhh) Notwithstanding any provision of this Section to the
20 contrary, nothing in this Section shall prohibit the issuance
21 or renewal of a license to sell alcoholic liquor at premises
22 located within a municipality with a population in excess of
23 1,000,000 inhabitants and within 100 feet of a home for
24 indigent persons or a church if:

25 (1) a restaurant operates on the premises and has been
26 in operation since January of 2014;

1 (2) the sale of alcoholic liquor is incidental to the
2 sale of food;

3 (3) the sale of alcoholic liquor is not the principal
4 business carried on by the licensee on the premises;

5 (4) the premises occupy the first floor of a 3-story
6 building that is at least 100 years old;

7 (5) the primary entrance to the premises is more than
8 100 feet from the primary entrance to the home for
9 indigent persons, which opened in 1989 and is operated to
10 address homelessness and provide shelter;

11 (6) the primary entrance to the premises and the
12 primary entrance to the home for indigent persons are
13 located on different streets;

14 (7) the executive director of the home for indigent
15 persons has given written consent to the issuance of the
16 license;

17 (8) the entrance to the premises is located within 100
18 feet of a Buddhist temple;

19 (9) the entrance to the premises is more than 100 feet
20 from where any worship or educational programming is
21 conducted by the Buddhist temple and is located in an area
22 used only for other purposes; and

23 (10) the president and the board of directors of the
24 Buddhist temple have given written consent to the issuance
25 of the license.

26 (iii) Notwithstanding any provision of this Section to the

1 contrary, nothing in this Section shall prohibit the issuance
2 or renewal of a license authorizing the sale of alcoholic
3 liquor at premises located within a municipality in excess of
4 1,000,000 inhabitants and within 100 feet of a home for the
5 aged if:

6 (1) the sale of alcoholic liquor is not the principal
7 business carried on by the licensee on the premises;

8 (2) the sale of alcoholic liquor at the premises is
9 incidental to the operation of a restaurant;

10 (3) the premises are on the ground floor of a
11 multi-floor, university-affiliated housing facility;

12 (4) the premises occupy 1,916 square feet of space,
13 with the total square footage from which liquor will be
14 sold, served, and consumed to be 900 square feet;

15 (5) the premises are separated from the home for the
16 aged by an alley;

17 (6) the primary entrance to the premises and the
18 primary entrance to the home for the aged are at least 500
19 feet apart and located on different streets;

20 (7) representatives of the home for the aged have
21 expressed, in writing, that the home does not object to
22 the issuance of a license under this subsection; and

23 (8) the alderperson ~~alderman~~ of the ward in which the
24 restaurant is located has expressed, in writing, his or
25 her support for the issuance of the license.

26 (jjj) Notwithstanding any provision of this Section to the

1 contrary, nothing in this Section shall prohibit the issuance
2 or renewal of a license authorizing the sale of alcoholic
3 liquor at premises located within a municipality with a
4 population in excess of 1,000,000 inhabitants and within 100
5 feet of a school if:

6 (1) as of January 1, 2016, the premises were used for
7 the sale of alcoholic liquor for consumption on the
8 premises and were authorized to do so pursuant to a retail
9 tavern license held by an individual as the sole
10 proprietor of the premises;

11 (2) the primary entrance to the school and the primary
12 entrance to the premises are on the same street;

13 (3) the school was founded in 1949;

14 (4) the building in which the premises are situated
15 was constructed before 1930;

16 (5) the building in which the premises are situated is
17 immediately across the street from the school; and

18 (6) the school has not indicated its opposition to the
19 issuance or renewal of the license in writing.

20 (kkk) (Blank).

21 (lll) Notwithstanding any provision of this Section to the
22 contrary, nothing in this Section shall prohibit the issuance
23 or renewal of a license authorizing the sale of alcoholic
24 liquor at premises located within a municipality with a
25 population in excess of 1,000,000 inhabitants and within 100
26 feet of a synagogue or school if:

1 (1) the sale of alcoholic liquor at the premises is
2 incidental to the sale of food;

3 (2) the sale of alcoholic liquor is not the principal
4 business carried on by the licensee at the premises;

5 (3) the premises are located on the same street on
6 which the synagogue or school is located;

7 (4) the primary entrance to the premises and the
8 closest entrance to the synagogue or school is at least
9 100 feet apart;

10 (5) the shortest distance between the premises and the
11 synagogue or school is at least 65 feet apart and no
12 greater than 70 feet apart;

13 (6) the premises are between 1,800 and 2,000 square
14 feet;

15 (7) the synagogue was founded in 1861; and

16 (8) the leader of the synagogue has indicated, in
17 writing, the synagogue's support for the issuance or
18 renewal of the license.

19 (mmm) Notwithstanding any provision of this Section to the
20 contrary, nothing in this Section shall prohibit the issuance
21 or renewal of licenses authorizing the sale of alcoholic
22 liquor within a restaurant or lobby coffee house at premises
23 located within a municipality with a population in excess of
24 1,000,000 inhabitants and within 100 feet of a church if:

25 (1) the sale of alcoholic liquor is not the principal
26 business carried on by the licensee at the premises;

1 (2) the sale of alcoholic liquor at the premises is
2 incidental to the sale of food in a restaurant;

3 (3) the restaurant has been run by the same family for
4 at least 19 consecutive years;

5 (4) the premises are located in a 3-story building in
6 the most easterly part of the first floor;

7 (5) the building in which the premises are located has
8 residential housing on the second and third floors;

9 (6) the primary entrance to the premises is on a
10 north-south street around the corner and across an alley
11 from the primary entrance to the church, which is on an
12 east-west street;

13 (7) the primary entrance to the church and the primary
14 entrance to the premises are more than 160 feet apart; and

15 (8) the church has expressed, in writing, its support
16 for the issuance of a license under this subsection.

17 (nnn) Notwithstanding any provision of this Section to the
18 contrary, nothing in this Section shall prohibit the issuance
19 or renewal of licenses authorizing the sale of alcoholic
20 liquor within a restaurant or lobby coffee house at premises
21 located within a municipality with a population in excess of
22 1,000,000 inhabitants and within 100 feet of a school and
23 church or synagogue if:

24 (1) the sale of alcoholic liquor is not the principal
25 business carried on by the licensee at the premises;

26 (2) the sale of alcoholic liquor at the premises is

1 incidental to the sale of food in a restaurant;

2 (3) the front door of the synagogue faces east on the
3 next north-south street east of and parallel to the
4 north-south street on which the restaurant is located
5 where the restaurant's front door faces west;

6 (4) the closest exterior pedestrian entrance that
7 leads to the school or the synagogue is across an
8 east-west street and at least 300 feet from the primary
9 entrance to the restaurant;

10 (5) the nearest church-related or school-related
11 building is a community center building;

12 (6) the restaurant is on the ground floor of a 3-story
13 building constructed in 1896 with a brick facade;

14 (7) the restaurant shares the ground floor with a
15 theater, and the second and third floors of the building
16 in which the restaurant is located consists of residential
17 housing;

18 (8) the leader of the synagogue and school has
19 expressed, in writing, that the synagogue does not object
20 to the issuance of a license under this subsection; and

21 (9) the alderperson ~~alderman~~ of the ward in which the
22 premises is located has expressed, in writing, his or her
23 support for the issuance of the license.

24 (ooo) Notwithstanding any provision of this Section to the
25 contrary, nothing in this Section shall prohibit the issuance
26 or renewal of a license authorizing the sale of alcoholic

1 liquor at premises located within a municipality with a
2 population in excess of 2,000 but less than 5,000 inhabitants
3 in a county with a population in excess of 3,000,000 and within
4 100 feet of a home for the aged if:

5 (1) as of March 1, 2016, the premises were used to sell
6 alcohol pursuant to a retail tavern and packaged goods
7 license issued by the municipality and held by a limited
8 liability company as the proprietor of the premises;

9 (2) the home for the aged was completed in 2015;

10 (3) the home for the aged is a 5-story structure;

11 (4) the building in which the premises are situated is
12 directly adjacent to the home for the aged;

13 (5) the building in which the premises are situated
14 was constructed before 1950;

15 (6) the home for the aged has not indicated its
16 opposition to the issuance or renewal of the license; and

17 (7) the president of the municipality has expressed in
18 writing that he or she does not object to the issuance or
19 renewal of the license.

20 (ppp) Notwithstanding any provision of this Section to the
21 contrary, nothing in this Section shall prohibit the issuance
22 or renewal of a license authorizing the sale of alcoholic
23 liquor at premises located within a municipality with a
24 population in excess of 1,000,000 inhabitants and within 100
25 feet of a church or churches if:

26 (1) the shortest distance between the premises and a

1 church is at least 78 feet apart and no greater than 95
2 feet apart;

3 (2) the premises are a single-story, brick commercial
4 building and between 3,600 to 4,000 square feet and the
5 original building was built before 1922;

6 (3) the premises are located in a B3-2 zoning
7 district;

8 (4) the premises are separated from the buildings
9 containing the churches by a street;

10 (5) the previous owners of the business located on the
11 premises held a liquor license for at least 10 years;

12 (6) the new owner of the business located on the
13 premises has managed 2 other food and liquor stores since
14 1997;

15 (7) the principal religious leaders at the places of
16 worship have indicated their support for the issuance or
17 renewal of the license in writing; and

18 (8) the alderperson ~~alderman~~ of the ward in which the
19 premises are located has indicated his or her support for
20 the issuance or renewal of the license in writing.

21 (qqq) Notwithstanding any provision of this Section to the
22 contrary, nothing in this Section shall prohibit the issuance
23 or renewal of a license authorizing the sale of alcoholic
24 liquor at premises located within a municipality with a
25 population in excess of 1,000,000 inhabitants and within 100
26 feet of a church if:

1 (1) the sale of alcoholic liquor at the premises is
2 incidental to the sale of food;

3 (2) the sale of alcoholic liquor is not the principal
4 business carried on by the licensee at the premises;

5 (3) the premises are located on the opposite side of
6 the same street on which the church is located;

7 (4) the church is located on a corner lot;

8 (5) the shortest distance between the premises and the
9 church is at least 90 feet apart and no greater than 95
10 feet apart;

11 (6) the premises are at least 3,000 but no more than
12 5,000 square feet;

13 (7) the church's original chapel was built in 1858;

14 (8) the church's first congregation was organized in
15 1860; and

16 (9) the leaders of the church and the alderperson
17 ~~alderman~~ of the ward in which the premises are located has
18 expressed, in writing, their support for the issuance of
19 the license.

20 (rrr) Notwithstanding any provision of this Section to the
21 contrary, nothing in this Section shall prohibit the issuance
22 or renewal of a license authorizing the sale of alcoholic
23 liquor at a restaurant or banquet facility established within
24 premises located within a municipality with a population in
25 excess of 1,000,000 inhabitants and within 100 feet of a
26 church or school if:

1 (1) the sale of alcoholic liquor at the premises is
2 incidental to the sale of food;

3 (2) the sale of alcoholic liquor is not the principal
4 business carried on by the licensee at the premises;

5 (3) the immediately prior owner or the operator of the
6 restaurant or banquet facility held a valid retail license
7 authorizing the sale of alcoholic liquor at the premises
8 for at least part of the 24 months before a change of
9 ownership;

10 (4) the premises are located immediately east and
11 across the street from an elementary school;

12 (5) the premises and elementary school are part of an
13 approximately 100-acre campus owned by the church;

14 (6) the school opened in 1999 and was named after the
15 founder of the church; and

16 (7) the alderperson ~~alderman~~ of the ward in which the
17 premises are located has expressed, in writing, his or her
18 support for the issuance of the license.

19 (sss) Notwithstanding any provision of this Section to the
20 contrary, nothing in this Section shall prohibit the issuance
21 or renewal of a license authorizing the sale of alcoholic
22 liquor at premises located within a municipality with a
23 population in excess of 1,000,000 inhabitants and within 100
24 feet of a church or school if:

25 (1) the premises are at least 5,300 square feet and
26 located in a building that was built prior to 1940;

1 (2) the shortest distance between the property line of
2 the premises and the exterior wall of the building in
3 which the church is located is at least 109 feet;

4 (3) the distance between the building in which the
5 church is located and the building in which the premises
6 are located is at least 118 feet;

7 (4) the main entrance to the church faces west and is
8 at least 602 feet from the main entrance of the premises;

9 (5) the shortest distance between the property line of
10 the premises and the property line of the school is at
11 least 177 feet;

12 (6) the applicant has been in business for more than
13 10 years;

14 (7) the principal religious leader of the church has
15 indicated his or her support for the issuance or renewal
16 of the license in writing;

17 (8) the principal of the school has indicated in
18 writing that he or she is not opposed to the issuance of
19 the license; and

20 (9) the alderperson ~~alderman~~ of the ward in which the
21 premises are located has expressed, in writing, his or her
22 support for the issuance of the license.

23 (ttt) Notwithstanding any provision of this Section to the
24 contrary, nothing in this Section shall prohibit the issuance
25 or renewal of a license authorizing the sale of alcoholic
26 liquor at premises located within a municipality with a

1 population in excess of 1,000,000 inhabitants and within 100
2 feet of a church or school if:

3 (1) the premises are at least 59,000 square feet and
4 located in a building that was built prior to 1940;

5 (2) the shortest distance between the west property
6 line of the premises and the exterior wall of the church is
7 at least 99 feet;

8 (3) the distance between the building in which the
9 church is located and the building in which the premises
10 are located is at least 102 feet;

11 (4) the main entrance to the church faces west and is
12 at least 457 feet from the main entrance of the premises;

13 (5) the shortest distance between the property line of
14 the premises and the property line of the school is at
15 least 66 feet;

16 (6) the applicant has been in business for more than
17 10 years;

18 (7) the principal religious leader of the church has
19 indicated his or her support for the issuance or renewal
20 of the license in writing;

21 (8) the principal of the school has indicated in
22 writing that he or she is not opposed to the issuance of
23 the license; and

24 (9) the alderperson ~~alderman~~ of the ward in which the
25 premises are located has expressed, in writing, his or her
26 support for the issuance of the license.

1 (uuu) Notwithstanding any provision of this Section to the
2 contrary, nothing in this Section shall prohibit the issuance
3 or renewal of a license authorizing the sale of alcoholic
4 liquor at premises located within a municipality with a
5 population in excess of 1,000,000 inhabitants and within 100
6 feet of a place of worship if:

7 (1) the sale of liquor is incidental to the sale of
8 food;

9 (2) the premises are at least 7,100 square feet;

10 (3) the shortest distance between the north property
11 line of the premises and the nearest exterior wall of the
12 place of worship is at least 86 feet;

13 (4) the main entrance to the place of worship faces
14 north and is more than 150 feet from the main entrance of
15 the premises;

16 (5) the applicant has been in business for more than
17 20 years at the location;

18 (6) the principal religious leader of the place of
19 worship has indicated his or her support for the issuance
20 or renewal of the license in writing; and

21 (7) the alderperson ~~alderman~~ of the ward in which the
22 premises are located has expressed, in writing, his or her
23 support for the issuance of the license.

24 (vvv) Notwithstanding any provision of this Section to the
25 contrary, nothing in this Section shall prohibit the issuance
26 or renewal of a license authorizing the sale of alcoholic

1 liquor at premises located within a municipality with a
2 population in excess of 1,000,000 inhabitants and within 100
3 feet of 2 churches if:

4 (1) as of January 1, 2015, the premises were used for
5 the sale of alcoholic liquor for consumption on the
6 premises and the sale was authorized pursuant to a retail
7 tavern license held by an individual as the sole
8 proprietor of the premises;

9 (2) a primary entrance of the church situated to the
10 south of the premises is located on a street running
11 perpendicular to the street upon which a primary entrance
12 of the premises is situated;

13 (3) the church located to the south of the premises is
14 a 3-story structure that was constructed in 2006;

15 (4) a parking lot separates the premises from the
16 church located to the south of the premises;

17 (5) the building in which the premises are situated
18 was constructed before 1930;

19 (6) the building in which the premises are situated is
20 a 2-story, mixed-use commercial and residential structure
21 containing more than 20,000 total square feet and
22 containing at least 7 residential units on the second
23 floor and 3 commercial units on the first floor;

24 (7) the building in which the premises are situated is
25 immediately adjacent to the church located to the north of
26 the premises;

1 (8) the primary entrance of the church located to the
2 north of the premises and the primary entrance of the
3 premises are located on the same street;

4 (9) the churches have not indicated their opposition
5 to the issuance or renewal of the license in writing; and

6 (10) the alderperson ~~alderman~~ of the ward in which the
7 premises are located has expressed, in writing, his or her
8 support for the issuance of the license.

9 (www) Notwithstanding any provision of this Section to the
10 contrary, nothing in this Section shall prohibit the issuance
11 or renewal of licenses authorizing the sale of alcoholic
12 liquor within a restaurant at premises located within a
13 municipality with a population in excess of 1,000,000
14 inhabitants and within 100 feet of a school if:

15 (1) the sale of alcoholic liquor is incidental to the
16 sale of food and is not the principal business of the
17 restaurant;

18 (2) the building in which the restaurant is located
19 was constructed in 1909 and is a 2-story structure;

20 (3) the restaurant has been operating continuously
21 since 1962, has been located at the existing premises
22 since 1989, and has been owned and operated by the same
23 family, which also operates a deli in a building located
24 immediately to the east and adjacent and connected to the
25 restaurant;

26 (4) the entrance to the restaurant is more than 200

1 feet from the entrance to the school;

2 (5) the building in which the restaurant is located
3 and the building in which the school is located are
4 separated by a traffic-congested major street;

5 (6) the building in which the restaurant is located
6 faces a public park located to the east of the school,
7 cannot be seen from the windows of the school, and is not
8 directly across the street from the school;

9 (7) the school building is located 2 blocks from a
10 major private university;

11 (8) the school is a public school that has
12 pre-kindergarten through eighth grade classes, is an open
13 enrollment school, and has a preschool program that has
14 earned a Gold Circle of Quality award;

15 (9) the local school council has given written consent
16 for the issuance of the liquor license; and

17 (10) the alderperson ~~alderman~~ of the ward in which the
18 premises are located has given written consent for the
19 issuance of the liquor license.

20 (xxx) (Blank).

21 (yyy) Notwithstanding any provision in this Section to the
22 contrary, nothing in this Section shall prohibit the issuance
23 or renewal of a license authorizing the sale of alcoholic
24 liquor at a store that is located within a municipality with a
25 population in excess of 1,000,000 inhabitants and within 100
26 feet of a church if:

1 (1) the premises are primarily used for the sale of
2 alcoholic liquor;

3 (2) on January 1, 2017, the store was authorized to
4 sell alcoholic liquor pursuant to a package goods liquor
5 license;

6 (3) on January 1, 2017, the store occupied
7 approximately 5,560 square feet and will be expanded to
8 include 440 additional square feet for the purpose of
9 storage;

10 (4) the store was in existence before the church;

11 (5) the building in which the store is located was
12 built in 1956 and is immediately south of the church;

13 (6) the store and church are separated by an east-west
14 street;

15 (7) the owner of the store received his first liquor
16 license in 1986;

17 (8) the church has not indicated its opposition to the
18 issuance or renewal of the license in writing; and

19 (9) the alderperson ~~alderman~~ of the ward in which the
20 store is located has expressed his or her support for the
21 issuance or renewal of the license.

22 (zzz) Notwithstanding any provision of this Section to the
23 contrary, nothing in this Section shall prohibit the issuance
24 or renewal of a license authorizing the sale of alcoholic
25 liquor at premises located within a municipality with a
26 population in excess of 1,000,000 inhabitants and within 100

1 feet of a church if:

2 (1) the premises are approximately 2,800 square feet
3 with east frontage on South Allport Street and north
4 frontage on West 18th Street in the City of Chicago;

5 (2) the shortest distance between the north property
6 line of the premises and the nearest exterior wall of the
7 church is 95 feet;

8 (3) the main entrance to the church is on West 18th
9 Street, faces south, and is more than 100 feet from the
10 main entrance to the premises;

11 (4) the sale of alcoholic liquor is incidental to the
12 sale of food in a restaurant;

13 (5) the principal religious leader of the church has
14 not indicated his or her opposition to the issuance or
15 renewal of the license in writing; and

16 (6) the alderperson ~~alderman~~ of the ward in which the
17 premises are located has indicated his or her support for
18 the issuance or renewal of the license in writing.

19 (aaaa) Notwithstanding any provision of this Section to
20 the contrary, nothing in this Section shall prohibit the
21 issuance or renewal of a license authorizing the sale of
22 alcoholic liquor at premises located within a municipality
23 with a population in excess of 1,000,000 inhabitants and
24 within 100 feet of a church if:

25 (1) the shortest distance between the premises and the
26 church is at least 65 feet apart and no greater than 70

1 feet apart;

2 (2) the premises are located on the ground floor of a
3 freestanding, 3-story building of brick construction with
4 2 stories of residential apartments above the premises;

5 (3) the premises are approximately 2,557 square feet;

6 (4) the premises and the church are located on
7 opposite corners and are separated by sidewalks and a
8 street;

9 (5) the sale of alcohol is not the principal business
10 carried on by the licensee at the premises;

11 (6) the pastor of the church has not indicated his or
12 her opposition to the issuance or renewal of the license
13 in writing; and

14 (7) the alderperson ~~alderman~~ of the ward in which the
15 premises are located has not indicated his or her
16 opposition to the issuance or renewal of the license in
17 writing.

18 (bbbb) Notwithstanding any other provision of this Section
19 to the contrary, nothing in this Section shall prohibit the
20 issuance or renewal of a license authorizing the sale of
21 alcoholic liquor at premises or an outdoor location at the
22 premises located within a municipality with a population in
23 excess of 1,000,000 inhabitants and that are within 100 feet
24 of a church or school if:

25 (1) the church was a Catholic cathedral on January 1,
26 2018;

1 (2) the church has been in existence for at least 150
2 years;

3 (3) the school is affiliated with the church;

4 (4) the premises are bordered by State Street on the
5 east, Superior Street on the south, Dearborn Street on the
6 west, and Chicago Avenue on the north;

7 (5) the premises are located within 2 miles of Lake
8 Michigan and the Chicago River;

9 (6) the premises are located in and adjacent to a
10 building for which construction commenced after January 1,
11 2018;

12 (7) the alderperson ~~alderman~~ who represents the
13 district in which the premises are located has written a
14 letter of support for the issuance of a license; and

15 (8) the principal religious leader of the church and
16 the principal of the school have both signed a letter of
17 support for the issuance of a license.

18 (cccc) Notwithstanding any other provision of this Section
19 to the contrary, nothing in this Section shall prohibit the
20 issuance or renewal of a license authorizing the sale of
21 alcoholic liquor within a restaurant at premises located
22 within a municipality with a population in excess of 1,000,000
23 inhabitants and within 100 feet of a school if:

24 (1) the sale of alcoholic liquor is incidental to the
25 sale of food and is not the principal business of the
26 restaurant;

1 (2) the building in which the restaurant is located
2 was constructed in 1912 and is a 3-story structure;

3 (3) the restaurant has been in operation since 2015
4 and its entrance faces North Western Avenue;

5 (4) the entrance to the school faces West Augusta
6 Boulevard;

7 (5) the entrance to the restaurant is more than 100
8 feet from the entrance to the school;

9 (6) the school is a Catholic school affiliated with
10 the nearby Catholic Parish church;

11 (7) the building in which the restaurant is located
12 and the building in which the school is located are
13 separated by an alley;

14 (8) the principal of the school has not indicated his
15 or her opposition to the issuance or renewal of the
16 license in writing; and

17 (9) the alderperson ~~alderman~~ of the ward in which the
18 restaurant is located has expressed his or her support for
19 the issuance or renewal of the license.

20 (dddd) Notwithstanding any provision of this Section to
21 the contrary, nothing in this Section shall prohibit the
22 issuance or renewal of a license authorizing the sale of
23 alcoholic liquor at premises located within a municipality
24 with a population in excess of 1,000,000 inhabitants and
25 within 100 feet of a school if:

26 (1) the premises are approximately 6,250 square feet

1 with south frontage on Bryn Mawr Avenue and north frontage
2 on the alley 125 feet north of Bryn Mawr Avenue in the City
3 of Chicago;

4 (2) the shortest distance between the south property
5 line of the premises and the nearest exterior wall of the
6 school is 248 feet;

7 (3) the main entrance to the school is on Christiana
8 Avenue, faces east, and is more than 100 feet from the main
9 entrance to the premises;

10 (4) the sale of alcoholic liquor is incidental to the
11 sale of food in a restaurant;

12 (5) the principal of the school has not indicated his
13 or her opposition to the issuance or renewal of the
14 license in writing; and

15 (6) the alderperson ~~alderman~~ of the ward in which the
16 premises are located has indicated his or her support for
17 the issuance or renewal of the license in writing.

18 (eeee) Notwithstanding any provision of this Section to
19 the contrary, nothing in this Section shall prohibit the
20 issuance or renewal of a license authorizing the sale of
21 alcoholic liquor at premises located within a municipality
22 with a population in excess of 1,000,000 inhabitants and
23 within 100 feet of a school if:

24 (1) the premises are approximately 2,300 square feet
25 with south frontage on 53rd Street in the City of Chicago
26 and the eastern property line of the premises abuts a

1 private alleyway;

2 (2) the shortest distance between the south property
3 line of the premises and the nearest exterior wall of the
4 school is approximately 187 feet;

5 (3) the main entrance to the school is on Cornell
6 Avenue, faces west, and is more than 100 feet from the main
7 entrance to the premises;

8 (4) the sale of alcoholic liquor is incidental to the
9 sale of food in a restaurant;

10 (5) the principal of the school has not indicated his
11 or her opposition to the issuance or renewal of the
12 license in writing; and

13 (6) the alderperson ~~alderman~~ of the ward in which the
14 premises are located has indicated his or her support for
15 the issuance or renewal of the license in writing.

16 (Source: P.A. 100-36, eff. 8-4-17; 100-38, eff. 8-4-17;
17 100-201, eff. 8-18-17; 100-579, eff. 2-13-18; 100-663, eff.
18 8-2-18; 100-863, eff. 8-14-18; 100-1036, eff. 8-22-18; 101-81,
19 eff. 7-12-19.)

20 Section 75. The Cannabis Regulation and Tax Act is amended
21 by changing Section 55-28 as follows:

22 (410 ILCS 705/55-28)

23 Sec. 55-28. Restricted cannabis zones.

24 (a) As used in this Section:

1 "Legal voter" means a person:

2 (1) who is duly registered to vote in a municipality
3 with a population of over 500,000;

4 (2) whose name appears on a poll list compiled by the
5 city board of election commissioners since the last
6 preceding election, regardless of whether the election was
7 a primary, general, or special election;

8 (3) who, at the relevant time, is a resident of the
9 address at which he or she is registered to vote; and

10 (4) whose address, at the relevant time, is located in
11 the precinct where such person seeks to file a notice of
12 intent to initiate a petition process, circulate a
13 petition, or sign a petition under this Section.

14 As used in the definition of "legal voter", "relevant
15 time" means any time that:

16 (i) a notice of intent is filed, pursuant to
17 subsection (c) of this Section, to initiate the petition
18 process under this Section;

19 (ii) the petition is circulated for signature in the
20 applicable precinct; or

21 (iii) the petition is signed by registered voters in
22 the applicable precinct.

23 "Petition" means the petition described in this Section.

24 "Precinct" means the smallest constituent territory within
25 a municipality with a population of over 500,000 in which
26 electors vote as a unit at the same polling place in any

1 election governed by the Election Code.

2 "Restricted cannabis zone" means a precinct within which
3 home cultivation, one or more types of cannabis business
4 establishments, or both has been prohibited pursuant to an
5 ordinance initiated by a petition under this Section.

6 (b) The legal voters of any precinct within a municipality
7 with a population of over 500,000 may petition their local
8 alderperson ~~alderman~~, using a petition form made available
9 online by the city clerk, to introduce an ordinance
10 establishing the precinct as a restricted zone. Such petition
11 shall specify whether it seeks an ordinance to prohibit,
12 within the precinct: (i) home cultivation; (ii) one or more
13 types of cannabis business establishments; or (iii) home
14 cultivation and one or more types of cannabis business
15 establishments.

16 Upon receiving a petition containing the signatures of at
17 least 25% of the registered voters of the precinct, and
18 concluding that the petition is legally sufficient following
19 the posting and review process in subsection (c) of this
20 Section, the city clerk shall notify the local alderperson
21 ~~alderman~~ of the ward in which the precinct is located. Upon
22 being notified, that alderperson ~~alderman~~, following an
23 assessment of relevant factors within the precinct, including
24 but not limited to, its geography, density and character, the
25 prevalence of residentially zoned property, current licensed
26 cannabis business establishments in the precinct, the current

1 amount of home cultivation in the precinct, and the prevailing
2 viewpoint with regard to the issue raised in the petition, may
3 introduce an ordinance to the municipality's governing body
4 creating a restricted cannabis zone in that precinct.

5 (c) A person seeking to initiate the petition process
6 described in this Section shall first submit to the city clerk
7 notice of intent to do so, on a form made available online by
8 the city clerk. That notice shall include a description of the
9 potentially affected area and the scope of the restriction
10 sought. The city clerk shall publicly post the submitted
11 notice online.

12 To be legally sufficient, a petition must contain the
13 requisite number of valid signatures and all such signatures
14 must be obtained within 90 days of the date that the city clerk
15 publicly posts the notice of intent. Upon receipt, the city
16 clerk shall post the petition on the municipality's website
17 for a 30-day comment period. The city clerk is authorized to
18 take all necessary and appropriate steps to verify the legal
19 sufficiency of a submitted petition. Following the petition
20 review and comment period, the city clerk shall publicly post
21 online the status of the petition as accepted or rejected, and
22 if rejected, the reasons therefor. If the city clerk rejects a
23 petition as legally insufficient, a minimum of 12 months must
24 elapse from the time the city clerk posts the rejection notice
25 before a new notice of intent for that same precinct may be
26 submitted.

1 (c-5) Within 3 days after receiving an application for
2 zoning approval to locate a cannabis business establishment
3 within a municipality with a population of over 500,000, the
4 municipality shall post a public notice of the filing on its
5 website and notify the alderman of the ward in which the
6 proposed cannabis business establishment is to be located of
7 the filing. No action shall be taken on the zoning application
8 for 7 business days following the notice of the filing for
9 zoning approval.

10 If a notice of intent to initiate the petition process to
11 prohibit the type of cannabis business establishment proposed
12 in the precinct of the proposed cannabis business
13 establishment is filed prior to the filing of the application
14 or within the 7-day period after the filing of the
15 application, the municipality shall not approve the
16 application for at least 90 days after the city clerk publicly
17 posts the notice of intent to initiate the petition process.
18 If a petition is filed within the 90-day petition-gathering
19 period described in subsection (c), the municipality shall not
20 approve the application for an additional 90 days after the
21 city clerk's receipt of the petition; provided that if the
22 city clerk rejects a petition as legally insufficient, the
23 municipality may approve the application prior to the end of
24 the 90 days. If a petition is not submitted within the 90-day
25 petition-gathering period described in subsection (c), the
26 municipality may approve the application unless the approval

1 is otherwise stayed pursuant to this subsection by a separate
2 notice of intent to initiate the petition process filed timely
3 within the 7-day period.

4 If no legally sufficient petition is timely filed, a
5 minimum of 12 months must elapse before a new notice of intent
6 for that same precinct may be submitted.

7 (d) Notwithstanding any law to the contrary, the
8 municipality may enact an ordinance creating a restricted
9 cannabis zone. The ordinance shall:

10 (1) identify the applicable precinct boundaries as of
11 the date of the petition;

12 (2) state whether the ordinance prohibits within the
13 defined boundaries of the precinct, and in what
14 combination: (A) one or more types of cannabis business
15 establishments; or (B) home cultivation;

16 (3) be in effect for 4 years, unless repealed earlier;
17 and

18 (4) once in effect, be subject to renewal by ordinance
19 at the expiration of the 4-year period without the need
20 for another supporting petition.

21 (Source: P.A. 101-27, eff. 6-25-19; 101-593, eff. 12-4-19.)

22 Section 80. The Illinois Vehicle Code is amended by
23 changing Section 3-610 as follows:

24 (625 ILCS 5/3-610) (from Ch. 95 1/2, par. 3-610)

1 Sec. 3-610. Members of Congress. Upon receiving an
2 application for a certificate of registration for a motor
3 vehicle from a member of the Congress of the United States from
4 Illinois, accompanied with payments of the registration fees
5 and taxes required under this Act, the Secretary of State
6 instead of issuing to such member number plates as hereinabove
7 provided, shall, if such member so requests, issue to him two
8 number plates as described in this Section. Two duplicate sets
9 of these number plates may be issued if requested and may be
10 used on 2 different motor vehicles. There shall appear, in
11 addition to the designation of the State and the year for which
12 such license was issued, if he is a member of the House of
13 Representatives, the number of the congressional district of
14 such member in the center of the plate followed in the next
15 line by the words "U. S. Congressperson ~~Congressman~~"; if he is
16 the senior Senator from Illinois, the number 1 shall be in the
17 center of the plate followed in the next line by the word
18 "Senator"; and if he is the junior Senator, the number 2 shall
19 be in the center of the plate followed in the next line by the
20 word "Senator".

21 Such plates may be issued for a 2 year period beginning
22 January 1st of each odd-numbered year and ending December 31st
23 of the subsequent even-numbered years.

24 (Source: P.A. 85-413.)

25 Section 85. The Code of Civil Procedure is amended by

1 changing Section 15-1503 as follows:

2 (735 ILCS 5/15-1503) (from Ch. 110, par. 15-1503)

3 Sec. 15-1503. Notice of foreclosure.

4 (a) A notice of foreclosure, whether the foreclosure is
5 initiated by complaint or counterclaim, made in accordance
6 with this Section and recorded in the county in which the
7 mortgaged real estate is located shall be constructive notice
8 of the pendency of the foreclosure to every person claiming an
9 interest in or lien on the mortgaged real estate, whose
10 interest or lien has not been recorded prior to the recording
11 of such notice of foreclosure. Such notice of foreclosure must
12 be executed by any party or any party's attorney and shall
13 include (i) the names of all plaintiffs and the case number,
14 (ii) the court in which the action was brought, (iii) the names
15 of title holders of record, (iv) a legal description of the
16 real estate sufficient to identify it with reasonable
17 certainty, (v) a common address or description of the location
18 of the real estate and (vi) identification of the mortgage
19 sought to be foreclosed. An incorrect common address or
20 description of the location, or an immaterial error in the
21 identification of a plaintiff or title holder of record, shall
22 not invalidate the lis pendens effect of the notice under this
23 Section. A notice which complies with this Section shall be
24 deemed to comply with Section 2-1901 of the Code of Civil
25 Procedure and shall have the same effect as a notice filed

1 pursuant to that Section; however, a notice which complies
2 with Section 2-1901 shall not be constructive notice unless it
3 also complies with the requirements of this Section.

4 (b) With respect to residential real estate, a copy of the
5 notice of foreclosure described in subsection (a) of Section
6 15-1503 shall be sent by first class mail, postage prepaid, to
7 the municipality within the boundary of which the mortgaged
8 real estate is located, or to the county within the boundary of
9 which the mortgaged real estate is located if the mortgaged
10 real estate is located in an unincorporated territory. A
11 municipality or county must clearly publish on its website a
12 single address to which such notice shall be sent. If a
13 municipality or county does not maintain a website, then the
14 municipality or county must publicly post in its main office a
15 single address to which such notice shall be sent. In the event
16 that a municipality or county has not complied with the
17 publication requirement in this subsection (b), then the copy
18 of the notice to the municipality or county shall be sent by
19 first class mail, postage prepaid, to the chairperson of the
20 county board or county clerk in the case of a county, to the
21 mayor or city clerk in the case of a city, to the president of
22 the board of trustees or village clerk in the case of a
23 village, or to the president or town clerk in the case of a
24 town. Additionally, if the real estate is located in a city
25 with a population of more than 2,000,000, regardless of
26 whether that city has complied with the publication

1 requirement in this subsection (b), the party must, within 10
2 days after filing the complaint or counterclaim: (i) send by
3 first class mail, postage prepaid, a copy of the notice of
4 foreclosure to the alderperson ~~alderman~~ for the ward in which
5 the real estate is located and (ii) file an affidavit with the
6 court attesting to the fact that the notice was sent to the
7 alderperson ~~alderman~~ for the ward in which the real estate is
8 located. The failure to send a copy of the notice to the
9 alderperson ~~alderman~~ or to file an affidavit as required shall
10 result in a stay of the foreclosure action on a motion of a
11 party or the court. If the foreclosure action has been stayed
12 by an order of the court, the plaintiff or the plaintiff's
13 representative shall send the notice by certified mail, return
14 receipt requested, or by private carrier that provides proof
15 of delivery, and tender the return receipt or the proof of
16 delivery to the court. After proof of delivery is tendered to
17 the court, the court shall lift the stay of the foreclosure
18 action.

19 (Source: P.A. 101-399, eff. 8-16-19.)

20 Section 90. The City Sale or Lease of Land for Cemeteries
21 Act is amended by changing Section 1 as follows:

22 (765 ILCS 825/1) (from Ch. 21, par. 7)

23 Sec. 1. That in all cities of which the mayor and
24 alderpersons ~~aldermen~~ have heretofore been incorporated by any

1 special act, as a cemetery association or body politic, it
2 shall be lawful, a majority of their number assenting thereto,
3 for such association or body politic to demise for a term of
4 years, or to convey in perpetuity any real estate which it may
5 have acquired by purchase or otherwise; and the real estate so
6 conveyed shall be devoted exclusively for burial or cemetery
7 purposes by the grantee or lessee thereof.

8 (Source: Laws 1875, p. 40.)

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3	10 ILCS 5/2A-1.2	from Ch. 46, par. 2A-1.2
4	10 ILCS 5/2A-26	from Ch. 46, par. 2A-26
5	10 ILCS 5/2A-28	from Ch. 46, par. 2A-28
6	10 ILCS 5/7-4	from Ch. 46, par. 7-4
7	10 ILCS 5/7-10	from Ch. 46, par. 7-10
8	10 ILCS 5/10-3	from Ch. 46, par. 10-3
9	10 ILCS 5/23-6.1	from Ch. 46, par. 23-6.1
10	40 ILCS 5/6-230	
11	40 ILCS 5/7-109	from Ch. 108 1/2, par. 7-109
12	40 ILCS 5/8-113	from Ch. 108 1/2, par. 8-113
13	40 ILCS 5/8-232	from Ch. 108 1/2, par. 8-232
14	40 ILCS 5/8-243	from Ch. 108 1/2, par. 8-243
15	40 ILCS 5/8-243.2	from Ch. 108 1/2, par. 8-243.2
16	50 ILCS 105/1	from Ch. 102, par. 1
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18	50 ILCS 105/2	from Ch. 102, par. 2
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