



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB4173

Introduced 10/19/2021, by Rep. Michael J. Zalewski

SYNOPSIS AS INTRODUCED:

105 ILCS 5/5-2	from Ch. 122, par. 5-2
105 ILCS 5/5-3	from Ch. 122, par. 5-3
105 ILCS 5/5-4	from Ch. 122, par. 5-4

Amends the Trustees of Schools Article of the School Code. With respect to the trustees of schools of Township 38 North, Range 12 East, provides that the school business of the township shall be transacted by 4 elected trustees and 3 trustees who are appointed by the school boards (or officers) of specified school districts (rather than 3 elected trustees). Allows an elected trustee and an appointed trustee to represent the same school district. Provides that any trustee, whether elected or appointed, may serve as an officer of the trustees of schools. Sets forth the procedures for the appointment and term of the 3 appointed trustees. Provides that no person shall be nominated for the office of trustee of schools in townships containing 20,000 inhabitants or over except by a petition signed by a least 5% or 500 of the voters of the school township who last cast votes in the most recent election, whichever is less (rather than except by a petition signed by at least 25 voters of the school township). Effective immediately.

LRB102 20956 CMG 29852 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning education.

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

4 Section 5. The School Code is amended by changing Sections
5 5-2, 5-3, and 5-4 as follows:

6 (105 ILCS 5/5-2) (from Ch. 122, par. 5-2)
7 Sec. 5-2. Governing board.

8 (a) Except as otherwise provided in subsection (b), the
9 ~~The~~ school business of all school townships having school
10 trustees shall be transacted by three trustees, to be elected
11 by the qualified voters of the township, as ~~hereinafter~~
12 provided in this Article 5.

13 (b) This subsection (b) applies only to the trustees of
14 schools of Township 38 North, Range 12 East. The school
15 business of the township shall be transacted by 4 trustees
16 elected by the qualified voters of the township, as provided
17 in this Article 5, and 3 trustees appointed by the school
18 districts within the township, as provided in this subsection
19 (b). An elected trustee and an appointed trustee may represent
20 the same school district. Any trustee, whether elected or
21 appointed, may serve as an officer of the trustees of schools.

22 The 3 trustees to be appointed shall each be appointed for
23 a term of one year as follows:

1 (1) The school boards of Argo Community High School
2 District 217, Summit School District 104, Willow Springs
3 School District 108, and Indian Springs School District
4 109 shall collectively appoint one school board member as
5 a trustee through a nomination process and by a majority
6 vote or by consensus among the school boards. A trustee
7 appointed under this paragraph (1) may be reappointed for
8 a second term as provided under this paragraph (1). After
9 the appointed term or reappointed term of the trustee
10 expires, the school boards shall appoint a successor
11 trustee pursuant to this paragraph (1).

12 (2) The school boards of Western Springs School
13 District 101, La Grange School District 102, Lyons School
14 District 103, La Grange School District 105 South,
15 LaGrange Highlands School District 106, and Pleasantdale
16 School District 107 shall collectively appoint one school
17 board member as a trustee through a nomination process and
18 by a majority vote or by consensus among the school
19 boards. A trustee appointed under this paragraph (2) may
20 be reappointed for a second term as provided under this
21 paragraph (2). After the appointed term or reappointed
22 term of the trustee expires, the school boards shall
23 appoint a successor trustee pursuant to this paragraph
24 (2).

25 (3) Each year, among the school board presidents of
26 the school districts within the township, one school board

1 president shall be selected through a nomination process
2 and by a majority vote to appoint a trustee. If no
3 president of a school board is nominated, another officer
4 of one of the school boards may be nominated. For the
5 even-numbered year term, a trustee appointed under this
6 paragraph (3) must be from a feeder elementary school
7 district for Argo Community High School District 217, and,
8 for the odd-numbered year term, a trustee appointed under
9 this paragraph (3) must be from a feeder elementary school
10 district for Lyons Township High School District 204.

11 (c) The trustees shall be a body politic and corporate, by
12 the name of "trustees of schools of township No., range
13 No.," according to the number, or in case of school
14 townships created from two or more congressional townships,
15 such name shall be "trustees of township county,
16 Illinois." Such corporation shall have perpetual existence,
17 with power to sue and be sued, and to plead and be impleaded,
18 in all courts and places where judicial proceedings are had.

19 (Source: Laws 1961, p. 31.)

20 (105 ILCS 5/5-3) (from Ch. 122, par. 5-3)

21 Sec. 5-3. Eligibility of trustees. No person shall be
22 eligible to the office of trustee of schools who is not a
23 resident of the township and at least 18 years of age. If there
24 are 3 or more school districts in a township which are subject
25 to the jurisdiction of the trustees of schools of that

1 township, no 2 trustees shall reside, when elected, in the
2 same school district; except that in townships in which at
3 least 90% of the electors reside in one school district which
4 is subject to the jurisdiction of the trustees of schools of
5 that township, this restriction shall not apply. No person
6 shall be eligible to the office of trustee of schools and
7 school director or school board member at the same time.

8 This Section does not apply to trustees appointed under
9 subsection (b) of Section 5-2.

10 (Source: P.A. 86-1441.)

11 (105 ILCS 5/5-4) (from Ch. 122, par. 5-4)

12 Sec. 5-4. Election of trustees. The election of trustees
13 of schools shall be held in odd-numbered years at the election
14 specified in the general election law. In townships in which
15 no election for school trustees has been held, or in townships
16 in which from any cause there are no trustees of schools and
17 the law requires that there be school trustees, the election
18 of trustees of schools shall be held at the same time.

19 No person shall be nominated for the office of trustee of
20 schools, in townships containing 20,000 inhabitants or over,
21 except by petition signed by at least 5% or 500 of the
22 ~~twenty-five~~ voters of the school township in which the person
23 ~~he~~ is seeking nomination and election who last cast votes in
24 the most recent election, whichever is less, filed with the
25 township treasurer, or, in case of a first election, with the

1 county clerk.

2 A candidate for election as a school trustee, who has
3 petitioned for nomination to fill a full term and to fill a
4 vacant term to be voted upon at the same election, must
5 withdraw his or her petition for nomination from either the
6 full term or the vacant term by written declaration, which
7 shall be signed and acknowledged by an officer authorized to
8 take such acknowledgments and which is filed with the township
9 treasurer in the township in which he or she is a candidate
10 within the time provided by the general election law.

11 (Source: P.A. 80-1469.)

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