



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB0427

Introduced 2/8/2021, by Rep. Sam Yingling

SYNOPSIS AS INTRODUCED:

10 ILCS 5/28-1

from Ch. 46, par. 28-1

35 ILCS 200/3-47 new

Amends the Property Tax Code. Provides that the election authority for Lake County shall cause to be submitted to the voters of Lake County at the first general election held after the effective date of the amendatory Act a referendum to convert the Office of the Chief Assessment Officer of Lake County to an elected office rather than an appointed office. Provides for the form of the referendum to be submitted. Provides that in the event that a majority of the electors voting on the referendum are in favor thereof, the Office of the Chief Assessment Officer of Lake County shall become an elected office. Provides requirements for the candidacy, election, and assumption of office of a Chief Assessment Officer of Lake County. Amends the Election Code to allow for the submission of a referendum regarding the Office of the Chief Assessment Officer of Lake County. Effective immediately.

LRB102 10047 HLH 15367 b

FISCAL NOTE ACT
MAY APPLY

HOUSING
AFFORDABILITY
IMPACT NOTE ACT
MAY APPLY

1 AN ACT concerning revenue.

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 Section 28-1 as follows:

6 (10 ILCS 5/28-1) (from Ch. 46, par. 28-1)

7 Sec. 28-1. The initiation and submission of all public
8 questions to be voted upon by the electors of the State or of
9 any political subdivision or district or precinct or
10 combination of precincts shall be subject to the provisions of
11 this Article.

12 Questions of public policy which have any legal effect
13 shall be submitted to referendum only as authorized by a
14 statute which so provides or by the Constitution. Advisory
15 questions of public policy shall be submitted to referendum
16 pursuant to Section 28-5 or pursuant to a statute which so
17 provides.

18 The method of initiating the submission of a public
19 question shall be as provided by the statute authorizing such
20 public question, or as provided by the Constitution.

21 All public questions shall be initiated, submitted and
22 printed on the ballot in the form required by Section 16-7 of
23 this Act, except as may otherwise be specified in the statute

1 authorizing a public question.

2 Whenever a statute provides for the initiation of a public
3 question by a petition of electors, the provisions of such
4 statute shall govern with respect to the number of signatures
5 required, the qualifications of persons entitled to sign the
6 petition, the contents of the petition, the officer with whom
7 the petition must be filed, and the form of the question to be
8 submitted. If such statute does not specify any of the
9 foregoing petition requirements, the corresponding petition
10 requirements of Section 28-6 shall govern such petition.

11 Irrespective of the method of initiation, not more than 3
12 public questions other than (a) back door referenda, (b)
13 referenda to determine whether a disconnection may take place
14 where a city coterminous with a township is proposing to annex
15 territory from an adjacent township, (c) referenda held under
16 the provisions of the Property Tax Extension Limitation Law in
17 the Property Tax Code, (d) referenda held under Section 2-3002
18 of the Counties Code, ~~or~~ (e) referenda held under Article 22,
19 23, or 29 of the Township Code, or (f) referenda held under
20 Section 3-47 of the Property Tax Code may be submitted to
21 referendum with respect to a political subdivision at the same
22 election.

23 If more than 3 propositions are timely initiated or
24 certified for submission at an election with respect to a
25 political subdivision, the first 3 validly initiated, by the
26 filing of a petition or by the adoption of a resolution or

1 ordinance of a political subdivision, as the case may be,
2 shall be printed on the ballot and submitted at that election.
3 However, except as expressly authorized by law not more than
4 one proposition to change the form of government of a
5 municipality pursuant to Article VII of the Constitution may
6 be submitted at an election. If more than one such proposition
7 is timely initiated or certified for submission at an election
8 with respect to a municipality, the first validly initiated
9 shall be the one printed on the ballot and submitted at that
10 election.

11 No public question shall be submitted to the voters of a
12 political subdivision at any regularly scheduled election at
13 which such voters are not scheduled to cast votes for any
14 candidates for nomination for, election to or retention in
15 public office, except that if, in any existing or proposed
16 political subdivision in which the submission of a public
17 question at a regularly scheduled election is desired, the
18 voters of only a portion of such existing or proposed
19 political subdivision are not scheduled to cast votes for
20 nomination for, election to or retention in public office at
21 such election, but the voters in one or more other portions of
22 such existing or proposed political subdivision are scheduled
23 to cast votes for nomination for, election to or retention in
24 public office at such election, the public question shall be
25 voted upon by all the qualified voters of the entire existing
26 or proposed political subdivision at the election.

1 Not more than 3 advisory public questions may be submitted
2 to the voters of the entire state at a general election. If
3 more than 3 such advisory propositions are initiated, the
4 first 3 timely and validly initiated shall be the questions
5 printed on the ballot and submitted at that election; provided
6 however, that a question for a proposed amendment to Article
7 IV of the Constitution pursuant to Section 3, Article XIV of
8 the Constitution, or for a question submitted under the
9 Property Tax Cap Referendum Law, shall not be included in the
10 foregoing limitation.

11 (Source: P.A. 100-107, eff. 1-1-18.)

12 Section 10. The Property Tax Code is amended by adding
13 Section 3-47 as follows:

14 (35 ILCS 200/3-47 new)

15 Sec. 3-47. Lake County assessor referendum; election.

16 (a) Notwithstanding any provision of law to the contrary,
17 the election authority for Lake County shall cause to be
18 submitted to the voters of Lake County at the first general
19 election held after the effective date of this amendatory Act
20 of the 102nd General Assembly a referendum to convert the
21 Office of the Chief Assessment Officer of Lake County to an
22 elected office rather than an appointed office. The referendum
23 shall comply with the provisions of Section 4 of Article VII of
24 the Illinois Constitution, and shall be in the following form:

1 "Shall the office of the Chief Assessment Officer of
2 Lake County be an elected office beginning with the 2022
3 general election?"

4 The votes shall be recorded as "Yes" or "No".

5 The referendum is deemed approved if a majority of those
6 voting on the question approve the referendum.

7 (b) If a majority of the electors voting on the referendum
8 under this Section are in favor thereof, the Office of the
9 Chief Assessment Officer of Lake County shall become an
10 elected office. The Chief Assessment Officer of Lake County
11 shall then be elected at the first general election following
12 the approval of the referendum. Upon election of the Chief
13 Assessment Officer of Lake County under this Section, the
14 Office of the then-serving Chief Assessment Officer of Lake
15 County shall become vacant, and the newly elected Chief
16 Assessment Officer shall assume that office.

17 (c) Should the Office of the Chief Assessment Officer of
18 Lake County become an elected office as provided under
19 subsection (b), any person seeking such office shall comply
20 with and be governed by the provisions of Section 3-45 with
21 respect to the election of county assessors and related
22 requirements.

23 Section 99. Effective date. This Act takes effect upon
24 becoming law.