



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB5733

by Rep. Anthony DeLuca

SYNOPSIS AS INTRODUCED:

65 ILCS 5/3.1-10-5
65 ILCS 20/21-5

from Ch. 24, par. 3.1-10-5
from Ch. 24, par. 21-5

Amends the Illinois Municipal Code. Provides that, in a municipality with a population over 2,000,000, a person is not eligible to take the oath of office for the office of mayor unless the person has completed discrimination and sensitivity training before the election day at which the person would be elected, but the training must be completed no earlier than one year before the election day. Provides that the training shall be taken through the municipality's legal department, or, if the municipality's legal department does not offer discrimination and sensitivity training, as the municipality shall otherwise provide for mayoral candidates. Amends the Revised Cities and Villages Act of 1941 including similar provisions relating to a requirement that an acting mayor shall complete discrimination and sensitivity training each year of his or her term. Additionally provides that, no later than 2 weeks after completion of the discrimination and sensitivity training, the mayor must certify in writing that the mayor has completed the training and file the certification with the Board of Ethics. Provides that the Board of Ethics may levy an administrative fine of up to \$5,000 against the mayor for failure to complete the discrimination and sensitivity training. Effective immediately.

LRB102 26999 AWJ 38241 b

1 AN ACT concerning local government.

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

4 Section 5. The Illinois Municipal Code is amended by
5 changing Section 3.1-10-5 as follows:

6 (65 ILCS 5/3.1-10-5) (from Ch. 24, par. 3.1-10-5)

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

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

14 (b) A person is not eligible to take the oath of office for
15 a municipal office if that person is, at the time required for
16 taking the oath of office, in arrears in the payment of a tax
17 or other indebtedness due to the municipality or has been
18 convicted in any court located in the United States of any
19 infamous crime, bribery, perjury, or other felony, unless such
20 person is again restored to his or her rights of citizenship
21 that may have been forfeited under Illinois law as a result of
22 a conviction, which includes eligibility to hold elected
23 municipal office, by the terms of a pardon for the offense, has

1 received a restoration of rights by the Governor, or otherwise
2 according to law. Any time after a judgment of conviction is
3 rendered, a person convicted of an infamous crime, bribery,
4 perjury, or other felony may petition the Governor for a
5 restoration of rights.

6 The changes made to this subsection by this amendatory Act
7 of the 102nd General Assembly are declarative of existing law
8 and apply to all persons elected at the April 4, 2017
9 consolidated election and to persons elected or appointed
10 thereafter.

11 (b-5) (Blank).

12 (c) A person is not eligible for the office of alderperson
13 of a ward unless that person has resided in the ward that the
14 person seeks to represent, and a person is not eligible for the
15 office of trustee of a district unless that person has resided
16 in the municipality, at least one year next preceding the
17 election or appointment, except as provided in Section
18 3.1-20-25, subsection (b) of Section 3.1-25-75, Section 5-2-2,
19 or Section 5-2-11.

20 (d) If a person (i) is a resident of a municipality
21 immediately prior to the active duty military service of that
22 person or that person's spouse, (ii) resides anywhere outside
23 of the municipality during that active duty military service,
24 and (iii) immediately upon completion of that active duty
25 military service is again a resident of the municipality, then
26 the time during which the person resides outside the

1 municipality during the active duty military service is deemed
2 to be time during which the person is a resident of the
3 municipality for purposes of determining the residency
4 requirement under subsection (a).

5 (e) In a municipality with a population over 2,000,000, a
6 person is not eligible to take the oath of office for the
7 office of mayor unless the person has completed discrimination
8 and sensitivity training before the election day at which the
9 person would be elected, but the training must be completed no
10 earlier than one year before the election day. The training
11 shall be taken through the municipality's legal department, or,
12 if the municipality's legal department does not offer
13 discrimination and sensitivity training, as the municipality
14 shall otherwise provide for mayoral candidates.

15 (Source: P.A. 102-15, eff. 6-17-21.)

16 Section 10. The Revised Cities and Villages Act of 1941 is
17 amended by changing Section 21-5 as follows:

18 (65 ILCS 20/21-5) (from Ch. 24, par. 21-5)

19 Sec. 21-5. Mayor; Term of office.

20 (a) The mayor of the city of Chicago shall be elected in
21 1943 and quadrennially thereafter in a nonpartisan election.
22 The candidate receiving a majority of the votes cast for mayor
23 at the consolidated primary election shall be declared mayor.
24 If no candidate receives a majority of the votes, a runoff

1 election shall be held at the consolidated election, when only
2 the names of the candidates receiving the highest and second
3 highest number of votes at the consolidated primary election
4 shall appear on the ballot. If more than one candidate
5 received the highest or second highest number of votes at the
6 consolidated primary election, the names of all candidates
7 receiving the highest and second highest number of votes shall
8 appear on the ballot at the consolidated election. The
9 candidate receiving the highest number of votes at the
10 consolidated election shall be declared elected.

11 (b) The mayor shall hold his or her office for 4 years
12 beginning at noon on the third Monday in May following his or
13 her election, and until his or her successor is elected and
14 qualified.

15 (c) The mayor shall complete discrimination and
16 sensitivity training each year of his or her term. The
17 training shall be taken through the city's legal department,
18 or, if the city's legal department does not offer
19 discrimination and sensitivity training, as the municipality
20 shall otherwise provide for the mayor.

21 No later than 2 weeks after completion of the
22 discrimination and sensitivity training, the mayor must
23 certify in writing that the mayor has completed the training
24 and file the certification with the Board of Ethics.

25 The Board of Ethics may levy an administrative fine of up
26 to \$5,000 against the mayor for failure to complete the

1 discrimination and sensitivity training required under this
2 subsection.

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

4 Section 99. Effective date. This Act takes effect upon
5 becoming law.