



Rep. Kelly M. Cassidy

Filed: 3/22/2021

10200HB4013ham001

LRB102 17478 SMS 23753 a

1 AMENDMENT TO HOUSE BILL 4013

2 AMENDMENT NO. _____. Amend House Bill 4013 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Election Code is amended by changing
5 Sections 2A-1.2, 2A-26, 2A-28, 7-4, 7-8, 7-10, 10-3, and
6 23-6.1 as 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 ~~elections—offices~~ 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;

1 (3) State Executive Branch elected officers;

2 (4) State Senator and State Representative;

3 (5) County elected officers, including State's
4 Attorney, County Board member, County Commissioners, and
5 elected President of the County Board or County Chief
6 Executive;

7 (6) Circuit Court Clerk;

8 (7) Regional Superintendent of Schools, except in
9 counties or educational service regions in which that
10 office has been abolished;

11 (8) Judges of the Supreme, Appellate and Circuit
12 Courts, on the question of retention, to fill vacancies
13 and newly created judicial offices;

14 (9) (Blank);

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

18 (11) Special District elected officers, not otherwise
19 designated in this Section, where the statute creating or
20 authorizing the creation of the district requires an
21 annual election and permits or requires election of
22 candidates of political parties.

23 (b) At the general primary election:

24 (1) in each even-numbered year candidates of political
25 parties shall be nominated for those offices to be filled
26 at the general election in that year, except where

1 pursuant to law nomination of candidates of political
2 parties is made by caucus.

3 (2) in the appropriate even-numbered years the
4 political party offices of State central committeeperson,
5 township committeeperson, ward committeeperson, and
6 precinct committeeperson shall be filled and delegates and
7 alternate delegates to the National nominating conventions
8 shall be elected as may be required pursuant to this Code.
9 In the even-numbered years in which a Presidential
10 election is to be held, candidates in the Presidential
11 preference primary shall also be on the ballot.

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

26 (4) in each school district which has adopted the

1 provisions of Article 33 of the School Code, successors to
2 the members of the board of education whose terms expire
3 in the year in which the general primary is held shall be
4 elected.

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

7 (1) Municipal officers, provided that in
8 municipalities in which candidates for alder ~~alderman~~ or
9 other municipal office are not permitted by law to be
10 candidates of political parties, the runoff election where
11 required by law, or the nonpartisan election where
12 required by law, shall be held on the date of the
13 consolidated election; and provided further, in the case
14 of municipal officers provided for by an ordinance
15 providing the form of government of the municipality
16 pursuant to Section 7 of Article VII of the Constitution,
17 such offices shall be filled by election or by runoff
18 election as may be provided by such ordinance;

19 (2) Village and incorporated town library directors;

20 (3) City boards of stadium commissioners;

21 (4) Commissioners of park districts;

22 (5) Trustees of public library districts;

23 (6) Special District elected officers, not otherwise
24 designated in this Section, where the statute creating or
25 authorizing the creation of the district permits or
26 requires election of candidates of political parties;

1 (7) Township officers, including township park
2 commissioners, township library directors, and boards of
3 managers of community buildings, and Multi-Township
4 Assessors;

5 (8) Highway commissioners and road district clerks;

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

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

10 (11) Forest preserve district commissioners elected
11 under Section 3.5 of the Downstate Forest Preserve
12 District Act;

13 (12) Elected members of school boards, school
14 trustees, directors of boards of school directors,
15 trustees of county boards of school trustees (except in
16 counties or educational service regions having a
17 population of 2,000,000 or more inhabitants) and members
18 of boards of school inspectors, except school boards in
19 school districts that adopt Article 33 of the School Code;

20 (13) Members of Community College district boards;

21 (14) Trustees of Fire Protection Districts;

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

24 (16) Elected Trustees of Tuberculosis Sanitarium
25 Districts;

26 (17) Elected Officers of special districts not

1 otherwise designated in this Section for which the law
2 governing those districts does not permit candidates of
3 political parties.

4 (d) At the consolidated primary election in each
5 odd-numbered year, candidates of political parties shall be
6 nominated for those offices to be filled at the consolidated
7 election in that year, except where pursuant to law nomination
8 of candidates of political parties is made by caucus, and
9 except those offices listed in paragraphs (12) through (17) of
10 subsection (c).

11 At the consolidated primary election in the appropriate
12 odd-numbered years, the mayor, clerk, treasurer, and alders
13 ~~aldermen~~ shall be elected in municipalities in which
14 candidates for mayor, clerk, treasurer, or alder ~~alderman~~ are
15 not permitted by law to be candidates of political parties,
16 subject to runoff elections to be held at the consolidated
17 election as may be required by law, and municipal officers
18 shall be nominated in a nonpartisan election in municipalities
19 in which pursuant to law candidates for such office are not
20 permitted to be candidates of political parties.

21 At the consolidated primary election in the appropriate
22 odd-numbered years, municipal officers shall be nominated or
23 elected, or elected subject to a runoff, as may be provided by
24 an ordinance providing a form of government of the
25 municipality pursuant to Section 7 of Article VII of the
26 Constitution.

1 (e) (Blank).

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

6 Notwithstanding the regular dates for election of officers
7 established in this Article, whenever a referendum is held for
8 the establishment of a political subdivision whose officers
9 are to be elected, the initial officers shall be elected at the
10 election at which such referendum is held if otherwise so
11 provided by law. In such cases, the election of the initial
12 officers shall be subject to the referendum.

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

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

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

26 (Source: P.A. 100-1027, eff. 1-1-19; revised 12-14-20.)

1 (10 ILCS 5/2A-26) (from Ch. 46, par. 2A-26)

2 Sec. 2A-26. Chicago Alders ~~Aldermen~~. Alders ~~Aldermen~~ of
3 the City of Chicago shall be elected at the consolidated
4 primary election in 1979 and at the consolidated primary
5 election every 4 years thereafter. The runoff election where
6 necessary, pursuant to law, for Chicago alders ~~aldermen~~ shall
7 be held at the consolidated election in 1979, and every 4 years
8 thereafter.

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

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

11 Sec. 2A-28. Cities Generally - Alders ~~Aldermen~~ - Time of
12 Election. An alder ~~alderman~~ of a city other than the City of
13 Chicago shall be elected at the consolidated or general
14 primary election in each year to succeed each incumbent alder
15 ~~alderman~~ whose term ends before the following consolidated or
16 general election.

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

18 (10 ILCS 5/7-4) (from Ch. 46, par. 7-4)

19 Sec. 7-4. The following words and phrases in this Article
20 7 shall, unless the same be inconsistent with the context, be
21 construed as follows:

22 1. The word "primary" the primary elections provided for
23 in this Article, which are the general primary, the

1 consolidated primary, and for those municipalities which have
2 annual partisan elections for any officer, the municipal
3 primary held 6 weeks prior to the general primary election
4 date in even numbered years.

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

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

10 4. The words "state office" or "state officer", an office
11 to be filled, or an officer to be voted for, by qualified
12 electors of the entire state, including United States Senator
13 and Congressman at large.

14 5. The words "congressional office" or "congressional
15 officer", representatives in Congress.

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

25 7. The words "city office" and "village office," and
26 "incorporated town office" or "city officer" and "village

1 officer", and "incorporated town officer" an office to be
2 filled or an officer to be voted for by the qualified electors
3 of the entire municipality, including alders ~~aldermen~~.

4 8. The words "town office" or "town officer", an office to
5 be filled or an officer to be voted for by the qualified
6 electors of an entire town.

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

9 10. The words "delegates and alternate delegates to
10 National nominating conventions" include all delegates and
11 alternate delegates to National nominating conventions whether
12 they be elected from the state at large or from congressional
13 districts or selected by State convention unless contrary and
14 non-inclusive language specifically limits the term to one
15 class.

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

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

19 (10 ILCS 5/7-8) (from Ch. 46, par. 7-8)

20 Sec. 7-8. The State central committee shall be composed of
21 one or two members from each congressional district in the
22 State and shall be elected as follows:

23 State Central Committee

24 (a) Within 30 days after January 1, 1984 (the effective
25 date of Public Act 83-33), the State central committee of each

1 political party shall certify to the State Board of Elections
2 which of the following alternatives it wishes to apply to the
3 State central committee of that party.

4 Alternative A. At the primary in 1970 and at the general
5 primary election held every 4 years thereafter, each primary
6 elector may vote for one candidate of his party for member of
7 the State central committee for the congressional district in
8 which he resides. The candidate receiving the highest number
9 of votes shall be declared elected State central
10 committeeperson from the district. A political party may, in
11 lieu of the foregoing, by a majority vote of delegates at any
12 State convention of such party, determine to thereafter elect
13 the State central committeepersons in the manner following:

14 At the county convention held by such political party,
15 State central committeepersons shall be elected in the same
16 manner as provided in this Article for the election of
17 officers of the county central committee, and such election
18 shall follow the election of officers of the county central
19 committee. Each elected ward, township or precinct
20 committeeperson shall cast as his vote one vote for each
21 ballot voted in his ward, township, part of a township or
22 precinct in the last preceding primary election of his
23 political party. In the case of a county lying partially
24 within one congressional district and partially within another
25 congressional district, each ward, township or precinct
26 committeeperson shall vote only with respect to the

1 congressional district in which his ward, township, part of a
2 township or precinct is located. In the case of a
3 congressional district which encompasses more than one county,
4 each ward, township or precinct committeeperson residing
5 within the congressional district shall cast as his vote one
6 vote for each ballot voted in his ward, township, part of a
7 township or precinct in the last preceding primary election of
8 his political party for one candidate of his party for member
9 of the State central committee for the congressional district
10 in which he resides and the Chair of the county central
11 committee shall report the results of the election to the
12 State Board of Elections. The State Board of Elections shall
13 certify the candidate receiving the highest number of votes
14 elected State central committeeperson for that congressional
15 district.

16 The State central committee shall adopt rules to provide
17 for and govern the procedures to be followed in the election of
18 members of the State central committee.

19 After August 6, 1999 (the effective date of Public Act
20 91-426), whenever a vacancy occurs in the office of Chair of a
21 State central committee, or at the end of the term of office of
22 Chair, the State central committee of each political party
23 that has selected Alternative A shall elect a Chair who shall
24 not be required to be a member of the State Central Committee.
25 The Chair shall be a registered voter in this State and of the
26 same political party as the State central committee.

1 Alternative B. Each congressional committee shall, within
2 30 days after the adoption of this alternative, appoint a
3 person who identifies as a gender ~~of the sex~~ opposite ~~that~~ of
4 the incumbent member for that congressional district to serve
5 as an additional member of the State central committee until
6 his or her successor is elected at the general primary
7 election in 1986. Each congressional committee shall make this
8 appointment by voting on the basis set forth in paragraph (e)
9 of this Section. In each congressional district at the general
10 primary election held in 1986 and every 4 years thereafter,
11 the male candidate receiving the highest number of votes of
12 the party's male candidates for State central committeeman,
13 and the female candidate receiving the highest number of votes
14 of the party's female candidates for State central
15 committeewoman, shall be declared elected State central
16 committeeman and State central committeewoman from the
17 district. At the general primary election held in 1986 and
18 every 4 years thereafter, if all a party's candidates for
19 State central committeemen or State central committeewomen
20 from a congressional district identify as the same gender ~~are~~
21 ~~of the same sex~~, the candidate receiving the highest number of
22 votes shall be declared elected a State central committeeman
23 or State central committeewoman from the district, and,
24 because of a failure to elect one male and one female to the
25 committee, a vacancy shall be declared to exist in the office
26 of the second member of the State central committee from the

1 district. This vacancy shall be filled by appointment by the
2 congressional committee of the political party, and the person
3 appointed to fill the vacancy shall be a resident of the
4 congressional district and identify as the gender ~~of the sex~~
5 opposite ~~that~~ of the committeeman or committeewoman elected at
6 the general primary election. Each congressional committee
7 shall make this appointment by voting on the basis set forth in
8 paragraph (e) of this Section.

9 The Chair of a State central committee composed as
10 provided in this Alternative B must be selected from the
11 committee's members.

12 Except as provided for in Alternative A with respect to
13 the selection of the Chair of the State central committee,
14 under both of the foregoing alternatives, the State central
15 committee of each political party shall be composed of members
16 elected or appointed from the several congressional districts
17 of the State, and of no other person or persons whomsoever. The
18 members of the State central committee shall, within 41 days
19 after each quadrennial election of the full committee, meet in
20 the city of Springfield and organize by electing a Chair, and
21 may at such time elect such officers from among their own
22 number (or otherwise), as they may deem necessary or
23 expedient. The outgoing chair of the State central committee
24 of the party shall, 10 days before the meeting, notify each
25 member of the State central committee elected at the primary
26 of the time and place of such meeting. In the organization and

1 proceedings of the State central committee, each State central
2 committeeman and State central committeewoman shall have one
3 vote for each ballot voted in his or her congressional
4 district by the primary electors of his or her party at the
5 primary election immediately preceding the meeting of the
6 State central committee. Whenever a vacancy occurs in the
7 State central committee of any political party, the vacancy
8 shall be filled by appointment of the chairmen of the county
9 central committees of the political party of the counties
10 located within the congressional district in which the vacancy
11 occurs and, if applicable, the ward and township
12 committeepersons of the political party in counties of
13 2,000,000 or more inhabitants located within the congressional
14 district. If the congressional district in which the vacancy
15 occurs lies wholly within a county of 2,000,000 or more
16 inhabitants, the ward and township committeepersons of the
17 political party in that congressional district shall vote to
18 fill the vacancy. In voting to fill the vacancy, each chair of
19 a county central committee and each ward and township
20 committeeperson in counties of 2,000,000 or more inhabitants
21 shall have one vote for each ballot voted in each precinct of
22 the congressional district in which the vacancy exists of his
23 or her county, township, or ward cast by the primary electors
24 of his or her party at the primary election immediately
25 preceding the meeting to fill the vacancy in the State central
26 committee. The person appointed to fill the vacancy shall be a

1 resident of the congressional district in which the vacancy
2 occurs, shall be a qualified voter, and, in a committee
3 composed as provided in Alternative B, shall identify as the
4 same gender ~~be of the same sex~~ as his or her predecessor. A
5 political party may, by a majority vote of the delegates of any
6 State convention of such party, determine to return to the
7 election of State central committeeman and State central
8 committeewoman by the vote of primary electors. Any action
9 taken by a political party at a State convention in accordance
10 with this Section shall be reported to the State Board of
11 Elections by the chair and secretary of such convention within
12 10 days after such action.

13 Ward, Township and Precinct Committeepersons

14 (b) At the primary in 1972 and at the general primary
15 election every 4 years thereafter, each primary elector in
16 cities having a population of 200,000 or over may vote for one
17 candidate of his party in his ward for ward committeeperson.
18 Each candidate for ward committeeperson must be a resident of
19 and in the ward where he seeks to be elected ward
20 committeeperson. The one having the highest number of votes
21 shall be such ward committeeperson of such party for such
22 ward. At the primary election in 1970 and at the general
23 primary election every 4 years thereafter, each primary
24 elector in counties containing a population of 2,000,000 or
25 more, outside of cities containing a population of 200,000 or
26 more, may vote for one candidate of his party for township

1 committeeperson. Each candidate for township committeeperson
2 must be a resident of and in the township or part of a township
3 (which lies outside of a city having a population of 200,000 or
4 more, in counties containing a population of 2,000,000 or
5 more), and in which township or part of a township he seeks to
6 be elected township committeeperson. The one having the
7 highest number of votes shall be such township committeeperson
8 of such party for such township or part of a township. At the
9 primary in 1970 and at the general primary election every 2
10 years thereafter, each primary elector, except in counties
11 having a population of 2,000,000 or over, may vote for one
12 candidate of his party in his precinct for precinct
13 committeeperson. Each candidate for precinct committeeperson
14 must be a bona fide resident of the precinct where he seeks to
15 be elected precinct committeeperson. The one having the
16 highest number of votes shall be such precinct committeeperson
17 of such party for such precinct. The official returns of the
18 primary shall show the name of the committeeperson of each
19 political party.

20 Terms of Committeepersons. All precinct committeepersons
21 elected under the provisions of this Article shall continue as
22 such committeepersons until the date of the primary to be held
23 in the second year after their election. Except as otherwise
24 provided in this Section for certain State central
25 committeepersons who have 2 year terms, all State central
26 committeepersons, township committeepersons and ward

1 committeepersons shall continue as such committeepersons until
2 the date of primary to be held in the fourth year after their
3 election. However, a vacancy exists in the office of precinct
4 committeeperson when a precinct committeeperson ceases to
5 reside in the precinct in which he was elected and such
6 precinct committeeperson shall thereafter neither have nor
7 exercise any rights, powers or duties as committeeperson in
8 that precinct, even if a successor has not been elected or
9 appointed.

10 (c) The Multi-Township Central Committee shall consist of
11 the precinct committeepersons of such party, in the
12 multi-township assessing district formed pursuant to Section
13 2-10 of the Property Tax Code and shall be organized for the
14 purposes set forth in Section 45-25 of the Township Code. In
15 the organization and proceedings of the Multi-Township Central
16 Committee each precinct committeeperson shall have one vote
17 for each ballot voted in his precinct by the primary electors
18 of his party at the primary at which he was elected.

19 County Central Committee

20 (d) The county central committee of each political party
21 in each county shall consist of the various township
22 committeepersons, precinct committeepersons and ward
23 committeepersons, if any, of such party in the county. In the
24 organization and proceedings of the county central committee,
25 each precinct committeeperson shall have one vote for each
26 ballot voted in his precinct by the primary electors of his

1 party at the primary at which he was elected; each township
2 committeeperson shall have one vote for each ballot voted in
3 his township or part of a township as the case may be by the
4 primary electors of his party at the primary election for the
5 nomination of candidates for election to the General Assembly
6 immediately preceding the meeting of the county central
7 committee; and in the organization and proceedings of the
8 county central committee, each ward committeeperson shall have
9 one vote for each ballot voted in his ward by the primary
10 electors of his party at the primary election for the
11 nomination of candidates for election to the General Assembly
12 immediately preceding the meeting of the county central
13 committee.

14 Cook County Board of Review Election District Committee

15 (d-1) Each board of review election district committee of
16 each political party in Cook County shall consist of the
17 various township committeepersons and ward committeepersons,
18 if any, of that party in the portions of the county composing
19 the board of review election district. In the organization and
20 proceedings of each of the 3 election district committees,
21 each township committeeperson shall have one vote for each
22 ballot voted in his or her township or part of a township, as
23 the case may be, by the primary electors of his or her party at
24 the primary election immediately preceding the meeting of the
25 board of review election district committee; and in the
26 organization and proceedings of each of the 3 election

1 district committees, each ward committeeperson shall have one
2 vote for each ballot voted in his or her ward or part of that
3 ward, as the case may be, by the primary electors of his or her
4 party at the primary election immediately preceding the
5 meeting of the board of review election district committee.

6 Congressional Committee

7 (e) The congressional committee of each party in each
8 congressional district shall be composed of the chairmen of
9 the county central committees of the counties composing the
10 congressional district, except that in congressional districts
11 wholly within the territorial limits of one county, the
12 precinct committeepersons, township committeepersons and ward
13 committeepersons, if any, of the party representing the
14 precincts within the limits of the congressional district,
15 shall compose the congressional committee. A State central
16 committeeperson in each district shall be a member and the
17 chair or, when a district has 2 State central
18 committeepersons, a co-chairperson of the congressional
19 committee, but shall not have the right to vote except in case
20 of a tie.

21 In the organization and proceedings of congressional
22 committees composed of precinct committeepersons or township
23 committeepersons or ward committeepersons, or any combination
24 thereof, each precinct committeeperson shall have one vote for
25 each ballot voted in his precinct by the primary electors of
26 his party at the primary at which he was elected, each township

1 committeeperson shall have one vote for each ballot voted in
2 his township or part of a township as the case may be by the
3 primary electors of his party at the primary election
4 immediately preceding the meeting of the congressional
5 committee, and each ward committeeperson shall have one vote
6 for each ballot voted in each precinct of his ward located in
7 such congressional district by the primary electors of his
8 party at the primary election immediately preceding the
9 meeting of the congressional committee; and in the
10 organization and proceedings of congressional committees
11 composed of the chairmen of the county central committees of
12 the counties within such district, each chair of such county
13 central committee shall have one vote for each ballot voted in
14 his county by the primary electors of his party at the primary
15 election immediately preceding the meeting of the
16 congressional committee.

17 Judicial District Committee

18 (f) The judicial district committee of each political
19 party in each judicial district shall be composed of the chair
20 of the county central committees of the counties composing the
21 judicial district.

22 In the organization and proceedings of judicial district
23 committees composed of the chairmen of the county central
24 committees of the counties within such district, each chair of
25 such county central committee shall have one vote for each
26 ballot voted in his county by the primary electors of his party

1 at the primary election immediately preceding the meeting of
2 the judicial district committee.

3 Circuit Court Committee

4 (g) The circuit court committee of each political party in
5 each judicial circuit outside Cook County shall be composed of
6 the chairmen of the county central committees of the counties
7 composing the judicial circuit.

8 In the organization and proceedings of circuit court
9 committees, each chair of a county central committee shall
10 have one vote for each ballot voted in his county by the
11 primary electors of his party at the primary election
12 immediately preceding the meeting of the circuit court
13 committee.

14 Judicial Subcircuit Committee

15 (g-1) The judicial subcircuit committee of each political
16 party in each judicial subcircuit in a judicial circuit
17 divided into subcircuits shall be composed of (i) the ward and
18 township committeepersons of the townships and wards composing
19 the judicial subcircuit in Cook County and (ii) the precinct
20 committeepersons of the precincts composing the judicial
21 subcircuit in any county other than Cook County.

22 In the organization and proceedings of each judicial
23 subcircuit committee, each township committeeperson shall have
24 one vote for each ballot voted in his township or part of a
25 township, as the case may be, in the judicial subcircuit by the
26 primary electors of his party at the primary election

1 immediately preceding the meeting of the judicial subcircuit
2 committee; each precinct committeeperson shall have one vote
3 for each ballot voted in his precinct or part of a precinct, as
4 the case may be, in the judicial subcircuit by the primary
5 electors of his party at the primary election immediately
6 preceding the meeting of the judicial subcircuit committee;
7 and each ward committeeperson shall have one vote for each
8 ballot voted in his ward or part of a ward, as the case may be,
9 in the judicial subcircuit by the primary electors of his
10 party at the primary election immediately preceding the
11 meeting of the judicial subcircuit committee.

12 Municipal Central Committee

13 (h) The municipal central committee of each political
14 party shall be composed of the precinct, township or ward
15 committeepersons, as the case may be, of such party
16 representing the precincts or wards, embraced in such city,
17 incorporated town or village. The voting strength of each
18 precinct, township or ward committeeperson on the municipal
19 central committee shall be the same as his voting strength on
20 the county central committee.

21 For political parties, other than a statewide political
22 party, established only within a municipality or township, the
23 municipal or township managing committee shall be composed of
24 the party officers of the local established party. The party
25 officers of a local established party shall be as follows: the
26 chair and secretary of the caucus for those municipalities and

1 townships authorized by statute to nominate candidates by
2 caucus shall serve as party officers for the purpose of
3 filling vacancies in nomination under Section 7-61; for
4 municipalities and townships authorized by statute or
5 ordinance to nominate candidates by petition and primary
6 election, the party officers shall be the party's candidates
7 who are nominated at the primary. If no party primary was held
8 because of the provisions of Section 7-5, vacancies in
9 nomination shall be filled by the party's remaining candidates
10 who shall serve as the party's officers.

11 Powers

12 (i) Each committee and its officers shall have the powers
13 usually exercised by such committees and by the officers
14 thereof, not inconsistent with the provisions of this Article.
15 The several committees herein provided for shall not have
16 power to delegate any of their powers, or functions to any
17 other person, officer or committee, but this shall not be
18 construed to prevent a committee from appointing from its own
19 membership proper and necessary subcommittees.

20 (j) The State central committee of a political party which
21 elects its members by Alternative B under paragraph (a) of
22 this Section shall adopt a plan to give effect to the delegate
23 selection rules of the national political party and file a
24 copy of such plan with the State Board of Elections when
25 approved by a national political party.

26 (k) For the purpose of the designation of a proxy by a

1 Congressional Committee to vote in place of an absent State
2 central committeeman or committeewoman at meetings of the
3 State central committee of a political party which elects its
4 members by Alternative B under paragraph (a) of this Section,
5 the proxy shall be appointed by the vote of the ward and
6 township committeepersons, if any, of the wards and townships
7 which lie entirely or partially within the Congressional
8 District from which the absent State central committeeman or
9 committeewoman was elected and the vote of the chairmen of the
10 county central committees of those counties which lie entirely
11 or partially within that Congressional District and in which
12 there are no ward or township committeepersons. When voting
13 for such proxy, the county chair, ward committeeperson or
14 township committeeperson, as the case may be, shall have one
15 vote for each ballot voted in his county, ward or township, or
16 portion thereof within the Congressional District, by the
17 primary electors of his party at the primary at which he was
18 elected. However, the absent State central committeeman or
19 committeewoman may designate a proxy when permitted by the
20 rules of a political party which elects its members by
21 Alternative B under paragraph (a) of this Section.

22 Notwithstanding any law to the contrary, a person is
23 ineligible to hold the position of committeeperson in any
24 committee established pursuant to this Section if he or she is
25 statutorily ineligible to vote in a general election because
26 of conviction of a felony. When a committeeperson is convicted

1 of a felony, the position occupied by that committeeperson
2 shall automatically become vacant.

3 (Source: P.A. 100-201, eff. 8-18-17; 100-1027, eff. 1-1-19.)

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

5 Sec. 7-10. Form of petition for nomination. The name of no
6 candidate for nomination, or State central committeeperson, or
7 township committeeperson, or precinct committeeperson, or ward
8 committeeperson or candidate for delegate or alternate
9 delegate to national nominating conventions, shall be printed
10 upon the primary ballot unless a petition for nomination has
11 been filed in his behalf as provided in this Article in
12 substantially the following form:

13 We, the undersigned, members of and affiliated with the
14 party and qualified primary electors of the party,
15 in the of, in the county of and State of
16 Illinois, do hereby petition that the following named person
17 or persons shall be a candidate or candidates of the party
18 for the nomination for (or in case of committeepersons for
19 election to) the office or offices hereinafter specified, to
20 be voted for at the primary election to be held on (insert
21 date).

22	Name	Office	Address
23	John Jones	Governor	Belvidere, Ill.
24	Jane James	Lieutenant Governor	Peoria, Ill.
25	Thomas Smith	Attorney General	Oakland, Ill.

1 Name..... Address.....

2 State of Illinois)

3) ss.

4 County of.....)

5 I,, do hereby certify that I reside at No.
6 street, in the of, county of, and State of
7, that I am 18 years of age or older, that I am a citizen
8 of the United States, and that the signatures on this sheet
9 were signed in my presence, and are genuine, and that to the
10 best of my knowledge and belief the persons so signing were at
11 the time of signing the petitions qualified voters of the
12 party, and that their respective residences are correctly
13 stated, as above set forth.

14

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

16

17 Each sheet of the petition other than the statement of
18 candidacy and candidate's statement shall be of uniform size
19 and shall contain above the space for signatures an
20 appropriate heading giving the information as to name of
21 candidate or candidates, in whose behalf such petition is
22 signed; the office, the political party represented and place
23 of residence; and the heading of each sheet shall be the same.

1 Such petition shall be signed by qualified primary
2 electors residing in the political division for which the
3 nomination is sought in their own proper persons only and
4 opposite the signature of each signer, his residence address
5 shall be written or printed. The residence address required to
6 be written or printed opposite each qualified primary
7 elector's name shall include the street address or rural route
8 number of the signer, as the case may be, as well as the
9 signer's county, and city, village or town, and state. However
10 the county or city, village or town, and state of residence of
11 the electors may be printed on the petition forms where all of
12 the electors signing the petition reside in the same county or
13 city, village or town, and state. Standard abbreviations may
14 be used in writing the residence address, including street
15 number, if any. At the bottom of each sheet of such petition
16 shall be added a circulator statement signed by a person 18
17 years of age or older who is a citizen of the United States,
18 stating the street address or rural route number, as the case
19 may be, as well as the county, city, village or town, and
20 state; and certifying that the signatures on that sheet of the
21 petition were signed in his or her presence and certifying
22 that the signatures are genuine; and either (1) indicating the
23 dates on which that sheet was circulated, or (2) indicating
24 the first and last dates on which the sheet was circulated, or
25 (3) certifying that none of the signatures on the sheet were
26 signed more than 90 days preceding the last day for the filing

1 of the petition and certifying that to the best of his or her
2 knowledge and belief the persons so signing were at the time of
3 signing the petitions qualified voters of the political party
4 for which a nomination is sought. Such statement shall be
5 sworn to before some officer authorized to administer oaths in
6 this State.

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

10 The person circulating the petition, or the candidate on
11 whose behalf the petition is circulated, may strike any
12 signature from the petition, provided that:

13 (1) the person striking the signature shall initial
14 the petition at the place where the signature is struck;
15 and

16 (2) the person striking the signature shall sign a
17 certification listing the page number and line number of
18 each signature struck from the petition. Such
19 certification shall be filed as a part of the petition.

20 Such sheets before being filed shall be neatly fastened
21 together in book form, by placing the sheets in a pile and
22 fastening them together at one edge in a secure and suitable
23 manner, and the sheets shall then be numbered consecutively.
24 The sheets shall not be fastened by pasting them together end
25 to end, so as to form a continuous strip or roll. All petition
26 sheets which are filed with the proper local election

1 officials, election authorities or the State Board of
2 Elections shall be the original sheets which have been signed
3 by the voters and by the circulator thereof, and not
4 photocopies or duplicates of such sheets. Each petition must
5 include as a part thereof, a statement of candidacy for each of
6 the candidates filing, or in whose behalf the petition is
7 filed. This statement shall set out the address of such
8 candidate, the office for which he is a candidate, shall state
9 that the candidate is a qualified primary voter of the party to
10 which the petition relates and is qualified for the office
11 specified (in the case of a candidate for State's Attorney it
12 shall state that the candidate is at the time of filing such
13 statement a licensed attorney-at-law of this State), shall
14 state that he has filed (or will file before the close of the
15 petition filing period) a statement of economic interests as
16 required by the Illinois Governmental Ethics Act, shall
17 request that the candidate's name be placed upon the official
18 ballot, and shall be subscribed and sworn to by such candidate
19 before some officer authorized to take acknowledgment of deeds
20 in the State and shall be in substantially the following form:

21 Statement of Candidacy

22	Name	Address	Office	District	Party
23	John Jones	102 Main St.	Governor	Statewide	Republican
24		Belvidere,			
25		Illinois			

1 State of Illinois)

2) ss.

3 County of)

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

21 Signed

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

24 Signed

25 (Official Character)

26 (Seal, if officer has one.)

1 The petitions, when filed, shall not be withdrawn or added
2 to, and no signatures shall be revoked except by revocation
3 filed in writing with the State Board of Elections, election
4 authority or local election official with whom the petition is
5 required to be filed, and before the filing of such petition.
6 Whoever forges the name of a signer upon any petition required
7 by this Article is deemed guilty of a forgery and on conviction
8 thereof shall be punished accordingly.

9 A candidate for the offices listed in this Section must
10 obtain the number of signatures specified in this Section on
11 his or her petition for nomination.

12 (a) Statewide office or delegate to a national nominating
13 convention. If a candidate seeks to run for statewide office
14 or as a delegate or alternate delegate to a national
15 nominating convention elected from the State at-large, then
16 the candidate's petition for nomination must contain at least
17 5,000 but not more than 10,000 signatures.

18 (b) Congressional office or congressional delegate to a
19 national nominating convention. If a candidate seeks to run
20 for United States Congress or as a congressional delegate or
21 alternate congressional delegate to a national nominating
22 convention elected from a congressional district, then the
23 candidate's petition for nomination must contain at least the
24 number of signatures equal to 0.5% of the qualified primary
25 electors of his or her party in his or her congressional

1 district. In the first primary election following a
2 redistricting of congressional districts, a candidate's
3 petition for nomination must contain at least 600 signatures
4 of qualified primary electors of the candidate's political
5 party in his or her congressional district.

6 (c) County office. If a candidate seeks to run for any
7 countywide office, including but not limited to county board
8 chairperson or county board member, elected on an at-large
9 basis, in a county other than Cook County, then the
10 candidate's petition for nomination must contain at least the
11 number of signatures equal to 0.5% of the qualified electors
12 of his or her party who cast votes at the last preceding
13 general election in his or her county. If a candidate seeks to
14 run for county board member elected from a county board
15 district, then the candidate's petition for nomination must
16 contain at least the number of signatures equal to 0.5% of the
17 qualified primary electors of his or her party in the county
18 board district. In the first primary election following a
19 redistricting of county board districts or the initial
20 establishment of county board districts, a candidate's
21 petition for nomination must contain at least the number of
22 signatures equal to 0.5% of the qualified electors of his or
23 her party in the entire county who cast votes at the last
24 preceding general election divided by the total number of
25 county board districts comprising the county board; provided
26 that in no event shall the number of signatures be less than

1 25.

2 (d) County office; Cook County only.

3 (1) If a candidate seeks to run for countywide office
4 in Cook County, then the candidate's petition for
5 nomination must contain at least the number of signatures
6 equal to 0.5% of the qualified electors of his or her party
7 who cast votes at the last preceding general election in
8 Cook County.

9 (2) If a candidate seeks to run for Cook County Board
10 Commissioner, then the candidate's petition for nomination
11 must contain at least the number of signatures equal to
12 0.5% of the qualified primary electors of his or her party
13 in his or her county board district. In the first primary
14 election following a redistricting of Cook County Board of
15 Commissioners districts, a candidate's petition for
16 nomination must contain at least the number of signatures
17 equal to 0.5% of the qualified electors of his or her party
18 in the entire county who cast votes at the last preceding
19 general election divided by the total number of county
20 board districts comprising the county board; provided that
21 in no event shall the number of signatures be less than 25.

22 (3) If a candidate seeks to run for Cook County Board
23 of Review Commissioner, which is elected from a district
24 pursuant to subsection (c) of Section 5-5 of the Property
25 Tax Code, then the candidate's petition for nomination
26 must contain at least the number of signatures equal to

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

15 (e) Municipal or township office. If a candidate seeks to
16 run for municipal or township office, then the candidate's
17 petition for nomination must contain at least the number of
18 signatures equal to 0.5% of the qualified primary electors of
19 his or her party in the municipality or township. If a
20 candidate seeks to run for alder ~~alderman~~ of a municipality,
21 then the candidate's petition for nomination must contain at
22 least the number of signatures equal to 0.5% of the qualified
23 primary electors of his or her party of the ward. In the first
24 primary election following redistricting of aldermanic wards
25 or trustee districts of a municipality or the initial
26 establishment of wards or districts, a candidate's petition

1 for nomination must contain the number of signatures equal to
2 at least 0.5% of the total number of votes cast for the
3 candidate of that political party who received the highest
4 number of votes in the entire municipality at the last regular
5 election at which an officer was regularly scheduled to be
6 elected from the entire municipality, divided by the number of
7 wards or districts. In no event shall the number of signatures
8 be less than 25.

9 (f) State central committeeperson. If a candidate seeks to
10 run for State central committeeperson, then the candidate's
11 petition for nomination must contain at least 100 signatures
12 of the primary electors of his or her party of his or her
13 congressional district.

14 (g) Sanitary district trustee. If a candidate seeks to run
15 for trustee of a sanitary district in which trustees are not
16 elected from wards, then the candidate's petition for
17 nomination must contain at least the number of signatures
18 equal to 0.5% of the primary electors of his or her party from
19 the sanitary district. If a candidate seeks to run for trustee
20 of a sanitary district in which trustees are elected from
21 wards, then the candidate's petition for nomination must
22 contain at least the number of signatures equal to 0.5% of the
23 primary electors of his or her party in the ward of that
24 sanitary district. In the first primary election following
25 redistricting of sanitary districts elected from wards, a
26 candidate's petition for nomination must contain at least the

1 signatures of 150 qualified primary electors of his or her
2 ward of that sanitary district.

3 (h) Judicial office. If a candidate seeks to run for
4 judicial office in a district, then the candidate's petition
5 for nomination must contain the number of signatures equal to
6 0.4% of the number of votes cast in that district for the
7 candidate for his or her political party for the office of
8 Governor at the last general election at which a Governor was
9 elected, but in no event less than 500 signatures. If a
10 candidate seeks to run for judicial office in a circuit or
11 subcircuit, then the candidate's petition for nomination must
12 contain the number of signatures equal to 0.25% of the number
13 of votes cast for the judicial candidate of his or her
14 political party who received the highest number of votes at
15 the last general election at which a judicial officer from the
16 same circuit or subcircuit was regularly scheduled to be
17 elected, but in no event less than 1,000 signatures in
18 circuits and subcircuits located in the First Judicial
19 District or 500 signatures in every other Judicial District.

20 (i) Precinct, ward, and township committeeperson. If a
21 candidate seeks to run for precinct committeeperson, then the
22 candidate's petition for nomination must contain at least 10
23 signatures of the primary electors of his or her party for the
24 precinct. If a candidate seeks to run for ward
25 committeeperson, then the candidate's petition for nomination
26 must contain no less than the number of signatures equal to 10%

1 of the primary electors of his or her party of the ward, but no
2 more than 16% of those same electors; provided that the
3 maximum number of signatures may be 50 more than the minimum
4 number, whichever is greater. If a candidate seeks to run for
5 township committeeperson, then the candidate's petition for
6 nomination must contain no less than the number of signatures
7 equal to 5% of the primary electors of his or her party of the
8 township, but no more than 8% of those same electors; provided
9 that the maximum number of signatures may be 50 more than the
10 minimum number, whichever is greater.

11 (j) State's attorney or regional superintendent of schools
12 for multiple counties. If a candidate seeks to run for State's
13 attorney or regional Superintendent of Schools who serves more
14 than one county, then the candidate's petition for nomination
15 must contain at least the number of signatures equal to 0.5% of
16 the primary electors of his or her party in the territory
17 comprising the counties.

18 (k) Any other office. If a candidate seeks any other
19 office, then the candidate's petition for nomination must
20 contain at least the number of signatures equal to 0.5% of the
21 registered voters of the political subdivision, district, or
22 division for which the nomination is made or 25 signatures,
23 whichever is greater.

24 For purposes of this Section the number of primary
25 electors shall be determined by taking the total vote cast, in
26 the applicable district, for the candidate for that political

1 party who received the highest number of votes, statewide, at
2 the last general election in the State at which electors for
3 President of the United States were elected. For political
4 subdivisions, the number of primary electors shall be
5 determined by taking the total vote cast for the candidate for
6 that political party who received the highest number of votes
7 in the political subdivision at the last regular election at
8 which an officer was regularly scheduled to be elected from
9 that subdivision. For wards or districts of political
10 subdivisions, the number of primary electors shall be
11 determined by taking the total vote cast for the candidate for
12 that political party who received the highest number of votes
13 in the ward or district at the last regular election at which
14 an officer was regularly scheduled to be elected from that
15 ward or district.

16 A "qualified primary elector" of a party may not sign
17 petitions for or be a candidate in the primary of more than one
18 party.

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

22 Petitions of candidates for nomination for offices herein
23 specified, to be filed with the same officer, may contain the
24 names of 2 or more candidates of the same political party for
25 the same or different offices. In the case of the offices of
26 Governor and Lieutenant Governor, a joint petition including

1 one candidate for each of those offices must be filed.

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

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

4 Sec. 10-3. Nomination of independent candidates (not
5 candidates of any political party), for any office to be
6 filled by the voters of the State at large may also be made by
7 nomination papers signed in the aggregate for each candidate
8 by 1% of the number of voters who voted in the next preceding
9 Statewide general election or 25,000 qualified voters of the
10 State, whichever is less. Nominations of independent
11 candidates for public office within any district or political
12 subdivision less than the State, may be made by nomination
13 papers signed in the aggregate for each candidate by qualified
14 voters of such district, or political subdivision, equaling
15 not less than 5%, nor more than 8% (or 50 more than the
16 minimum, whichever is greater) of the number of persons, who
17 voted at the next preceding regular election in such district
18 or political subdivision in which such district or political
19 subdivision voted as a unit for the election of officers to
20 serve its respective territorial area. However, whenever the
21 minimum signature requirement for an independent candidate
22 petition for a district or political subdivision office shall
23 exceed the minimum number of signatures for an independent
24 candidate petition for an office to be filled by the voters of
25 the State at large at the next preceding State-wide general

1 election, such State-wide petition signature requirement shall
2 be the minimum for an independent candidate petition for such
3 district or political subdivision office. For the first
4 election following a redistricting of congressional districts,
5 nomination papers for an independent candidate for congressman
6 shall be signed by at least 5,000 qualified voters of the
7 congressional district. For the first election following a
8 redistricting of legislative districts, nomination papers for
9 an independent candidate for State Senator in the General
10 Assembly shall be signed by at least 3,000 qualified voters of
11 the legislative district. For the first election following a
12 redistricting of representative districts, nomination papers
13 for an independent candidate for State Representative in the
14 General Assembly shall be signed by at least 1,500 qualified
15 voters of the representative district. For the first election
16 following redistricting of county board districts, or of
17 municipal wards or districts, or for the first election
18 following the initial establishment of such districts or wards
19 in a county or municipality, nomination papers for an
20 independent candidate for county board member, or for alder
21 ~~alderman~~ or trustee of such municipality, shall be signed by
22 qualified voters of the district or ward equal to not less than
23 5% nor more than 8% (or 50 more than the minimum, whichever is
24 greater) of the total number of votes cast at the preceding
25 general or general municipal election, as the case may be, for
26 the county or municipal office voted on throughout such county

1 or municipality for which the greatest total number of votes
2 were cast for all candidates, divided by the number of
3 districts or wards, but in any event not less than 25 qualified
4 voters of the district or ward. Each voter signing a
5 nomination paper shall add to his signature his place of
6 residence, and each voter may subscribe to one nomination for
7 such office to be filled, and no more: Provided that the name
8 of any candidate whose name may appear in any other place upon
9 the ballot shall not be so added by petition for the same
10 office.

11 The person circulating the petition, or the candidate on
12 whose behalf the petition is circulated, may strike any
13 signature from the petition, provided that;

14 (1) the person striking the signature shall initial
15 the petition at the place where the signature is struck;
16 and

17 (2) the person striking the signature shall sign a
18 certification listing the page number and line number of
19 each signature struck from the petition. Such
20 certification shall be filed as a part of the petition.

21 (3) the persons striking signatures from the petition
22 shall each sign an additional certificate specifying the
23 number of certification pages listing stricken signatures
24 which are attached to the petition and the page numbers
25 indicated on such certifications. The certificate shall be
26 filed as a part of the petition, shall be numbered, and

1 shall be attached immediately following the last page of
2 voters' signatures and before the certifications of
3 stricken signatures.

4 (4) all of the foregoing requirements shall be
5 necessary to effect a valid striking of any signature. The
6 provisions of this Section authorizing the striking of
7 signatures shall not impose any criminal liability on any
8 person so authorized for signatures which may be
9 fraudulent.

10 In the case of the offices of Governor and Lieutenant
11 Governor a joint petition including one candidate for each of
12 those offices must be filed.

13 A candidate for whom a nomination paper has been filed as a
14 partisan candidate at a primary election, and who is defeated
15 for his or her nomination at the primary election, is
16 ineligible to be placed on the ballot as an independent
17 candidate for election in that general or consolidated
18 election.

19 A candidate seeking election to an office for which
20 candidates of political parties are nominated by caucus who is
21 a participant in the caucus and who is defeated for his or her
22 nomination at such caucus, is ineligible to be listed on the
23 ballot at that general or consolidated election as an
24 independent candidate.

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

1 (10 ILCS 5/23-6.1) (from Ch. 46, par. 23-6.1)

2 Sec. 23-6.1. Whenever an election contest for a municipal
3 trustee or alder ~~alderman~~ is brought involving ballots from
4 the same precincts which are subject to the jurisdiction of
5 the circuit court by virtue of the pendency of an election
6 contest for another office, the municipal council or board of
7 trustees having jurisdiction of the municipal election contest
8 shall have priority of access and possession of the ballots
9 and other election materials for the purpose of conducting a
10 recount or other related proceedings for a period of 30 days
11 following the commencement of the municipal election contest.
12 The election authority shall notify the court and the
13 municipal council or board of the pendency of all other
14 contests relating to the same precincts.

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

16 Section 10. The Illinois Pension Code is amended by
17 changing Sections 6-230, 7-109, 8-113, 8-232, 8-243, and
18 8-243.2 as follows:

19 (40 ILCS 5/6-230)

20 Sec. 6-230. Participation by an alder ~~alderman~~ or member
21 of city council.

22 (a) A person shall be a member under this Article if he or
23 she (1) is or was employed and receiving a salary as a fireman
24 under item (a) of Section 6-106, (2) has at least 5 years of

1 service under this Article, (3) is employed in a position
2 covered under Section 8-243, (4) made an election under
3 Article 8 to not receive service credit or be a participant
4 under that Article, and (5) made an election to participate
5 under this Article.

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

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

12 (40 ILCS 5/7-109) (from Ch. 108 1/2, par. 7-109)

13 Sec. 7-109. Employee.

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

15 (a) 1. Receives earnings as payment for the
16 performance of personal services or official duties out of
17 the general fund of a municipality, or out of any special
18 fund or funds controlled by a municipality, or by an
19 instrumentality thereof, or a participating
20 instrumentality, including, in counties, the fees or
21 earnings of any county fee office; and

22 2. Under the usual common law rules applicable in
23 determining the employer-employee relationship, has the
24 status of an employee with a municipality, or any
25 instrumentality thereof, or a participating

1 instrumentality, including alders ~~aldermen~~, county
2 supervisors and other persons (excepting those employed as
3 independent contractors) who are paid compensation, fees,
4 allowances or other emolument for official duties, and, in
5 counties, the several county fee offices.

6 (b) Serves as a township treasurer appointed under the
7 School Code, as heretofore or hereafter amended, and who
8 receives for such services regular compensation as
9 distinguished from per diem compensation, and any regular
10 employee in the office of any township treasurer whether
11 or not his earnings are paid from the income of the
12 permanent township fund or from funds subject to
13 distribution to the several school districts and parts of
14 school districts as provided in the School Code, or from
15 both such sources; or is the chief executive officer,
16 chief educational officer, chief fiscal officer, or other
17 employee of a Financial Oversight Panel established
18 pursuant to Article 1H of the School Code, other than a
19 superintendent or certified school business official,
20 except that such person shall not be treated as an
21 employee under this Section if that person has negotiated
22 with the Financial Oversight Panel, in conjunction with
23 the school district, a contractual agreement for exclusion
24 from this Section.

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

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

2 (a) Are eligible for inclusion under any of the
3 following laws:

4 1. "An Act in relation to an Illinois State
5 Teachers' Pension and Retirement Fund", approved May
6 27, 1915, as amended;

7 2. Articles 15 and 16 of this Code.

8 However, such persons shall be included as employees
9 to the extent of earnings that are not eligible for
10 inclusion under the foregoing laws for services not of an
11 instructional nature of any kind.

12 However, any member of the armed forces who is
13 employed as a teacher of subjects in the Reserve Officers
14 Training Corps of any school and who is not certified
15 under the law governing the certification of teachers
16 shall be included as an employee.

17 (b) Are designated by the governing body of a
18 municipality in which a pension fund is required by law to
19 be established for policemen or firemen, respectively, as
20 performing police or fire protection duties, except that
21 when such persons are the heads of the police or fire
22 department and are not eligible to be included within any
23 such pension fund, they shall be included within this
24 Article; provided, that such persons shall not be excluded
25 to the extent of concurrent service and earnings not
26 designated as being for police or fire protection duties.

1 However, (i) any head of a police department who was a
2 participant under this Article immediately before October
3 1, 1977 and did not elect, under Section 3-109 of this Act,
4 to participate in a police pension fund shall be an
5 "employee", and (ii) any chief of police who became a
6 participating employee under this Article before January
7 1, 2019 and who elects to participate in this Fund under
8 Section 3-109.1 of this Code, regardless of whether such
9 person continues to be employed as chief of police or is
10 employed in some other rank or capacity within the police
11 department, shall be an employee under this Article for so
12 long as such person is employed to perform police duties
13 by a participating municipality and has not lawfully
14 rescinded that election.

15 (b-5) Were not participating employees under this
16 Article before the effective date of this amendatory Act
17 of the 100th General Assembly and participated as a chief
18 of police in a fund under Article 3 and return to work in
19 any capacity with the police department, with any
20 oversight of the police department, or in an advisory
21 capacity for the police department with the same
22 municipality with which that pension was earned,
23 regardless of whether they are considered an employee of
24 the police department or are eligible for inclusion in the
25 municipality's Article 3 fund.

26 (c) Are contributors to or eligible to contribute to a

1 Taft-Hartley pension plan to which the participating
2 municipality is required to contribute as the person's
3 employer based on earnings from the municipality. Nothing
4 in this paragraph shall affect service credit or
5 creditable service for any period of service prior to the
6 effective date of this amendatory Act of the 98th General
7 Assembly, and this paragraph shall not apply to
8 individuals who are participating in the Fund prior to the
9 effective date of this amendatory Act of the 98th General
10 Assembly.

11 (d) Become an employee of any of the following
12 participating instrumentalities on or after the effective
13 date of this amendatory Act of the 99th General Assembly:
14 the Illinois Municipal League; the Illinois Association of
15 Park Districts; the Illinois Supervisors, County
16 Commissioners and Superintendents of Highways Association;
17 an association, or not-for-profit corporation, membership
18 in which is authorized under Section 85-15 of the Township
19 Code; the United Counties Council; or the Will County
20 Governmental League.

21 (3) All persons, including, without limitation, public
22 defenders and probation officers, who receive earnings from
23 general or special funds of a county for performance of
24 personal services or official duties within the territorial
25 limits of the county, are employees of the county (unless
26 excluded by subsection (2) of this Section) notwithstanding

1 that they may be appointed by and are subject to the direction
2 of a person or persons other than a county board or a county
3 officer. It is hereby established that an employer-employee
4 relationship under the usual common law rules exists between
5 such employees and the county paying their salaries by reason
6 of the fact that the county boards fix their rates of
7 compensation, appropriate funds for payment of their earnings
8 and otherwise exercise control over them. This finding and
9 this amendatory Act shall apply to all such employees from the
10 date of appointment whether such date is prior to or after the
11 effective date of this amendatory Act and is intended to
12 clarify existing law pertaining to their status as
13 participating employees in the Fund.

14 (Source: P.A. 99-830, eff. 1-1-17; 100-281, eff. 8-24-17;
15 100-1097, eff. 8-26-18.)

16 (40 ILCS 5/8-113) (from Ch. 108 1/2, par. 8-113)

17 Sec. 8-113. Municipal employee, employee, contributor, or
18 participant. "Municipal employee", "employee", "contributor",
19 or "participant":

20 (a) Any employee of an employer employed in the classified
21 civil service thereof other than by temporary appointment or
22 in a position excluded or exempt from the classified service
23 by the Civil Service Act, or in the case of a city operating
24 under a personnel ordinance, any employee of an employer
25 employed in the classified or career service under the

1 provisions of a personnel ordinance, other than in a
2 provisional or exempt position as specified in such ordinance
3 or in rules and regulations formulated thereunder.

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

6 (c) Any person employed by the board.

7 (d) Any person employed after December 31, 1949, but prior
8 to January 1, 1984, in the service of the employer by temporary
9 appointment or in a position exempt from the classified
10 service as set forth in the Civil Service Act, or in a
11 provisional or exempt position as specified in the personnel
12 ordinance, who meets the following qualifications:

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

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

20 (e) After December 31, 1949, any alder ~~alderman~~ or other
21 officer or official of the employer, who files, while in
22 office, written application with the board to be included
23 hereunder.

24 (f) Beginning January 1, 1984, any person employed by an
25 employer other than the Chicago Housing Authority or the
26 Public Building Commission of the city, whether or not such

1 person is serving by temporary appointment or in a position
2 exempt from the classified service as set forth in the Civil
3 Service Act, or in a provisional or exempt position as
4 specified in the personnel ordinance, provided that such
5 person is neither (1) an alder ~~alderman~~ or other officer or
6 official of the employer, nor (2) participating, on the basis
7 of such employment, in any other pension fund or retirement
8 system established under this Act.

9 (g) After December 31, 1959, any person employed in the
10 law department of the city, or municipal court or Board of
11 Election Commissioners of the city, who was a contributor and
12 participant, on December 31, 1959, in the annuity and benefit
13 fund in operation in the city on said date, by virtue of the
14 Court and Law Department Employees' Annuity Act or the Board
15 of Election Commissioners Employees' Annuity Act.

16 After December 31, 1959, the foregoing definition includes
17 any other person employed or to be employed in the law
18 department, or municipal court (other than as a judge), or
19 Board of Election Commissioners (if his salary is provided by
20 appropriation of the city council of the city and his salary
21 paid by the city) -- subject, however, in the case of such
22 persons not participants on December 31, 1959, to compliance
23 with the same qualifications and restrictions otherwise set
24 forth in this Section and made generally applicable to
25 employees or officers of the city concerning eligibility for
26 participation or membership.

1 Notwithstanding any other provision in this Section, any
2 person who first becomes employed in the law department of the
3 city on or after the effective date of this amendatory Act of
4 the 100th General Assembly shall be included within the
5 foregoing definition, effective upon the date the person first
6 becomes so employed, regardless of the nature of the
7 appointment the person holds under the provisions of a
8 personnel ordinance.

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

14 (i) After December 31, 1968, any person employed in the
15 house of correction of the city, who was a contributor and
16 participant, on December 31, 1968, in the pension fund in
17 operation in the city on said date, by virtue of the House of
18 Correction Employees' Pension Act.

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

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

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

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

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

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

7 (1) All periods prior to the effective date shall be
8 computed in accordance with the provisions of Section
9 8-226, except for a re-entrant or future entrant who was
10 not in service on the day before the effective date.

11 (2) Service subsequent to the day before the effective
12 date, shall include: the actual period of time the
13 employee performs the duties of his position and makes
14 required contributions or performs such duties and is
15 given a city contribution for age and service annuity
16 purposes; leaves of absence from duty, or vacation, for
17 which an employee receives all or part of his salary;
18 periods included under item (c) of Section 8-226; periods
19 during which the employee is temporarily assigned to
20 another position in the service and permitted to make
21 contributions to the fund; periods during which the
22 employee has had contributions for annuity purposes made
23 for him in accordance with law while on military leave of
24 absence during World War II; periods during which the
25 employee receives disability benefit under this Article,

1 or a temporary total disability benefit under the Workers'
2 Compensation Act if the disability results from a
3 condition commonly termed heart attack or stroke or any
4 other condition falling within the broad field of coronary
5 involvement or heart disease;

6 (3) Service during 6 or more months in any year shall
7 constitute a year of service, and service of less than 6
8 months but at least 1 month in any year shall constitute a
9 half year of service. However the right to have certain
10 periods of time considered as service as stated in
11 paragraph 2 of Section 8-168 or in Section 8-243 relating
12 to service as Alder ~~Alderman~~ shall not apply for minimum
13 annuity purposes under Section 8-138 of this Article.

14 (b) For all other purposes of this Article, the following
15 schedule shall govern the computation of service of an
16 employee whose salary or wages is on the basis stated, and any
17 fractional part of a year of service shall be determined
18 according to said schedule:

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

21 Weekly basis: Service during any week shall constitute a
22 week of service and service during any 17 weeks in any 1
23 calendar year shall constitute a year of service.

24 Daily basis: Service during any day shall constitute a day
25 of service and service during 100 days in any 1 calendar year
26 shall constitute a year of service.

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

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

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

6 Sec. 8-243. Service as alder ~~alderman~~ or member of city
7 council. Whenever any person has served or hereafter serves as
8 a duly elected alder ~~alderman~~ or member of the city council of
9 any city of more than 500,000 inhabitants and is or hereafter
10 becomes a contributing participant in any pension fund or any
11 annuity and benefit fund in existence in such city by
12 operation of law, the period of service as such alder ~~alderman~~
13 or member of the city council shall be counted as a period of
14 service in computing any annuity or pension which such person
15 may become entitled to receive from such fund upon separation
16 from the service, except as ruled out for minimum annuity
17 purposes in Section 8-232(a)(3).

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

19 (40 ILCS 5/8-243.2) (from Ch. 108 1/2, par. 8-243.2)

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

21 (a) For the purposes of this Section and Sections 8-243.1
22 and 8-243.3, "city officer" means the city clerk, the city
23 treasurer, or an alder ~~alderman~~ of the city elected by vote of
24 the people, while serving in that capacity or as provided in

1 subsection (f), who has elected to participate in the Fund.

2 (b) Any elected city officer, while serving in that
3 capacity or as provided in subsection (f), may elect to
4 establish alternative credits for an alternative annuity by
5 electing in writing to make additional optional contributions
6 in accordance with this Section and the procedures established
7 by the board. Such elected city officer may discontinue making
8 the additional optional contributions by notifying the Fund in
9 writing in accordance with this Section and procedures
10 established by the board.

11 Additional optional contributions for the alternative
12 annuity shall be as follows:

13 (1) For service after the option is elected, an
14 additional contribution of 3% of salary shall be
15 contributed to the Fund on the same basis and under the
16 same conditions as contributions required under Sections
17 8-174 and 8-182.

18 (2) For service before the option is elected, an
19 additional contribution of 3% of the salary for the
20 applicable period of service, plus interest at the
21 effective rate from the date of service to the date of
22 payment. All payments for past service must be paid in
23 full before credit is given. No additional optional
24 contributions may be made for any period of service for
25 which credit has been previously forfeited by acceptance
26 of a refund, unless the refund is repaid in full with

1 interest at the effective rate from the date of refund to
2 the date of repayment.

3 (c) In lieu of the retirement annuity otherwise payable
4 under this Article, any city officer elected by vote of the
5 people who (1) has elected to participate in the Fund and make
6 additional optional contributions in accordance with this
7 Section, and (2) has attained age 55 with at least 10 years of
8 service credit, or has attained age 60 with at least 8 years of
9 service credit, may elect to have his retirement annuity
10 computed as follows: 3% of the participant's salary at the
11 time of termination of service for each of the first 8 years of
12 service credit, plus 4% of such salary for each of the next 4
13 years of service credit, plus 5% of such salary for each year
14 of service credit in excess of 12 years, subject to a maximum
15 of 80% of such salary. To the extent such elected city officer
16 has made additional optional contributions with respect to
17 only a portion of his years of service credit, his retirement
18 annuity will first be determined in accordance with this
19 Section to the extent such additional optional contributions
20 were made, and then in accordance with the remaining Sections
21 of this Article to the extent of years of service credit with
22 respect to which additional optional contributions were not
23 made.

24 (d) In lieu of the disability benefits otherwise payable
25 under this Article, any city officer elected by vote of the
26 people who (1) has elected to participate in the Fund, and (2)

1 has become permanently disabled and as a consequence is unable
2 to perform the duties of his office, and (3) was making
3 optional contributions in accordance with this Section at the
4 time the disability was incurred, may elect to receive a
5 disability annuity calculated in accordance with the formula
6 in subsection (c). For the purposes of this subsection, such
7 elected city officer shall be considered permanently disabled
8 only if: (i) disability occurs while in service as an elected
9 city officer and is of such a nature as to prevent him from
10 reasonably performing the duties of his office at the time;
11 and (ii) the board has received a written certification by at
12 least 2 licensed physicians appointed by it stating that such
13 officer is disabled and that the disability is likely to be
14 permanent.

15 (e) Refunds of additional optional contributions shall be
16 made on the same basis and under the same conditions as
17 provided under Sections 8-168, 8-170 and 8-171. Interest shall
18 be credited at the effective rate on the same basis and under
19 the same conditions as for other contributions. Optional
20 contributions shall be accounted for in a separate Elected
21 City Officer Optional Contribution Reserve. Optional
22 contributions under this Section shall be included in the
23 amount of employee contributions used to compute the tax levy
24 under Section 8-173.

25 (f) The effective date of this plan of optional
26 alternative benefits and contributions shall be July 1, 1990,

1 or the date upon which approval is received from the U.S.
2 Internal Revenue Service, whichever is later.

3 The plan of optional alternative benefits and
4 contributions shall not be available to any former city
5 officer or employee receiving an annuity from the Fund on the
6 effective date of the plan, unless he re-enters service as an
7 elected city officer and renders at least 3 years of
8 additional service after the date of re-entry. However, a
9 person who holds office as a city officer on June 1, 1995 may
10 elect to participate in the plan, to transfer credits into the
11 Fund from other Articles of this Code, and to make the
12 contributions required for prior service, until 30 days after
13 the effective date of this amendatory Act of the 92nd General
14 Assembly, notwithstanding the ending of his term of office
15 prior to that effective date; in the event that the person is
16 already receiving an annuity from this Fund or any other
17 Article of this Code at the time of making this election, the
18 annuity shall be recalculated to include any increase
19 resulting from participation in the plan, with such increase
20 taking effect on the effective date of the election.

21 (g) Notwithstanding any other provision in this Section or
22 in this Code to the contrary, any person who first becomes a
23 city officer, as defined in this Section, on or after the
24 effective date of this amendatory Act of the 100th General
25 Assembly, shall not be eligible for the alternative annuity or
26 alternative disability benefits as provided in subsections

1 (a), (b), (c), and (d) of this Section or for the alternative
2 survivor's benefits as provided in Section 8-243.3. Such
3 person shall not be eligible, or be required, to make any
4 additional contributions beyond those required of other
5 participants under Sections 8-137, 8-174, and 8-182. The
6 retirement annuity, disability benefits, and survivor's
7 benefits for a person who first becomes a city officer on or
8 after the effective date of this amendatory Act of the 100th
9 General Assembly shall be determined pursuant to the
10 provisions otherwise provided in this Article.

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

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

14 (50 ILCS 105/1.3)

15 Sec. 1.3. Municipal board member; education office. In a
16 city, village, or incorporated town with fewer than 2,500
17 inhabitants, an alder ~~alderman~~ of the city or a member of the
18 board of trustees of a village or incorporated town, during
19 the term of office for which he or she is elected, may also
20 hold the office of member of the board of education, regional
21 board of school trustees, board of school directors, or board
22 of school inspectors.

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

1 (50 ILCS 105/2) (from Ch. 102, par. 2)

2 Sec. 2. No alder ~~alderman~~ of any city, or member of the
3 board of trustees of any village, during the term of office for
4 which he or she is elected, may accept, be appointed to, or
5 hold any office by the appointment of the mayor or president of
6 the board of trustees, unless the alder ~~alderman~~ or board
7 member is granted a leave of absence from such office, or
8 unless he or she first resigns from the office of alder
9 ~~alderman~~ or member of the board of trustees, or unless the
10 holding of another office is authorized by law. The alder
11 ~~alderman~~ or board member may, however, serve as a volunteer
12 fireman and receive compensation for that service. The alder
13 ~~alderman~~ may also serve as a commissioner of the Beardstown
14 Regional Flood Prevention District board. Any appointment in
15 violation of this Section is void. Nothing in this Act shall be
16 construed to prohibit an elected municipal official from
17 holding elected office in another unit of local government as
18 long as there is no contractual relationship between the
19 municipality and the other unit of local government. This
20 amendatory Act of 1995 is declarative of existing law and is
21 not a new enactment.

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

23 (50 ILCS 105/4) (from Ch. 102, par. 4)

24 Sec. 4. Any alder ~~alderman~~, member of a board of trustees,
25 supervisor or county commissioner, or other person holding any

1 office, either by election or appointment under the laws or
2 constitution of this state, who violates any provision of the
3 preceding sections, is guilty of a Class 4 felony and in
4 addition thereto, any office or official position held by any
5 person so convicted shall become vacant, and shall be so
6 declared as part of the judgment of court. This Section does
7 not apply to a violation of subsection (b) of Section 2a.

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

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

11 (55 ILCS 5/3-14036) (from Ch. 34, par. 3-14036)

12 Sec. 3-14036. Payments of political contributions to
13 public officers prohibited. No officer or employee in the
14 classified civil service of said county, or named in Section
15 3-14022, shall directly or indirectly, give or hand over to
16 any officer or employee, or to any senator or representative
17 or alder ~~alderman~~, councilman, or commissioner, any money or
18 other valuable thing on account of or to be applied to the
19 promotion of any party or political object whatever.

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

21 Section 25. The Illinois Municipal Code is amended by
22 changing Sections 1-1-2, 2-2-9, 3.1-10-5, 3.1-10-30,
23 3.1-10-50, 3.1-10-51, 3.1-10-60, 3.1-10-65, 3.1-10-75,

1 3.1-15-5, 3.1-15-15, 3.1-15-25, 3.1-15-30, 3.1-15-35,
2 3.1-15-40, 3.1-20-10, 3.1-20-15, 3.1-20-20, 3.1-20-22,
3 3.1-20-25, 3.1-20-30, 3.1-20-35, 3.1-20-40, 3.1-20-45,
4 3.1-25-70, 3.1-25-75, 3.1-35-35, 3.1-40-5, 3.1-40-10,
5 3.1-40-15, 3.1-40-25, 3.1-40-30, 3.1-40-35, 3.1-40-40,
6 3.1-40-50, 3.1-40-55, 3.1-45-5, 3.1-45-15, 3.1-55-5, 4-1-2,
7 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,
8 5-2-7, 5-2-8, 5-2-11, 5-2-12, 5-2-17, 5-2-18, 5-2-18.1,
9 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,
10 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,
11 6-3-6, 6-3-7, 6-3-8, 6-3-9, 6-3-10, 6-4-3, 6-4-4, 6-5-1,
12 7-1-15, 7-1-39, 7-1-42, 7-2-1, 7-2-19, 7-2-28, 8-9-1, 10-1-30,
13 10-3-5, 11-13-1.1, 11-13-10, 11-13-14, 11-13-14.1, 11-80-5,
14 11-91-1, and 11-101-2 as follows:

15 (65 ILCS 5/1-1-2) (from Ch. 24, par. 1-1-2)

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

17 (1) "Municipal" or "municipality" means a city, village,
18 or incorporated town in the State of Illinois, but, unless the
19 context otherwise provides, "municipal" or "municipality" does
20 not include a township, town when used as the equivalent of a
21 township, incorporated town that has superseded a civil
22 township, county, school district, park district, sanitary
23 district, or any other similar governmental district. If
24 "municipal" or "municipality" is given a different definition
25 in any particular Division or Section of this Act, that

1 definition shall control in that division or Section only.

2 (2) "Corporate authorities" means (a) the mayor and alders
3 ~~aldermen~~ or similar body when the reference is to cities, (b)
4 the president and trustees or similar body when the reference
5 is to villages or incorporated towns, and (c) the council when
6 the reference is to municipalities under the commission form
7 of municipal government.

8 (3) "Electors" means persons qualified to vote for
9 elective officers at municipal elections.

10 (4) "Person" means any individual, partnership,
11 corporation, joint stock association, or the State of Illinois
12 or any subdivision of the State; and includes any trustee,
13 receiver, assignee, or personal representative of any of those
14 entities.

15 (5) Except as otherwise provided by ordinance, "fiscal
16 year" in all municipalities with fewer than 500,000
17 inhabitants, and "municipal year" in all municipalities, means
18 the period elapsing (a) between general municipal elections in
19 succeeding calendar years, or (b) if general municipal
20 elections are held biennially, then between a general
21 municipal election and the same day of the same month of the
22 following calendar year, and between that day and the next
23 succeeding general municipal election, or (c) if general
24 municipal elections are held quadrennially, then between a
25 general municipal election and the same day of the same month
26 of the following calendar year, and between that day and the

1 same day of the same month of the next following calendar year,
2 and between the last mentioned day and the same day of the same
3 month of the next following calendar year, and between the
4 last mentioned day and the next succeeding general municipal
5 election. The fiscal year of each municipality with 500,000 or
6 more inhabitants shall commence on January 1.

7 (6) Where reference is made to a county within which a
8 municipality, district, area, or territory is situated, the
9 reference is to the county within which is situated the major
10 part of the area of that municipality, district, area, or
11 territory, in case the municipality, district, area, or
12 territory is situated in 2 or more counties.

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

17 (8) Wherever the words "city council", "alders ~~aldermen~~",
18 "commissioners", or "mayor" occur, the provisions containing
19 these words shall apply to the board of trustees, trustees,
20 and president, respectively, of villages and incorporated
21 towns and councilmen in cities, so far as those provisions are
22 applicable to them.

23 (9) The terms "special charter" and "special Act" are
24 synonymous.

25 (10) "General municipal election" means the biennial
26 regularly scheduled election for the election of officers of

1 cities, villages, and incorporated towns, as prescribed by the
2 general election law; in the case of municipalities that elect
3 officers annually, "general municipal election" means each
4 regularly scheduled election for the election of officers of
5 cities, villages, and incorporated towns.

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

7 (65 ILCS 5/2-2-9) (from Ch. 24, par. 2-2-9)

8 Sec. 2-2-9. The election for city officers in any
9 incorporated town or village which has voted to incorporate as
10 a city shall be held at the time of the next regularly
11 scheduled election for officers, in accordance with the
12 general election law. The corporate authorities of such
13 incorporated town or village shall cause the result to be
14 entered upon the records of the city. Alders ~~Aldermen~~ may be
15 elected on a general ticket at the election.

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

17 (65 ILCS 5/3.1-10-5) (from Ch. 24, par. 3.1-10-5)

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

19 (a) A person is not eligible for an elective municipal
20 office unless that person is a qualified elector of the
21 municipality and has resided in the municipality at least one
22 year next preceding the election or appointment, except as
23 provided in Section 3.1-20-25, subsection (b) of Section
24 3.1-25-75, Section 5-2-2, or Section 5-2-11.

1 (b) A person is not eligible to take the oath of office for
2 a municipal office if that person is, at the time required for
3 taking the oath of office, in arrears in the payment of a tax
4 or other indebtedness due to the municipality or has been
5 convicted in any court located in the United States of any
6 infamous crime, bribery, perjury, or other felony.

7 (b-5) (Blank).

8 (c) A person is not eligible for the office of alder
9 ~~alderman~~ of a ward unless that person has resided in the ward
10 that the person seeks to represent, and a person is not
11 eligible for the office of trustee of a district unless that
12 person has resided in the municipality, at least one year next
13 preceding the election or appointment, except as provided in
14 Section 3.1-20-25, subsection (b) of Section 3.1-25-75,
15 Section 5-2-2, or Section 5-2-11.

16 (d) If a person (i) is a resident of a municipality
17 immediately prior to the active duty military service of that
18 person or that person's spouse, (ii) resides anywhere outside
19 of the municipality during that active duty military service,
20 and (iii) immediately upon completion of that active duty
21 military service is again a resident of the municipality, then
22 the time during which the person resides outside the
23 municipality during the active duty military service is deemed
24 to be time during which the person is a resident of the
25 municipality for purposes of determining the residency
26 requirement under subsection (a).

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

2 (65 ILCS 5/3.1-10-30) (from Ch. 24, par. 3.1-10-30)

3 Sec. 3.1-10-30. Bond. Before entering upon the duties of
4 their respective offices, all municipal officers, except
5 alders ~~aldermen~~ and trustees, shall execute a bond with
6 security, to be approved by the corporate authorities. The
7 bond shall be payable to the municipality in the penal sum
8 directed by resolution or ordinance, conditioned upon the
9 faithful performance of the duties of the office and the
10 payment of all money received by the officer, according to law
11 and the ordinances of that municipality. The bond may provide
12 that the obligation of the sureties shall not extend to any
13 loss sustained by the insolvency, failure, or closing of any
14 bank or savings and loan association organized and operating
15 either under the laws of the State of Illinois or the United
16 States in which the officer has placed funds in the officer's
17 custody, if the bank or savings and loan association has been
18 approved by the corporate authorities as a depository for
19 those funds. In no case, however, shall the mayor's bond be
20 fixed at less than \$3,000. The treasurer's bond shall be an
21 amount of money that is not less than 3 times the latest
22 Federal census population or any subsequent census figure used
23 for Motor Fuel Tax purposes. Bonds shall be filed with the
24 municipal clerk, except the bond of the clerk, which shall be
25 filed with the municipal treasurer.

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

2 (65 ILCS 5/3.1-10-50)

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

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

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

23 (2) Conditional resignation. A resignation that does
24 not become effective unless a specified event occurs can
25 be withdrawn at any time prior to the occurrence of the

1 specified event, but if not withdrawn, the effective date
2 of the resignation is the date of the occurrence of the
3 specified event or the date the resignation is received by
4 the officer authorized to fill the vacancy, whichever date
5 occurs later.

6 (3) Vacancy upon the effective date. For the purpose
7 of determining the time period that would require an
8 election to fill the vacancy by resignation or the
9 commencement of the 60-day time period referred to in
10 subsection (e), the resignation of an elected officer is
11 deemed to have created a vacancy as of the effective date
12 of the resignation.

13 (4) Duty of the clerk. If a resignation is delivered
14 to the clerk of the municipality, the clerk shall forward
15 a certified copy of the written resignation to the
16 official who is authorized to fill the vacancy within 7
17 business days after receipt of the resignation.

18 (b) Vacancy by death or disability. A vacancy occurs in an
19 office by reason of the death of the incumbent. The date of the
20 death may be established by the date shown on the death
21 certificate. A vacancy occurs in an office by permanent
22 physical or mental disability rendering the person incapable
23 of performing the duties of the office. The corporate
24 authorities have the authority to make the determination
25 whether an officer is incapable of performing the duties of
26 the office because of a permanent physical or mental

1 disability. A finding of mental disability shall not be made
2 prior to the appointment by a court of a guardian ad litem for
3 the officer or until a duly licensed doctor certifies, in
4 writing, that the officer is mentally impaired to the extent
5 that the officer is unable to effectively perform the duties
6 of the office. If the corporate authorities find that an
7 officer is incapable of performing the duties of the office
8 due to permanent physical or mental disability, that person is
9 removed from the office and the vacancy of the office occurs on
10 the date of the determination.

11 (c) Vacancy by other causes.

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

25 (2) Guilty of a criminal offense. An admission of
26 guilt of a criminal offense that upon conviction would

1 disqualify the municipal officer from holding the office,
2 in the form of a written agreement with State or federal
3 prosecutors to plead guilty to a felony, bribery, perjury,
4 or other infamous crime under State or federal law,
5 constitutes a resignation from that office, effective on
6 the date the plea agreement is made. For purposes of this
7 Section, a conviction for an offense that disqualifies a
8 municipal officer from holding that office occurs on the
9 date of the return of a guilty verdict or, in the case of a
10 trial by the court, on the entry of a finding of guilt.

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

14 (4) Owing a debt to the municipality. A vacancy occurs
15 if a municipal official fails to pay a debt to a
16 municipality in which the official has been elected or
17 appointed to an elected position subject to the following:

18 (A) Before a vacancy may occur under this
19 paragraph (4), the municipal clerk shall deliver, by
20 personal service, a written notice to the municipal
21 official that (i) the municipal official is in arrears
22 of a debt to the municipality, (ii) that municipal
23 official must either pay or contest the debt within 30
24 days after receipt of the notice or the municipal
25 official will be disqualified and his or her office
26 vacated, and (iii) if the municipal official chooses

1 to contest the debt, the municipal official must
2 provide written notice to the municipal clerk of the
3 contesting of the debt. A copy of the notice, and the
4 notice to contest, shall also be mailed by the
5 municipal clerk to the appointed municipal attorney by
6 certified mail. If the municipal clerk is the
7 municipal official indebted to the municipality, the
8 mayor or president of the municipality shall assume
9 the duties of the municipal clerk required under this
10 paragraph (4).

11 (B) In the event that the municipal official
12 chooses to contest the debt, a hearing shall be held
13 within 30 days of the municipal clerk's receipt of the
14 written notice of contest from the municipal official.
15 An appointed municipal hearing officer shall preside
16 over the hearing, and shall hear testimony and accept
17 evidence relevant to the existence of the debt owed by
18 the municipal officer to the municipality.

19 (C) Upon the conclusion of the hearing, the
20 hearing officer shall make a determination on the
21 basis of the evidence presented as to whether or not
22 the municipal official is in arrears of a debt to the
23 municipality. The determination shall be in writing
24 and shall be designated as findings, decision, and
25 order. The findings, decision, and order shall
26 include: (i) the hearing officer's findings of fact;

1 (ii) a decision of whether or not the municipal
2 official is in arrears of a debt to the municipality
3 based upon the findings of fact; and (iii) an order
4 that either directs the municipal official to pay the
5 debt within 30 days or be disqualified and his or her
6 office vacated or dismisses the matter if a debt owed
7 to the municipality is not proved. A copy of the
8 hearing officer's written determination shall be
9 served upon the municipal official in open proceedings
10 before the hearing officer. If the municipal official
11 does not appear for receipt of the written
12 determination, the written determination shall be
13 deemed to have been served on the municipal official
14 on the date when a copy of the written determination is
15 personally served on the municipal official or on the
16 date when a copy of the written determination is
17 deposited in the United States mail, postage prepaid,
18 addressed to the municipal official at the address on
19 record with the municipality.

20 (D) A municipal official aggrieved by the
21 determination of a hearing officer may secure judicial
22 review of such determination in the circuit court of
23 the county in which the hearing was held. The
24 municipal official seeking judicial review must file a
25 petition with the clerk of the court and must serve a
26 copy of the petition upon the municipality by

1 registered or certified mail within 5 days after
2 service of the determination of the hearing officer.
3 The petition shall contain a brief statement of the
4 reasons why the determination of the hearing officer
5 should be reversed. The municipal official shall file
6 proof of service with the clerk of the court. No answer
7 to the petition need be filed, but the municipality
8 shall cause the record of proceedings before the
9 hearing officer to be filed with the clerk of the court
10 on or before the date of the hearing on the petition or
11 as ordered by the court. The court shall set the matter
12 for hearing to be held within 30 days after the filing
13 of the petition and shall make its decision promptly
14 after such hearing.

15 (E) If a municipal official chooses to pay the
16 debt, or is ordered to pay the debt after the hearing,
17 the municipal official must present proof of payment
18 to the municipal clerk that the debt was paid in full,
19 and, if applicable, within the required time period as
20 ordered by a hearing officer or circuit court judge.

21 (F) A municipal official will be disqualified and
22 his or her office vacated pursuant to this paragraph
23 (4) on the later of the following times if the
24 municipal official: (i) fails to pay or contest the
25 debt within 30 days of the municipal official's
26 receipt of the notice of the debt; (ii) fails to pay

1 the debt within 30 days after being served with a
2 written determination under subparagraph (C) ordering
3 the municipal official to pay the debt; or (iii) fails
4 to pay the debt within 30 days after being served with
5 a decision pursuant to subparagraph (D) upholding a
6 hearing officer's determination that the municipal
7 officer has failed to pay a debt owed to a
8 municipality.

9 (G) For purposes of this paragraph, a "debt" shall
10 mean an arrearage in a definitely ascertainable and
11 quantifiable amount after service of written notice
12 thereof, in the payment of any indebtedness due to the
13 municipality, which has been adjudicated before a
14 tribunal with jurisdiction over the matter. A
15 municipal official is considered in arrears of a debt
16 to a municipality if a debt is more than 30 days
17 overdue from the date the debt was due.

18 (d) Election of an acting mayor or acting president. The
19 election of an acting mayor or acting president pursuant to
20 subsection (f) or (g) does not create a vacancy in the original
21 office of the person on the city council or as a trustee, as
22 the case may be, unless the person resigns from the original
23 office following election as acting mayor or acting president.
24 If the person resigns from the original office following
25 election as acting mayor or acting president, then the
26 original office must be filled pursuant to the terms of this

1 Section and the acting mayor or acting president shall
2 exercise the powers of the mayor or president and shall vote
3 and have veto power in the manner provided by law for a mayor
4 or president. If the person does not resign from the original
5 office following election as acting mayor or acting president,
6 then the acting mayor or acting president shall exercise the
7 powers of the mayor or president but shall be entitled to vote
8 only in the manner provided for as the holder of the original
9 office and shall not have the power to veto. If the person does
10 not resign from the original office following election as
11 acting mayor or acting president, and if that person's
12 original term of office has not expired when a mayor or
13 president is elected and has qualified for office, the acting
14 mayor or acting-president shall return to the original office
15 for the remainder of the term thereof.

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

1 acting president shall appoint and forward to the corporate
2 authorities a second qualified person as described in Section
3 3.1-10-5. Once the appointment of the second qualified person
4 has been forwarded to the corporate authorities, the corporate
5 authorities shall act upon the appointment within 30 days. If
6 the appointment of the second qualified person also fails to
7 receive the advice and consent of the corporate authorities,
8 then the mayor or president or acting mayor or acting
9 president, without the advice and consent of the corporate
10 authorities, may make a temporary appointment from those
11 persons who were appointed but whose appointments failed to
12 receive the advice and consent of the corporate authorities.
13 The person receiving the temporary appointment shall serve
14 until an appointment has received the advice and consent and
15 the appointee has qualified or until a person has been elected
16 and has qualified, whichever first occurs.

17 (f) Election to fill vacancies in municipal offices with
18 4-year terms. If a vacancy occurs in an elective municipal
19 office with a 4-year term and there remains an unexpired
20 portion of the term of at least 28 months, and the vacancy
21 occurs at least 130 days before the general municipal election
22 next scheduled under the general election law, then the
23 vacancy shall be filled for the remainder of the term at that
24 general municipal election. Whenever an election is held for
25 this purpose, the municipal clerk shall certify the office to
26 be filled and the candidates for the office to the proper

1 election authorities as provided in the general election law.
2 If a vacancy occurs with less than 28 months remaining in the
3 unexpired portion of the term or less than 130 days before the
4 general municipal election, then:

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

23 (2) Alder ~~Alderman~~ or trustee. If the vacancy is in
24 the office of alder ~~alderman~~ or trustee, the vacancy must
25 be filled by the mayor or president or acting mayor or
26 acting president, as the case may be, in accordance with

1 subsection (e).

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

10 (g) Vacancies in municipal offices with 2-year terms. In
11 the case of an elective municipal office with a 2-year term, if
12 the vacancy occurs at least 130 days before the general
13 municipal election next scheduled under the general election
14 law, the vacancy shall be filled for the remainder of the term
15 at that general municipal election. If the vacancy occurs less
16 than 130 days before the general municipal election, then:

17 (1) Mayor or president. If the vacancy is in the
18 office of mayor or president, the vacancy must be filled
19 by the corporate authorities electing one of their members
20 as acting mayor or acting president. Except as set forth
21 in subsection (d), the acting mayor or acting president
22 shall perform the duties and possess all the rights and
23 powers of the mayor or president until a mayor or
24 president is elected at the next general municipal
25 election and has qualified. However, in villages with a
26 population of less than 5,000, if each of the trustees

1 either declines the election as acting president or is not
2 elected by a majority vote of the trustees presently
3 holding office, then the trustees may elect, as acting
4 president, any other village resident who is qualified to
5 hold municipal office, and the acting president shall
6 exercise the powers of the president and shall vote and
7 have veto power in the manner provided by law for a
8 president.

9 (2) Alder ~~Alderman~~ or trustee. If the vacancy is in
10 the office of alder ~~alderman~~ or trustee, the vacancy must
11 be filled by the mayor or president or acting mayor or
12 acting president, as the case may be, in accordance with
13 subsection (e).

14 (3) Other elective office. If the vacancy is in any
15 elective municipal office other than mayor or president or
16 alder ~~alderman~~ or trustee, the mayor or president or
17 acting mayor or acting president, as the case may be, must
18 appoint a qualified person to hold the office until the
19 office is filled by election, subject to the advice and
20 consent of the city council or the board of trustees, as
21 the case may be.

22 (h) In cases of vacancies arising by reason of an election
23 being declared void pursuant to paragraph (3) of subsection
24 (c), persons holding elective office prior thereto shall hold
25 office until their successors are elected and qualified or
26 appointed and confirmed by advice and consent, as the case may

1 be.

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

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

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

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

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

10 (1) A municipal officer may resign from office. A
11 vacancy occurs in an office by reason of resignation,
12 failure to elect or qualify (in which case the incumbent
13 shall remain in office until the vacancy is filled),
14 death, permanent physical or mental disability rendering
15 the person incapable of performing the duties of his or
16 her office, conviction of a disqualifying crime,
17 abandonment of office, removal from office, or removal of
18 residence from the municipality or, in the case of an
19 alder ~~alderman~~ of a ward, removal of residence from the
20 ward.

21 (2) An admission of guilt of a criminal offense that
22 would, upon conviction, disqualify the municipal officer
23 from holding that office, in the form of a written
24 agreement with State or federal prosecutors to plead
25 guilty to a felony, bribery, perjury, or other infamous

1 crime under State or federal law, shall constitute a
2 resignation from that office, effective at the time the
3 plea agreement is made. For purposes of this Section, a
4 conviction for an offense that disqualifies the municipal
5 officer from holding that office occurs on the date of the
6 return of a guilty verdict or, in the case of a trial by
7 the court, the entry of a finding of guilt.

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

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

1 municipal official indebted to the municipality, the
2 mayor or president of the municipality shall assume
3 the duties of the municipal clerk required under this
4 paragraph (3).

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

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

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

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

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

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

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

1 officer has failed to pay a debt owed to a
2 municipality.

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

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

1 office, then until the office is filled by election, the mayor
2 shall appoint a qualified person to the office subject to the
3 advice and consent of the city council.

4 (c) If a vacancy occurs later than the time provided in
5 subsection (b) in a 4-year term, a vacancy in the office of
6 mayor shall be filled by the corporate authorities electing
7 one of their members acting mayor. The acting mayor shall
8 perform the duties and possess all the rights and powers of the
9 mayor until a mayor is elected at the next general municipal
10 election and has qualified. A vacancy occurring later than the
11 time provided in subsection (b) in a 4-year term in any
12 elective office other than mayor shall be filled by
13 appointment by the mayor, with the advice and consent of the
14 corporate authorities.

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

18 (e) An appointment to fill a vacancy in the office of alder
19 ~~alderman~~ shall be made within 60 days after the vacancy
20 occurs. The requirement that an appointment be made within 60
21 days is an exclusive power and function of the State and is a
22 denial and limitation under Article VII, Section 6, subsection
23 (h) of the Illinois Constitution of the power of a home rule
24 municipality to require that an appointment be made within a
25 different period after the vacancy occurs.

26 (f) This Section applies only to municipalities with a

1 population of 500,000 or more.

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

3 (65 ILCS 5/3.1-10-60) (from Ch. 24, par. 3.1-10-60)

4 Sec. 3.1-10-60. Interim appointments to vacancies. If a
5 municipality has no mayor or president, no clerk, and no
6 alders ~~aldermen~~ or trustees, the circuit court may, upon
7 petition signed by at least 100 electors or 10% of the electors
8 of the municipality, whichever is less, make interim
9 appointments to fill all vacancies in the elective offices of
10 the municipality from among persons whose names are submitted
11 by the petition or petitions. The interim appointees shall
12 serve until the next regularly scheduled election under the
13 general election law occurring not less than 120 days after
14 all the offices have become vacant.

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

16 (65 ILCS 5/3.1-10-65) (from Ch. 24, par. 3.1-10-65)

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

18 (a) In any municipality of less than 500,000 inhabitants,
19 a proposition to reduce the terms of the elective officers of
20 the municipality from 4 years to 2 years may be submitted,
21 within the discretion of the corporate authorities, to the
22 electors of the municipality. The proposition shall also be
23 submitted if a petition requesting that action is signed by
24 electors of the municipality numbering not less than 10% of

1 the total vote cast at the last election for mayor or president
2 of the municipality and the petition is filed with the
3 municipal clerk and certified in accordance with the general
4 election law. The proposition shall be substantially in the
5 following form:

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

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

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

1 (65 ILCS 5/3.1-10-75) (from Ch. 24, par. 3.1-10-75)

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

3 (a) In any municipality of less than 500,000 inhabitants
4 that, under Section 3.1-10-65, has voted to shorten the terms
5 of elective officers, a proposition to lengthen the terms of
6 the elective officers of the municipality from 2 years to 4
7 years may be submitted, within the discretion of the corporate
8 authorities, to the electors of the municipality. The
9 proposition shall be certified by the municipal clerk to the
10 appropriate election authorities, who shall submit the
11 proposition at an election in accordance with the general
12 election law. The proposition shall also be submitted at an
13 election if a petition requesting that action is signed by
14 electors of the municipality numbering not less than 10% of
15 the total vote cast at the last election for mayor or president
16 of the municipality and the petition is filed with the
17 municipal clerk. The proposition shall be substantially in the
18 following form:

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

21 (b) If a majority of the electors voting on the
22 proposition vote against it, the terms of the officers shall
23 remain 2 years. If, however, a majority of those voting on the
24 proposition vote in favor of it, the officers elected at the
25 next regular election for officers in the municipality shall
26 hold their offices for a term of 4 years and until their

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

1 and until their successors are elected and have qualified, and
2 the terms for successors to those elected at the first odd
3 numbered year election shall be 4 years and until their
4 successors are elected and have qualified.

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

6 (65 ILCS 5/3.1-15-5) (from Ch. 24, par. 3.1-15-5)

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

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

17 (65 ILCS 5/3.1-15-15) (from Ch. 24, par. 3.1-15-15)

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

1 compensation for that service.

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

3 (65 ILCS 5/3.1-15-25) (from Ch. 24, par. 3.1-15-25)

4 Sec. 3.1-15-25. Conservators of the peace; service of
5 warrants.

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

21 (b) All warrants for the violation of municipal ordinances
22 or the State criminal law, directed to any person, may be
23 served and executed within the limits of a municipality by any
24 policeman or marshal of the municipality. For that purpose,
25 policemen and marshals have all the common law and statutory

1 powers of sheriffs.

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

3 (65 ILCS 5/3.1-15-30) (from Ch. 24, par. 3.1-15-30)

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

5 (a) Whenever the question of incorporation as a city under
6 this Code is submitted for adoption to the electors of any
7 territory, village, incorporated town, or city under special
8 charter, there may be submitted at the same time for adoption
9 or rejection the question of minority representation in the
10 city council. The proposition shall be in the following form:

11 Shall minority representation in the city council be
12 adopted?

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

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

1 inhabitants.

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

6 (e) At any time after the incorporation of a city under
7 this Code, on petition of electors equal in number to
8 one-eighth the number of legal votes cast at the next
9 preceding general municipal election, the city clerk shall
10 certify the question of the adoption or retention of minority
11 representation to the proper election authority for submission
12 to the electors of that city. The proposition shall be in the
13 same form as provided in this Section, except that the word
14 "retained" shall be substituted for the word "adopted" when
15 appropriate. A question of minority representation, however,
16 shall not be submitted more than once within 32 months.

17 (f) If the city council of any city adopting minority
18 representation as provided in this Section has not fixed a
19 ratio of representation and formed the districts by the time
20 specified in this Section, those acts may be done by any later
21 city council. All official acts done and ordinances passed by
22 a city council elected at large by the electors of a city that
23 has adopted a minority representation plan shall be as valid
24 and binding as if the alders ~~aldermen~~ had been elected from
25 districts.

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

1 (65 ILCS 5/3.1-15-35) (from Ch. 24, par. 3.1-15-35)

2 Sec. 3.1-15-35. Alders ~~Aldermen~~ under minority
3 representation plan. Every district under a minority
4 representation plan shall be entitled to 3 alders ~~aldermen~~.
5 Alders ~~Aldermen~~ shall hold their offices for 4 years and until
6 their successors have been elected and qualified, except in
7 cities that have adopted a 2 year term under Section
8 3.1-10-65. There shall be elected in each district as many
9 alders ~~aldermen~~ as the district is entitled to. In all of these
10 elections for alders ~~aldermen~~, each elector may cast as many
11 votes as there are alders ~~aldermen~~ to be elected in the
12 elector's district, or may distribute his or her votes, or
13 equal parts of the votes, among the candidates as the elector
14 sees fit. The candidate highest in votes is elected if only one
15 alder ~~alderman~~ is elected; the candidates highest and next
16 highest in votes are elected if only 2 alders ~~aldermen~~ are
17 elected; and the 3 highest candidates in votes are elected
18 when 3 alders ~~aldermen~~ are elected. Vacancies shall be filled
19 as provided in Sections 3.1-10-50 and 3.1-10-55 by either
20 interim election or appointment. An appointment to fill a
21 vacancy shall be made within 60 days after the vacancy occurs.
22 The requirement that an appointment be made within 60 days is
23 an exclusive power and function of the State and is a denial
24 and limitation under Article VII, Section 6, subsection (h) of
25 the Illinois Constitution of the power of a home rule

1 municipality to require that an appointment be made within a
2 different period after the vacancy occurs.

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

4 (65 ILCS 5/3.1-15-40) (from Ch. 24, par. 3.1-15-40)

5 Sec. 3.1-15-40. Staggered elections under minority plans.
6 In all cities that adopt or have adopted the minority
7 representation plan for the election of alders ~~aldermen~~ and
8 have not already staggered the terms of their alders ~~aldermen~~,
9 the city council may provide by ordinance that at any ensuing
10 general municipal election for city officers the alders
11 ~~aldermen~~ in every alternate district shall be elected for one
12 term of 2 years and, at the expiration of that term of 2 years,
13 for regular terms of 4 years. This Section does not prohibit a
14 city from voting in favor of a 2 year term for city officers as
15 provided in Section 3.1-10-65. The provisions of the general
16 election law shall govern elections under this Section.

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

18 (65 ILCS 5/3.1-20-10) (from Ch. 24, par. 3.1-20-10)

19 Sec. 3.1-20-10. Alders ~~Aldermen~~; number.

20 (a) Except as otherwise provided in this Section, Section
21 3.1-20-20, or as otherwise provided in the case of
22 alders-at-large ~~aldermen-at-large~~, the number of alders
23 ~~aldermen~~, when not elected by the minority representation
24 plan, shall be determined using the most recent federal

1 decennial census results as follows:

2 (1) in cities not exceeding 3,000 inhabitants, 6
3 alders ~~aldermen~~;

4 (2) in cities exceeding 3,000 but not exceeding
5 15,000, 8 alders ~~aldermen~~;

6 (3) in cities exceeding 15,000 but not exceeding
7 20,000, 10 alders ~~aldermen~~;

8 (4) in cities exceeding 20,000 but not exceeding
9 50,000, 14 alders ~~aldermen~~;

10 (5) in cities exceeding 50,000 but not exceeding
11 70,000, 16 alders ~~aldermen~~;

12 (6) in cities exceeding 70,000 but not exceeding
13 90,000, 18 alders ~~aldermen~~; and

14 (7) in cities exceeding 90,000 but not exceeding
15 500,000, 20 alders ~~aldermen~~.

16 (b) Instead of the number of alders ~~aldermen~~ set forth in
17 subsection (a), a municipality with 15,000 or more inhabitants
18 may adopt, either by ordinance or by resolution, not more than
19 one year after the municipality's receipt of the new federal
20 decennial census results, the following number of alders
21 ~~aldermen~~: in cities exceeding 15,000 but not exceeding 20,000,
22 8 alders ~~aldermen~~; exceeding 20,000 but not exceeding 50,000,
23 10 alders ~~aldermen~~; exceeding 50,000 but not exceeding 70,000,
24 14 alders ~~aldermen~~; exceeding 70,000 but not exceeding 90,000,
25 16 alders ~~aldermen~~; and exceeding 90,000 but not exceeding
26 500,000, 18 alders ~~aldermen~~.

1 (c) Instead of the number of alders ~~aldermen~~ set forth in
2 subsection (a), a municipality with 40,000 or more inhabitants
3 may adopt, either by ordinance or by resolution, not more than
4 one year after the municipality's receipt of the new federal
5 decennial census results, the following number of alders
6 ~~aldermen~~: in cities exceeding 40,000 but not exceeding 50,000,
7 16 alders ~~aldermen~~.

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

16 (Source: P.A. 96-1156, eff. 7-21-10; 97-301, eff. 8-11-11;
17 97-1091, eff. 8-24-12.)

18 (65 ILCS 5/3.1-20-15) (from Ch. 24, par. 3.1-20-15)

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

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

1 (65 ILCS 5/3.1-20-20) (from Ch. 24, par. 3.1-20-20)

2 Sec. 3.1-20-20. Alders ~~Aldermen~~; restrict or reinstate
3 number.

4 (a) In a city of less than 100,000 inhabitants, a
5 proposition to restrict the number of alders ~~aldermen~~ to
6 one-half of the total authorized by Section 3.1-20-10, with
7 one alder ~~alderman~~ representing each ward, shall be certified
8 by the city clerk to the proper election authorities, who
9 shall submit the proposition at an election in accordance with
10 the general election law, if a petition requesting that action
11 is signed by electors of the city numbering not less than 10%
12 of the total vote cast at the last election for mayor of the
13 city and the petition is filed with the city clerk.

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

16 Shall (name of city) restrict the number of alders
17 ~~aldermen~~ to (state number) (one-half of the total
18 authorized by Section 3.1-20-10 of the Illinois Municipal
19 Code), with one alder ~~alderman~~ representing each ward?

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

25 (b) In a city of less than 100,000 inhabitants, a
26 proposition to restrict the number of alders ~~aldermen~~ to one

1 ~~alder~~ ~~alderman~~ per ward, with one ~~alder~~ ~~alderman~~ representing
2 each ward, plus an additional number of ~~alders~~ ~~aldermen~~ not to
3 exceed the number of wards in the city to be elected at large,
4 shall be 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 ~~alders~~
14 ~~aldermen~~ to (number), with one ~~alder~~ ~~alderman~~ representing
15 each ward, plus an additional (number) ~~alder~~ ~~alderman~~
16 (~~alders~~ ~~aldermen~~) to be elected at large?

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

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

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

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

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

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

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

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

21 (65 ILCS 5/3.1-20-22) (from Ch. 24, par. 3.1-20-22)

22 Sec. 3.1-20-22. Alders ~~Aldermen~~; staggered terms. In any
23 city of less than 100,000 inhabitants, a proposition to
24 stagger the terms of alders ~~aldermen~~, with as nearly as
25 possible one-half of the alders ~~aldermen~~ elected every 2

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

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

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

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

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 alders ~~aldermen~~ to which the city is entitled, except as
18 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 alders ~~aldermen~~ whose terms of office are not expiring shall
25 be considered alders ~~aldermen~~ for the new wards respectively
26 in which their residences are situated. At this election, in a

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

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

24 (e) A redistricting ordinance that has decreased the
25 number of wards of a city because of a decrease in population
26 of the city shall not be effective if, not less than 60 days

1 before the time fixed for the next succeeding general
2 municipal election, an official census is officially published
3 that shows that the city has regained a population that
4 entitles it to the number of wards that it had just before the
5 passage of the last redistricting ordinance.

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

7 (65 ILCS 5/3.1-20-30) (from Ch. 24, par. 3.1-20-30)

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

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

16 (65 ILCS 5/3.1-20-35) (from Ch. 24, par. 3.1-20-35)

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

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

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

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

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

14 (65 ILCS 5/3.1-20-40) (from Ch. 24, par. 3.1-20-40)

15 Sec. 3.1-20-40. Other officers; election rather than
16 appointment. Instead of providing for the appointment of the
17 following officers as provided in Section 3.1-30-5, the city
18 council, in its discretion, may provide by ordinance passed by
19 a two-thirds vote of all the alders ~~aldermen~~ elected for the
20 election by the electors of the city of a city collector, a
21 city marshal, a city superintendent of streets, a corporation
22 counsel, a city comptroller, or any of them, and any other
23 officers which the city council considers necessary or
24 expedient. By ordinance or resolution, to take effect at the
25 end of the current fiscal year, the city council, by a like

1 vote, may discontinue any office so created and devolve the
2 duties of that office on any other city officer. After
3 discontinuance of an office, no officer filling that office
4 before its discontinuance shall have any claim against the
5 city for salary alleged to accrue after the date of
6 discontinuance.

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

8 (65 ILCS 5/3.1-20-45)

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

20 Notwithstanding the preceding paragraph, when a person (i)
21 who has not timely filed valid nomination papers and (ii) who
22 intends to become a write-in candidate for nomination for any
23 office for which nomination is uncontested files a written
24 statement or notice of that intent with the proper election
25 official with whom the nomination papers for that office are

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

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

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

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

24 (3) If 3 alders ~~aldermen~~ are to be elected at large,
25 then the 6 candidates who receive the highest number of
26 votes shall be placed on the ballot for the next

1 succeeding general municipal election.

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

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

11 (65 ILCS 5/3.1-25-70) (from Ch. 24, par. 3.1-25-70)

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

13 (a) In every village and incorporated town incorporated
14 and existing under any special Act that, before June 4, 1909,
15 pursuant to any special Act, annually elected members of its
16 legislative body, the electors in the village or incorporated
17 town, instead of the legislative body now provided for by law,
18 shall elect 6 trustees. They shall hold their offices until
19 their respective successors are elected and have qualified. At
20 the first meeting of this board of 6 trustees, the terms of
21 office of the trustees shall be staggered, and thereafter
22 shall be for the same length of time as provided for alders
23 ~~aldermen~~ in Section 3.1-20-35.

24 (b) The electors of the village or incorporated town may,
25 however, adopt a 2 year term for their trustees as provided in

1 Section 3.1-10-65. If this 2 year term is adopted, then at the
2 next general municipal election in the adopting village or
3 incorporated town, 3 trustees shall be elected, and they shall
4 hold their offices for terms of one year each. In the next
5 succeeding year, and in each year thereafter, 3 trustees shall
6 be elected in the adopting village or incorporated town, and
7 they shall hold their offices for terms of 2 years each.

8 (c) A village or incorporated town that, before January 1,
9 1942, has adopted a 2 year term for its trustees and is now
10 electing 3 trustees each year shall continue to elect 3
11 trustees each year for a term of 2 years each. A village or
12 incorporated town that, before January 1, 1942, has adopted a
13 2 year term for its trustees but is not now electing 3 trustees
14 each year shall elect 3 trustees at the next general municipal
15 election in that municipality, and they shall hold their
16 offices for terms of one year each. In the next succeeding
17 year, and in each year thereafter, 3 trustees shall be
18 elected, and they shall hold their offices for terms of 2 years
19 each.

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

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

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

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

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

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

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

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

22 (65 ILCS 5/3.1-35-35) (from Ch. 24, par. 3.1-35-35)

23 Sec. 3.1-35-35. Mayor or president pro tem; temporary
24 chairman.

25 (a) If the mayor or president is temporarily absent

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

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

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

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

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

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

23 (65 ILCS 5/3.1-40-10) (from Ch. 24, par. 3.1-40-10)

24 Sec. 3.1-40-10. Judge of elections. The city council shall

1 be the sole judge of the election to office of the alders
2 ~~aldermen~~. It shall also be the sole judge whether under
3 Section 3.1-10-5 alders ~~aldermen~~ are eligible to hold their
4 offices. A court, however, shall not be prohibited from
5 hearing and determining a proceeding in quo warranto.

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

7 (65 ILCS 5/3.1-40-15) (from Ch. 24, par. 3.1-40-15)

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

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

15 (65 ILCS 5/3.1-40-25) (from Ch. 24, par. 3.1-40-25)

16 Sec. 3.1-40-25. Meetings. The city council may prescribe,
17 by ordinance, the times and places of the council meetings and
18 the manner in which special council meetings may be called.
19 The mayor or any 3 alders ~~aldermen~~ may call special meetings of
20 the city council. In addition to any notice requirement
21 prescribed by the city council, public notice of meetings must
22 be given as prescribed in Sections 2.02 and 2.03 of the Open
23 Meetings Act.

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

1 (65 ILCS 5/3.1-40-30) (from Ch. 24, par. 3.1-40-30)

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

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

17 (65 ILCS 5/3.1-40-35) (from Ch. 24, par. 3.1-40-35)

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

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

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

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

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

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

17 (65 ILCS 5/3.1-40-50) (from Ch. 24, par. 3.1-40-50)

18 Sec. 3.1-40-50. Reconsideration; passing over veto. Every
19 resolution and motion specified in Section 3.1-40-45, and
20 every ordinance, that is returned to the city council by the
21 mayor shall be reconsidered by the city council at the next
22 regular meeting following the regular meeting at which the
23 city council receives the mayor's written objection. If, after
24 reconsideration, two-thirds of all the alders ~~aldermen~~
25 holding office on the city council agree at that regular

1 meeting to pass an ordinance, resolution, or motion,
2 notwithstanding the mayor's refusal to approve it, then it
3 shall be effective. The vote on the question of passage over
4 the mayor's veto shall be by yeas and nays and shall be
5 recorded in the journal.

6 This Section does not apply to municipalities with more
7 than 500,000 inhabitants.

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

9 (65 ILCS 5/3.1-40-55) (from Ch. 24, par. 3.1-40-55)

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

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

16 (65 ILCS 5/3.1-45-5) (from Ch. 24, par. 3.1-45-5)

17 Sec. 3.1-45-5. Composition; manner of acting. The board of
18 trustees shall consist of the president and trustees and,
19 except as otherwise provided in this Code, shall exercise the
20 same powers and perform the same duties as the city council in
21 cities. It shall pass ordinances, resolutions, and motions in
22 the same manner as a city council. The president of the board
23 of trustees may exercise the same veto power and powers in
24 Section 3.1-40-30, and with like effect, as the mayor of a

1 city. The trustees may pass motions, resolutions, and
2 ordinances over the president's veto in like manner as the
3 alders ~~aldermen~~ of a city council.

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

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

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

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

11 (65 ILCS 5/3.1-55-5) (from Ch. 24, par. 3.1-55-5)

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

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

23 (65 ILCS 5/4-1-2) (from Ch. 24, par. 4-1-2)

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

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

8 (b) "Commissioner", "alder ~~alderman~~", or "village trustee"
9 means commissioner when applied to duties under this Article.

10 (c) "City council", "board of trustees", or "corporate
11 authorities" means "council" when applied to duties under this
12 Article.

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

18 (e) "City" includes village.

19 (f) "Municipal" or "municipality" means either city or
20 village.

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

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

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

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

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

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

15 -----

16	Shall the city (or village)	YES
17	of.... retain the commission	-----
18	form of municipal government?	NO

19 -----

20 In municipalities which have adopted the City Election
21 Law, however, this proposition shall be filed with the clerk
22 of that board. However, in municipalities with less than
23 50,000 inhabitants this proposition shall only be submitted
24 within the year preceding the expiration of the terms of
25 office of the elective officers of the municipality and shall

1 not be submitted more often than once in that year. In
2 municipalities with 50,000 or more inhabitants this
3 proposition shall not be submitted more often than once in 22
4 months.

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

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

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

21 (65 ILCS 5/5-1-4) (from Ch. 24, par. 5-1-4)

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

24 (a) Cities and villages described in Section 5-1-1, in
25 order to vest themselves with the managerial form of municipal

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

9 Shall (name of city or village), if it adopts the
10 managerial form of municipal government, continue to elect
11 alders ~~aldermen~~ (or trustees) from wards (or districts)?

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

18 Shall only one alder ~~alderman~~ hereafter be elected
19 from each ward if (name of city) adopts the managerial
20 form of municipal government and also elects to continue
21 the aldermanic organization for the city council?

22 (c) If 2 or more forms of petition allowed under this
23 Section are presented to the chief judge of the circuit court
24 or any judge of that circuit designated by the chief judge, the
25 judge shall cause only the question or questions contained in
26 the first petition so presented to be submitted to referendum,

1 if he or she finds that the petition is in proper form and
2 legally sufficient.

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

12 (e) The city council or board of trustees of a city or
13 village that adopts the provisions of this Article 5 under
14 this Section may, if it so desires, by the adoption of an
15 ordinance immediately after the adoption of this Article 5 has
16 been proclaimed, appoint a city or village manager and
17 reorganize the administration of the municipality in
18 conformance with this Article 5. This Article 5, except as to
19 the membership of the council in cities or villages in which
20 representation by wards or districts has not been retained,
21 shall be in effect upon the proclamation of the results of the
22 adopting referendum.

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

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

25 Sec. 5-2-1. If a city or village adopts the managerial

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

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

23 (65 ILCS 5/5-2-2) (from Ch. 24, par. 5-2-2)

24 Sec. 5-2-2. Except as otherwise provided in Section 5-2-3,
25 the number of alders ~~aldermen~~, when not elected by the

1 minority representation plan, shall be as follows: In cities
2 not exceeding 3,000 inhabitants, 6 alders ~~aldermen~~; exceeding
3 3,000, but not exceeding 15,000, 8 alders ~~aldermen~~; exceeding
4 15,000 but not exceeding 20,000, 10 alders ~~aldermen~~; exceeding
5 20,000 but not exceeding 30,000, 14 alders ~~aldermen~~; and 2
6 additional alders ~~aldermen~~ for every 20,000 inhabitants over
7 30,000. In all cities of less than 500,000, 20 alders ~~aldermen~~
8 shall be the maximum number permitted except as otherwise
9 provided in the case of alders-at-large ~~aldermen-at-large~~. No
10 redistricting shall be required in order to reduce the number
11 of alders ~~aldermen~~ heretofore provided for. Two alders
12 ~~aldermen~~ shall be elected to represent each ward.

13 If it appears from any census specified in Section 5-2-5
14 and taken not earlier than 1940 that any city has the requisite
15 number of inhabitants to authorize it to increase the number
16 of alders ~~aldermen~~, the city council shall immediately proceed
17 to redistrict the city in accordance with the provisions of
18 Section 5-2-5, and it shall hold the next city election in
19 accordance with the new redistricting. At this election the
20 alders ~~aldermen~~ whose terms of office are not expiring shall
21 be considered alders ~~aldermen~~ for the new wards respectively
22 in which their residences are situated. At this election a
23 candidate for alder ~~alderman~~ may be elected from any ward that
24 contains a part of the ward in which he or she resided at least
25 one year next preceding the election that follows the
26 redistricting, and, if elected, that person may be reelected

1 from the new ward he or she represents if he or she resides in
2 that ward for at least one year next preceding reelection. If
3 there are 2 or more alders ~~aldermen~~ with terms of office not
4 expiring and residing in the same ward under the new
5 redistricting, the alder ~~alderman~~ who holds over for that ward
6 shall be determined by lot in the presence of the city council,
7 in whatever manner the council shall direct and all other
8 alders ~~aldermen~~ shall fill their unexpired terms as
9 alders-at-large ~~aldermen-at-large~~. The alders-at-large
10 ~~aldermen-at-large~~, if any, shall have the same power and
11 duties as all other alders ~~aldermen~~ but upon expiration of
12 their terms the offices of alders-at-large ~~aldermen-at-large~~
13 shall be abolished.

14 If the re-districting results in one or more wards in
15 which no alders ~~aldermen~~ reside whose terms of office have not
16 expired, 2 alders ~~aldermen~~ shall be elected in accordance with
17 the provisions of Section 5-2-8.

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

19 (65 ILCS 5/5-2-3) (from Ch. 24, par. 5-2-3)

20 Sec. 5-2-3. In any city or village of less than 100,000
21 inhabitants, a proposition to restrict the number of alders
22 ~~aldermen~~ to one-half of the total authorized by Section 5-2-2,
23 with one alder ~~alderman~~ representing each ward, shall be
24 certified by the municipal clerk to the proper election
25 authority who shall submit the proposition at an election in

1 accordance with the general election law, if a petition
 2 requesting such action is signed by electors of the
 3 municipality numbering not less than 10% of the total vote
 4 cast at the last election for mayor or president of the board
 5 of trustees of the municipality, and is filed with the city or
 6 village clerk in accordance with the general election law.

7 The proposition shall be substantially in the following
 8 form:

9 -----

10 Shall the City (or Village) of
 11 restrict the number of YES
 12 alders ~~aldermen~~ to one-half of the total
 13 authorized by Section 5-2-2 of the -----
 14 Illinois Municipal Code, with one NO
 15 alder ~~alderman~~ representing each ward?
 16 -----

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

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

23 (65 ILCS 5/5-2-3.1) (from Ch. 24, par. 5-2-3.1)

24 Sec. 5-2-3.1. In any municipality in which only one alder
 25 ~~alderman~~ is elected from each ward, a proposition to stagger

1 the terms of alders ~~aldermen~~, with as nearly as possible
 2 one-half of the alders ~~aldermen~~ elected every 2 years, shall
 3 be certified to the proper election authority who shall submit
 4 the proposition at an election in accordance with the general
 5 election law, if a petition requesting such action is signed
 6 by electors of the municipality numbering at least 10% of the
 7 total vote cast at the last election for mayor or president of
 8 the board of trustees of the municipality and is filed with the
 9 municipal clerk.

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

12 -----
 13 Shall the City (or Village) of YES
 14 adopt a system of -----
 15 staggered terms for alders ~~aldermen~~? NO
 16 -----

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

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

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

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

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

10 Sec. 5-2-5. Whenever an official publication of any
11 national, state, school, or city census shows that any city
12 contains more or less wards than it is entitled to, the city
13 council of the city, by ordinance, shall redistrict the city
14 into as many wards only as the city is entitled. This
15 redistricting shall be completed not less than 30 days before
16 the first date fixed by law for the filing of candidate
17 petitions for the next succeeding election for city officers.
18 At this election there shall be elected the number of alders
19 ~~aldermen~~ to which the city is entitled.

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

21 (65 ILCS 5/5-2-7) (from Ch. 24, par. 5-2-7)

22 Sec. 5-2-7. If, after a specified census is officially
23 published, any city is divided into a greater number of wards
24 and has elected a greater number of alders ~~aldermen~~ than the

1 city is entitled, nevertheless such division and election
2 shall be valid and all acts, resolutions, and ordinances of
3 the city council of such city, if in other respects in
4 compliance with law, are valid.

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

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

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

8 (a) Alders ~~Aldermen~~ elected at the first election for city
9 officers after the election of alders ~~aldermen~~ for the initial
10 terms provided for in Section 2-2-11 shall draw lots to
11 determine (i) which of the alders ~~aldermen~~ in each ward shall
12 hold for a 4 year term and until a successor is elected and has
13 qualified and (ii) which in each ward shall hold for a 2 year
14 term and until a successor is elected and has qualified. All
15 alders ~~aldermen~~ elected after that first election shall hold
16 office for a term of 4 years and until their successors are
17 elected and have qualified, except in cities that adopt a 2
18 year term as provided in Section 3.1-10-65 and except as is
19 otherwise provided in Section 5-2-3.

20 (b) If a city that has had the minority representation
21 plan has voted not to retain the plan, then, at the first
22 election for city officers following the vote, 2 alders
23 ~~aldermen~~ shall be elected from each ward in the city. Their
24 terms shall be staggered by the process specified in this
25 Section. The tenure of these alders ~~aldermen~~ and their

1 successors shall be the same as that stated in subsection (a).

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

3 (65 ILCS 5/5-2-11) (from Ch. 24, par. 5-2-11)

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

9 Each of the districts shall be represented by one trustee
10 who shall have been an actual resident of the district for at
11 least 6 months prior to his election, unless the trustee is a
12 resident of a newly incorporated municipality. Only the
13 electors of a district shall elect the trustee from that
14 district.

15 The provisions of Section 5-2-8 relating to terms of
16 office of alders ~~aldermen~~ in cities shall also apply to the
17 terms of office of trustees under this section.

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

19 (65 ILCS 5/5-2-12) (from Ch. 24, par. 5-2-12)

20 Sec. 5-2-12. Alders ~~Aldermen~~ or trustees elected at large;
21 vacancies; mayor or president to preside.

22 (a) If a city or village adopts the managerial form of
23 municipal government but does not elect to choose alders
24 ~~aldermen~~ or trustees from wards or districts, then the

1 following provisions of this Section shall be applicable.

2 (b) The city council shall be elected at large. In cities
3 of less than 50,000 population, the council shall consist of
4 (i) the mayor and 4 councilmen or (ii) the mayor and 6
5 councilmen if the size of the city council is increased under
6 subsection (k). In cities of at least 50,000 but less than
7 100,000 population, the council shall consist of the mayor and
8 6 councilmen. In cities of at least 100,000 but not more than
9 500,000 population, the council shall consist of the mayor and
10 8 councilmen.

11 (c) Except in villages that were governed by Article 4
12 immediately before the adoption of the managerial form of
13 municipal government, the village board shall be elected at
14 large and shall consist of a president and the number of
15 trustees provided for in Section 5-2-15 or 5-2-17, whichever
16 is applicable.

17 (d) The term of office of the mayor and councilmen shall be
18 4 years, provided that in cities of less than 50,000, the 2
19 councilmen receiving the lowest vote at the first election
20 shall serve for 2 years only; in cities of at least 50,000 but
21 less than 100,000, the 3 councilmen receiving the lowest vote
22 at the first election shall serve for 2 years only; and in
23 cities of at least 100,000 but not more than 500,000, the 4
24 councilmen receiving the lowest vote at the first election
25 shall serve for 2 years only.

26 (e) The election of councilmen shall be every 2 years.

1 After the first election, only 2 councilmen in cities of less
2 than 50,000, 3 councilmen in cities of at least 50,000 but less
3 than 100,000, or 4 councilmen in cities of at least 100,000 but
4 not more than 500,000, shall be voted for by each elector at
5 the primary elections, and only 2, 3, or 4 councilmen, as the
6 case may be, shall be voted for by each elector at each
7 biennial general municipal election, to serve for 4 years.

8 (f) In addition to the requirements of the general
9 election law, the ballots shall be in the form set out in
10 Section 5-2-13. In cities with less than 50,000, the form of
11 ballot prescribed in Section 5-2-13 shall be further modified
12 by printing in the place relating to councilmen the words
13 "Vote for not more than Two", or "Vote for not more than Three"
14 if the size of the city council is increased under subsection
15 (k), instead of the words "Vote for not more than Four". In
16 cities of at least 50,000 but less than 100,000, the ballot
17 shall be modified in that place by printing the words "Vote for
18 not more than Three" instead of the words "Vote for not more
19 than Four". Sections 4-3-5 through 4-3-18, insofar as they may
20 be applicable, shall govern the election of a mayor and
21 councilmen under this Section.

22 (g) If a vacancy occurs in the office of mayor or
23 councilman, the remaining members of the council, within 60
24 days after the vacancy occurs, shall fill the vacancy by
25 appointment of some person to the office for the balance of the
26 unexpired term or until the vacancy is filled by interim

1 election under Section 3.1-10-50, and until the successor is
2 elected and has qualified.

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

10 (i) Any village that adopts the managerial form of
11 municipal government under this Article 5 and that,
12 immediately before that adoption, was governed by the
13 provisions of Article 4, shall continue to elect a mayor and 4
14 commissioners in accordance with Sections 4-3-5 through
15 4-3-18, insofar as they may be applicable, except that the 2
16 commissioners receiving the lowest vote among those elected at
17 the first election after this Article 5 becomes effective in
18 the village shall serve for 2 years only. After that first
19 election, the election of commissioners shall be every 2
20 years, and 2 commissioners shall be elected at each election
21 to serve for 4 years.

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

24 (k) In cities of less than 50,000 population, the city
25 council may, by ordinance, provide that the city council
26 shall, after the next biennial general municipal election,

1 consist of 6 instead of 4 councilmen. If the size of the
2 council is increased to 6 councilmen, then at the next
3 biennial general municipal election, the electors shall vote
4 for 4 instead of 2 councilmen. Of the 4 councilmen elected at
5 that next election, the one receiving the lowest vote at that
6 election shall serve a 2-year term. Thereafter, all terms
7 shall be for 4 years.

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

9 (65 ILCS 5/5-2-17) (from Ch. 24, par. 5-2-17)

10 Sec. 5-2-17. Trustees; certain villages incorporated under
11 special Acts.

12 (a) In every village specified in Section 5-2-12
13 incorporated and existing under any special Act that, before
14 June 4, 1909, under any special Act, annually elected members
15 of its legislative body, the electors of the village, instead
16 of the legislative body now provided for by law, shall elect 6
17 trustees. They shall hold their offices until their respective
18 successors are elected and have qualified. At the first
19 meeting of this board of 6 trustees, the terms of office of the
20 trustees shall be staggered. Thereafter, the terms shall be
21 for the same length of time as provided for alders ~~aldermen~~ in
22 Section 3.1-20-35.

23 (b) The electors of a village or incorporated town
24 described in subsection (a) may, however, adopt a 2 year term
25 for their trustees as provided in Section 3.1-10-65. If this 2

1 year term is adopted, then at the next general municipal
2 election in the adopting village, 3 trustees shall be elected,
3 and they shall hold their offices for terms of one year each.
4 In the next succeeding year, and in each year thereafter, 3
5 trustees shall be elected in the adopting village, and they
6 shall hold their offices for terms of 2 years each.

7 (c) Any village described in subsection (a) that, before
8 January 2, 1942, has adopted a 2 year term for its trustees and
9 is now electing 3 trustees each year shall continue to elect 3
10 trustees each year for a term of 2 years each. Any village
11 described in subsection (a) that, before January 2, 1942, has
12 adopted a 2 year term for its trustees but is not now electing
13 3 trustees each year shall elect 3 trustees at the next general
14 municipal election in that village, and they shall hold their
15 offices for terms of one year each. In the next succeeding
16 year, and in each year thereafter, 3 trustees shall be
17 elected, and they shall hold their offices for terms of 2 years
18 each.

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

20 (65 ILCS 5/5-2-18) (from Ch. 24, par. 5-2-18)

21 Sec. 5-2-18. In any city which has adopted this Article 5
22 and which elects a mayor and councilmen as provided in Section
23 5-2-12, a proposition to elect alders ~~aldermen~~ from wards as
24 provided in Article 3 of this Code, except that only one alder
25 ~~alderman~~ may be elected from each ward, shall be certified by

1 the city clerk to the proper election authority who shall
 2 submit such proposition at the general municipal election in
 3 accordance with the general election law, if a petition signed
 4 by electors of the city numbering not less than 10% of the
 5 total vote cast for mayor at the last preceding election, is
 6 filed with the city clerk.

7 The proposition shall be substantially in the following
 8 form:

9 -----

10 Shall the city of.... be divided
 11 into wards with one alder ~~alderman~~ to be YES
 12 elected from each ward, but with the -----
 13 mayor to be elected from the city NO
 14 at large?

15 -----

16 If a majority of those voting on the proposition vote
 17 "yes", then the sitting city council shall proceed to divide
 18 the city into wards in the manner provided in Article 3 and one
 19 alder ~~alderman~~ shall be elected from each ward at the next
 20 general municipal election of any city officer. Upon the
 21 election and qualification of such alders ~~aldermen~~ the terms
 22 of office of all sitting councilmen shall expire. After the
 23 adoption of such proposition the provisions of Article 3 shall
 24 be applicable to the division of the city into wards and to the
 25 election of the mayor and alders ~~aldermen~~ of such city, except
 26 that only one alder ~~alderman~~ shall be elected from each ward.

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

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

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

8 Electors of such city or village, equal to not less than
9 10% of the total vote cast for all candidates for mayor or
10 president in the last preceding municipal election for such
11 office, may petition for the submission to a vote of the
12 electors of that city or village the proposition whether the
13 city council shall be elected at large. The petition shall be
14 in the same form as prescribed in Section 5-1-6, except that
15 said 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 clerk shall certify the proposition to the proper election
20 authorities who shall submit the proposition at an election in
21 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 in substantially the following
25 form:

1 -----
2 Shall the city (or village) of
3 elect the city council at YES
4 large instead of alders ~~aldermen~~ -----
5 (or trustees) from wards (or NO
6 districts)?

7 -----
8 If a majority of those voting on the proposition vote
9 "yes", then the city council shall be elected at large at the
10 next general municipal election and the provisions of Section
11 5-2-12 shall be applicable. Upon the election and
12 qualification of such council men or trustees, the terms of
13 all sitting alders ~~aldermen~~ shall expire.
14 (Source: P.A. 81-1489.)

15 (65 ILCS 5/5-2-18.2) (from Ch. 24, par. 5-2-18.2)
16 Sec. 5-2-18.2. In any city which has adopted this Article,
17 and also has elected to choose alders ~~aldermen~~ from wards, a
18 proposition to elect part of the city council at large and part
19 from districts shall be submitted to the electors upon the
20 petition herein provided.

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

1 at large and part from districts. The petition shall be in the
 2 same form as prescribed in Section 5-1-6, except that said
 3 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 city clerk shall certify the proposition to the proper
 8 election authorities who shall submit the proposition at an
 9 election in 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 substantially in the following
 13 form:

14 -----
 15 Shall the city of....
 16 elect part of the councilmen YES
 17 at large and part of -----
 18 the councilmen from NO
 19 districts?

20 -----
 21 If a majority of those voting on the proposition vote
 22 "yes", then at the next general municipal election and every 4
 23 years thereafter, a mayor and part of the councilmen shall be
 24 elected at large and part of the councilmen shall be elected
 25 from wards, the total number of councilmen to be elected to
 26 equal the number of alders ~~aldermen~~ authorized to be elected

1 prior to adoption of the proposition.

2 The city council shall divide the city, whenever necessary
3 thereafter, into districts which shall be of as compact and
4 contiguous territory as practicable and of approximately equal
5 population. The number of such districts shall be equal to
6 half the number of alders ~~aldermen~~ then authorized to be
7 elected to office in such city. If there is an odd number of
8 such alders ~~aldermen~~, the number of districts established
9 shall be equal to the number which represents a majority of the
10 number of such alders ~~aldermen~~.

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

16 The mayor and councilmen shall hold their respective
17 offices for the term of 4 years and until their successors are
18 elected and qualified. Upon the election and qualification of
19 the councilmen, the terms of all sitting alders ~~aldermen~~ shall
20 expire.

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

22 (65 ILCS 5/5-2-18.7) (from Ch. 24, par. 5-2-18.7)

23 Sec. 5-2-18.7. In any city which has adopted this Article,
24 and is electing the city council at large or has elected to
25 choose alders ~~aldermen~~ from wards, a proposition to elect part

1 of the city council at large and part from districts with
2 staggered four year terms and biennial elections for
3 councilmen shall be submitted to the electors upon initiation
4 in the manner herein provided.

5 Electors of such city, equal in number to not less than 10%
6 of the total vote cast for all candidates for mayor in the last
7 preceding municipal election for such office, may petition for
8 submission, or, in the alternative, the city council may by
9 ordinance without a petition cause to be submitted, to a vote
10 of the electors of that city the proposition whether part of
11 the city council shall be elected at large and part from
12 districts with staggered four year terms and biennial
13 elections for councilmen. The petition shall be in the same
14 form as prescribed in Section 5-1-6, except that the petition
15 shall be modified as to the wording of the proposition to be
16 voted upon, to conform to the wording of the proposition as
17 hereinafter set forth, and shall be filed with the city clerk
18 in accordance with the general election law. The city clerk
19 shall certify the proposition to the proper election
20 authorities who shall submit the proposition at an election in
21 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:

26 -----

1 Shall the city of....
2 elect part of the councilmen at large YES
3 and part of the councilmen from -----
4 districts with staggered four year NO
5 terms and biennial elections?

6 -----

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

11 In cities of less than 50,000 population, the council
12 shall consist of the mayor and 6 councilmen, 2 councilmen
13 being elected at large and 4 councilmen being elected from
14 districts. In cities of 50,000 and not more than 500,000
15 population, the council shall consist of the mayor and 8
16 councilmen, 3 councilmen being elected at large and 5
17 councilmen being elected from districts.

18 The city council shall divide the city, whenever necessary
19 thereafter, into districts which shall be of as compact and
20 contiguous territory as practicable and of approximately equal
21 population. The number of such districts shall be the same as
22 the number of councilmen to be elected from districts.

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

1 large.

2 The term of office of the Mayor and Councilmen shall be 4
3 years, provided that at the first election the Councilmen
4 elected at large shall serve for 2 years only. Thereafter the
5 election of Councilmen shall be biennial, and after the first
6 election the Mayor and all Councilmen shall be elected for 4
7 year terms to fill expiring terms of incumbents.

8 The Mayor and Councilmen shall hold their respective
9 offices for the term of 4 years as herein provided, and until
10 their successors are elected and qualified. Upon the election
11 and qualification of the Councilmen, the terms of all sitting
12 alders ~~aldermen~~ or councilmen elected at large pursuant to the
13 provisions of Section 5-2-12 shall expire.

14 For the first primary election a distinct ballot shall be
15 printed for each district. At the top of the ballot shall be
16 the following: CANDIDATES FOR NOMINATION FOR MAYOR (when Mayor
17 is to be elected) AND COUNCILMEN OF THE CITY OF.... AT THE
18 PRIMARY ELECTION. Under the subtitle of FOR MAYOR (when
19 applicable) shall be placed the following: (VOTE FOR ONE).
20 There shall be placed below the names of the candidates for
21 Mayor, if any, another subtitle as follows: FOR COUNCILMEN AT
22 LARGE. Following this subtitle there shall be an instruction
23 in this form, to be altered, however, to conform to the facts:
24 (VOTE FOR NOT MORE THAN....) (Insert number of Councilmen
25 being elected). Following the names of the candidates for
26 councilmen at large, there shall be another subtitle in the

1 following form: FOR DISTRICT COUNCILMAN. Following this
2 subtitle there shall be the following direction: (VOTE FOR
3 ONE). In other respects the ballots shall conform to the
4 applicable provisions of Sections 4-3-10 and 5-2-13.

5 To determine the number of nominees who shall be placed on
6 the ballot under each subtitle at the general municipal
7 election, the number of officers who will be chosen under each
8 subtitle shall be multiplied by 2. Only those candidates at
9 the primary election shall be nominees under each subtitle at
10 the general municipal election and, where but one officer is
11 to be elected, the 2 candidates receiving the highest number
12 of votes shall be placed upon the ballot for the next
13 succeeding general municipal election. Where 2 councilmen are
14 to be elected, the 4 candidates receiving the highest number
15 of votes shall be placed upon the ballot. Where 3 councilmen
16 are to be elected, the names of the 6 candidates receiving the
17 highest number of votes shall be placed upon the ballot.

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

21 (1) Following the names of the candidates for Mayor (when
22 applicable) there shall be printed a subtitle: FOR COUNCILMAN
23 AT LARGE: following this subtitle shall be an instruction in
24 this form: (VOTE FOR NOT MORE THAN) (Insert number of
25 councilmen to be elected). The names of the nominees for
26 councilmen at large shall follow the instruction.

1 (2) Following the names of the nominees for councilmen at
2 large shall be printed another subtitle: FOR DISTRICT
3 COUNCILMAN. Following this subtitle shall be an instruction in
4 this form: (VOTE FOR ONE) and following this instruction shall
5 be printed the names of the 2 nominees.

6 Thereafter, the ballots for the biennial election shall be
7 prepared as hereinafter provided.

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

10 At the top of the ballot shall be the following:
11 CANDIDATES FOR NOMINATION FOR MAYOR (when Mayor is to be
12 elected) AND COUNCILMEN OF THE CITY OF.... AT THE PRIMARY
13 ELECTION. Under the subtitle of FOR MAYOR (when applicable)
14 shall be placed the following: (VOTE FOR ONE). There shall be
15 placed below the names of the candidates for Mayor, if any,
16 another subtitle as follows: FOR COUNCILMEN AT LARGE.
17 Following this subtitle there shall be an instruction in this
18 form, to be altered, however, to conform to the facts: (VOTE
19 FOR NOT MORE THAN....) (Insert number of Councilmen being
20 elected).

21 For the primary election at which District Councilmen are
22 to be elected, a distinct ballot shall be printed for each
23 District. There shall be placed below the names of the
24 candidates for Mayor (when applicable) another subtitle as
25 follows: FOR DISTRICT COUNCILMAN. Following this subtitle
26 there shall be an instruction in this form: VOTE FOR ONE. In

1 all other respects the ballot shall conform to the applicable
2 provisions of Sections 4-3-10 and 5-2-13.

3 To determine the number of nominees who shall be placed on
4 the ballot under each subtitle at the general municipal
5 election, the number of officers who will be chosen under each
6 subtitle shall be multiplied by 2. Only those candidates at
7 the primary election shall be nominees under each subtitle at
8 the general municipal election and, where but one officer is
9 to be elected, the 2 candidates receiving the highest number
10 of votes shall be placed upon the ballot for the next
11 succeeding general municipal election. Where 2 councilmen are
12 to be elected, the 4 candidates receiving the highest number
13 of votes shall be placed upon the ballot. Where 3 councilmen
14 are to be elected, the names of the 6 candidates receiving the
15 highest number of votes shall be placed upon the ballot.

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

19 (1) For elections where candidates for Councilmen at large
20 are being elected, following the names of candidates for Mayor
21 (when applicable) there shall be printed a subtitle as
22 follows: FOR COUNCILMEN AT LARGE. Following this subtitle
23 there shall be an instruction in this form: (VOTE FOR NOT MORE
24 THAN....) (Insert number of Councilmen to be elected). The
25 names of the nominees for Councilmen at large shall follow the
26 instruction.

1 (2) For elections where district Councilmen are to be
2 elected, a distinct ballot shall be printed for each district,
3 and following the names of the candidates for Mayor (when
4 applicable) there shall be printed a subtitle as follows: FOR
5 DISTRICT COUNCILMAN. Following this subtitle there shall be an
6 instruction in this form: (VOTE FOR ONE) and following this
7 instruction shall be printed the names of the 2 nominees for
8 district Councilman.

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

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

14 (65 ILCS 5/5-2-19) (from Ch. 24, par. 5-2-19)

15 Sec. 5-2-19. In any city which was operating under the
16 aldermanic form of government as provided in Article 3 at the
17 time of adoption of this Article 5 which did not also elect to
18 continue to choose alders ~~aldermen~~ from wards, the city clerk
19 and city treasurer shall be nominated and elected in the same
20 manner as provided in this Article 5 for the nomination and
21 election of the mayor and councilmen. To achieve this result:
22 wherever the term "mayor or commissioners" appears in Sections
23 4-3-7 through 4-3-18, it shall be construed to include the
24 words "or clerk or treasurer". The names of candidates for
25 nomination shall be placed on the primary election ballot

1 prescribed in Section 5-2-13 and such ballot shall be modified
2 to include the heading "For Clerk--Vote for one" immediately
3 following the names of candidates for councilmen and to
4 include the heading "For Treasurer--Vote for one" immediately
5 following the names of candidates for clerk. The names of the 4
6 candidates receiving the highest number of votes for each of
7 the respective offices shall be placed on the general
8 municipal election ballot prescribed in Section 5-2-13 which
9 ballot shall be modified to include such offices and names in
10 the same manner as is provided in this section for the primary
11 ballot. If any candidate nominated for the office of clerk or
12 treasurer dies or withdraws before the general municipal
13 election the name of the person receiving the fifth highest
14 number of votes for nomination to that office shall be placed
15 on the ballot for that election.

16 However, in any city not exceeding 100,000 inhabitants
17 which adopts this Article 5 and elects a mayor and alders
18 ~~aldermen~~ or councilmen as provided in Section 5-2-12, or
19 Sections 5-2-18 through 5-2-18.8, the council may, in lieu of
20 electing a clerk and treasurer as provided in the above
21 paragraph, provide by ordinance that the clerk or treasurer or
22 both for such city be appointed by the mayor with the approval
23 of the city council. If such officers are appointed their
24 terms of office, duties, compensation and amount of bond
25 required shall be the same as if they were elected.

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

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

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

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

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

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

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

1 Sec. 5-3-3. Every resolution and motion, specified in
2 Section 5-3-2, and every ordinance, which is returned to the
3 council or board by the mayor or president shall be
4 reconsidered by the council or board. If, after such
5 reconsideration, two-thirds of all the alders ~~aldermen~~ then
6 holding office on the city council or two-thirds of all the
7 trustees then holding office on the village board agree to
8 pass an ordinance, resolution, or motion, notwithstanding the
9 mayor's or president's refusal to approve it, then it shall be
10 effective. The vote on the question of passage over the
11 mayor's or president's veto shall be by yeas and nays, and
12 shall be recorded in the journal.

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

14 (65 ILCS 5/5-3-4) (from Ch. 24, par. 5-3-4)

15 Sec. 5-3-4. No vote of the city council or village board
16 shall be reconsidered or rescinded at a special meeting,
17 unless there are present at the special meeting as many alders
18 ~~aldermen~~ or trustees as were present when the vote was taken.

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

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

21 Sec. 5-3-5. The mayor or president of any city or village
22 which elects alders ~~aldermen~~ by wards or trustees by districts
23 shall not vote on any ordinance, resolution or motion except:
24 (1) where the vote of the alders ~~aldermen~~ or trustees has

1 resulted in a tie; (or) (2) where one-half of the alders
2 ~~aldermen~~ or trustees then holding office have voted in favor
3 of an ordinance, resolution or motion even though there is no
4 tie vote; or (3) where a vote greater than a majority of the
5 corporate authorities is required by this Code to adopt an
6 ordinance, resolution or motion. In each instance specified,
7 the mayor or president shall vote. The following mayors and
8 presidents may vote on all questions coming before the council
9 or board: (1) mayors and presidents of cities and villages
10 operating under this article and Article 4, and (2) mayors and
11 presidents of cities and villages which do not elect alders
12 ~~aldermen~~ by wards and trustees by districts.

13 Nothing in this section shall deprive an acting mayor or
14 president or mayor or president pro tem from voting in his
15 capacity as alder ~~alderman~~ or trustee, but he shall not be
16 entitled to another vote in his capacity as acting mayor or
17 president or mayor or president pro tem.

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

19 (65 ILCS 5/5-3-7) (from Ch. 24, par. 5-3-7)

20 Sec. 5-3-7. The council or board of trustees, as the case
21 may be, shall appoint a municipal manager, who shall be the
22 administrative head of the municipal government and who shall
23 be responsible for the efficient administration of all
24 departments. He shall be appointed without regard to his
25 political beliefs and need not be a resident of the city or

1 village when appointed. The manager shall be appointed for an
2 indefinite term, and the conditions of the manager's
3 employment may be set forth in an agreement. In the case of the
4 absence or disability of the manager, the council or village
5 board may designate a qualified administrative officer of the
6 municipality to perform the duties of the manager during such
7 absence or disability. The manager may at any time be removed
8 from office by a majority vote of the members of the council or
9 the board.

10 The powers and duties of the manager shall be:

11 (1) To enforce the laws and ordinances within the
12 municipality;

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

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

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

5 (5) To have all the powers and exercise all the duties
6 granted elsewhere in this Code to municipal clerks and
7 comptrollers with respect to the preparation of a report of
8 estimated funds necessary to defray the expenses of the city
9 or village for the fiscal year for the consideration of the
10 corporate authorities prior to the preparation of the annual
11 appropriation ordinance;

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

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

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

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

21 (65 ILCS 5/5-3-8) (from Ch. 24, par. 5-3-8)

22 Sec. 5-3-8. Under the general supervision and
23 administrative control of the manager, there shall be such
24 departments as the council or village board may prescribe by
25 ordinance.

1 All officers of any city or village shall take and
2 subscribe the oath required by Section 5-3-9. All such
3 officers, except the mayor, president, alders ~~aldermen~~,
4 councilmen, and trustees, shall execute bonds in the manner
5 provided by Section 5-3-9, which bonds shall be filed with the
6 clerk of the council or clerk of the village board.

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

8 (65 ILCS 5/5-4-1) (from Ch. 24, par. 5-4-1)

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

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

18 (65 ILCS 5/5-4-3) (from Ch. 24, par. 5-4-3)

19 Sec. 5-4-3. In cities of not less than 100,000 and not more
20 than 500,000 population which did not also elect to continue
21 to choose alders ~~aldermen~~ from wards, the city clerk shall
22 receive a salary of not less than \$8,500 per year and the city
23 treasurer shall receive a salary of not less than \$7,000 per
24 year.

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

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

3 Sec. 5-5-1. Petition for abandonment of managerial form;
4 referendum; succeeding elections of officers and alders
5 ~~aldermen~~ or trustees.

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

1 proposition to the proper election authorities for submission.

2 The proposition shall be in substantially the following form:

3 Shall (name of city or village) retain the managerial
4 form of municipal government?

5 (b) If the majority of the votes at the election are "yes",
6 then the proposition to abandon is rejected and the
7 municipality shall continue operating under this Article 5. If
8 the majority of the votes are "no", then the proposition to
9 abandon operation under this Article 5 is approved.

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

24 (d) If a city or village operating under this Article 5 has
25 alders ~~aldermen~~ or trustees elected from wards or districts
26 and a proposition to abandon operation under this Article 5 is

1 approved, then the officers to be elected at the next
2 succeeding general municipal election shall be elected from
3 the same wards or districts as exist immediately before the
4 abandonment.

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

1 3.1-15-5, whichever may be applicable, in the case of election
2 of those officers at the first election after a municipality
3 is incorporated.

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

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

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

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

20 Any city or village which has adopted this Article 5 and
21 was operating under Article 3 at the time of such adoption may
22 upon abandonment of this Article 5 also abandon operation
23 under Article 3 by adopting Article 4, as provided in Sections
24 4-2-2 through 4-2-9, and by so doing shall become subject to
25 the provisions of Article 4 and shall be subject to the

1 provisions of that Article 4 the same as if it had been
2 operating under Article 4 at the time this Article 5 was
3 adopted, except for any period of time after abandonment of
4 this Article 5 necessary to make the provisions of Article 4
5 fully and completely applicable.

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

7 (65 ILCS 5/6-3-2) (from Ch. 24, par. 6-3-2)

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

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

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

21 (65 ILCS 5/6-3-3) (from Ch. 24, par. 6-3-3)

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

23 The municipality shall have the following elected
24 officers: one mayor, one municipal clerk and one municipal

1 treasurer, all of whom shall be elected at large, and alders
2 ~~aldermen~~, the number of which shall be as follows: In cities
3 not exceeding 25,000 inhabitants, 8 alders ~~aldermen~~; between
4 25,001 and 40,000, 10 alders ~~aldermen~~; between 40,001 and
5 60,000, 14 alders ~~aldermen~~; between 60,001 and 80,000, 16
6 alders ~~aldermen~~; and exceeding 80,000, 20 alders ~~aldermen~~. Two
7 alders ~~aldermen~~ shall be elected to represent each ward.

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

9 (65 ILCS 5/6-3-4) (from Ch. 24, par. 6-3-4)

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

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

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

23 (65 ILCS 5/6-3-5) (from Ch. 24, par. 6-3-5)

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

1 Every city shall have as many wards as one-half the total
2 number of alders ~~aldermen~~ to which the city is entitled. The
3 city council, from time to time shall divide the city into that
4 number of wards. In the formation of wards the population of
5 each ward as determined by the latest city, state or national
6 census shall be as nearly equal and the wards shall be of as
7 compact and contiguous territory, as practicable.

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

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

10 Sec. 6-3-6. Redistricting of city. Whenever an official
11 publication of any national, state, school, or city census
12 shows that any city contains more or less wards than it is
13 entitled to, the city council of the city, by ordinance, shall
14 redistrict the city into as many wards only as the city is
15 entitled. This redistricting shall be completed not less than
16 30 days before the first date on which candidate petitions may
17 be filed for the next succeeding general municipal election.
18 At this election there shall be elected the number of alders
19 ~~aldermen~~ to which the city is entitled.

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

21 (65 ILCS 5/6-3-7) (from Ch. 24, par. 6-3-7)

22 Sec. 6-3-7. Ward division and election of alders ~~aldermen~~
23 - Validation.

24 If, after a census is officially published, any city is

1 divided into a greater or lesser number of wards and has
2 elected a greater or lesser number of alders ~~aldermen~~ than the
3 city is entitled, nevertheless such division and election
4 shall be valid and all acts, resolutions and ordinances of the
5 city council of such city, if in other respects in compliance
6 with law, are valid.

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

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

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

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

1 (65 ILCS 5/6-3-9) (from Ch. 24, par. 6-3-9)

2 Sec. 6-3-9. Qualifications of mayor, city clerk, city
3 treasurer and alders ~~aldermen~~ - Eligibility for other office.

4 No person shall be eligible to the office of mayor, city
5 clerk, city treasurer or alder ~~alderman~~:

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

9 (2) Unless, in the case of alders ~~aldermen~~, he resides
10 within the ward for which he is elected; or

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

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

16 No alder ~~alderman~~ shall be eligible to any office, except
17 that of acting mayor or mayor pro tem, the salary of which is
18 payable out of the city treasury, if at the time of his
19 appointment he is a member of the city council.

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

21 (65 ILCS 5/6-3-10) (from Ch. 24, par. 6-3-10)

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

23 The first general election pursuant to this Division 3 of
24 Article 6 shall be held at the time the next general municipal

1 election would have been held had the municipality not adopted
2 this Article 6. At the first general election so held, one
3 mayor, one municipal clerk, one municipal treasurer shall be
4 elected at large and two alders ~~aldermen~~ shall be elected from
5 each ward.

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

7 (65 ILCS 5/6-4-3) (from Ch. 24, par. 6-4-3)

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

9 Every ordinance, which is returned to the council by the
10 mayor shall be reconsidered by the council. If, after such
11 reconsideration, three-fifths of all the alders ~~aldermen~~ then
12 holding office on the city council agree to pass an ordinance,
13 resolution, or motion, notwithstanding the mayor's refusal to
14 approve it, then it shall be effective.

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

16 (65 ILCS 5/6-4-4) (from Ch. 24, par. 6-4-4)

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

18 No vote of the city council shall be reconsidered or
19 rescinded at a special meeting, unless there are present at
20 the special meeting as many alders ~~aldermen~~ as were present
21 when the vote was taken.

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

23 (65 ILCS 5/6-5-1) (from Ch. 24, par. 6-5-1)

1 Sec. 6-5-1. Mayor, clerk, treasurer and alders ~~aldermen~~.

2 The mayor, clerk, treasurer and alders ~~aldermen~~ elected
3 under the provisions of this Article 6 shall each receive for
4 the performance of their respective duties annual salaries
5 fixed by the city council. Such salaries shall not be
6 increased or decreased during any term of office. They must be
7 established six months prior to general municipal elections at
8 which such officials are to be voted on.

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

10 (65 ILCS 5/7-1-15) (from Ch. 24, par. 7-1-15)

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

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

23 (2) the annexation is approved in each municipality by a
24 majority of all the voters voting on that question in each
25 municipality. If the ordinances fail to specify the terms of

1 annexation or specify only partially the terms of annexation,
 2 the provisions of this article relating to the annexation of
 3 one municipality to another shall apply but not as to any terms
 4 agreed to in the ordinances of annexation.

5 The proposition shall be in substantially the following
 6 form:

7 -----
 8 Shall the municipality of YES
 9 be annexed to the municipality -----
 10 of.....? NO
 11 -----

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

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

19 (65 ILCS 5/7-1-39) (from Ch. 24, par. 7-1-39)

20 Sec. 7-1-39. After a part of a municipality is annexed to
 21 another municipality, any mayor, president, alder ~~alderman~~,
 22 trustee, clerk, treasurer, or attorney for the disconnecting
 23 municipality, who resides in the detached territory, shall
 24 continue in office as an officer of the disconnecting
 25 municipality until his successor has been elected at the next

1 regular municipal election in this municipality and has
2 qualified for office, or has been appointed and has qualified
3 following this election.

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

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

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

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

15 (b) If the increase in population is not sufficient to
16 entitle the city to an increase in the number of alders
17 ~~aldermen~~, the corporate authorities shall make the annexed
18 territory a part of the ward or wards that it adjoins.

19 (c) If a village of over 25,000 population is divided into
20 6 districts as provided in Section 3.1-25-75, the corporate
21 authorities shall make any territory annexed to the village a
22 part of the districts that the territory adjoins.

23 (d) Nothing contained in this Section 7-1-42 shall prevent
24 the corporate authorities of any municipality from
25 redistricting the municipality according to law. Whenever the

1 enlarged annexing municipality is redistricted, the corporate
2 authorities are under no duty to treat the annexed territory
3 as a unit and they may divide it as if it had always been a
4 part of the municipality.

5 (e) The number of inhabitants determined by the last
6 national, state, or school census in the annexed territory and
7 in the annexing municipality controls in the application of
8 this Section.

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

10 (65 ILCS 5/7-2-1) (from Ch. 24, par. 7-2-1)

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

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

21 (2) The question shall be in substantially the following
22 form:

23 -----

24 Shall the city, village, or
25 incorporated town (as the

1 case may be) of.....

2 and the city, village, or

3 incorporated town (as the case YES

4 may be) of....., (and

5 in this manner as far as

6 necessary, filling blanks with

7 the names of the municipalities

8 to be united), be united -----

9 into a single municipality

10 under the name of.....

11 with the..... form of

12 municipal government (filling

13 the blank with the word NO

14 "Aldermanic" or "Commission"

15 or the words "Managerial With

16 Alders ~~Aldermen~~ Chosen From Wards Or

17 Districts" as the case may be)?

18 -----

19 No other proposition shall appear thereon.

20 If the majority of the votes cast in each municipality

21 specified in the petition is in favor of the proposition, the

22 municipalities are united.

23 (Source: P.A. 87-278.)

24 (65 ILCS 5/7-2-19) (from Ch. 24, par. 7-2-19)

25 Sec. 7-2-19. Whenever a united city is formed by a

1 compliance with Section 7-2-1 and the decision is in favor of
2 an aldermanic form of municipal government, the united city
3 shall be governed, after the first election held in compliance
4 with Section 7-2-7, by a council composed of a mayor and a
5 board of alders ~~aldermen~~ selected by the electors of the
6 united city as provided by the provisions of this Code
7 relating to the election of city officers, except that all
8 elections in a united city are controlled by the City Election
9 Law as provided in Section 7-2-6.

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

11 (65 ILCS 5/7-2-28) (from Ch. 24, par. 7-2-28)

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

24 (Source: Laws 1965, p. 1267.)

1 (65 ILCS 5/8-9-1) (from Ch. 24, par. 8-9-1)

2 Sec. 8-9-1. In municipalities of less than 500,000 except
3 as otherwise provided in Articles 4 and 5 any work or other
4 public improvement which is not to be paid for in whole or in
5 part by special assessment or special taxation, when the
6 expense thereof will exceed \$25,000, shall be constructed
7 either (1) by a contract let to the lowest responsible bidder
8 after advertising for bids, in the manner prescribed by
9 ordinance, except that any such contract may be entered into
10 by the proper officers without advertising for bids, if
11 authorized by a vote of two-thirds of all the alders ~~aldermen~~
12 or trustees then holding office; or (2) in the following
13 manner, if authorized by a vote of two-thirds of all the alders
14 ~~aldermen~~ or trustees then holding office, to-wit: the
15 commissioner of public works or other proper officers to be
16 designated by ordinance, shall superintend and cause to be
17 carried out the construction of the work or other public
18 improvement and shall employ exclusively for the performance
19 of all manual labor thereon, laborers and artisans whom the
20 municipality shall pay by the day or hour; and all material of
21 the value of \$25,000 and upward used in the construction of the
22 work or other public improvement, shall be purchased by
23 contract let to the lowest responsible bidder in the manner to
24 be prescribed by ordinance. However, nothing contained in this
25 section shall apply to any contract by a city, village or
26 incorporated town with the federal government or any agency

1 thereof.

2 In every city which has adopted Division 1 of Article 10,
3 every such laborer or artisan shall be certified by the civil
4 service commission to the commissioner of public works or
5 other proper officers, in accordance with the requirement of
6 that division.

7 In municipalities of 500,000 or more population the
8 letting of contracts for work or other public improvements of
9 the character described in this section shall be governed by
10 the provisions of Division 10 of this Article 8.

11 (Source: P.A. 100-338, eff. 8-25-17.)

12 (65 ILCS 5/10-1-30) (from Ch. 24, par. 10-1-30)

13 Sec. 10-1-30. No officer or employee in the service of
14 such municipality shall, directly or indirectly, give or hand
15 over to any officer or employee in such service, or to any
16 senator or representative or alder ~~alderman~~, councilman,
17 trustee or commissioner, any money or other valuable thing, on
18 account of or to be applied to the promotion of any party or
19 political object whatever.

20 (Source: Laws 1961, p. 3252.)

21 (65 ILCS 5/10-3-5) (from Ch. 24, par. 10-3-5)

22 Sec. 10-3-5. Any mayor, president, commissioner, alder
23 ~~alderman~~, or trustee, who violates the provisions of Section
24 10-3-3, is guilty of a Class B misdemeanor.

1 (Source: P.A. 77-2500.)

2 (65 ILCS 5/11-13-1.1) (from Ch. 24, par. 11-13-1.1)

3 Sec. 11-13-1.1. The corporate authorities of any
4 municipality may in its ordinances passed under the authority
5 of this Division 13 provide for the classification of special
6 uses. Such uses may include but are not limited to public and
7 quasi-public uses affected with the public interest, uses
8 which may have a unique, special or unusual impact upon the use
9 or enjoyment of neighboring property, and planned
10 developments. A use may be a permitted use in one or more
11 zoning districts, and a special use in one or more other zoning
12 districts. A special use shall be permitted only after a
13 public hearing before some commission or committee designated
14 by the corporate authorities, with prior notice thereof given
15 in the manner as provided in Section 11-13-6 and 11-13-7. Any
16 notice required by this Section need not include a metes and
17 bounds legal description of the area classified for special
18 uses, provided that the notice includes: (i) the common street
19 address or addresses and (ii) the property index number
20 ("PIN") or numbers of all the parcels of real property
21 contained in the area classified for special uses. A special
22 use shall be permitted only upon evidence that such use meets
23 standards established for such classification in the
24 ordinances, and the granting of permission therefor may be
25 subject to conditions reasonably necessary to meet such

1 standards. In addition, any proposed special use which fails
2 to receive the approval of the commission or committee
3 designated by the corporate authorities to hold the public
4 hearing shall not be approved by the corporate authorities
5 except by a favorable majority vote of all alders ~~aldermen~~,
6 commissioners or trustees of the municipality then holding
7 office; however, the corporate authorities may by ordinance
8 increase the vote requirement to two-thirds of all alders
9 ~~aldermen~~, commissioners or trustees of the municipality then
10 holding office.

11 (Source: P.A. 97-336, eff. 8-12-11.)

12 (65 ILCS 5/11-13-10) (from Ch. 24, par. 11-13-10)

13 Sec. 11-13-10. In municipalities of less than 500,000
14 population, where a variation is to be made by ordinance, upon
15 the report of the board of appeals, the corporate authorities,
16 by ordinance, without further public hearing, may adopt any
17 proposed variation or may refer it back to the board for
18 further consideration, and any proposed variation which fails
19 to receive the approval of the board of appeals shall not be
20 passed except by the favorable vote of two-thirds of all
21 alders ~~aldermen~~ or trustees of the municipality.

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

23 (65 ILCS 5/11-13-14) (from Ch. 24, par. 11-13-14)

24 Sec. 11-13-14. The regulations imposed and the districts

1 created under the authority of this Division 13 may be amended
2 from time to time by ordinance after the ordinance
3 establishing them has gone into effect, but no such amendments
4 shall be made without a hearing before some commission or
5 committee designated by the corporate authorities. Notice
6 shall be given of the time and place of the hearing, not more
7 than 30 nor less than 15 days before the hearing, by publishing
8 a notice thereof at least once in one or more newspapers
9 published in the municipality, or, if no newspaper is
10 published therein, then in one or more newspapers with a
11 general circulation within the municipality. In municipalities
12 with less than 500 population in which no newspaper is
13 published, publication may be made instead by posting a notice
14 in 3 prominent places within municipality. In case of a
15 written protest against any proposed amendment of the
16 regulations or districts, signed and acknowledged by the
17 owners of 20% of the frontage proposed to be altered, or by the
18 owners of 20% of the frontage immediately adjoining or across
19 an alley therefrom, or by the owners of the 20% of the frontage
20 directly opposite the frontage proposed to be altered, is
21 filed with the clerk of the municipality, the amendment shall
22 not be passed except by a favorable vote of two-thirds of the
23 alders ~~aldermen~~ or trustees of the municipality then holding
24 office. In such cases, a copy of the written protest shall be
25 served by the protestor or protestors on the applicant for the
26 proposed amendments and a copy upon the applicant's attorney,

1 if any, by certified mail at the address of such applicant and
2 attorney shown in the application for the proposed amendment.
3 Any notice required by this Section need not include a metes
4 and bounds legal description, provided that the notice
5 includes: (i) the common street address or addresses and (ii)
6 the property index number ("PIN") or numbers of all the
7 parcels of real property contained in the affected area.

8 (Source: P.A. 97-336, eff. 8-12-11.)

9 (65 ILCS 5/11-13-14.1) (from Ch. 24, par. 11-13-14.1)

10 Sec. 11-13-14.1. Notwithstanding any other provision to
11 the contrary in this Division 13:

12 (A) The corporate authorities of any municipality may by
13 ordinance establish the position of hearing officer and
14 delegate to a hearing officer the authority to: (i) conduct
15 any public hearing -- other than a public hearing provided for
16 in Section 11-13-2 -- required to be held under this Division
17 13 in connection with applications for any special use,
18 variation, amendment or other change or modification in any
19 ordinance of the municipality adopted pursuant to this
20 Division 13; and (ii) hear and decide appeals from and review
21 any order, requirement, decision or determination made by an
22 administrative official charged with the enforcement of any
23 ordinance adopted pursuant to this Division 13.

24 (B) When a hearing officer is designated to conduct a
25 public hearing in a matter otherwise required to be heard in

1 accordance with this Division 13 by some commission or
2 committee designated by the corporate authorities of the
3 municipality: (i) notice of such hearing shall be given in the
4 same time and manner as is provided by this Division 13 for the
5 giving of notice of hearing when any such matter is to be heard
6 by some commission or committee designated by the corporate
7 authorities; (ii) the hearing officer shall exercise and
8 perform the same powers and duties as such commission or
9 committee is required to exercise and perform when conducting
10 a public hearing in any such matter; and (iii) the hearing
11 officer shall render a written recommendation to the corporate
12 authorities within such time and in such manner and form as the
13 corporate authorities shall require.

14 (C) When a hearing officer is designated to conduct a
15 public hearing in a matter otherwise required to be heard in
16 accordance with this Division 13 by the board of appeals, or
17 when a hearing officer is designated to hear and decide
18 appeals from and review any order, requirement, decision or
19 determination made by an administrative official charged with
20 the enforcement of any ordinance adopted pursuant to this
21 Division 13: (i) notice of hearing shall be given in the same
22 time and manner as is provided by this Division 13 for the
23 giving of notice of hearing when any such matter is to be heard
24 by the board of appeals; (ii) the hearing officer in passing
25 upon and determining any matter otherwise within the
26 jurisdiction of the board of appeals shall be governed by all

1 of the standards, rules and conditions imposed by this
2 Division 13 to govern the board of appeals when it passes upon
3 and determines any such matter; and (iii) the hearing officer
4 shall exercise and perform all of the powers and duties of the
5 board of appeals in the same manner and to the same effect as
6 provided in this Division 13 with respect to the board of
7 appeals, provided that:

8 1. When the hearing officer is passing upon an application
9 for variation or special use and the power to determine and
10 approve such variation or special use is reserved to the
11 corporate authorities, then upon report of the hearing officer
12 the corporate authorities may by ordinance without further
13 public hearing adopt any proposed variation or special use or
14 may refer it back to the hearing officer for further
15 consideration, and any proposed variation or special use which
16 fails to receive the approval of the hearing officer shall not
17 be passed except by the favorable vote of 2/3 of all alder
18 ~~alderman~~ or trustees of the municipality;

19 2. When the hearing officer is passing upon an application
20 for variation or special use and the power to determine and
21 approve such variation or special use is not reserved to the
22 corporate authorities, or when the hearing officer is hearing
23 and deciding appeals from or reviewing any order, requirement,
24 decision or determination made by an administrative official
25 charged with the enforcement of any ordinance adopted pursuant
26 to this Division 13, the determination made by the hearing

1 officer with respect to any such matter shall constitute a
2 final administrative decision which is subject to judicial
3 review pursuant to the provisions of the "Administrative
4 Review Law", as now or hereafter amended.

5 (D) The corporate authorities of the municipality may
6 provide general or specific rules implementing but not
7 inconsistent with the provisions of this Section, including
8 rules relative to the time and manner in which hearing
9 officers are designated to conduct public hearings and rules
10 governing the manner in which such hearings are conducted and
11 matters heard therein passed upon and determined.

12 (E) Hearing officers shall be appointed on the basis of
13 training and experience which qualifies them to conduct
14 hearings, make recommendations or findings of fact and
15 conclusions on the matters heard and otherwise exercise and
16 perform the powers, duties and functions delegated in
17 accordance with this Section. Hearing officers shall receive
18 such compensation as the corporate authorities of the
19 municipality shall provide, and any municipality may establish
20 a schedule of fees to defray the costs of providing a hearing
21 officer.

22 (F) This Section is intended to furnish an alternative or
23 supplemental procedure which a municipality in its discretion
24 may provide for hearing, determining, reviewing and deciding
25 matters which arise under any ordinance adopted by the
26 municipality pursuant to this Division 13, but nothing in this

1 Section shall be deemed to limit or prevent the use of any
2 existing procedure available to a municipality under this
3 Division 13 for hearing, approving or denying applications for
4 a special use, variation, amendment or other change or
5 modification of any such ordinance, or for hearing and
6 deciding appeals from and reviewing any order, requirement,
7 decision or determination made by an administrative official
8 charged with the enforcement of any such ordinance.

9 (Source: P.A. 84-960.)

10 (65 ILCS 5/11-80-5) (from Ch. 24, par. 11-80-5)

11 Sec. 11-80-5. The corporate authorities of each
12 municipality, with the concurrence of two-thirds of all of the
13 alders ~~aldermen~~, trustees or commissioners elected therein,
14 may levy and collect annually, in addition to all other taxes
15 now authorized by law, a tax of not to exceed .05% of the
16 value, as equalized or assessed by the Department of Revenue,
17 of the taxable property in the municipality, to be used
18 exclusively for the purpose of lighting streets. The tax
19 authorized by this Section is in addition to taxes for general
20 corporate purposes authorized by Section 8-3-1.

21 The foregoing tax rate limitation, insofar as it is
22 applicable to municipalities of less than 500,000 population,
23 may be increased or decreased under the referendum provisions
24 of the General Revenue Law of Illinois.

25 (Source: P.A. 86-280.)

1 (65 ILCS 5/11-91-1) (from Ch. 24, par. 11-91-1)

2 Sec. 11-91-1. Whenever the corporate authorities of any
3 municipality, whether incorporated by special act or under any
4 general law, determine that the public interest will be
5 subserved by vacating any street or alley, or part thereof,
6 within their jurisdiction in any incorporated area, they may
7 vacate that street or alley, or part thereof, by an ordinance.
8 The ordinance shall provide the legal description or permanent
9 index number of the particular parcel or parcels of property
10 acquiring title to the vacated property. But this ordinance
11 shall be passed by the affirmative vote of at least
12 three-fourths of the alders ~~aldermen~~, trustees or
13 commissioners then holding office. This vote shall be taken by
14 ayes and noes and entered on the records of the corporate
15 authorities.

16 No ordinance shall be passed vacating any street or alley
17 under a municipality's jurisdiction and within an
18 unincorporated area without notice thereof and a hearing
19 thereon. At least 15 days prior to such a hearing, notice of
20 its time, place and subject matter shall be published in a
21 newspaper of general circulation within the unincorporated
22 area which the street or alley proposed for vacation serves.
23 At the hearing all interested persons shall be heard
24 concerning the proposal for vacation.

25 The ordinance may provide that it shall not become

1 effective until the owners of all property or the owner or
2 owners of a particular parcel or parcels of property abutting
3 upon the street or alley, or part thereof so vacated, shall pay
4 compensation in an amount which, in the judgment of the
5 corporate authorities, shall be the fair market value of the
6 property acquired or of the benefits which will accrue to them
7 by reason of that vacation, and if there are any public service
8 facilities in such street or alley, or part thereof, the
9 ordinance shall also reserve to the municipality or to the
10 public utility, as the case may be, owning such facilities,
11 such property, rights of way and easements as, in the judgment
12 of the corporate authorities, are necessary or desirable for
13 continuing public service by means of those facilities and for
14 the maintenance, renewal and reconstruction thereof. If the
15 ordinance provides that only the owner or owners of one
16 particular parcel of abutting property shall make payment,
17 then the owner or owners of the particular parcel shall
18 acquire title to the entire vacated street or alley, or the
19 part thereof vacated.

20 The determination of the corporate authorities that the
21 nature and extent of the public use or public interest to be
22 subserved in such as to warrant the vacation of any street or
23 alley, or part thereof, is conclusive, and the passage of such
24 an ordinance is sufficient evidence of that determination,
25 whether so recited in the ordinance or not. The relief to the
26 public from further burden and responsibility of maintaining

1 any street or alley, or part thereof, constitutes a public use
2 or public interest authorizing the vacation.

3 When property is damaged by the vacation or closing of any
4 street or alley, the damage shall be ascertained and paid as
5 provided by law.

6 (Source: P.A. 93-383, eff. 7-25-03; 93-703, eff. 7-9-04.)

7 (65 ILCS 5/11-101-2) (from Ch. 24, par. 11-101-2)

8 Sec. 11-101-2. Whenever the corporate authorities of any
9 municipality have established an airport outside the corporate
10 limits of the municipality and have determined that it is
11 essential to the proper and safe construction and maintenance
12 of such airport to vacate any roads, highways, streets,
13 alleys, or parts thereof in unincorporated territory lying
14 within the airport area or any enlargement thereof, and have
15 determined that the public interest will be subserved by such
16 vacation, they may vacate such roads, highways, streets,
17 alleys, or parts thereof, by an ordinance. Provided however,
18 that such municipality shall have first acquired the land on
19 both sides of such roads, highways, streets, alleys, or parts
20 thereof; provided, also, that in the case of a road, highway,
21 street or alley or part thereof, under the jurisdiction of the
22 Department of Transportation, the consent of the Department
23 shall be obtained before the ordinance shall become effective.
24 Such ordinance shall be passed by the affirmative vote of at
25 least 3/4 of all alders ~~aldermen~~, trustees or commissioners

1 authorized by law to be elected. Such vacation shall be
2 effective upon passage of the ordinance and recording of a
3 certified copy thereof with the recorder of the county within
4 which the roads, highways, streets, alleys, or parts thereof
5 are situated.

6 (Source: P.A. 83-358.)

7 Section 30. The Revised Cities and Villages Act of 1941 is
8 amended by changing the heading of Article prec. Sec. 21-22
9 and Sections 21-5.1, 21-7, 21-14, 21-22, 21-23, 21-24, 21-25,
10 21-26, 21-27, 21-28, 21-29, 21-30, 21-32, 21-33, 21-34, 21-38,
11 21-39, 21-40, and 21-41 as follows:

12 (65 ILCS 20/21-5.1) (from Ch. 24, par. 21-5.1)

13 Sec. 21-5.1. Vice Mayor - Election - Duties -
14 Compensation.) Following election and qualification of alders
15 ~~aldermen~~ at a general election as provided by Section 21-22 of
16 this Act, the City Council shall elect, from among its
17 members, a Vice Mayor, to serve as interim Mayor of Chicago in
18 the event that a vacancy occurs in the office of Mayor or in
19 the event that the Council determines, by 3/5 vote, that the
20 Mayor is under a permanent or protracted disability caused by
21 illness or injury which renders the Mayor unable to serve. The
22 Vice Mayor shall serve as interim Mayor. He will serve until
23 the City Council shall elect one of its members acting Mayor or
24 until the mayoral term expires.

1 The Vice Mayor shall receive no compensation as such, but
2 shall receive compensation as an alder ~~alderman~~ even while
3 serving as interim Mayor. While serving as interim Mayor, the
4 Vice Mayor shall possess all rights and powers and shall
5 perform the duties of Mayor.

6 (Source: P.A. 80-308.)

7 (65 ILCS 20/21-7) (from Ch. 24, par. 21-7)

8 Sec. 21-7. Compensation of officers.

9 The compensation of all officers shall be by salary. No
10 officer shall be allowed any fees, perquisites or emoluments
11 or any reward or compensation aside from his salary, but all
12 fees and earnings of his office or department shall be paid by
13 him into the city treasury. The city council shall fix the
14 salaries of all officers, except those who are elected or
15 appointed for a definite term fixed by statute, in the annual
16 appropriation ordinance and those salaries shall not be
17 altered during the same fiscal year. The city council, by
18 ordinance other than the appropriation ordinance, shall fix
19 the compensation of each officer who is elected or appointed
20 for a definite term fixed by statute and his salary shall not
21 be increased or diminished during his term of office. The
22 chairman of the finance committee of the city council shall
23 receive in addition to his salary as an alder ~~alderman~~ such
24 additional compensation, not exceeding \$3,500.00 per annum, as
25 may be provided in the annual appropriation ordinance for his

1 services as chairman of said committee.

2 (Source: Laws 1947, p. 497.)

3 (65 ILCS 20/21-14) (from Ch. 24, par. 21-14)

4 Sec. 21-14. Member residency before election; member not
5 to hold other office.

6 (a) No member may be elected or appointed to the city
7 council after the effective date of this amendatory Act of the
8 93rd General Assembly unless he or she has resided in the ward
9 he or she seeks to represent at least one year next preceding
10 the date of the election or appointment. In the election
11 following redistricting, a candidate for alder ~~alderman~~ may be
12 elected from any ward containing a part of the ward in which he
13 or she resided for at least one year next preceding the
14 election that follows the redistricting, and, if elected, that
15 person may be reelected from the new ward he or she represents
16 if he or she resides in that ward for at least one year next
17 preceding the reelection.

18 (b) No member of the city council shall at the same time
19 hold any other civil service office under the federal, state
20 or city government, except if such member is granted a leave of
21 absence from such civil service office, or except in the
22 National Guard, or as a notary public, and except such
23 honorary offices as go by appointment without compensation.

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

1 (65 ILCS 20/prec. Sec. 21-22 heading)

2 ELECTION OF ALDERS ~~ALDERMEN~~

3 (65 ILCS 20/21-22) (from Ch. 24, par. 21-22)

4 Sec. 21-22. General election for alders ~~aldermen~~;
5 vacancies.

6 (a) A general election for alders ~~aldermen~~ shall be held
7 in the year 1943 and every 4 years thereafter, at which one
8 alder ~~alderman~~ shall be elected from each of the 50 wards
9 provided for by this Article. The alders ~~aldermen~~ elected
10 shall serve for a term of 4 years beginning at noon on the
11 third Monday in May following the election of city officers,
12 and until their successors are elected and have qualified. All
13 elections for alders ~~aldermen~~ shall be in accordance with the
14 provisions of law in force and operative in the City of Chicago
15 for such elections at the time the elections are held.

16 (b) Vacancies occurring in the office of alder ~~alderman~~
17 shall be filled in the manner prescribed for filling vacancies
18 in Section 3.1-10-51 of the Illinois Municipal Code. An
19 appointment to fill a vacancy shall be made within 60 days
20 after the vacancy occurs. The requirement that an appointment
21 be made within 60 days is an exclusive power and function of
22 the State and is a denial and limitation under Article VII,
23 Section 6, subsection (h) of the Illinois Constitution of the
24 power of a home rule municipality to require that an
25 appointment be made within a different period after the

1 vacancy occurs.

2 (Source: P.A. 95-1041, eff. 3-25-09.)

3 (65 ILCS 20/21-23) (from Ch. 24, par. 21-23)

4 Sec. 21-23. Salaries of alders ~~aldermen~~.

5 The alders ~~aldermen~~ in office when this article is adopted
6 and the alders ~~aldermen~~ elected under the provisions of this
7 article may receive for their services such compensation as
8 shall be fixed by ordinance, at the rate of not to exceed eight
9 thousand dollars per annum for each alder ~~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 alders
14 ~~aldermen~~ in the city of Chicago. The name of no person shall be
15 printed upon the official ballot as a candidate for alder
16 ~~alderman~~, unless the terms of this Article shall have been
17 complied with. If recall elections are provided for, to be
18 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 alders ~~aldermen~~ shall be held in the year or years fixed by law
3 for holding the same, on the last Tuesday of February of such
4 year. Any supplementary election for alders ~~aldermen~~ held
5 under the provisions of this article shall be held on the first
6 Tuesday of April next following the holding of such general
7 aldermanic election.

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 alder ~~alderman~~ in each ward at any general or special election
14 shall be declared elected. In the event that no candidate
15 receives a majority of such votes in any ward or wards a
16 supplementary election shall be held at the time prescribed in
17 Section 21-25. At such supplementary election the names of the
18 candidates in each of such wards receiving the highest and
19 second highest number of votes at the preceding general or
20 special election and no others shall be placed on the official
21 ballot: Provided, however, that if there be any candidate who,
22 under the provisions of this Section would have been entitled
23 to a place on the ballot at the supplementary election except
24 for the fact that some other candidate received an equal
25 number of votes, then all such candidates receiving such equal

1 number of votes shall have their names printed on the ballot as
2 candidates at such succeeding supplementary election. The
3 candidate receiving the highest number of votes at such
4 supplementary election shall be declared elected. Such
5 supplementary election shall be deemed a special election
6 under the election and ballot laws in force in the city of
7 Chicago and shall be governed thereby except in so far as such
8 laws are inconsistent with the provisions of this article.

9 (Source: Laws 1941, vol. 2, p. 19.)

10 (65 ILCS 20/21-27) (from Ch. 24, par. 21-27)

11 Sec. 21-27. Election contest-Complaint. Any candidate
12 whose name appears on the ballots used in any ward of the city
13 at any election for alder ~~alderman~~, may contest the election
14 of the candidate who appears to be elected from such ward on
15 the face of the returns, or may contest the right of the
16 candidates who appear to have received the highest and second
17 highest number of votes to places on the official ballot at any
18 supplementary election, by filing within 5 days after such
19 election with the Clerk of the Circuit Court of Cook County, a
20 complaint in writing, verified by the candidate making the
21 contest, setting forth the grounds of the contest. The
22 contestant in each contest shall also serve notice on all
23 persons who were candidates for alder ~~alderman~~ of such ward at
24 the election, within such 5 days, informing them that such
25 complaint has been or will be filed. The Circuit Court of Cook

1 County shall have jurisdiction to hear and determine such
2 contest. All proceedings in relation to such contest after the
3 filing of such complaint shall be the same, as near as may be,
4 as provided for in the case of a contest at a primary election
5 in such city. In case the court shall decide that the complaint
6 is insufficient in law, or that the candidate who appears to
7 have been elected on the face of the return has been duly
8 elected, the complaint shall be dismissed. If it shall appear
9 to the satisfaction of the court that the face of the returns
10 are not correct, and that the candidate who appears thereby to
11 have been elected was not in fact elected, then the candidates
12 having the highest and second highest number of votes as
13 determined by such contest shall be candidates at the
14 subsequent supplementary election as provided for in section
15 21-26.

16 (Source: P.A. 83-334.)

17 (65 ILCS 20/21-28) (from Ch. 24, par. 21-28)

18 Sec. 21-28. Nomination by petition.

19 (a) All nominations for alder ~~alderman~~ of any ward in the
20 city shall be by petition. Each petition for nomination of a
21 candidate shall be signed by at least 473 legal voters of the
22 ward.

23 (b) All nominations for mayor, city clerk, and city
24 treasurer in the city shall be by petition. Each petition for
25 nomination of a candidate must be signed by at least 12,500

1 legal voters of the city.

2 (c) All such petitions, and procedure with respect
3 thereto, shall conform in other respects to the provisions of
4 the election and ballot laws then in force in the city of
5 Chicago concerning the nomination of independent candidates
6 for public office by petition. The method of nomination herein
7 provided is exclusive of and replaces all other methods
8 heretofore provided by law.

9 (Source: P.A. 98-115, eff. 7-29-13; 98-1171, eff. 6-1-15.)

10 (65 ILCS 20/21-29) (from Ch. 24, par. 21-29)

11 Sec. 21-29. Withdrawals and substitution of candidates.

12 Any candidate for alder ~~alderman~~ under the provisions of
13 this article may withdraw his name as a candidate by filing
14 with the board of election commissioners of the city of
15 Chicago not later than the date of certification of the ballot
16 his written request signed by him and duly acknowledged before
17 an officer qualified to take acknowledgements of deeds,
18 whereupon his name shall not be printed as a candidate upon the
19 official ballot.

20 If any candidate at an aldermanic election who was not
21 elected as provided for in this article but who shall have
22 received sufficient votes to entitle him to a place on the
23 official ballot at the ensuing supplementary election shall
24 die or withdraw his candidacy before such supplementary
25 election, the name of the candidate who shall receive the next

1 highest number of votes shall be printed on the ballot in lieu
2 of the name of the candidate who shall have died or withdrawn
3 his candidacy.

4 (Source: P.A. 96-1008, eff. 7-6-10.)

5 (65 ILCS 20/21-30) (from Ch. 24, par. 21-30)

6 Sec. 21-30. Form of ballot. Ballots to be used at any
7 general, supplementary or special election for alders ~~aldermen~~
8 held under the provisions of this Article, in addition to
9 other requirements of law, shall conform to the following
10 requirements:

11 (1) At the top of the ballots shall be printed in
12 capital letters the words designating the ballot. If a
13 general aldermanic election the words shall be "Official
14 aldermanic election ballot"; if a supplementary election
15 the designating words shall be "Official supplementary
16 aldermanic election ballot"; if a special aldermanic
17 election, the words shall be "Special aldermanic election
18 ballot."

19 (2) Beginning not less than one inch below such
20 designating words and extending across the face of the
21 ballot, the title of each office to be filled shall be
22 printed in capital letters.

23 (3) The names of candidates for different terms of
24 service therein (if any there be), shall be arranged and
25 printed in groups according to the length of such terms.

1 (4) Immediately below the title of each office or
2 group heading indicating the term of office, shall be
3 printed in small letters the directions to voters, "Vote
4 for one."

5 (5) Following thereupon shall be printed the names of
6 the candidates for such office according to the title and
7 the term thereof and below the name of each candidate
8 shall be printed his place of residence, stating the
9 street and number (if any). The names of candidates shall
10 be printed in capital letters not less than one-eighth nor
11 more than one-quarter of an inch in height, and
12 immediately at the left of the name of each candidate
13 shall be printed a square, the sides of which shall not be
14 less than one-quarter of an inch in length. The names of
15 all the candidates for each office shall be printed in a
16 column and arranged in the order hereinafter designated;
17 all names of candidates shall be printed in uniform type;
18 the places of residence of such candidates shall be
19 printed in uniform type; and squares upon said ballots
20 shall be of uniform size; and spaces between the names of
21 the candidates for the same office shall be of uniform
22 size.

23 (6) The names of the candidates for alder ~~alderman~~
24 shall appear upon the ballot in the order in which
25 petitions for nomination have been filed in the office of
26 the board of election commissioners. However, 2 or more

1 petitions filed within the last hour of the filing
2 deadline shall be deemed filed simultaneously. Where 2 or
3 more petitions are received simultaneously, the board of
4 election commissioners shall break ties and determine the
5 order of filing by means of a lottery or other fair and
6 impartial method of random selection approved by the board
7 of election commissioners. Such lottery shall be conducted
8 within 9 days following the last day for petition filing
9 and shall be open to the public. Seven days written notice
10 of the time and place of conducting such random selection
11 shall be given, by the board of election commissioners, to
12 the Chairman of each political party and to each
13 organization of citizens within the city which was
14 entitled, under the Election Code, at the next preceding
15 election, to have pollwatchers present on the day of
16 election. The board of election commissioners shall post
17 in a conspicuous, open and public place, at the entrance
18 of the office, notice of the time and place of such
19 lottery. The board of election commissioners shall adopt
20 rules and regulations governing the procedures for the
21 conduct of such lottery.

22 (Source: P.A. 98-115, eff. 7-29-13.)

23 (65 ILCS 20/21-32) (from Ch. 24, par. 21-32)

24 Sec. 21-32. Party designations prohibited - Ballot to be
25 separate from other ballots. No party name, party initial,

1 party circle platform, principle, appellation or
2 distinguishing mark of any kind shall be printed upon any
3 election ballot used at any election for mayor, city clerk,
4 city treasurer, or alder ~~alderman~~ held under the provisions of
5 this Article.

6 (Source: P.A. 98-115, eff. 7-29-13.)

7 (65 ILCS 20/21-33) (from Ch. 24, par. 21-33)

8 Sec. 21-33. Challengers and watchers.

9 Any candidate for alder ~~alderman~~ under the terms of this
10 article may appoint in writing over his signature not more
11 than one representative for each place of voting, who shall
12 have the right to act as challenger and watcher for such
13 candidate at any election at which his name is being voted
14 upon. Such challenger and watcher shall have the same powers
15 and privileges as a challenger and watcher under the election
16 laws of this State applicable to Chicago. No political party
17 shall have the right to keep any challenger or watcher at any
18 polling place at any election held under the provisions of
19 this article unless candidates for some office other than
20 alder ~~alderman~~ are to be voted for at the same time.

21 (Source: Laws 1941, vol. 2, p. 19.)

22 (65 ILCS 20/21-34) (from Ch. 24, par. 21-34)

23 Sec. 21-34. Certificate of election.

24 No certificate of election shall be given to any candidate

1 who shall be declared elected at any general aldermanic
2 election until after the date fixed by this Article for the
3 holding of the supplementary election provided for in this
4 Article.

5 (Source: Laws 1941, vol. 2, p. 19.)

6 (65 ILCS 20/21-38) (from Ch. 24, par. 21-38)

7 Sec. 21-38. Redistricting every ten years.

8 If the city council has not redistricted the city of
9 Chicago since the taking of the national census of 1940, then
10 within three months after the adoption of this article by the
11 voters it shall be the duty of the city council to pass an
12 ordinance redistricting the city into fifty wards in
13 accordance with the provisions of this article.

14 On or before the first day of December, of the year
15 following the year in which the national census is taken, and
16 every ten years thereafter, the city council shall by
17 ordinance redistrict the city on the basis of the national
18 census of the preceding year. All elections of alders ~~aldermen~~
19 shall be held from the existing wards until a redistricting is
20 had as provided for in this article.

21 (Source: Laws 1941, vol. 2, p. 19.)

22 (65 ILCS 20/21-39) (from Ch. 24, par. 21-39)

23 Sec. 21-39. When redistricting ordinance takes effect -
24 Substitute ordinance may be submitted. No such redistricting

1 ordinance shall take effect until the expiration of 15 days
2 after its passage. If within such 15 days 1/5 or more of the
3 alders ~~aldermen~~ elected, who did not vote to pass such
4 redistricting ordinance, file with the city clerk a proposed
5 substitute ordinance redistricting the city in accordance with
6 the provisions of this article, together with a petition
7 signed by them demanding that the question of the adoption of
8 the redistricting ordinance passed by the city council,
9 together with the question of the adoption of such substitute
10 ordinance, be submitted to the voters, then such redistricting
11 ordinance passed by the city council shall not go into effect
12 until the question of this adoption shall have been submitted
13 to a popular vote: Provided, that no alder ~~alderman~~ shall have
14 the right to sign more than one such petition. Upon the
15 expiration of such 15 days the city clerk shall promptly
16 certify to the board of election commissioners of the city of
17 Chicago, the ordinance passed by the city council and such
18 substitute ordinance or ordinances and petition or petitions,
19 and it shall thereupon be the duty of the board of election
20 commissioners to submit the ordinances so certified to a
21 popular vote at the next general or municipal election, to be
22 held in and for the entire city not less than 40 days after the
23 passage of such redistricting ordinance by the city council.

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

1 Sec. 21-40. Failure of council to act - One-fifth of the
2 alders ~~aldermen~~ may submit redistricting ordinance.

3 If the city council shall fail at any time to pass a
4 redistricting ordinance as required in this article, one-fifth
5 or more of the alders ~~aldermen~~ elected shall have the right to
6 file with the city clerk, not less than 40 days before the date
7 of holding any general, municipal, or special election, to be
8 held in and for the entire city, an ordinance redistricting
9 the city in accordance with the provisions of this article,
10 together with a petition signed by them demanding that such
11 ordinance be submitted to the legal voters at the next such
12 election in and for the entire city to be held not less than 40
13 days after the filing of such ordinance and petition:
14 Provided, that no alder ~~alderman~~ shall have the right to sign
15 more than one such petition. Upon the expiration of the time
16 for filing any such ordinance the city clerk shall promptly
17 certify to the board of election commissioners of the city of
18 Chicago any ordinance or ordinances, together with any
19 petition or petitions, so filed and thereupon it shall be the
20 duty of the board of election commissioners to submit such
21 ordinance or ordinances to a popular vote at the election
22 specified in such petition or petitions: Provided, that if,
23 after the filing of any such ordinance and petition and not
24 less than 40 days prior to such election, the city council
25 shall pass an ordinance redistricting the city, then the
26 question of the adoption of any ordinance or ordinances filed

1 with the city clerk in accordance with the provisions of this
 2 section shall not be submitted to a popular vote. However,
 3 after such action by the city council, a substitute ordinance
 4 or ordinances may be proposed in the manner provided in this
 5 article.

6 (Source: Laws 1941, vol. 2, p. 19.)

7 (65 ILCS 20/21-41) (from Ch. 24, par. 21-41)

8 Sec. 21-41. Redistricting ordinance submitted - Form of
 9 ballot.

10 If the question of the adoption of one of two or more
 11 redistricting ordinances is submitted to the voters at any
 12 election, the ballots used for the submission of such
 13 proposition shall, in addition to the other requirements of
 14 law, conform substantially to the following requirements:

15 1. Above the propositions submitted the following words
 16 shall be printed in capital letters:

17 "PROPOSITIONS FOR THE REDISTRICTING OF THE CITY OF
 18 CHICAGO."

19 2. Immediately below said words shall be printed in small
 20 letters the direction to voters:

21 "Vote for One."

22 3. Following thereupon shall be printed each proposition
 23 to be voted upon in substantially the following form:

24 -----

1 For the adoption of an ordinance for the redistricting
2 of the City of Chicago (here insert "passed by the city
3 council" or "proposed by Alders ~~Aldermen~~ (here insert
4 names of the alders ~~aldermen~~ signing petition)" as the
5 case may require.

6 -----
7 For the adoption of an ordinance for the redistricting
8 of the City of Chicago proposed by Alders ~~Aldermen~~ (here
9 insert names of the alders ~~aldermen~~ signing the petition).
10 -----

11 Whenever the question of the adoption of but one
12 redistricting ordinance shall be submitted to the voters, the
13 form of the ballot shall be substantially as follows:

14 -----
15 Shall the ordinance proposed by Alders ~~Aldermen~~ (Here
16 insert the names of the alders ~~aldermen~~ signing the
17 petition) be adopted?

18 -----
19 YES

NO
20 -----

21 4. All the propositions shall be printed in uniform type.
22 (Source: Laws 1941, vol. 2, p. 19.)

1 Section 35. The Civic Center Code is amended by changing
2 Sections 210-20, 210-25, 270-20, and 270-25 as follows:

3 (70 ILCS 200/210-20)

4 Sec. 210-20. Board members designated. The mayor and
5 alders ~~aldermen~~, ex officio, of the City of Pontiac shall be
6 the members of the Board. Before entering upon the duties of
7 his office, each member of the Board shall take and subscribe
8 the constitutional oath of office and file it in the office of
9 the Secretary of State.

10 (Source: P.A. 90-328, eff. 1-1-98.)

11 (70 ILCS 200/210-25)

12 Sec. 210-25. Board members; terms. Members of the Board
13 shall hold office until their respective successors as mayor
14 alders ~~aldermen~~ of the City of Pontiac have been appointed and
15 qualified.

16 (Source: P.A. 90-328, eff. 1-1-98.)

17 (70 ILCS 200/270-20)

18 Sec. 270-20. Board members. The mayor and alders ~~aldermen~~,
19 ex officio, of the City of Waukegan shall be the members of the
20 Board. Before entering upon the duties of his office, each
21 member of the Board shall take and subscribe the
22 constitutional oath of office and file it in the office of the
23 Secretary of State.

1 (Source: P.A. 90-328, eff. 1-1-98.)

2 (70 ILCS 200/270-25)

3 Sec. 270-25. Board member terms. Members of the Board
4 shall hold office until their respective successors as mayor
5 or alders ~~aldermen~~ of the City of Waukegan have been appointed
6 and qualified.

7 (Source: P.A. 90-328, eff. 1-1-98.)

8 Section 40. The Metropolitan Pier and Exposition Authority
9 Act is amended by changing Section 5.6 as follows:

10 (70 ILCS 210/5.6)

11 Sec. 5.6. Marketing agreement.

12 (a) The Authority shall enter into a marketing agreement
13 with a not-for-profit organization headquartered in Chicago
14 and recognized by the Department of Commerce and Economic
15 Opportunity as a certified local tourism and convention bureau
16 entitled to receive State tourism grant funds, provided the
17 bylaws of the organization establish a board of the
18 organization that is comprised of 35 members serving 3-year
19 staggered terms, including the following:

20 (1) no less than 8 members appointed by the Mayor of
21 Chicago, to include:

22 (A) a Chair of the board of the organization
23 appointed by the Mayor of the City of Chicago from

1 among the business and civic leaders of Chicago who
2 are not engaged in the hospitality business or who
3 have not served as a member of the Board or as chief
4 executive officer of the Authority; and

5 (B) 7 members from among the cultural, economic
6 development, or civic leaders of Chicago;

7 (2) the chairperson of the interim board or Board of
8 the Authority, or his or her designee;

9 (3) a representative from the department in the City
10 of Chicago that is responsible for the operation of
11 Chicago-area airports;

12 (4) a representative from the department in the City
13 of Chicago that is responsible for the regulation of
14 Chicago-area livery vehicles;

15 (5) at least 1, but no more than:

16 (A) 5 members from the hotel industry;

17 (B) 5 members representing Chicago arts and
18 cultural institutions or projects;

19 (C) 2 members from the restaurant industry;

20 (D) 2 members employed by or representing an
21 entity responsible for a trade show;

22 (E) 2 members representing unions;

23 (F) 2 members from the attractions industry; and

24 (6) the Director of the Illinois Department of
25 Commerce and Economic Opportunity, ex officio.

26 The bylaws of the organization may provide for the

1 appointment of a City of Chicago alder ~~alderman~~ as an ex
2 officio member, and may provide for other ex officio members
3 who shall serve terms of one year.

4 Persons with a real or apparent conflict of interest shall
5 not be appointed to the board. Members of the board of the
6 organization shall not serve more than 2 terms. The bylaws
7 shall require the following: (i) that the Chair of the
8 organization name no less than 5 and no more than 9 members to
9 the Executive Committee of the organization, one of whom must
10 be the chairperson of the interim board or Board of the
11 Authority, and (ii) a provision concerning conflict of
12 interest and a requirement that a member abstain from
13 participating in board action if there is a threat to the
14 independence of judgment created by any conflict of interest
15 or if participation is likely to have a negative effect on
16 public confidence in the integrity of the board.

17 (b) The Authority shall notify the Department of Revenue
18 within 10 days after entering into a contract pursuant to this
19 Section.

20 (Source: P.A. 96-898, eff. 5-27-10; 96-899, eff. 5-28-10;
21 97-1122, eff. 8-27-12.)

22 Section 45. The Beardstown Regional Flood Prevention
23 District Act is amended by changing Section 10 as follows:

24 (70 ILCS 755/10)

1 Sec. 10. Commissioners.

2 (a) The affairs of the district shall be managed by a board
3 of 7 commissioners: one shall be appointed by the chairperson
4 of the county board; one shall be appointed by the Mayor of the
5 City of Beardstown; one shall be appointed by the Beardstown
6 Sanitary District; one shall be appointed by the South
7 Beardstown Levee and Drainage District; one shall be appointed
8 by the Valley Levee and Drainage District; one shall be
9 appointed by the Lost Creek Levee and Drainage District; and
10 one shall be appointed by a majority vote of the other 6
11 commissioners. All initial appointments under this Section
12 must be made within 60 days after the district is organized.

13 (b) Of the initial appointments, 3 commissioners shall
14 serve a 2-year term and 4 commissioners shall serve a 4-year
15 term, as determined by lot. Their successors shall be
16 appointed for 4-year terms. No commissioner may serve for more
17 than 20 years. Vacancies shall be filled in the same manner as
18 original appointments.

19 (c) Each commissioner must be a legal voter in Cass
20 County, and all commissioners shall reside in and own property
21 that is located within the district. Commissioners shall serve
22 without compensation, but may be reimbursed for reasonable
23 expenses incurred in the performance of their duties.

24 (d) A majority of the commissioners shall constitute a
25 quorum of the board for the transaction of business. An
26 affirmative vote of a majority of the commissioners shall be

1 sufficient to approve any action or expenditure.

2 (e) An alder ~~alderman~~ of the City of Beardstown, a member
3 of the county board, and a commissioner of each of the
4 aforementioned drainage districts and sanitation district may
5 be appointed to serve concurrently as commissioners of the
6 district, and the appointment shall be deemed lawful and not
7 to constitute a violation of the Public Officer Prohibited
8 Activities Act, nor to create an impermissible conflict of
9 interest or incompatibility of offices.

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

11 Section 50. The Park System Civil Service Act is amended
12 by changing Section 23 as follows:

13 (70 ILCS 1210/23) (from Ch. 24 1/2, par. 102)

14 Sec. 23. No officer or employee in the service of any such
15 park district shall, directly or indirectly, give or hand over
16 to any officer or employee in said classified civil service,
17 or to any senator or representative or alder ~~alderman~~,
18 councilman or park commissioner, any money or other valuable
19 thing on account of or to be applied to the promotion of any
20 party or political object whatever.

21 (Source: Laws 1911, p. 211.)

22 Section 55. The Park Annuity and Benefit Fund Civil
23 Service Act is amended by changing Section 25 as follows:

1 (70 ILCS 1215/25) (from Ch. 24 1/2, par. 138)

2 Sec. 25. No officer or employee in the service of such Park
3 Employees' and Retirement Board Employees' Annuity and Benefit
4 Fund shall, directly or indirectly, give or hand over to any
5 officer or employee in said classified civil service, or to
6 any senator, representative, alder ~~alderman~~, councilman, park
7 commissioner or trustee, any money or other valuable thing on
8 account of or to be applied to the promotion of any party or
9 political object whatever.

10 (Source: Laws 1963, p. 138.)

11 Section 60. The Metropolitan Water Reclamation District
12 Act is amended by changing Section 4.25 as follows:

13 (70 ILCS 2605/4.25) (from Ch. 42, par. 323.25)

14 Sec. 4.25. Political contributions and campaigns.

15 (a) During a commissioner's or an employee's compensated
16 time, other than vacation, personal, holiday, or compensatory
17 time off, a commissioner or an employee in the service of the
18 sanitary district shall not, directly or indirectly, give or
19 hand over to any commissioner or employee, or to any senator,
20 representative, alder ~~alderman~~, councilman, or trustee, any
21 money or other valuable thing on account of or to be applied to
22 the promotion of any party or political object whatever.

23 (b) During an employee's compensated time, other than

1 vacation, personal, holiday, or compensatory time off, an
2 employee shall not take any part in the management or affairs
3 of any political party or in any political campaign, except to
4 exercise his or her right as a citizen privately to express his
5 or her opinion, and to cast his or her vote, provided, however,
6 that an employee shall have the right to hold any public
7 office, either by appointment or election, that is not
8 incompatible with his or her duties as an employee of the
9 District, and provided further that the employee does not
10 campaign or otherwise engage in political activity during his
11 or her compensated time other than vacation, personal,
12 holiday, or compensatory time off.

13 (c) This Section shall not be deemed to authorize conduct
14 prohibited by the Federal Hatch Act by employees subject to
15 that Act.

16 (d) For the purposes of this Section, "compensated time"
17 means any time worked by or credited to an employee that counts
18 toward any minimum work time requirement imposed as a
19 condition of employment with the sanitary district, but does
20 not include any designated holidays or any period when the
21 employee is on a leave of absence. With respect to
22 commissioners, "compensated time" means any period of time
23 when the commissioner is on the premises under the control of
24 the sanitary district and any other time when the commissioner
25 is executing his or her official duties, regardless of
26 location.

1 For the purposes of this Section, "compensatory time off"
2 means authorized time off earned by or awarded to an employee
3 to compensate in whole or in part for time worked in excess of
4 the minimum work time required of that employee as a condition
5 of employment with the sanitary district.

6 (Source: P.A. 97-125, eff. 7-14-11.)

7 Section 65. The School Code is amended by changing
8 Sections 34-210, 34-230, and 34-235 as follows:

9 (105 ILCS 5/34-210)

10 Sec. 34-210. The Educational Facility Master Plan.

11 (a) In accordance with the schedule set forth in this
12 Article, the chief executive officer or his or her designee
13 shall prepare a 10-year educational facility master plan every
14 5 years, with updates 2 1/2 years after the approval of the
15 initial 10-year plan, with the first such educational facility
16 master plan to be approved on or before October 1, 2013.

17 (b) The educational facility master plan shall provide
18 community area level plans and individual school master plans
19 with options for addressing the facility and space needs for
20 each facility operated by the district over a 10-year period.

21 (c) The data, information, and analysis that shall inform
22 the educational facility master plan shall be published on the
23 district's Internet website and shall include the following:

24 (1) a description of the district's guiding

1 educational goals and standards;

2 (2) a brief description of the types of instructional
3 programs and services delivered in each school, including
4 specific plans for special education programs, early
5 childhood education programs, career and technical
6 education programs, and any other programs that are space
7 sensitive to avoid space irregularities;

8 (3) a description of the process, procedure, and
9 timeline for community participation in the development of
10 the plan;

11 (3.5) A description of a communications and community
12 involvement plan for each community in the City of Chicago
13 that includes the engagement of students, school
14 personnel, parents, and key stakeholders throughout the
15 community and all of the following:

16 (A) community action councils;

17 (B) local school councils or, if not present,
18 alternative parent and community governance for that
19 school;

20 (C) the Chicago Teachers Union; and

21 (D) all current principals.

22 (4) the enrollment capacity of each school and its
23 rate of enrollment and historical and projected
24 enrollment, and current and projected demographic
25 information for the neighborhood surrounding the district
26 based on census data;

1 (5) a report on the assessment of individual building
2 and site conditions;

3 (6) a data table with historical and projected
4 enrollment data by school by grade;

5 (7) community analysis, including a study of current
6 and projected demographics, land usage, transportation
7 plans, residential housing and commercial development,
8 private schools, plans for water and sewage service
9 expansion or redevelopment, and institutions of higher
10 education;

11 (8) an analysis of the facility needs and requirements
12 and a process to address critical facility capital needs
13 of every school building, which shall be publicly
14 available on the district's Internet website for schools
15 and communities to have access to the information;

16 (9) identification of potential sources of funding for
17 the implementation of the Educational Facility Master
18 Plan, including financial options through tax increment
19 financing, property tax levies for schools, and bonds that
20 address critical facility needs; and

21 (10) any school building disposition, including a plan
22 delineating the process through which citizen involvement
23 is facilitated and establishing the criteria that is
24 utilized in building disposition decisions, one of which
25 shall be consideration of the impact of any proposed new
26 use of a school building on the neighborhood in which the

1 school building is located and how it may impact
2 enrollment of schools in that community area.

3 (d) On or before May 1, 2013, the chief executive officer
4 or his or her designee shall prepare and distribute for
5 comment a preliminary draft of the Educational Facility Master
6 Plan. The draft plan shall be distributed to the City of
7 Chicago, the County of Cook, the Chicago Park District, the
8 Chicago Housing Authority, the Chicago Transit Authority,
9 attendance centers operated by the district, and charter
10 schools operating within the district. Each attendance center
11 shall make the draft plan available to the local school
12 council at the annual organizational meeting or to an
13 alternative advisory body and to the parents, guardians, and
14 staff of the school. The draft plan also shall be distributed
15 to each State Senator and State Representative with a district
16 in the City of Chicago, to the Mayor of the City of Chicago,
17 and to each alder ~~alderman~~ of the City.

18 (e) The chief executive or his or her designee shall
19 publish a procedure for conducting regional public hearings
20 and submitting public comments on the draft plan and an annual
21 capital improvement hearing that shall discuss the district's
22 annual capital budget and that is not in conjunction with
23 operating budget hearings.

24 (f) After consideration of public input on the draft plan,
25 the chief executive officer or his or her designee shall
26 prepare and publish a report describing the public input

1 gathered and the process used to incorporate public input in
2 the development of the final plan to be recommended to the
3 Board.

4 (g) The chief executive officer shall present the final
5 plan and report to the Board for final consideration and
6 approval.

7 (h) The final approved Educational Facility Master Plan
8 shall be published on the district's website.

9 (i) No later than July 1, 2016, and every 5 years
10 thereafter, the chief executive officer or his or her designee
11 shall prepare and submit for public comment a draft revised
12 Educational Facility Master Plan following the procedures
13 required for development of the original plan.

14 (j) This proposed revised plan shall reflect the progress
15 achieved during the first 2 1/2 years of the Educational
16 Facility Master Plan.

17 (k) On or before December 1, 2018, the Board shall adopt a
18 policy to address under-enrolled schools. The policy must
19 contain a list of potential interventions to address schools
20 with declining enrollment, including, but not limited to,
21 action by the district to: (i) create a request for proposals
22 for joint use of the school with an intergovernmental rental
23 or other outside entity rental, (ii) except for a charter
24 school, cease any potential plans for school expansion that
25 may negatively impact enrollment at the under-enrolled school,
26 (iii) redraft attendance boundaries to maximize enrollment of

1 additional students, or (iv) work with under-enrolled schools
2 to identify opportunities to increase enrollment and lower the
3 costs of occupancy through joint use agreements.

4 (Source: P.A. 99-531, eff. 7-8-16; 100-965, eff. 8-19-18.)

5 (105 ILCS 5/34-230)

6 Sec. 34-230. School action public meetings and hearings.

7 (a) By October 1 of each year, the chief executive officer
8 shall prepare and publish guidelines for school actions. The
9 guidelines shall outline the academic and non-academic
10 criteria for a school action. These guidelines shall be
11 created with the involvement of local school councils,
12 parents, educators, and community organizations. These
13 guidelines, and each subsequent revision, shall be subject to
14 a public comment period of at least 21 days before their
15 approval.

16 (b) The chief executive officer shall announce all
17 proposed school actions to be taken at the close of the current
18 academic year consistent with the guidelines by December 1 of
19 each year.

20 (c) On or before December 1 of each year, the chief
21 executive officer shall publish notice of the proposed school
22 actions.

23 (1) Notice of the proposal for a school action shall
24 include a written statement of the basis for the school
25 action, an explanation of how the school action meets the

1 criteria set forth in the guidelines, and a draft School
2 Transition Plan identifying the items required in Section
3 34-225 of this Code for all schools affected by the school
4 action. The notice shall state the date, time, and place
5 of the hearing or meeting. For a school closure only, 8
6 months after notice is given, the chief executive officer
7 must publish on the district's website a full financial
8 report on the closure that includes an analysis of the
9 closure's costs and benefits to the district.

10 (2) The chief executive officer or his or her designee
11 shall provide notice to the principal, staff, local school
12 council, and parents or guardians of any school that is
13 subject to the proposed school action.

14 (3) The chief executive officer shall provide written
15 notice of any proposed school action to the State Senator,
16 State Representative, and alder ~~alderman~~ for the school or
17 schools that are subject to the proposed school action.

18 (4) The chief executive officer shall publish notice
19 of proposed school actions on the district's Internet
20 website.

21 (5) The chief executive officer shall provide notice
22 of proposed school actions at least 30 calendar days in
23 advance of a public hearing or meeting. The notice shall
24 state the date, time, and place of the hearing or meeting.
25 No Board decision regarding a proposed school action may
26 take place less than 60 days after the announcement of the

1 proposed school action.

2 (d) The chief executive officer shall publish a brief
3 summary of the proposed school actions and the date, time, and
4 place of the hearings or meetings in a newspaper of general
5 circulation.

6 (e) The chief executive officer shall designate at least 3
7 opportunities to elicit public comment at a hearing or meeting
8 on a proposed school action and shall do the following:

9 (1) Convene at least one public hearing at the
10 centrally located office of the Board.

11 (2) Convene at least 2 additional public hearings or
12 meetings at a location convenient to the school community
13 subject to the proposed school action.

14 (f) Public hearings shall be conducted by a qualified
15 independent hearing officer chosen from a list of independent
16 hearing officers. The general counsel shall compile and
17 publish a list of independent hearing officers by November 1
18 of each school year. The independent hearing officer shall
19 have the following qualifications:

20 (1) he or she must be a licensed attorney eligible to
21 practice law in Illinois;

22 (2) he or she must not be an employee of the Board; and

23 (3) he or she must not have represented the Board, its
24 employees or any labor organization representing its
25 employees, any local school council, or any charter or
26 contract school in any capacity within the last year.

1 The independent hearing officer shall issue a written
2 report that summarizes the hearing and determines whether the
3 chief executive officer complied with the requirements of this
4 Section and the guidelines.

5 The chief executive officer shall publish the report on
6 the district's Internet website within 5 calendar days after
7 receiving the report and at least 15 days prior to any Board
8 action being taken.

9 (g) Public meetings shall be conducted by a representative
10 of the chief executive officer. A summary of the public
11 meeting shall be published on the district's Internet website
12 within 5 calendar days after the meeting.

13 (h) If the chief executive officer proposes a school
14 action without following the mandates set forth in this
15 Section, the proposed school action shall not be approved by
16 the Board during the school year in which the school action was
17 proposed.

18 (Source: P.A. 101-133, eff. 7-26-19.)

19 (105 ILCS 5/34-235)

20 (Text of Section from P.A. 97-473)

21 Sec. 34-235. Emergencies. Nothing in Sections 34-200
22 through 34-235 of this Code prevents the district from taking
23 emergency action to protect the health and safety of students
24 and staff in an attendance center. In the event of an emergency
25 that requires the district to close all or part of a school

1 facility, including compliance with a directive of a duly
2 authorized public safety agency, the chief executive officer
3 or his or her designees are authorized to take all steps
4 necessary to protect the safety of students and staff,
5 including relocation of the attendance center to another
6 location or closing the attendance center. In such cases, the
7 chief executive officer shall provide written notice of the
8 basis for the emergency action within 3 days after declaring
9 the emergency and shall publish the steps that have been taken
10 or will be taken to address the emergency within 10 days after
11 declaring the emergency. The notice shall be posted on the
12 district's website and provided to the principal, the local
13 school council, and the State Senator, the State
14 Representative, and the Alder ~~Alderman~~ of the school that is
15 the subject of the emergency action. The notice shall explain
16 why the district could not comply with the provisions in
17 Sections 34-200 through 34-235 of this Code.

18 (Source: P.A. 97-473, eff. 1-1-12.)

19 (Text of Section from P.A. 97-474)

20 Sec. 34-235. Emergencies. Nothing in Sections 34-200
21 through 34-235 of this Code prevents the district from taking
22 emergency action to protect the health and safety of students
23 and staff in an attendance center. In the event of an emergency
24 that requires the district to close all or part of a school
25 facility, including compliance with a directive of a duly

1 authorized public safety agency, the chief executive officer
2 or his or her designees are authorized to take all steps
3 necessary to protect the safety of students and staff,
4 including relocation of the attendance center to another
5 location or closing the attendance center. In such cases, the
6 chief executive officer shall provide written notice of the
7 basis for the emergency action within 3 days after declaring
8 the emergency and shall publish the steps that have been taken
9 or will be taken to address the emergency within 10 days after
10 declaring the emergency. The notice shall be posted on the
11 district's website and provided to the principal, the local
12 school council, and the State Senator, the State
13 Representative, and the alder ~~alderman~~ of the school that is
14 the subject of the emergency action. The notice shall explain
15 why the district could not comply with the provisions in
16 Sections 34-200 through 34-235 of this Code.

17 (Source: P.A. 97-474, eff. 8-22-11.)

18 Section 70. The Liquor Control Act of 1934 is amended by
19 changing Sections 4-1, 6-2, and 6-11 as follows:

20 (235 ILCS 5/4-1) (from Ch. 43, par. 110)

21 Sec. 4-1. In every city, village or incorporated town, the
22 city council or president and board of trustees, and in
23 counties in respect of territory outside the limits of any
24 such city, village or incorporated town the county board shall

1 have the power by general ordinance or resolution to determine
2 the number, kind and classification of licenses, for sale at
3 retail of alcoholic liquor not inconsistent with this Act and
4 the amount of the local licensee fees to be paid for the
5 various kinds of licenses to be issued in their political
6 subdivision, except those issued to the specific non-beverage
7 users exempt from payment of license fees under Section 5-3
8 which shall be issued without payment of any local license
9 fees, and the manner of distribution of such fees after their
10 collection; to regulate or prohibit the presence of persons
11 under the age of 21 on the premises of licensed retail
12 establishments of various kinds and classifications where
13 alcoholic liquor is drawn, poured, mixed or otherwise served
14 for consumption on the premises; to prohibit any minor from
15 drawing, pouring, or mixing any alcoholic liquor as an
16 employee of any retail licensee; and to prohibit any minor
17 from at any time attending any bar and from drawing, pouring or
18 mixing any alcoholic liquor in any licensed retail premises;
19 and to establish such further regulations and restrictions
20 upon the issuance of and operations under local licenses not
21 inconsistent with law as the public good and convenience may
22 require; and to provide penalties for the violation of
23 regulations and restrictions, including those made by county
24 boards, relative to operation under local licenses; provided,
25 however, that in the exercise of any of the powers granted in
26 this section, the issuance of such licenses shall not be

1 prohibited except for reasons specifically enumerated in
2 Sections 6-2, 6-11, 6-12 and 6-25 of this Act.

3 However, in any municipality with a population exceeding
4 1,000,000 that has adopted the form of government authorized
5 under "An Act concerning cities, villages, and incorporated
6 towns, and to repeal certain Acts herein named", approved
7 August 15, 1941, as amended, no person shall be granted any
8 license or privilege to sell alcoholic liquors between the
9 hours of two o'clock a.m. and seven o'clock a.m. on week days
10 unless such person has given at least 14 days prior written
11 notice to the alder ~~alderman~~ of the ward in which such person's
12 licensed premises are located stating his intention to make
13 application for such license or privilege and unless evidence
14 confirming service of such written notice is included in such
15 application. Any license or privilege granted in violation of
16 this paragraph shall be null and void.

17 (Source: P.A. 99-46, eff. 7-15-15.)

18 (235 ILCS 5/6-2) (from Ch. 43, par. 120)

19 Sec. 6-2. Issuance of licenses to certain persons
20 prohibited.

21 (a) Except as otherwise provided in subsection (b) of this
22 Section and in paragraph (1) of subsection (a) of Section
23 3-12, no license of any kind issued by the State Commission or
24 any local commission shall be issued to:

25 (1) A person who is not a resident of any city, village

1 or county in which the premises covered by the license are
2 located; except in case of railroad or boat licenses.

3 (2) A person who is not of good character and
4 reputation in the community in which he resides.

5 (3) (Blank).

6 (4) A person who has been convicted of a felony under
7 any Federal or State law, unless the Commission determines
8 that such person will not be impaired by the conviction in
9 engaging in the licensed practice after considering
10 matters set forth in such person's application in
11 accordance with Section 6-2.5 of this Act and the
12 Commission's investigation.

13 (5) A person who has been convicted of keeping a place
14 of prostitution or keeping a place of juvenile
15 prostitution, promoting prostitution that involves keeping
16 a place of prostitution, or promoting juvenile
17 prostitution that involves keeping a place of juvenile
18 prostitution.

19 (6) A person who has been convicted of pandering.

20 (7) A person whose license issued under this Act has
21 been revoked for cause.

22 (8) A person who at the time of application for
23 renewal of any license issued hereunder would not be
24 eligible for such license upon a first application.

25 (9) A copartnership, if any general partnership
26 thereof, or any limited partnership thereof, owning more

1 than 5% of the aggregate limited partner interest in such
2 copartnership would not be eligible to receive a license
3 hereunder for any reason other than residence within the
4 political subdivision, unless residency is required by
5 local ordinance.

6 (10) A corporation or limited liability company, if
7 any member, officer, manager or director thereof, or any
8 stockholder or stockholders owning in the aggregate more
9 than 5% of the stock of such corporation, would not be
10 eligible to receive a license hereunder for any reason
11 other than residence within the political subdivision.

12 (10a) A corporation or limited liability company
13 unless it is incorporated or organized in Illinois, or
14 unless it is a foreign corporation or foreign limited
15 liability company which is qualified under the Business
16 Corporation Act of 1983 or the Limited Liability Company
17 Act to transact business in Illinois. The Commission shall
18 permit and accept from an applicant for a license under
19 this Act proof prepared from the Secretary of State's
20 website that the corporation or limited liability company
21 is in good standing and is qualified under the Business
22 Corporation Act of 1983 or the Limited Liability Company
23 Act to transact business in Illinois.

24 (11) A person whose place of business is conducted by
25 a manager or agent unless the manager or agent possesses
26 the same qualifications required by the licensee.

1 (12) A person who has been convicted of a violation of
2 any Federal or State law concerning the manufacture,
3 possession or sale of alcoholic liquor, subsequent to the
4 passage of this Act or has forfeited his bond to appear in
5 court to answer charges for any such violation, unless the
6 Commission determines, in accordance with Section 6-2.5 of
7 this Act, that the person will not be impaired by the
8 conviction in engaging in the licensed practice.

9 (13) A person who does not beneficially own the
10 premises for which a license is sought, or does not have a
11 lease thereon for the full period for which the license is
12 to be issued.

13 (14) Any law enforcing public official, including
14 members of local liquor control commissions, any mayor,
15 alder ~~alderman~~, or member of the city council or
16 commission, any president of the village board of
17 trustees, any member of a village board of trustees, or
18 any president or member of a county board; and no such
19 official shall have a direct interest in the manufacture,
20 sale, or distribution of alcoholic liquor, except that a
21 license may be granted to such official in relation to
22 premises that are not located within the territory subject
23 to the jurisdiction of that official if the issuance of
24 such license is approved by the State Liquor Control
25 Commission and except that a license may be granted, in a
26 city or village with a population of 55,000 or less, to any

1 alder ~~alderman~~, member of a city council, or member of a
2 village board of trustees in relation to premises that are
3 located within the territory subject to the jurisdiction
4 of that official if (i) the sale of alcoholic liquor
5 pursuant to the license is incidental to the selling of
6 food, (ii) the issuance of the license is approved by the
7 State Commission, (iii) the issuance of the license is in
8 accordance with all applicable local ordinances in effect
9 where the premises are located, and (iv) the official
10 granted a license does not vote on alcoholic liquor issues
11 pending before the board or council to which the license
12 holder is elected. Notwithstanding any provision of this
13 paragraph (14) to the contrary, an alder ~~alderman~~ or
14 member of a city council or commission, a member of a
15 village board of trustees other than the president of the
16 village board of trustees, or a member of a county board
17 other than the president of a county board may have a
18 direct interest in the manufacture, sale, or distribution
19 of alcoholic liquor as long as he or she is not a law
20 enforcing public official, a mayor, a village board
21 president, or president of a county board. To prevent any
22 conflict of interest, the elected official with the direct
23 interest in the manufacture, sale, or distribution of
24 alcoholic liquor shall not participate in any meetings,
25 hearings, or decisions on matters impacting the
26 manufacture, sale, or distribution of alcoholic liquor.

1 Furthermore, the mayor of a city with a population of
2 55,000 or less or the president of a village with a
3 population of 55,000 or less may have an interest in the
4 manufacture, sale, or distribution of alcoholic liquor as
5 long as the council or board over which he or she presides
6 has made a local liquor control commissioner appointment
7 that complies with the requirements of Section 4-2 of this
8 Act.

9 (15) A person who is not a beneficial owner of the
10 business to be operated by the licensee.

11 (16) A person who has been convicted of a gambling
12 offense as proscribed by any of subsections (a) (3)
13 through (a) (11) of Section 28-1 of, or as proscribed by
14 Section 28-1.1 or 28-3 of, the Criminal Code of 1961 or the
15 Criminal Code of 2012, or as proscribed by a statute
16 replaced by any of the aforesaid statutory provisions.

17 (17) A person or entity to whom a federal wagering
18 stamp has been issued by the federal government, unless
19 the person or entity is eligible to be issued a license
20 under the Raffles and Poker Runs Act or the Illinois Pull
21 Tabs and Jar Games Act.

22 (18) A person who intends to sell alcoholic liquors
23 for use or consumption on his or her licensed retail
24 premises who does not have liquor liability insurance
25 coverage for that premises in an amount that is at least
26 equal to the maximum liability amounts set out in

1 subsection (a) of Section 6-21.

2 (19) A person who is licensed by any licensing
3 authority as a manufacturer of beer, or any partnership,
4 corporation, limited liability company, or trust or any
5 subsidiary, affiliate, or agent thereof, or any other form
6 of business enterprise licensed as a manufacturer of beer,
7 having any legal, equitable, or beneficial interest,
8 directly or indirectly, in a person licensed in this State
9 as a distributor or importing distributor. For purposes of
10 this paragraph (19), a person who is licensed by any
11 licensing authority as a "manufacturer of beer" shall also
12 mean a brewer and a non-resident dealer who is also a
13 manufacturer of beer, including a partnership,
14 corporation, limited liability company, or trust or any
15 subsidiary, affiliate, or agent thereof, or any other form
16 of business enterprise licensed as a manufacturer of beer.

17 (20) A person who is licensed in this State as a
18 distributor or importing distributor, or any 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 in this State as a
22 distributor or importing distributor having any legal,
23 equitable, or beneficial interest, directly or indirectly,
24 in a person licensed as a manufacturer of beer by any
25 licensing authority, or any partnership, corporation,
26 limited liability company, or trust or any subsidiary,

1 affiliate, or agent thereof, or any other form of business
2 enterprise, except for a person who owns, on or after the
3 effective date of this amendatory Act of the 98th General
4 Assembly, no more than 5% of the outstanding shares of a
5 manufacturer of beer whose shares are publicly traded on
6 an exchange within the meaning of the Securities Exchange
7 Act of 1934. For the purposes of this paragraph (20), a
8 person who is licensed by any licensing authority as a
9 "manufacturer of beer" shall also mean a brewer and a
10 non-resident dealer who is also a manufacturer of beer,
11 including a partnership, corporation, limited liability
12 company, or trust or any subsidiary, affiliate, or agent
13 thereof, or any other form of business enterprise licensed
14 as a manufacturer of beer.

15 (b) A criminal conviction of a corporation is not grounds
16 for the denial, suspension, or revocation of a license applied
17 for or held by the corporation if the criminal conviction was
18 not the result of a violation of any federal or State law
19 concerning the manufacture, possession or sale of alcoholic
20 liquor, the offense that led to the conviction did not result
21 in any financial gain to the corporation and the corporation
22 has terminated its relationship with each director, officer,
23 employee, or controlling shareholder whose actions directly
24 contributed to the conviction of the corporation. The
25 Commission shall determine if all provisions of this
26 subsection (b) have been met before any action on the

1 corporation's license is initiated.

2 (Source: P.A. 100-286, eff. 1-1-18; 101-541, eff. 8-23-19.)

3 (235 ILCS 5/6-11)

4 Sec. 6-11. Sale near churches, schools, and hospitals.

5 (a) No license shall be issued for the sale at retail of
6 any alcoholic liquor within 100 feet of any church, school
7 other than an institution of higher learning, hospital, home
8 for aged or indigent persons or for veterans, their spouses or
9 children or any military or naval station, provided, that this
10 prohibition shall not apply to hotels offering restaurant
11 service, regularly organized clubs, or to restaurants, food
12 shops or other places where sale of alcoholic liquors is not
13 the principal business carried on if the place of business so
14 exempted is not located in a municipality of more than 500,000
15 persons, unless required by local ordinance; nor to the
16 renewal of a license for the sale at retail of alcoholic liquor
17 on premises within 100 feet of any church or school where the
18 church or school has been established within such 100 feet
19 since the issuance of the original license. In the case of a
20 church, the distance of 100 feet shall be measured to the
21 nearest part of any building used for worship services or
22 educational programs and not to property boundaries.

23 (a-5) Notwithstanding any provision of this Section to the
24 contrary, a local liquor control commissioner may grant an
25 exemption to the prohibition in subsection (a) of this Section

1 if a local rule or ordinance authorizes the local liquor
2 control commissioner to grant that exemption.

3 (b) Nothing in this Section shall prohibit the issuance of
4 a retail license authorizing the sale of alcoholic liquor to a
5 restaurant, the primary business of which is the sale of goods
6 baked on the premises if (i) the restaurant is newly
7 constructed and located on a lot of not less than 10,000 square
8 feet, (ii) the restaurant costs at least \$1,000,000 to
9 construct, (iii) the licensee is the titleholder to the
10 premises and resides on the premises, and (iv) the
11 construction of the restaurant is completed within 18 months
12 of July 10, 1998 (the effective date of Public Act 90-617).

13 (c) Nothing in this Section shall prohibit the issuance of
14 a retail license authorizing the sale of alcoholic liquor
15 incidental to a restaurant if (1) the primary business of the
16 restaurant consists of the sale of food where the sale of
17 liquor is incidental to the sale of food and the applicant is a
18 completely new owner of the restaurant, (2) the immediately
19 prior owner or operator of the premises where the restaurant
20 is located operated the premises as a restaurant and held a
21 valid retail license authorizing the sale of alcoholic liquor
22 at the restaurant for at least part of the 24 months before the
23 change of ownership, and (3) the restaurant is located 75 or
24 more feet from a school.

25 (d) In the interest of further developing Illinois'
26 economy in the area of commerce, tourism, convention, and

1 banquet business, nothing in this Section shall prohibit
2 issuance of a retail license authorizing the sale of alcoholic
3 beverages to a restaurant, banquet facility, grocery store, or
4 hotel having not fewer than 150 guest room accommodations
5 located in a municipality of more than 500,000 persons,
6 notwithstanding the proximity of such hotel, restaurant,
7 banquet facility, or grocery store to any church or school, if
8 the licensed premises described on the license are located
9 within an enclosed mall or building of a height of at least 6
10 stories, or 60 feet in the case of a building that has been
11 registered as a national landmark, or in a grocery store
12 having a minimum of 56,010 square feet of floor space in a
13 single story building in an open mall of at least 3.96 acres
14 that is adjacent to a public school that opened as a boys
15 technical high school in 1934, or in a grocery store having a
16 minimum of 31,000 square feet of floor space in a single story
17 building located a distance of more than 90 feet but less than
18 100 feet from a high school that opened in 1928 as a junior
19 high school and became a senior high school in 1933, and in
20 each of these cases if the sale of alcoholic liquors is not the
21 principal business carried on by the licensee.

22 For purposes of this Section, a "banquet facility" is any
23 part of a building that caters to private parties and where the
24 sale of alcoholic liquors is not the principal business.

25 (e) Nothing in this Section shall prohibit the issuance of
26 a license to a church or private school to sell at retail

1 alcoholic liquor if any such sales are limited to periods when
2 groups are assembled on the premises solely for the promotion
3 of some common object other than the sale or consumption of
4 alcoholic liquors.

5 (f) Nothing in this Section shall prohibit a church or
6 church affiliated school located in a home rule municipality
7 or in a municipality with 75,000 or more inhabitants from
8 locating within 100 feet of a property for which there is a
9 preexisting license to sell alcoholic liquor at retail. In
10 these instances, the local zoning authority may, by ordinance
11 adopted simultaneously with the granting of an initial special
12 use zoning permit for the church or church affiliated school,
13 provide that the 100-foot restriction in this Section shall
14 not apply to that church or church affiliated school and
15 future retail liquor licenses.

16 (g) Nothing in this Section shall prohibit the issuance of
17 a retail license authorizing the sale of alcoholic liquor at
18 premises within 100 feet, but not less than 90 feet, of a
19 public school if (1) the premises have been continuously
20 licensed to sell alcoholic liquor for a period of at least 50
21 years, (2) the premises are located in a municipality having a
22 population of over 500,000 inhabitants, (3) the licensee is an
23 individual who is a member of a family that has held the
24 previous 3 licenses for that location for more than 25 years,
25 (4) the principal of the school and the alder ~~alderman~~ of the
26 ward in which the school is located have delivered a written

1 statement to the local liquor control commissioner stating
2 that they do not object to the issuance of a license under this
3 subsection (g), and (5) the local liquor control commissioner
4 has received the written consent of a majority of the
5 registered voters who live within 200 feet of the premises.

6 (h) Notwithstanding any provision of this Section to the
7 contrary, nothing in this Section shall prohibit the issuance
8 or renewal of a license authorizing the sale of alcoholic
9 liquor within premises and at an outdoor patio area attached
10 to premises that are located in a municipality with a
11 population in excess of 300,000 inhabitants and that are
12 within 100 feet of a church if:

13 (1) the sale of alcoholic liquor at the premises is
14 incidental to the sale of food,

15 (2) the sale of liquor is not the principal business
16 carried on by the licensee at the premises,

17 (3) the premises are less than 1,000 square feet,

18 (4) the premises are owned by the University of
19 Illinois,

20 (5) the premises are immediately adjacent to property
21 owned by a church and are not less than 20 nor more than 40
22 feet from the church space used for worship services, and

23 (6) the principal religious leader at the place of
24 worship has indicated his or her support for the issuance
25 of the license in writing.

26 (i) Notwithstanding any provision in this Section to the

1 contrary, nothing in this Section shall prohibit the issuance
2 or renewal of a license to sell alcoholic liquor at a premises
3 that is located within a municipality with a population in
4 excess of 300,000 inhabitants and is within 100 feet of a
5 church, synagogue, or other place of worship if:

6 (1) the primary entrance of the premises and the
7 primary entrance of the church, synagogue, or other place
8 of worship are at least 100 feet apart, on parallel
9 streets, and separated by an alley; and

10 (2) the principal religious leader at the place of
11 worship has not indicated his or her opposition to the
12 issuance or renewal of the license in writing.

13 (j) Notwithstanding any provision in this Section to the
14 contrary, nothing in this Section shall prohibit the issuance
15 of a retail license authorizing the sale of alcoholic liquor
16 at a theater that is within 100 feet of a church if (1) the
17 church owns the theater, (2) the church leases the theater to
18 one or more entities, and (3) the theater is used by at least 5
19 different not-for-profit theater groups.

20 (k) Notwithstanding any provision in 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 premises that is located within a municipality
24 with a population in excess of 1,000,000 inhabitants and is
25 within 100 feet of a school if:

26 (1) the primary entrance of the premises and the

1 primary entrance of the school are parallel, on different
2 streets, and separated by an alley;

3 (2) the southeast corner of the premises are at least
4 350 feet from the southwest corner of the school;

5 (3) the school was built in 1978;

6 (4) the sale of alcoholic liquor at the premises is
7 incidental to the sale of food;

8 (5) the sale of alcoholic liquor is not the principal
9 business carried on by the licensee at the premises;

10 (6) the applicant is the owner of the restaurant and
11 has held a valid license authorizing the sale of alcoholic
12 liquor for the business to be conducted on the premises at
13 a different location for more than 7 years; and

14 (7) the premises is at least 2,300 square feet and
15 sits on a lot that is between 6,100 and 6,150 square feet.

16 (1) 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 at a premises that is located within a municipality
20 with a population in excess of 1,000,000 inhabitants and is
21 within 100 feet of a church or school if:

22 (1) the primary entrance of the premises and the
23 closest entrance of the church or school is at least 90
24 feet apart and no greater than 95 feet apart;

25 (2) the shortest distance between the premises and the
26 church or school is at least 80 feet apart and no greater

1 than 85 feet apart;

2 (3) the applicant is the owner of the restaurant and
3 on November 15, 2006 held a valid license authorizing the
4 sale of alcoholic liquor for the business to be conducted
5 on the premises for at least 14 different locations;

6 (4) the sale of alcoholic liquor at the premises is
7 incidental to the sale of food;

8 (5) the sale of alcoholic liquor is not the principal
9 business carried on by the licensee at the premises;

10 (6) the premises is at least 3,200 square feet and
11 sits on a lot that is between 7,150 and 7,200 square feet;
12 and

13 (7) the principal religious leader at the place of
14 worship has not indicated his or her opposition to the
15 issuance or renewal of the license in writing.

16 (m) 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 at a premises that is located within a municipality
20 with a population in excess of 1,000,000 inhabitants and is
21 within 100 feet of a church if:

22 (1) the premises and the church are perpendicular, and
23 the primary entrance of the premises faces South while the
24 primary entrance of the church faces West and the distance
25 between the two entrances is more than 100 feet;

26 (2) the shortest distance between the premises lot

1 line and the exterior wall of the church is at least 80
2 feet;

3 (3) the church was established at the current location
4 in 1916 and the present structure was erected in 1925;

5 (4) the premises is a single story, single use
6 building with at least 1,750 square feet and no more than
7 2,000 square feet;

8 (5) the sale of alcoholic liquor at the premises is
9 incidental to the sale of food;

10 (6) the sale of alcoholic liquor is not the principal
11 business carried on by the licensee at the premises; and

12 (7) the principal religious leader at the place of
13 worship has not indicated his or her opposition to the
14 issuance or renewal of the license in writing.

15 (n) Notwithstanding any provision in 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 a premises that is located within a municipality
19 with a population in excess of 1,000,000 inhabitants and is
20 within 100 feet of a school if:

21 (1) the school is a City of Chicago School District
22 299 school;

23 (2) the school is located within subarea E of City of
24 Chicago Residential Business Planned Development Number
25 70;

26 (3) the sale of alcoholic liquor is not the principal

1 business carried on by the licensee on the premises;

2 (4) the sale of alcoholic liquor at the premises is
3 incidental to the sale of food; and

4 (5) the administration of City of Chicago School
5 District 299 has expressed, in writing, its support for
6 the issuance of the license.

7 (o) Notwithstanding any provision of this Section to the
8 contrary, nothing in this Section shall prohibit the issuance
9 or renewal of a retail license authorizing the sale of
10 alcoholic liquor at a premises that is located within a
11 municipality in excess of 1,000,000 inhabitants and within 100
12 feet of a church if:

13 (1) the sale of alcoholic liquor at the premises is
14 incidental to the sale of food;

15 (2) the sale of alcoholic liquor is not the principal
16 business carried on by the licensee at the premises;

17 (3) the premises is located on a street that runs
18 perpendicular to the street on which the church is
19 located;

20 (4) the primary entrance of the premises is at least
21 100 feet from the primary entrance of the church;

22 (5) the shortest distance between any part of the
23 premises and any part of the church is at least 60 feet;

24 (6) the premises is between 3,600 and 4,000 square
25 feet and sits on a lot that is between 3,600 and 4,000
26 square feet; and

1 (7) the premises was built in the year 1909.

2 For purposes of this subsection (o), "premises" means a
3 place of business together with a privately owned outdoor
4 location that is adjacent to the place of business.

5 (p) Notwithstanding any provision in 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 at a premises that is located within a municipality
9 with a population in excess of 1,000,000 inhabitants and
10 within 100 feet of a church if:

11 (1) the shortest distance between the backdoor of the
12 premises, which is used as an emergency exit, and the
13 church is at least 80 feet;

14 (2) the church was established at the current location
15 in 1889; and

16 (3) liquor has been sold on the premises since at
17 least 1985.

18 (q) 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 within a premises that is located in a municipality
22 with a population in excess of 1,000,000 inhabitants and
23 within 100 feet of a church-owned property if:

24 (1) the premises is located within a larger building
25 operated as a grocery store;

26 (2) the area of the premises does not exceed 720

1 square feet and the area of the larger building exceeds
2 18,000 square feet;

3 (3) the larger building containing the premises is
4 within 100 feet of the nearest property line of a
5 church-owned property on which a church-affiliated school
6 is located;

7 (4) the sale of liquor is not the principal business
8 carried on within the larger building;

9 (5) the primary entrance of the larger building and
10 the premises and the primary entrance of the
11 church-affiliated school are on different, parallel
12 streets, and the distance between the 2 primary entrances
13 is more than 100 feet;

14 (6) the larger building is separated from the
15 church-owned property and church-affiliated school by an
16 alley;

17 (7) the larger building containing the premises and
18 the church building front are on perpendicular streets and
19 are separated by a street; and

20 (8) (Blank).

21 (r) Notwithstanding any provision of this Section to the
22 contrary, nothing in this Section shall prohibit the issuance,
23 renewal, or maintenance of a license authorizing the sale of
24 alcoholic liquor incidental to the sale of food within a
25 restaurant established in a premises that is located in a
26 municipality with a population in excess of 1,000,000

1 inhabitants and within 100 feet of a church if:

2 (1) the primary entrance of the church and the primary
3 entrance of the restaurant are at least 100 feet apart;

4 (2) the restaurant has operated on the ground floor
5 and lower level of a multi-story, multi-use building for
6 more than 40 years;

7 (3) the primary business of the restaurant consists of
8 the sale of food where the sale of liquor is incidental to
9 the sale of food;

10 (4) the sale of alcoholic liquor is conducted
11 primarily in the below-grade level of the restaurant to
12 which the only public access is by a staircase located
13 inside the restaurant; and

14 (5) the restaurant has held a license authorizing the
15 sale of alcoholic liquor on the premises for more than 40
16 years.

17 (s) Notwithstanding any provision of this Section to the
18 contrary, nothing in this Section shall prohibit renewal of a
19 license authorizing the sale of alcoholic liquor at a premises
20 that is located within a municipality with a population more
21 than 5,000 and less than 10,000 and is within 100 feet of a
22 church if:

23 (1) the church was established at the location within
24 100 feet of the premises after a license for the sale of
25 alcoholic liquor at the premises was first issued;

26 (2) a license for sale of alcoholic liquor at the

1 premises was first issued before January 1, 2007; and

2 (3) a license for the sale of alcoholic liquor on the
3 premises has been continuously in effect since January 1,
4 2007, except for interruptions between licenses of no more
5 than 90 days.

6 (t) Notwithstanding any provision of this Section to the
7 contrary, nothing in this Section shall prohibit the issuance
8 or renewal of a license authorizing the sale of alcoholic
9 liquor incidental to the sale of food within a restaurant that
10 is established in a premises that is located in a municipality
11 with a population in excess of 1,000,000 inhabitants and
12 within 100 feet of a school and a church if:

13 (1) the restaurant is located inside a five-story
14 building with over 16,800 square feet of commercial space;

15 (2) the area of the premises does not exceed 31,050
16 square feet;

17 (3) the area of the restaurant does not exceed 5,800
18 square feet;

19 (4) the building has no less than 78 condominium
20 units;

21 (5) the construction of the building in which the
22 restaurant is located was completed in 2006;

23 (6) the building has 10 storefront properties, 3 of
24 which are used for the restaurant;

25 (7) the restaurant will open for business in 2010;

26 (8) the building is north of the school and separated

1 by an alley; and

2 (9) the principal religious leader of the church and
3 either the alder ~~alderman~~ of the ward in which the school
4 is located or the principal of the school have delivered a
5 written statement to the local liquor control commissioner
6 stating that he or she does not object to the issuance of a
7 license under this subsection (t).

8 (u) Notwithstanding any provision in this Section to the
9 contrary, nothing in this Section shall prohibit the issuance
10 or renewal of a license to sell alcoholic liquor at a premises
11 that is located within a municipality with a population in
12 excess of 1,000,000 inhabitants and within 100 feet of a
13 school if:

14 (1) the premises operates as a restaurant and has been
15 in operation since February 2008;

16 (2) the applicant is the owner of the premises;

17 (3) the sale of alcoholic liquor is incidental to the
18 sale of food;

19 (4) the sale of alcoholic liquor is not the principal
20 business carried on by the licensee on the premises;

21 (5) the premises occupy the first floor of a 3-story
22 building that is at least 90 years old;

23 (6) the rear lot of the school and the rear corner of
24 the building that the premises occupy are separated by an
25 alley;

26 (7) the distance from the southwest corner of the

1 property line of the school and the northeast corner of
2 the building that the premises occupy is at least 16 feet,
3 5 inches;

4 (8) the distance from the rear door of the premises to
5 the southwest corner of the property line of the school is
6 at least 93 feet;

7 (9) the school is a City of Chicago School District
8 299 school;

9 (10) the school's main structure was erected in 1902
10 and an addition was built to the main structure in 1959;
11 and

12 (11) the principal of the school and the alder
13 ~~alderman~~ in whose district the premises are located have
14 expressed, in writing, their support for the issuance of
15 the license.

16 (v) 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 at a premises that is located within a municipality
20 with a population in excess of 1,000,000 inhabitants and is
21 within 100 feet of a school if:

22 (1) the total land area of the premises for which the
23 license or renewal is sought is more than 600,000 square
24 feet;

25 (2) the premises for which the license or renewal is
26 sought has more than 600 parking stalls;

1 (3) the total area of all buildings on the premises
2 for which the license or renewal is sought exceeds 140,000
3 square feet;

4 (4) the property line of the premises for which the
5 license or renewal is sought is separated from the
6 property line of the school by a street;

7 (5) the distance from the school's property line to
8 the property line of the premises for which the license or
9 renewal is sought is at least 60 feet;

10 (6) as of June 14, 2011 (the effective date of Public
11 Act 97-9), the premises for which the license or renewal
12 is sought is located in the Illinois Medical District.

13 (w) Notwithstanding any provision in this Section to the
14 contrary, nothing in this Section shall prohibit the issuance
15 or renewal of a license to sell alcoholic liquor at a premises
16 that is located within a municipality with a population in
17 excess of 1,000,000 inhabitants and within 100 feet of a
18 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 occupy the first floor and basement
24 of a 2-story building that is 106 years old;

25 (4) the premises is at least 7,000 square feet and
26 located on a lot that is at least 11,000 square feet;

1 (5) the premises is located directly west of the
2 church, on perpendicular streets, and separated by an
3 alley;

4 (6) the distance between the property line of the
5 premises and the property line of the church is at least 20
6 feet;

7 (7) the distance between the primary entrance of the
8 premises and the primary entrance of the church is at
9 least 130 feet; and

10 (8) the church has been at its location for at least 40
11 years.

12 (x) 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 at a premises that is located within a municipality
16 with a population in excess of 1,000,000 inhabitants and
17 within 100 feet of a church if:

18 (1) the sale of alcoholic liquor is not the principal
19 business carried on by the licensee at the premises;

20 (2) the church has been operating in its current
21 location since 1973;

22 (3) the premises has been operating in its current
23 location since 1988;

24 (4) the church and the premises are owned by the same
25 parish;

26 (5) the premises is used for cultural and educational

1 purposes;

2 (6) the primary entrance to the premises and the
3 primary entrance to the church are located on the same
4 street;

5 (7) the principal religious leader of the church has
6 indicated his support of the issuance of the license;

7 (8) the premises is a 2-story building of
8 approximately 23,000 square feet; and

9 (9) the premises houses a ballroom on its ground floor
10 of approximately 5,000 square feet.

11 (y) 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 sale of alcoholic liquor at the premises is
20 incidental to the sale of food;

21 (3) according to the municipality, the distance
22 between the east property line of the premises and the
23 west property line of the school is 97.8 feet;

24 (4) the school is a City of Chicago School District
25 299 school;

26 (5) the school has been operating since 1959;

1 (6) the primary entrance to the premises and the
2 primary entrance to the school are located on the same
3 street;

4 (7) the street on which the entrances of the premises
5 and the school are located is a major diagonal
6 thoroughfare;

7 (8) the premises is a single-story building of
8 approximately 2,900 square feet; and

9 (9) the premises is used for commercial purposes only.

10 (z) 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 at a premises that is located within a municipality
14 with a population in excess of 1,000,000 inhabitants and
15 within 100 feet of a mosque if:

16 (1) the sale of alcoholic liquor is not the principal
17 business carried on by the licensee at the premises;

18 (2) the licensee shall only sell packaged liquors at
19 the premises;

20 (3) the licensee is a national retail chain having
21 over 100 locations within the municipality;

22 (4) the licensee has over 8,000 locations nationwide;

23 (5) the licensee has locations in all 50 states;

24 (6) the premises is located in the North-East quadrant
25 of the municipality;

26 (7) the premises is a free-standing building that has

1 "drive-through" pharmacy service;

2 (8) the premises has approximately 14,490 square feet
3 of retail space;

4 (9) the premises has approximately 799 square feet of
5 pharmacy space;

6 (10) the premises is located on a major arterial
7 street that runs east-west and accepts truck traffic; and

8 (11) the alder ~~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 (aa) 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 church 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 at
20 the premises;

21 (3) the licensee is a national retail chain having
22 over 100 locations within the municipality;

23 (4) the licensee has over 8,000 locations nationwide;

24 (5) the licensee has locations in all 50 states;

25 (6) the premises is located in the North-East quadrant
26 of the municipality;

1 (7) the premises is located across the street from a
2 national grocery chain outlet;

3 (8) the premises has approximately 16,148 square feet
4 of retail space;

5 (9) the premises has approximately 992 square feet of
6 pharmacy space;

7 (10) the premises is located on a major arterial
8 street that runs north-south and accepts truck traffic;
9 and

10 (11) the alder ~~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.

13 (bb) 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 a premises that is located within a municipality
17 with a population in excess of 1,000,000 inhabitants and
18 within 100 feet of a church if:

19 (1) the sale of alcoholic liquor is not the principal
20 business carried on by the licensee at the premises;

21 (2) the sale of alcoholic liquor at the premises is
22 incidental to the sale of food;

23 (3) the primary entrance to the premises and the
24 primary entrance to the church are located on the same
25 street;

26 (4) the premises is across the street from the church;

1 (5) the street on which the premises and the church
2 are located is a major arterial street that runs
3 east-west;

4 (6) the church is an elder-led and Bible-based
5 Assyrian church;

6 (7) the premises and the church are both single-story
7 buildings;

8 (8) the storefront directly west of the church is
9 being used as a restaurant; and

10 (9) the distance between the northern-most property
11 line of the premises and the southern-most property line
12 of the church is 65 feet.

13 (cc) 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 a premises that is located within a municipality
17 with a population in excess of 1,000,000 inhabitants and
18 within 100 feet of a school if:

19 (1) the sale of alcoholic liquor is not the principal
20 business carried on by the licensee at the premises;

21 (2) the licensee shall only sell packaged liquors at
22 the premises;

23 (3) the licensee is a national retail chain;

24 (4) as of October 25, 2011, the licensee has 1,767
25 stores operating nationwide, 87 stores operating in the
26 State, and 10 stores operating within the municipality;

1 (5) the licensee shall occupy approximately 124,000
2 square feet of space in the basement and first and second
3 floors of a building located across the street from a
4 school;

5 (6) the school opened in August of 2009 and occupies
6 approximately 67,000 square feet of space; and

7 (7) the building in which the premises shall be
8 located has been listed on the National Register of
9 Historic Places since April 17, 1970.

10 (dd) Notwithstanding any provision in 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 a premises that
14 is located within a municipality with a population in excess
15 of 1,000,000 inhabitants and is within 100 feet of a school if:

16 (1) the premises is constructed on land that was
17 purchased from the municipality at a fair market price;

18 (2) the premises is constructed on land that was
19 previously used as a parking facility for public safety
20 employees;

21 (3) the sale of alcoholic liquor is not the principal
22 business carried on by the licensee at the premises;

23 (4) the main entrance to the store is more than 100
24 feet from the main entrance to the school;

25 (5) the premises is to be new construction;

26 (6) the school is a private school;

1 (7) the principal of the school has given written
2 approval for the license;

3 (8) the alder ~~alderman~~ of the ward where the premises
4 is located has given written approval of the issuance of
5 the license;

6 (9) the grocery store level of the premises is between
7 60,000 and 70,000 square feet; and

8 (10) the owner and operator of the grocery store
9 operates 2 other grocery stores that have alcoholic liquor
10 licenses within the same municipality.

11 (ee) 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 within a full-service grocery store at a premises that
15 is located within a municipality with a population in excess
16 of 1,000,000 inhabitants and is within 100 feet of a school if:

17 (1) the premises is constructed on land that once
18 contained an industrial steel facility;

19 (2) the premises is located on land that has undergone
20 environmental remediation;

21 (3) the premises is located within a retail complex
22 containing retail stores where some of the stores sell
23 alcoholic beverages;

24 (4) the principal activity of any restaurant in the
25 retail complex is the sale of food, and the sale of
26 alcoholic liquor is incidental to the sale of food;

1 (5) the sale of alcoholic liquor is not the principal
2 business carried on by the grocery store;

3 (6) the entrance to any business that sells alcoholic
4 liquor is more than 100 feet from the entrance to the
5 school;

6 (7) the alder ~~alderman~~ of the ward where the premises
7 is located has given written approval of the issuance of
8 the license; and

9 (8) the principal of the school has given written
10 consent to the issuance of the license.

11 (ff) 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 at the premises;

19 (2) the sale of alcoholic liquor at the premises is
20 incidental to the operation of a theater;

21 (3) the premises is a one and one-half-story building
22 of approximately 10,000 square feet;

23 (4) the school is a City of Chicago School District
24 299 school;

25 (5) the primary entrance of the premises and the
26 primary entrance of the school are at least 300 feet apart

1 and no more than 400 feet apart;

2 (6) the alder ~~alderman~~ of the ward in which the
3 premises is located has expressed, in writing, his support
4 for the issuance of the license; and

5 (7) the principal of the school has expressed, in
6 writing, that there is no objection to the issuance of a
7 license under this subsection (ff).

8 (gg) 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 incidental to the sale of food within a restaurant or
12 banquet facility established in a premises that is located in
13 a municipality with a population in excess of 1,000,000
14 inhabitants and within 100 feet of a church if:

15 (1) the sale of alcoholic liquor is not the principal
16 business carried on by the licensee at the premises;

17 (2) the property on which the church is located and
18 the property on which the premises are located are both
19 within a district originally listed on the National
20 Register of Historic Places on February 14, 1979;

21 (3) the property on which the premises are located
22 contains one or more multi-story buildings that are at
23 least 95 years old and have no more than three stories;

24 (4) the building in which the church is located is at
25 least 120 years old;

26 (5) the property on which the church is located is

1 immediately adjacent to and west of the property on which
2 the premises are located;

3 (6) the western boundary of the property on which the
4 premises are located is no less than 118 feet in length and
5 no more than 122 feet in length;

6 (7) as of December 31, 2012, both the church property
7 and the property on which the premises are located are
8 within 250 feet of City of Chicago Business-Residential
9 Planned Development Number 38;

10 (8) the principal religious leader at the place of
11 worship has indicated his or her support for the issuance
12 of the license in writing; and

13 (9) the alder ~~alderman~~ in whose district the premises
14 are located has expressed his or her support for the
15 issuance of the license in writing.

16 For the purposes of this subsection, "banquet facility"
17 means the part of the building that is located on the floor
18 above a restaurant and caters to private parties and where the
19 sale of alcoholic liquors is not the principal business.

20 (hh) 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 within a hotel and at an outdoor patio area attached to
24 the hotel that are located in a municipality with a population
25 in excess of 1,000,000 inhabitants and that are within 100
26 feet of a hospital if:

1 (1) the sale of alcoholic liquor is not the principal
2 business carried on by the licensee at the hotel;

3 (2) the hotel is located within the City of Chicago
4 Business Planned Development Number 468; and

5 (3) the hospital is located within the City of Chicago
6 Institutional Planned Development Number 3.

7 (ii) Notwithstanding any provision of this Section to the
8 contrary, nothing in this Section shall prohibit the issuance
9 or renewal of a license authorizing the sale of alcoholic
10 liquor within a restaurant and at an outdoor patio area
11 attached to the restaurant that are located in a municipality
12 with a population in excess of 1,000,000 inhabitants and that
13 are within 100 feet of a church if:

14 (1) the sale of alcoholic liquor at the premises is
15 not the principal business carried on by the licensee and
16 is incidental to the sale of food;

17 (2) the restaurant has been operated on the street
18 level of a 2-story building located on a corner lot since
19 2008;

20 (3) the restaurant is between 3,700 and 4,000 square
21 feet and sits on a lot that is no more than 6,200 square
22 feet;

23 (4) the primary entrance to the restaurant and the
24 primary entrance to the church are located on the same
25 street;

26 (5) the street on which the restaurant and the church

1 are located is a major east-west street;

2 (6) the restaurant and the church are separated by a
3 one-way northbound street;

4 (7) the church is located to the west of and no more
5 than 65 feet from the restaurant; and

6 (8) the principal religious leader at the place of
7 worship has indicated his or her consent to the issuance
8 of the license in writing.

9 (jj) Notwithstanding any provision of this Section to the
10 contrary, nothing in this Section shall prohibit the issuance
11 or renewal of a license authorizing the sale of alcoholic
12 liquor at premises located within a municipality with a
13 population in excess of 1,000,000 inhabitants and within 100
14 feet of a church if:

15 (1) the sale of alcoholic liquor is not the principal
16 business carried on by the licensee at the premises;

17 (2) the sale of alcoholic liquor is incidental to the
18 sale of food;

19 (3) the premises are located east of the church, on
20 perpendicular streets, and separated by an alley;

21 (4) the distance between the primary entrance of the
22 premises and the primary entrance of the church is at
23 least 175 feet;

24 (5) the distance between the property line of the
25 premises and the property line of the church is at least 40
26 feet;

1 (6) the licensee has been operating at the premises
2 since 2012;

3 (7) the church was constructed in 1904;

4 (8) the alder ~~alderman~~ of the ward in which the
5 premises is located has expressed, in writing, his or her
6 support for the issuance of the license; and

7 (9) the principal religious leader of the church has
8 delivered a written statement that he or she does not
9 object to the issuance of a license under this subsection
10 (jj).

11 (kk) 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 169,048
26 square feet of space within a building that is located

1 across the street from a tuition-based preschool; and

2 (6) the alder ~~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 (11) 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 at a premises that is located within a municipality
9 with a population in excess of 1,000,000 inhabitants and
10 within 100 feet of a school if:

11 (1) the sale of alcoholic liquor is not the principal
12 business carried on by the licensee at the premises;

13 (2) the licensee shall only sell packaged liquors on
14 the premises;

15 (3) the licensee is a national retail chain;

16 (4) as of February 27, 2013, the licensee had 1,778
17 stores operating nationwide, 89 operating in this State,
18 and 11 stores operating within the municipality;

19 (5) the licensee shall occupy approximately 191,535
20 square feet of space within a building that is located
21 across the street from an elementary school; and

22 (6) the alder ~~alderman~~ of the ward in which the
23 premises is located has expressed, in writing, his or her
24 support for the issuance of the license.

25 (mm) 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 within premises and at an outdoor patio or sidewalk
3 cafe, or both, attached to premises that are located in a
4 municipality with a population in excess of 1,000,000
5 inhabitants and that are within 100 feet of a hospital if:

6 (1) the primary business of the restaurant consists of
7 the sale of food where the sale of liquor is incidental to
8 the sale of food;

9 (2) as a restaurant, the premises may or may not offer
10 catering as an incidental part of food service;

11 (3) the primary business of the restaurant is
12 conducted in space owned by a hospital or an entity owned
13 or controlled by, under common control with, or that
14 controls a hospital, and the chief hospital administrator
15 has expressed his or her support for the issuance of the
16 license in writing; and

17 (4) the hospital is an adult acute care facility
18 primarily located within the City of Chicago Institutional
19 Planned Development Number 3.

20 (nn) 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 premises that is located within a municipality
24 with a population in excess of 1,000,000 inhabitants and
25 within 100 feet of a church if:

26 (1) the sale of alcoholic liquor is not the principal

1 business carried out on the premises;

2 (2) the sale of alcoholic liquor at the premises is
3 incidental to the operation of a theater;

4 (3) the premises are a building that was constructed
5 in 1913 and opened on May 24, 1915 as a vaudeville theater,
6 and the premises were converted to a motion picture
7 theater in 1935;

8 (4) the church was constructed in 1889 with a stone
9 exterior;

10 (5) the primary entrance of the premises and the
11 primary entrance of the church are at least 100 feet
12 apart;

13 (6) the principal religious leader at the place of
14 worship has indicated his or her consent to the issuance
15 of the license in writing; and

16 (7) the alder ~~alderman~~ in whose ward the premises are
17 located has expressed his or her support for the issuance
18 of the license in writing.

19 (oo) 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 mosque, church, or other place of worship
25 if:

26 (1) the primary entrance of the premises and the

1 primary entrance of the mosque, church, or other place of
2 worship are perpendicular and are on different streets;

3 (2) the primary entrance to the premises faces West
4 and the primary entrance to the mosque, church, or other
5 place of worship faces South;

6 (3) the distance between the 2 primary entrances is at
7 least 100 feet;

8 (4) the mosque, church, or other place of worship was
9 established in a location within 100 feet of the premises
10 after a license for the sale of alcohol at the premises was
11 first issued;

12 (5) the mosque, church, or other place of worship was
13 established on or around January 1, 2011;

14 (6) a license for the sale of alcohol at the premises
15 was first issued on or before January 1, 1985;

16 (7) a license for the sale of alcohol at the premises
17 has been continuously in effect since January 1, 1985,
18 except for interruptions between licenses of no more than
19 90 days; and

20 (8) the premises are a single-story, single-use
21 building of at least 3,000 square feet and no more than
22 3,380 square feet.

23 (pp) 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 incidental to the sale of food within a restaurant or

1 banquet facility established on premises that are located in a
2 municipality with a population in excess of 1,000,000
3 inhabitants and within 100 feet of at least one church if:

4 (1) the sale of liquor shall not be the principal
5 business carried on by the licensee at the premises;

6 (2) the premises are at least 2,000 square feet and no
7 more than 10,000 square feet and is located in a
8 single-story building;

9 (3) the property on which the premises are located is
10 within an area that, as of 2009, was designated as a
11 Renewal Community by the United States Department of
12 Housing and Urban Development;

13 (4) the property on which the premises are located and
14 the properties on which the churches are located are on
15 the same street;

16 (5) the property on which the premises are located is
17 immediately adjacent to and east of the property on which
18 at least one of the churches is located;

19 (6) the property on which the premises are located is
20 across the street and southwest of the property on which
21 another church is located;

22 (7) the principal religious leaders of the churches
23 have indicated their support for the issuance of the
24 license in writing; and

25 (8) the alder ~~alderman~~ in whose ward the premises are
26 located has expressed his or her support for the issuance

1 of the license in writing.

2 For purposes of this subsection (pp), "banquet facility"
3 means the part of the building that caters to private parties
4 and where the sale of alcoholic liquors is not the principal
5 business.

6 (qq) Notwithstanding any provision of this Section to the
7 contrary, nothing in this Section shall prohibit the issuance
8 or renewal of a license authorizing the sale of alcoholic
9 liquor on premises that are located within a municipality with
10 a population in excess of 1,000,000 inhabitants and within 100
11 feet of a church or school if:

12 (1) the primary entrance of the premises and the
13 closest entrance of the church or school are at least 200
14 feet apart and no greater than 300 feet apart;

15 (2) the shortest distance between the premises and the
16 church or school is at least 66 feet apart and no greater
17 than 81 feet apart;

18 (3) the premises are a single-story, steel-framed
19 commercial building with at least 18,042 square feet, and
20 was constructed in 1925 and 1997;

21 (4) the owner of the business operated within the
22 premises has been the general manager of a similar
23 supermarket within one mile from the premises, which has
24 had a valid license authorizing the sale of alcoholic
25 liquor since 2002, and is in good standing with the City of
26 Chicago;

1 (5) the principal religious leader at the place of
2 worship has indicated his or her support to the issuance
3 or renewal of the license in writing;

4 (6) the alder ~~alderman~~ of the ward has indicated his
5 or her support to the issuance or renewal of the license in
6 writing; and

7 (7) the principal of the school has indicated his or
8 her support to the issuance or renewal of the license in
9 writing.

10 (rr) 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 at premises located within a municipality with a
14 population in excess of 1,000,000 inhabitants and within 100
15 feet of a club that leases space to a school if:

16 (1) the sale of alcoholic liquor is not the principal
17 business carried out on the premises;

18 (2) the sale of alcoholic liquor at the premises is
19 incidental to the operation of a grocery store;

20 (3) the premises are a building of approximately 1,750
21 square feet and is rented by the owners of the grocery
22 store from a family member;

23 (4) the property line of the premises is approximately
24 68 feet from the property line of the club;

25 (5) the primary entrance of the premises and the
26 primary entrance of the club where the school leases space

1 are at least 100 feet apart;

2 (6) the director of the club renting space to the
3 school has indicated his or her consent to the issuance of
4 the license in writing; and

5 (7) the alder ~~alderman~~ in whose district the premises
6 are located has expressed his or her support for the
7 issuance of the license in writing.

8 (ss) 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 located within a 15 unit building
15 with 13 residential apartments and 2 commercial spaces,
16 and the licensee will occupy both commercial spaces;

17 (2) a restaurant has been operated on the premises
18 since June 2011;

19 (3) the restaurant currently occupies 1,075 square
20 feet, but will be expanding to include 975 additional
21 square feet;

22 (4) the sale of alcoholic liquor is not the principal
23 business carried on by the licensee at the premises;

24 (5) the premises are located south of the church and
25 on the same street and are separated by a one-way
26 westbound street;

1 (6) the primary entrance of the premises is at least
2 93 feet from the primary entrance of the church;

3 (7) the shortest distance between any part of the
4 premises and any part of the church is at least 72 feet;

5 (8) the building in which the restaurant is located
6 was built in 1910;

7 (9) the alder ~~alderman~~ of the ward in which the
8 premises are located has expressed, in writing, his or her
9 support for the issuance of the license; and

10 (10) the principal religious leader of the church has
11 delivered a written statement that he or she does not
12 object to the issuance of a license under this subsection
13 (ss).

14 (tt) 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 sale of alcoholic liquor is not the principal
21 business carried on by the licensee at the premises;

22 (2) the sale of alcoholic liquor is incidental to the
23 sale of food;

24 (3) the sale of alcoholic liquor at the premises was
25 previously authorized by a package goods liquor license;

26 (4) the premises are at least 40,000 square feet with

1 25 parking spaces in the contiguous surface lot to the
2 north of the store and 93 parking spaces on the roof;

3 (5) the shortest distance between the lot line of the
4 parking lot of the premises and the exterior wall of the
5 church is at least 80 feet;

6 (6) the distance between the building in which the
7 church is located and the building in which the premises
8 are located is at least 180 feet;

9 (7) the main entrance to the church faces west and is
10 at least 257 feet from the main entrance of the premises;
11 and

12 (8) the applicant is the owner of 10 similar grocery
13 stores within the City of Chicago and the surrounding area
14 and has been in business for more than 30 years.

15 (uu) 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 operation of a grocery store;

25 (3) the premises are located in a building that is
26 approximately 68,000 square feet with 157 parking spaces

1 on property that was previously vacant land;

2 (4) the main entrance to the church faces west and is
3 at least 500 feet from the entrance of the premises, which
4 faces north;

5 (5) the church and the premises are separated by an
6 alley;

7 (6) the applicant is the owner of 9 similar grocery
8 stores in the City of Chicago and the surrounding area and
9 has been in business for more than 40 years; and

10 (7) the alder ~~alderman~~ of the ward in which the
11 premises are located has expressed, in writing, his or her
12 support for the issuance of the license.

13 (vv) 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 is the principal
20 business carried on by the licensee at the premises;

21 (2) the sale of alcoholic liquor is primary to the
22 sale of food;

23 (3) the premises are located south of the church and
24 on perpendicular streets and are separated by a driveway;

25 (4) the primary entrance of the premises is at least
26 100 feet from the primary entrance of the church;

1 (5) the shortest distance between any part of the
2 premises and any part of the church is at least 15 feet;

3 (6) the premises are less than 100 feet from the
4 church center, but greater than 100 feet from the area
5 within the building where church services are held;

6 (7) the premises are 25,830 square feet and sit on a
7 lot that is 0.48 acres;

8 (8) the premises were once designated as a Korean
9 American Presbyterian Church and were once used as a
10 Masonic Temple;

11 (9) the premises were built in 1910;

12 (10) the alder ~~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; and

15 (11) the principal religious leader of the church has
16 delivered a written statement that he or she does not
17 object to the issuance of a license under this subsection
18 (vv).

19 For the purposes of this subsection (vv), "premises" means
20 a place of business together with a privately owned outdoor
21 location that is adjacent to the place of business.

22 (wv) 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 school if:

2 (1) the school is located within Sub Area III of City
3 of Chicago Residential-Business Planned Development Number
4 523, as amended; and

5 (2) the premises are located within Sub Area I, Sub
6 Area II, or Sub Area IV of City of Chicago
7 Residential-Business Planned Development Number 523, as
8 amended.

9 (xx) Notwithstanding any provision of this Section to the
10 contrary, nothing in this Section shall prohibit the issuance
11 or renewal of a license authorizing the sale of alcoholic
12 liquor at premises located within a municipality with a
13 population in excess of 1,000,000 inhabitants and within 100
14 feet of a church if:

15 (1) the sale of wine or wine-related products is the
16 exclusive business carried on by the licensee at the
17 premises;

18 (2) the primary entrance of the premises and the
19 primary entrance of the church are at least 100 feet apart
20 and are located on different streets;

21 (3) the building in which the premises are located and
22 the building in which the church is located are separated
23 by an alley;

24 (4) the premises consists of less than 2,000 square
25 feet of floor area dedicated to the sale of wine or
26 wine-related products;

1 (5) the premises are located on the first floor of a
2 2-story building that is at least 99 years old and has a
3 residential unit on the second floor; and

4 (6) the principal religious leader at the church has
5 indicated his or her support for the issuance or renewal
6 of the license in writing.

7 (yy) Notwithstanding any provision of this Section to the
8 contrary, nothing in this Section shall prohibit the issuance
9 or renewal of a license authorizing the sale of alcoholic
10 liquor at premises located within a municipality with a
11 population in excess of 1,000,000 inhabitants and within 100
12 feet of a church if:

13 (1) the premises are a 27-story hotel containing 191
14 guest rooms;

15 (2) the sale of alcoholic liquor is not the principal
16 business carried on by the licensee at the premises and is
17 limited to a restaurant located on the first floor of the
18 hotel;

19 (3) the hotel is adjacent to the church;

20 (4) the site is zoned as DX-16;

21 (5) 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 (yy); and

25 (6) the alder ~~alderman~~ of the ward in which the
26 premises are located has expressed, in writing, his or her

1 support for the issuance of the license.

2 (zz) 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 church if:

8 (1) the premises are a 15-story hotel containing 143
9 guest rooms;

10 (2) the premises are approximately 85,691 square feet;

11 (3) a restaurant is operated on the premises;

12 (4) the restaurant is located in the first floor lobby
13 of the hotel;

14 (5) the sale of alcoholic liquor is not the principal
15 business carried on by the licensee at the premises;

16 (6) the hotel is located approximately 50 feet from
17 the church and is separated from the church by a public
18 street on the ground level and by air space on the upper
19 level, which is where the public entrances are located;

20 (7) the site is zoned as DX-16;

21 (8) 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 (zz); and

25 (9) the alder ~~alderman~~ of the ward in which the
26 premises are located has expressed, in writing, his or her

1 support for the issuance of the license.

2 (aaa) Notwithstanding any provision in 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 within a full-service grocery store at premises located
6 within a municipality with a population in excess of 1,000,000
7 inhabitants and within 100 feet of a school if:

8 (1) the sale of alcoholic liquor is not the primary
9 business activity of the grocery store;

10 (2) the premises are newly constructed on land that
11 was formerly used by the Young Men's Christian
12 Association;

13 (3) the grocery store is located within a planned
14 development that was approved by the municipality in 2007;

15 (4) the premises are located in a multi-building,
16 mixed-use complex;

17 (5) the entrance to the grocery store is located more
18 than 200 feet from the entrance to the school;

19 (6) the entrance to the grocery store is located
20 across the street from the back of the school building,
21 which is not used for student or public access;

22 (7) the grocery store executed a binding lease for the
23 property in 2008;

24 (8) the premises consist of 2 levels and occupy more
25 than 80,000 square feet;

26 (9) the owner and operator of the grocery store

1 operates at least 10 other grocery stores that have
2 alcoholic liquor licenses within the same municipality;
3 and

4 (10) the director of the school has expressed, in
5 writing, his or her support for the issuance of the
6 license.

7 (bbb) Notwithstanding any provision of this Section to the
8 contrary, nothing in this Section shall prohibit the issuance
9 or renewal of a license authorizing the sale of alcoholic
10 liquor at premises located within a municipality with a
11 population in excess of 1,000,000 inhabitants and within 100
12 feet of a church if:

13 (1) the sale of alcoholic liquor at the premises is
14 incidental to the sale of food;

15 (2) the premises are located in a single-story
16 building of primarily brick construction containing at
17 least 6 commercial units constructed before 1940;

18 (3) the premises are located in a B3-2 zoning
19 district;

20 (4) the premises are less than 4,000 square feet;

21 (5) the church established its congregation in 1891
22 and completed construction of the church building in 1990;

23 (6) the premises are located south of the church;

24 (7) the premises and church are located on the same
25 street and are separated by a one-way westbound street;

26 and

1 (8) the principal religious leader of the church has
2 not indicated his or her opposition to the issuance or
3 renewal of the license in writing.

4 (ccc) Notwithstanding any provision of this Section to the
5 contrary, nothing in this Section shall prohibit the issuance
6 or renewal of a license authorizing the sale of alcoholic
7 liquor within a full-service grocery store at premises located
8 within a municipality with a population in excess of 1,000,000
9 inhabitants and within 100 feet of a church and school if:

10 (1) as of March 14, 2007, the premises are located in a
11 City of Chicago Residential-Business Planned Development
12 No. 1052;

13 (2) the sale of alcoholic liquor is not the principal
14 business carried on by the licensee at the premises;

15 (3) the sale of alcoholic liquor is incidental to the
16 operation of a grocery store and comprises no more than
17 10% of the total in-store sales;

18 (4) the owner and operator of the grocery store
19 operates at least 10 other grocery stores that have
20 alcoholic liquor licenses within the same municipality;

21 (5) the premises are new construction when the license
22 is first issued;

23 (6) the constructed premises are to be no less than
24 50,000 square feet;

25 (7) the school is a private church-affiliated school;

26 (8) the premises and the property containing the

1 church and church-affiliated school are located on
2 perpendicular streets and the school and church are
3 adjacent to one another;

4 (9) the pastor of the church and school has expressed,
5 in writing, support for the issuance of the license; and

6 (10) the alder ~~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 (ddd) Notwithstanding any provision of this Section to the
10 contrary, nothing in this Section shall prohibit the issuance
11 or renewal of a license authorizing the sale of alcoholic
12 liquor at premises located within a municipality with a
13 population in excess of 1,000,000 inhabitants and within 100
14 feet of a church or school if:

15 (1) the business has been issued a license from the
16 municipality to allow the business to operate a theater on
17 the premises;

18 (2) the theater has less than 200 seats;

19 (3) the premises are approximately 2,700 to 3,100
20 square feet of space;

21 (4) the premises are located to the north of the
22 church;

23 (5) the primary entrance of the premises and the
24 primary entrance of any church within 100 feet of the
25 premises are located either on a different street or
26 across a right-of-way from the premises;

1 (6) the primary entrance of the premises and the
2 primary entrance of any school within 100 feet of the
3 premises are located either on a different street or
4 across a right-of-way from the premises;

5 (7) the premises are located in a building that is at
6 least 100 years old; and

7 (8) any church or school located within 100 feet of
8 the premises has indicated its support for the issuance or
9 renewal of the license to the premises in writing.

10 (eee) 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 at premises located within a municipality with a
14 population in excess of 1,000,000 inhabitants and within 100
15 feet of a church and school if:

16 (1) the sale of alcoholic liquor is incidental to the
17 sale of food;

18 (2) the sale of alcoholic liquor is not the principal
19 business carried on by the applicant on the premises;

20 (3) a family-owned restaurant has operated on the
21 premises since 1957;

22 (4) the premises occupy the first floor of a 3-story
23 building that is at least 90 years old;

24 (5) the distance between the property line of the
25 premises and the property line of the church is at least 20
26 feet;

1 (6) the church was established at its current location
2 and the present structure was erected before 1900;

3 (7) the primary entrance of the premises is at least
4 75 feet from the primary entrance of the church;

5 (8) the school is affiliated with the church;

6 (9) the principal religious leader at the place of
7 worship has indicated his or her support for the issuance
8 of the license in writing;

9 (10) the principal of the school has indicated in
10 writing that he or she is not opposed to the issuance of
11 the license; and

12 (11) the alder ~~alderman~~ of the ward in which the
13 premises are located has expressed, in writing, his or her
14 lack of an objection to the issuance of the license.

15 (fff) 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 at the premises is
24 incidental to the operation of a grocery store;

25 (3) the premises are a one-story building containing
26 approximately 10,000 square feet and are rented by the

1 owners of the grocery store;

2 (4) the sale of alcoholic liquor at the premises
3 occurs in a retail area of the grocery store that is
4 approximately 3,500 square feet;

5 (5) the grocery store has operated at the location
6 since 1984;

7 (6) the grocery store is closed on Sundays;

8 (7) the property on which the premises are located is
9 a corner lot that is bound by 3 streets and an alley, where
10 one street is a one-way street that runs north-south, one
11 street runs east-west, and one street runs
12 northwest-southeast;

13 (8) the property line of the premises is approximately
14 16 feet from the property line of the building where the
15 church is located;

16 (9) the premises are separated from the building
17 containing the church by a public alley;

18 (10) the primary entrance of the premises and the
19 primary entrance of the church are at least 100 feet
20 apart;

21 (11) representatives of the church have delivered a
22 written statement that the church does not object to the
23 issuance of a license under this subsection (fff); and

24 (12) the alder ~~alderman~~ of the ward in which the
25 grocery store is located has expressed, in writing, his or
26 her support for the issuance of the license.

1 (ggg) Notwithstanding any provision of this Section to the
2 contrary, nothing in this Section shall prohibit the issuance
3 or renewal of licenses authorizing the sale of alcoholic
4 liquor within a restaurant or lobby coffee house at premises
5 located within a municipality with a population in excess of
6 1,000,000 inhabitants and within 100 feet of a church and
7 school if:

8 (1) a residential retirement home formerly operated on
9 the premises and the premises are being converted into a
10 new apartment living complex containing studio and
11 one-bedroom apartments with ground floor retail space;

12 (2) the restaurant and lobby coffee house are located
13 within a Community Shopping District within the
14 municipality;

15 (3) the premises are located in a single-building,
16 mixed-use complex that, in addition to the restaurant and
17 lobby coffee house, contains apartment residences, a
18 fitness center for the residents of the apartment
19 building, a lobby designed as a social center for the
20 residents, a rooftop deck, and a patio with a dog run for
21 the exclusive use of the residents;

22 (4) the sale of alcoholic liquor is not the primary
23 business activity of the apartment complex, restaurant, or
24 lobby coffee house;

25 (5) the entrance to the apartment residence is more
26 than 310 feet from the entrance to the school and church;

1 (6) the entrance to the apartment residence is located
2 at the end of the block around the corner from the south
3 side of the school building;

4 (7) the school is affiliated with the church;

5 (8) the pastor of the parish, principal of the school,
6 and the titleholder to the church and school have given
7 written consent to the issuance of the license;

8 (9) the alder ~~alderman~~ of the ward in which the
9 premises are located has given written consent to the
10 issuance of the license; and

11 (10) the neighborhood block club has given written
12 consent to the issuance of the license.

13 (hhh) Notwithstanding any provision of this Section to the
14 contrary, nothing in this Section shall prohibit the issuance
15 or renewal of a license to sell alcoholic liquor at premises
16 located within a municipality with a population in excess of
17 1,000,000 inhabitants and within 100 feet of a home for
18 indigent persons or a church if:

19 (1) a restaurant operates on the premises and has been
20 in operation since January of 2014;

21 (2) the sale of alcoholic liquor is incidental to the
22 sale of food;

23 (3) the sale of alcoholic liquor is not the principal
24 business carried on by the licensee on the premises;

25 (4) the premises occupy the first floor of a 3-story
26 building that is at least 100 years old;

1 (5) the primary entrance to the premises is more than
2 100 feet from the primary entrance to the home for
3 indigent persons, which opened in 1989 and is operated to
4 address homelessness and provide shelter;

5 (6) the primary entrance to the premises and the
6 primary entrance to the home for indigent persons are
7 located on different streets;

8 (7) the executive director of the home for indigent
9 persons has given written consent to the issuance of the
10 license;

11 (8) the entrance to the premises is located within 100
12 feet of a Buddhist temple;

13 (9) the entrance to the premises is more than 100 feet
14 from where any worship or educational programming is
15 conducted by the Buddhist temple and is located in an area
16 used only for other purposes; and

17 (10) the president and the board of directors of the
18 Buddhist temple have given written consent to the issuance
19 of the license.

20 (iii) 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 in excess of
24 1,000,000 inhabitants and within 100 feet of a home for the
25 aged if:

26 (1) the sale of alcoholic liquor is not the principal

1 business carried on by the licensee on the premises;

2 (2) the sale of alcoholic liquor at the premises is
3 incidental to the operation of a restaurant;

4 (3) the premises are on the ground floor of a
5 multi-floor, university-affiliated housing facility;

6 (4) the premises occupy 1,916 square feet of space,
7 with the total square footage from which liquor will be
8 sold, served, and consumed to be 900 square feet;

9 (5) the premises are separated from the home for the
10 aged by an alley;

11 (6) the primary entrance to the premises and the
12 primary entrance to the home for the aged are at least 500
13 feet apart and located on different streets;

14 (7) representatives of the home for the aged have
15 expressed, in writing, that the home does not object to
16 the issuance of a license under this subsection; and

17 (8) the alder ~~alderman~~ of the ward in which the
18 restaurant is located has expressed, in writing, his or
19 her support for the issuance of the license.

20 (jjj) 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 school if:

26 (1) as of January 1, 2016, the premises were used for

1 the sale of alcoholic liquor for consumption on the
2 premises and were authorized to do so pursuant to a retail
3 tavern license held by an individual as the sole
4 proprietor of the premises;

5 (2) the primary entrance to the school and the primary
6 entrance to the premises are on the same street;

7 (3) the school was founded in 1949;

8 (4) the building in which the premises are situated
9 was constructed before 1930;

10 (5) the building in which the premises are situated is
11 immediately across the street from the school; and

12 (6) the school has not indicated its opposition to the
13 issuance or renewal of the license in writing.

14 (kkk) (Blank).

15 (lll) 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 synagogue or school if:

21 (1) the sale of alcoholic liquor at the premises is
22 incidental to the sale of food;

23 (2) the sale of alcoholic liquor is not the principal
24 business carried on by the licensee at the premises;

25 (3) the premises are located on the same street on
26 which the synagogue or school is located;

1 (4) the primary entrance to the premises and the
2 closest entrance to the synagogue or school is at least
3 100 feet apart;

4 (5) the shortest distance between the premises and the
5 synagogue or school is at least 65 feet apart and no
6 greater than 70 feet apart;

7 (6) the premises are between 1,800 and 2,000 square
8 feet;

9 (7) the synagogue was founded in 1861; and

10 (8) the leader of the synagogue has indicated, in
11 writing, the synagogue's support for the issuance or
12 renewal of the license.

13 (mmm) Notwithstanding any provision of this Section to the
14 contrary, nothing in this Section shall prohibit the issuance
15 or renewal of licenses authorizing the sale of alcoholic
16 liquor within a restaurant or lobby coffee house at premises
17 located within a municipality with a population in excess of
18 1,000,000 inhabitants and within 100 feet of a church if:

19 (1) the sale of alcoholic liquor is not the principal
20 business carried on by the licensee at the premises;

21 (2) the sale of alcoholic liquor at the premises is
22 incidental to the sale of food in a restaurant;

23 (3) the restaurant has been run by the same family for
24 at least 19 consecutive years;

25 (4) the premises are located in a 3-story building in
26 the most easterly part of the first floor;

1 (5) the building in which the premises are located has
2 residential housing on the second and third floors;

3 (6) the primary entrance to the premises is on a
4 north-south street around the corner and across an alley
5 from the primary entrance to the church, which is on an
6 east-west street;

7 (7) the primary entrance to the church and the primary
8 entrance to the premises are more than 160 feet apart; and

9 (8) the church has expressed, in writing, its support
10 for the issuance of a license under this subsection.

11 (nnn) Notwithstanding any provision of this Section to the
12 contrary, nothing in this Section shall prohibit the issuance
13 or renewal of licenses authorizing the sale of alcoholic
14 liquor within a restaurant or lobby coffee house at premises
15 located within a municipality with a population in excess of
16 1,000,000 inhabitants and within 100 feet of a school and
17 church or synagogue if:

18 (1) the sale of alcoholic liquor is not the principal
19 business carried on by the licensee at the premises;

20 (2) the sale of alcoholic liquor at the premises is
21 incidental to the sale of food in a restaurant;

22 (3) the front door of the synagogue faces east on the
23 next north-south street east of and parallel to the
24 north-south street on which the restaurant is located
25 where the restaurant's front door faces west;

26 (4) the closest exterior pedestrian entrance that

1 leads to the school or the synagogue is across an
2 east-west street and at least 300 feet from the primary
3 entrance to the restaurant;

4 (5) the nearest church-related or school-related
5 building is a community center building;

6 (6) the restaurant is on the ground floor of a 3-story
7 building constructed in 1896 with a brick facade;

8 (7) the restaurant shares the ground floor with a
9 theater, and the second and third floors of the building
10 in which the restaurant is located consists of residential
11 housing;

12 (8) the leader of the synagogue and school has
13 expressed, in writing, that the synagogue does not object
14 to the issuance of a license under this subsection; and

15 (9) the alder ~~alderman~~ of the ward in which the
16 premises is located has expressed, in writing, his or her
17 support for the issuance of the license.

18 (ooo) 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 premises located within a municipality with a
22 population in excess of 2,000 but less than 5,000 inhabitants
23 in a county with a population in excess of 3,000,000 and within
24 100 feet of a home for the aged if:

25 (1) as of March 1, 2016, the premises were used to sell
26 alcohol pursuant to a retail tavern and packaged goods

1 license issued by the municipality and held by a limited
2 liability company as the proprietor of the premises;

3 (2) the home for the aged was completed in 2015;

4 (3) the home for the aged is a 5-story structure;

5 (4) the building in which the premises are situated is
6 directly adjacent to the home for the aged;

7 (5) the building in which the premises are situated
8 was constructed before 1950;

9 (6) the home for the aged has not indicated its
10 opposition to the issuance or renewal of the license; and

11 (7) the president of the municipality has expressed in
12 writing that he or she does not object to the issuance or
13 renewal of the license.

14 (ppp) 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 or churches if:

20 (1) the shortest distance between the premises and a
21 church is at least 78 feet apart and no greater than 95
22 feet apart;

23 (2) the premises are a single-story, brick commercial
24 building and between 3,600 to 4,000 square feet and the
25 original building was built before 1922;

26 (3) the premises are located in a B3-2 zoning

1 district;

2 (4) the premises are separated from the buildings
3 containing the churches by a street;

4 (5) the previous owners of the business located on the
5 premises held a liquor license for at least 10 years;

6 (6) the new owner of the business located on the
7 premises has managed 2 other food and liquor stores since
8 1997;

9 (7) the principal religious leaders at the places of
10 worship have indicated their support for the issuance or
11 renewal of the license in writing; and

12 (8) the alder ~~alderman~~ of the ward in which the
13 premises are located has indicated his or her support for
14 the issuance or renewal of the license in writing.

15 (qqq) 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 at the premises is
22 incidental to the sale of food;

23 (2) the sale of alcoholic liquor is not the principal
24 business carried on by the licensee at the premises;

25 (3) the premises are located on the opposite side of
26 the same street on which the church is located;

1 (4) the church is located on a corner lot;

2 (5) the shortest distance between the premises and the
3 church is at least 90 feet apart and no greater than 95
4 feet apart;

5 (6) the premises are at least 3,000 but no more than
6 5,000 square feet;

7 (7) the church's original chapel was built in 1858;

8 (8) the church's first congregation was organized in
9 1860; and

10 (9) the leaders of the church and the alder ~~alderman~~
11 of the ward in which the premises are located has
12 expressed, in writing, their support for the issuance of
13 the license.

14 (rrr) 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 a restaurant or banquet facility established within
18 premises located within a municipality with a population in
19 excess of 1,000,000 inhabitants and within 100 feet of a
20 church or school if:

21 (1) the sale of alcoholic liquor at the premises is
22 incidental to the sale of food;

23 (2) the sale of alcoholic liquor is not the principal
24 business carried on by the licensee at the premises;

25 (3) the immediately prior owner or the operator of the
26 restaurant or banquet facility held a valid retail license

1 authorizing the sale of alcoholic liquor at the premises
2 for at least part of the 24 months before a change of
3 ownership;

4 (4) the premises are located immediately east and
5 across the street from an elementary school;

6 (5) the premises and elementary school are part of an
7 approximately 100-acre campus owned by the church;

8 (6) the school opened in 1999 and was named after the
9 founder of the church; and

10 (7) the alder ~~alderman~~ of the ward in which the
11 premises are located has expressed, in writing, his or her
12 support for the issuance of the license.

13 (sss) 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 or school if:

19 (1) the premises are at least 5,300 square feet and
20 located in a building that was built prior to 1940;

21 (2) the shortest distance between the property line of
22 the premises and the exterior wall of the building in
23 which the church is located is at least 109 feet;

24 (3) the distance between the building in which the
25 church is located and the building in which the premises
26 are located is at least 118 feet;

1 (4) the main entrance to the church faces west and is
2 at least 602 feet from the main entrance of the premises;

3 (5) the shortest distance between the property line of
4 the premises and the property line of the school is at
5 least 177 feet;

6 (6) the applicant has been in business for more than
7 10 years;

8 (7) the principal religious leader of the church has
9 indicated his or her support for the issuance or renewal
10 of the license in writing;

11 (8) the principal of the school has indicated in
12 writing that he or she is not opposed to the issuance of
13 the license; and

14 (9) the alder ~~alderman~~ of the ward in which the
15 premises are located has expressed, in writing, his or her
16 support for the issuance of the license.

17 (ttt) 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 premises located within a municipality with a
21 population in excess of 1,000,000 inhabitants and within 100
22 feet of a church or school if:

23 (1) the premises are at least 59,000 square feet and
24 located in a building that was built prior to 1940;

25 (2) the shortest distance between the west property
26 line of the premises and the exterior wall of the church is

1 at least 99 feet;

2 (3) the distance between the building in which the
3 church is located and the building in which the premises
4 are located is at least 102 feet;

5 (4) the main entrance to the church faces west and is
6 at least 457 feet from the main entrance of the premises;

7 (5) the shortest distance between the property line of
8 the premises and the property line of the school is at
9 least 66 feet;

10 (6) the applicant has been in business for more than
11 10 years;

12 (7) the principal religious leader of the church has
13 indicated his or her support for the issuance or renewal
14 of the license in writing;

15 (8) 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 (9) the alder ~~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.

21 (uuu) 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 place of worship if:

1 (1) the sale of liquor is incidental to the sale of
2 food;

3 (2) the premises are at least 7,100 square feet;

4 (3) the shortest distance between the north property
5 line of the premises and the nearest exterior wall of the
6 place of worship is at least 86 feet;

7 (4) the main entrance to the place of worship faces
8 north and is more than 150 feet from the main entrance of
9 the premises;

10 (5) the applicant has been in business for more than
11 20 years at the location;

12 (6) the principal religious leader of the place of
13 worship has indicated his or her support for the issuance
14 or renewal of the license in writing; and

15 (7) the alder ~~alderman~~ of the ward in which the
16 premises are located has expressed, in writing, his or her
17 support for the issuance of the license.

18 (vvv) 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 premises located within a municipality with a
22 population in excess of 1,000,000 inhabitants and within 100
23 feet of 2 churches if:

24 (1) as of January 1, 2015, the premises were used for
25 the sale of alcoholic liquor for consumption on the
26 premises and the sale was authorized pursuant to a retail

1 tavern license held by an individual as the sole
2 proprietor of the premises;

3 (2) a primary entrance of the church situated to the
4 south of the premises is located on a street running
5 perpendicular to the street upon which a primary entrance
6 of the premises is situated;

7 (3) the church located to the south of the premises is
8 a 3-story structure that was constructed in 2006;

9 (4) a parking lot separates the premises from the
10 church located to the south of the premises;

11 (5) the building in which the premises are situated
12 was constructed before 1930;

13 (6) the building in which the premises are situated is
14 a 2-story, mixed-use commercial and residential structure
15 containing more than 20,000 total square feet and
16 containing at least 7 residential units on the second
17 floor and 3 commercial units on the first floor;

18 (7) the building in which the premises are situated is
19 immediately adjacent to the church located to the north of
20 the premises;

21 (8) the primary entrance of the church located to the
22 north of the premises and the primary entrance of the
23 premises are located on the same street;

24 (9) the churches have not indicated their opposition
25 to the issuance or renewal of the license in writing; and

26 (10) the alder ~~alderman~~ of the ward in which the

1 premises are located has expressed, in writing, his or her
2 support for the issuance of the license.

3 (www) Notwithstanding any provision of this Section to the
4 contrary, nothing in this Section shall prohibit the issuance
5 or renewal of licenses authorizing the sale of alcoholic
6 liquor within a restaurant at premises located within a
7 municipality with a population in excess of 1,000,000
8 inhabitants and within 100 feet of a school if:

9 (1) the sale of alcoholic liquor is incidental to the
10 sale of food and is not the principal business of the
11 restaurant;

12 (2) the building in which the restaurant is located
13 was constructed in 1909 and is a 2-story structure;

14 (3) the restaurant has been operating continuously
15 since 1962, has been located at the existing premises
16 since 1989, and has been owned and operated by the same
17 family, which also operates a deli in a building located
18 immediately to the east and adjacent and connected to the
19 restaurant;

20 (4) the entrance to the restaurant is more than 200
21 feet from the entrance to the school;

22 (5) the building in which the restaurant is located
23 and the building in which the school is located are
24 separated by a traffic-congested major street;

25 (6) the building in which the restaurant is located
26 faces a public park located to the east of the school,

1 cannot be seen from the windows of the school, and is not
2 directly across the street from the school;

3 (7) the school building is located 2 blocks from a
4 major private university;

5 (8) the school is a public school that has
6 pre-kindergarten through eighth grade classes, is an open
7 enrollment school, and has a preschool program that has
8 earned a Gold Circle of Quality award;

9 (9) the local school council has given written consent
10 for the issuance of the liquor license; and

11 (10) the alder ~~alderman~~ of the ward in which the
12 premises are located has given written consent for the
13 issuance of the liquor license.

14 (xxx) (Blank).

15 (yyy) Notwithstanding any provision in 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 a store that is 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 premises are primarily used for the sale of
22 alcoholic liquor;

23 (2) on January 1, 2017, the store was authorized to
24 sell alcoholic liquor pursuant to a package goods liquor
25 license;

26 (3) on January 1, 2017, the store occupied

1 approximately 5,560 square feet and will be expanded to
2 include 440 additional square feet for the purpose of
3 storage;

4 (4) the store was in existence before the church;

5 (5) the building in which the store is located was
6 built in 1956 and is immediately south of the church;

7 (6) the store and church are separated by an east-west
8 street;

9 (7) the owner of the store received his first liquor
10 license in 1986;

11 (8) the church has not indicated its opposition to the
12 issuance or renewal of the license in writing; and

13 (9) the alder ~~alderman~~ of the ward in which the store
14 is located has expressed his or her support for the
15 issuance or renewal of the license.

16 (zzz) 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 if:

22 (1) the premises are approximately 2,800 square feet
23 with east frontage on South Allport Street and north
24 frontage on West 18th Street in the City of Chicago;

25 (2) the shortest distance between the north property
26 line of the premises and the nearest exterior wall of the

1 church is 95 feet;

2 (3) the main entrance to the church is on West 18th
3 Street, faces south, and is more than 100 feet from the
4 main entrance to the premises;

5 (4) the sale of alcoholic liquor is incidental to the
6 sale of food in a restaurant;

7 (5) 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; and

10 (6) the alder ~~alderman~~ of the ward in which the
11 premises are located has indicated his or her support for
12 the issuance or renewal of the license in writing.

13 (aaaa) Notwithstanding any provision of this Section to
14 the contrary, nothing in this Section shall prohibit the
15 issuance or renewal of a license authorizing the sale of
16 alcoholic liquor at premises located within a municipality
17 with a population in excess of 1,000,000 inhabitants and
18 within 100 feet of a church if:

19 (1) the shortest distance between the premises and the
20 church is at least 65 feet apart and no greater than 70
21 feet apart;

22 (2) the premises are located on the ground floor of a
23 freestanding, 3-story building of brick construction with
24 2 stories of residential apartments above the premises;

25 (3) the premises are approximately 2,557 square feet;

26 (4) the premises and the church are located on

1 opposite corners and are separated by sidewalks and a
2 street;

3 (5) the sale of alcohol is not the principal business
4 carried on by the licensee at the premises;

5 (6) the pastor of the church has not indicated his or
6 her opposition to the issuance or renewal of the license
7 in writing; and

8 (7) the alder ~~alderman~~ of the ward in which the
9 premises are located has not indicated his or her
10 opposition to the issuance or renewal of the license in
11 writing.

12 (bbbb) Notwithstanding any other provision of this Section
13 to the contrary, nothing in this Section shall prohibit the
14 issuance or renewal of a license authorizing the sale of
15 alcoholic liquor at premises or an outdoor location at the
16 premises located within a municipality with a population in
17 excess of 1,000,000 inhabitants and that are within 100 feet
18 of a church or school if:

19 (1) the church was a Catholic cathedral on January 1,
20 2018;

21 (2) the church has been in existence for at least 150
22 years;

23 (3) the school is affiliated with the church;

24 (4) the premises are bordered by State Street on the
25 east, Superior Street on the south, Dearborn Street on the
26 west, and Chicago Avenue on the north;

1 (5) the premises are located within 2 miles of Lake
2 Michigan and the Chicago River;

3 (6) the premises are located in and adjacent to a
4 building for which construction commenced after January 1,
5 2018;

6 (7) the alder ~~alderman~~ who represents the district in
7 which the premises are located has written a letter of
8 support for the issuance of a license; and

9 (8) the principal religious leader of the church and
10 the principal of the school have both signed a letter of
11 support for the issuance of a license.

12 (cccc) Notwithstanding any other provision of this Section
13 to the contrary, nothing in this Section shall prohibit the
14 issuance or renewal of a license authorizing the sale of
15 alcoholic liquor within a restaurant at premises located
16 within a municipality with a population in excess of 1,000,000
17 inhabitants and within 100 feet of a school if:

18 (1) the sale of alcoholic liquor is incidental to the
19 sale of food and is not the principal business of the
20 restaurant;

21 (2) the building in which the restaurant is located
22 was constructed in 1912 and is a 3-story structure;

23 (3) the restaurant has been in operation since 2015
24 and its entrance faces North Western Avenue;

25 (4) the entrance to the school faces West Augusta
26 Boulevard;

1 (5) the entrance to the restaurant is more than 100
2 feet from the entrance to the school;

3 (6) the school is a Catholic school affiliated with
4 the nearby Catholic Parish church;

5 (7) the building in which the restaurant is located
6 and the building in which the school is located are
7 separated by an alley;

8 (8) the principal of the school has not indicated his
9 or her opposition to the issuance or renewal of the
10 license in writing; and

11 (9) the alder ~~alderman~~ of the ward in which the
12 restaurant is located has expressed his or her support for
13 the issuance or renewal of the license.

14 (dddd) Notwithstanding any provision of this Section to
15 the contrary, nothing in this Section shall prohibit the
16 issuance or renewal of a license authorizing the sale of
17 alcoholic liquor at premises located within a municipality
18 with a population in excess of 1,000,000 inhabitants and
19 within 100 feet of a school if:

20 (1) the premises are approximately 6,250 square feet
21 with south frontage on Bryn Mawr Avenue and north frontage
22 on the alley 125 feet north of Bryn Mawr Avenue in the City
23 of Chicago;

24 (2) the shortest distance between the south property
25 line of the premises and the nearest exterior wall of the
26 school is 248 feet;

1 (3) the main entrance to the school is on Christiana
2 Avenue, faces east, and is more than 100 feet from the main
3 entrance to the premises;

4 (4) the sale of alcoholic liquor is incidental to the
5 sale of food in a restaurant;

6 (5) the principal of the school has not indicated his
7 or her opposition to the issuance or renewal of the
8 license in writing; and

9 (6) the alder ~~alderman~~ of the ward in which the
10 premises are located has indicated his or her support for
11 the issuance or renewal of the license in writing.

12 (eeee) Notwithstanding any provision of this Section to
13 the contrary, nothing in this Section shall prohibit the
14 issuance or renewal of a license authorizing the sale of
15 alcoholic liquor at premises located within a municipality
16 with a population in excess of 1,000,000 inhabitants and
17 within 100 feet of a school if:

18 (1) the premises are approximately 2,300 square feet
19 with south frontage on 53rd Street in the City of Chicago
20 and the eastern property line of the premises abuts a
21 private alleyway;

22 (2) the shortest distance between the south property
23 line of the premises and the nearest exterior wall of the
24 school is approximately 187 feet;

25 (3) the main entrance to the school is on Cornell
26 Avenue, faces west, and is more than 100 feet from the main

1 entrance to the premises;

2 (4) the sale of alcoholic liquor is incidental to the
3 sale of food in a restaurant;

4 (5) the principal of the school has not indicated his
5 or her opposition to the issuance or renewal of the
6 license in writing; and

7 (6) the alder ~~alderman~~ of the ward in which the
8 premises are located has indicated his or her support for
9 the issuance or renewal of the license in writing.

10 (Source: P.A. 100-36, eff. 8-4-17; 100-38, eff. 8-4-17;
11 100-201, eff. 8-18-17; 100-579, eff. 2-13-18; 100-663, eff.
12 8-2-18; 100-863, eff. 8-14-18; 100-1036, eff. 8-22-18; 101-81,
13 eff. 7-12-19.)

14 Section 75. The Cannabis Regulation and Tax Act is amended
15 by changing Section 55-28 as follows:

16 (410 ILCS 705/55-28)

17 Sec. 55-28. Restricted cannabis zones.

18 (a) As used in this Section:

19 "Legal voter" means a person:

20 (1) who is duly registered to vote in a municipality
21 with a population of over 500,000;

22 (2) whose name appears on a poll list compiled by the
23 city board of election commissioners since the last
24 preceding election, regardless of whether the election was

1 a primary, general, or special election;

2 (3) who, at the relevant time, is a resident of the
3 address at which he or she is registered to vote; and

4 (4) whose address, at the relevant time, is located in
5 the precinct where such person seeks to file a notice of
6 intent to initiate a petition process, circulate a
7 petition, or sign a petition under this Section.

8 As used in the definition of "legal voter", "relevant
9 time" means any time that:

10 (i) a notice of intent is filed, pursuant to
11 subsection (c) of this Section, to initiate the petition
12 process under this Section;

13 (ii) the petition is circulated for signature in the
14 applicable precinct; or

15 (iii) the petition is signed by registered voters in
16 the applicable precinct.

17 "Petition" means the petition described in this Section.

18 "Precinct" means the smallest constituent territory within
19 a municipality with a population of over 500,000 in which
20 electors vote as a unit at the same polling place in any
21 election governed by the Election Code.

22 "Restricted cannabis zone" means a precinct within which
23 home cultivation, one or more types of cannabis business
24 establishments, or both has been prohibited pursuant to an
25 ordinance initiated by a petition under this Section.

26 (b) The legal voters of any precinct within a municipality

1 with a population of over 500,000 may petition their local
2 alder ~~alderman~~, using a petition form made available online by
3 the city clerk, to introduce an ordinance establishing the
4 precinct as a restricted zone. Such petition shall specify
5 whether it seeks an ordinance to prohibit, within the
6 precinct: (i) home cultivation; (ii) one or more types of
7 cannabis business establishments; or (iii) home cultivation
8 and one or more types of cannabis business establishments.

9 Upon receiving a petition containing the signatures of at
10 least 25% of the registered voters of the precinct, and
11 concluding that the petition is legally sufficient following
12 the posting and review process in subsection (c) of this
13 Section, the city clerk shall notify the local alder ~~alderman~~
14 of the ward in which the precinct is located. Upon being
15 notified, that alder ~~alderman~~, following an assessment of
16 relevant factors within the precinct, including but not
17 limited to, its geography, density and character, the
18 prevalence of residentially zoned property, current licensed
19 cannabis business establishments in the precinct, the current
20 amount of home cultivation in the precinct, and the prevailing
21 viewpoint with regard to the issue raised in the petition, may
22 introduce an ordinance to the municipality's governing body
23 creating a restricted cannabis zone in that precinct.

24 (c) A person seeking to initiate the petition process
25 described in this Section shall first submit to the city clerk
26 notice of intent to do so, on a form made available online by

1 the city clerk. That notice shall include a description of the
2 potentially affected area and the scope of the restriction
3 sought. The city clerk shall publicly post the submitted
4 notice online.

5 To be legally sufficient, a petition must contain the
6 requisite number of valid signatures and all such signatures
7 must be obtained within 90 days of the date that the city clerk
8 publicly posts the notice of intent. Upon receipt, the city
9 clerk shall post the petition on the municipality's website
10 for a 30-day comment period. The city clerk is authorized to
11 take all necessary and appropriate steps to verify the legal
12 sufficiency of a submitted petition. Following the petition
13 review and comment period, the city clerk shall publicly post
14 online the status of the petition as accepted or rejected, and
15 if rejected, the reasons therefor. If the city clerk rejects a
16 petition as legally insufficient, a minimum of 12 months must
17 elapse from the time the city clerk posts the rejection notice
18 before a new notice of intent for that same precinct may be
19 submitted.

20 (c-5) Within 3 days after receiving an application for
21 zoning approval to locate a cannabis business establishment
22 within a municipality with a population of over 500,000, the
23 municipality shall post a public notice of the filing on its
24 website and notify the alder ~~alderman~~ of the ward in which the
25 proposed cannabis business establishment is to be located of
26 the filing. No action shall be taken on the zoning application

1 for 7 business days following the notice of the filing for
2 zoning approval.

3 If a notice of intent to initiate the petition process to
4 prohibit the type of cannabis business establishment proposed
5 in the precinct of the proposed cannabis business
6 establishment is filed prior to the filing of the application
7 or within the 7-day period after the filing of the
8 application, the municipality shall not approve the
9 application for at least 90 days after the city clerk publicly
10 posts the notice of intent to initiate the petition process.
11 If a petition is filed within the 90-day petition-gathering
12 period described in subsection (c), the municipality shall not
13 approve the application for an additional 90 days after the
14 city clerk's receipt of the petition; provided that if the
15 city clerk rejects a petition as legally insufficient, the
16 municipality may approve the application prior to the end of
17 the 90 days. If a petition is not submitted within the 90-day
18 petition-gathering period described in subsection (c), the
19 municipality may approve the application unless the approval
20 is otherwise stayed pursuant to this subsection by a separate
21 notice of intent to initiate the petition process filed timely
22 within the 7-day period.

23 If no legally sufficient petition is timely filed, a
24 minimum of 12 months must elapse before a new notice of intent
25 for that same precinct may be submitted.

26 (d) Notwithstanding any law to the contrary, the

1 municipality may enact an ordinance creating a restricted
2 cannabis zone. The ordinance shall:

3 (1) identify the applicable precinct boundaries as of
4 the date of the petition;

5 (2) state whether the ordinance prohibits within the
6 defined boundaries of the precinct, and in what
7 combination: (A) one or more types of cannabis business
8 establishments; or (B) home cultivation;

9 (3) be in effect for 4 years, unless repealed earlier;
10 and

11 (4) once in effect, be subject to renewal by ordinance
12 at the expiration of the 4-year period without the need
13 for another supporting petition.

14 (Source: P.A. 101-27, eff. 6-25-19; 101-593, eff. 12-4-19.)

15 Section 80. The Code of Civil Procedure is amended by
16 changing Section 15-1503 as follows:

17 (735 ILCS 5/15-1503) (from Ch. 110, par. 15-1503)

18 Sec. 15-1503. Notice of foreclosure.

19 (a) A notice of foreclosure, whether the foreclosure is
20 initiated by complaint or counterclaim, made in accordance
21 with this Section and recorded in the county in which the
22 mortgaged real estate is located shall be constructive notice
23 of the pendency of the foreclosure to every person claiming an
24 interest in or lien on the mortgaged real estate, whose

1 interest or lien has not been recorded prior to the recording
2 of such notice of foreclosure. Such notice of foreclosure must
3 be executed by any party or any party's attorney and shall
4 include (i) the names of all plaintiffs and the case number,
5 (ii) the court in which the action was brought, (iii) the names
6 of title holders of record, (iv) a legal description of the
7 real estate sufficient to identify it with reasonable
8 certainty, (v) a common address or description of the location
9 of the real estate and (vi) identification of the mortgage
10 sought to be foreclosed. An incorrect common address or
11 description of the location, or an immaterial error in the
12 identification of a plaintiff or title holder of record, shall
13 not invalidate the lis pendens effect of the notice under this
14 Section. A notice which complies with this Section shall be
15 deemed to comply with Section 2-1901 of the Code of Civil
16 Procedure and shall have the same effect as a notice filed
17 pursuant to that Section; however, a notice which complies
18 with Section 2-1901 shall not be constructive notice unless it
19 also complies with the requirements of this Section.

20 (b) With respect to residential real estate, a copy of the
21 notice of foreclosure described in subsection (a) of Section
22 15-1503 shall be sent by first class mail, postage prepaid, to
23 the municipality within the boundary of which the mortgaged
24 real estate is located, or to the county within the boundary of
25 which the mortgaged real estate is located if the mortgaged
26 real estate is located in an unincorporated territory. A

1 municipality or county must clearly publish on its website a
2 single address to which such notice shall be sent. If a
3 municipality or county does not maintain a website, then the
4 municipality or county must publicly post in its main office a
5 single address to which such notice shall be sent. In the event
6 that a municipality or county has not complied with the
7 publication requirement in this subsection (b), then the copy
8 of the notice to the municipality or county shall be sent by
9 first class mail, postage prepaid, to the chairperson of the
10 county board or county clerk in the case of a county, to the
11 mayor or city clerk in the case of a city, to the president of
12 the board of trustees or village clerk in the case of a
13 village, or to the president or town clerk in the case of a
14 town. Additionally, if the real estate is located in a city
15 with a population of more than 2,000,000, regardless of
16 whether that city has complied with the publication
17 requirement in this subsection (b), the party must, within 10
18 days after filing the complaint or counterclaim: (i) send by
19 first class mail, postage prepaid, a copy of the notice of
20 foreclosure to the alder ~~alderman~~ for the ward in which the
21 real estate is located and (ii) file an affidavit with the
22 court attesting to the fact that the notice was sent to the
23 alder ~~alderman~~ for the ward in which the real estate is
24 located. The failure to send a copy of the notice to the alder
25 ~~alderman~~ or to file an affidavit as required shall result in a
26 stay of the foreclosure action on a motion of a party or the

1 court. If the foreclosure action has been stayed by an order of
2 the court, the plaintiff or the plaintiff's representative
3 shall send the notice by certified mail, return receipt
4 requested, or by private carrier that provides proof of
5 delivery, and tender the return receipt or the proof of
6 delivery to the court. After proof of delivery is tendered to
7 the court, the court shall lift the stay of the foreclosure
8 action.

9 (Source: P.A. 101-399, eff. 8-16-19.)

10 Section 85. The City Sale or Lease of Land for Cemeteries
11 Act is amended by changing the title of the Act and Section 1
12 as follows:

13 (765 ILCS 825/Act title)

14 An Act to enable the mayor and alders ~~aldermen~~ of certain
15 cities to lease or convey real estate.

16 (765 ILCS 825/1) (from Ch. 21, par. 7)

17 Sec. 1. That in all cities of which the mayor and alders
18 ~~aldermen~~ have heretofore been incorporated by any special act,
19 as a cemetery association or body politic, it shall be lawful,
20 a majority of their number assenting thereto, for such
21 association or body politic to demise for a term of years, or
22 to convey in perpetuity any real estate which it may have
23 acquired by purchase or otherwise; and the real estate so

1 conveyed shall be devoted exclusively for burial or cemetery
2 purposes by the grantee or lessee thereof.
3 (Source: Laws 1875, p. 40.)".