



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB3422

Introduced 2/22/2021, by Rep. Sam Yingling

SYNOPSIS AS INTRODUCED:

50 ILCS 105/2a
50 ILCS 105/4

from Ch. 102, par. 2a
from Ch. 102, par. 4

Amends the Public Officer Prohibited Activities Act. Provides that, if a person holds both an elected county office in a county with a population of 500,000 or more and an elected township office, they are prohibited from collecting a salary and benefits from both positions and may only collect the salary and benefits from the office with the lowest salary of the 2 positions. Excludes a violation from provisions in the Act making the violation a Class 4 felony.

LRB102 14608 AWJ 19961 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning local government.

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

4 Section 5. The Public Officer Prohibited Activities Act is
5 amended by changing Sections 2a and 4 as follows:

6 (50 ILCS 105/2a) (from Ch. 102, par. 2a)

7 Sec. 2a. Township officials.

8 (a) No township supervisor or trustee, during the term of
9 office for which he or she is elected, may accept, be appointed
10 to, or hold any office by the appointment of the board of
11 township trustees unless he or she first resigns from the
12 office of supervisor or trustee or unless the appointment is
13 specifically authorized by law. A supervisor or trustee may,
14 however, serve as a volunteer firefighter and receive
15 compensation for that service. Any appointment in violation of
16 this Section is void. Nothing in this Act shall be construed to
17 prohibit an elected township official from holding elected
18 office in another unit of local government as long as there is
19 no contractual relationship between the township and the other
20 unit of local government. This amendatory Act of 1995 is
21 declarative of existing law and is not a new enactment.

22 (b) On and after the effective date of this amendatory Act
23 of the 100th General Assembly, a person elected to or

1 appointed to fill a vacancy in an elected township position,
2 including, but not limited to, a trustee, a supervisor, a
3 highway commissioner, a clerk, an assessor, or a collector,
4 shall not be employed by the township, except that a
5 supervisor or trustee may serve as a volunteer firefighter and
6 receive compensation for that service as provided in
7 subsection (a).

8 (c) If a person holds both an elected county office in a
9 county with a population of 500,000 or more and an elected
10 township office, they are prohibited from collecting a salary
11 and benefits from both positions. The person may only collect
12 the salary and benefits from the office with the lowest salary
13 of the 2 positions.

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

15 (50 ILCS 105/4) (from Ch. 102, par. 4)

16 Sec. 4. Any alderman, member of a board of trustees,
17 supervisor or county commissioner, or other person holding any
18 office, either by election or appointment under the laws or
19 constitution of this state, who violates any provision of the
20 preceding sections, is guilty of a Class 4 felony and in
21 addition thereto, any office or official position held by any
22 person so convicted shall become vacant, and shall be so
23 declared as part of the judgment of court. This Section does
24 not apply to a violation of subsection (b) or (c) of Section
25 2a.

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