

# SB4232



## 102ND GENERAL ASSEMBLY

### State of Illinois

2021 and 2022

SB4232

Introduced 11/14/2022, by Sen. Laura M. Murphy

#### SYNOPSIS AS INTRODUCED:

75 ILCS 16/30-25

75 ILCS 16/30-40

Amends the Public Library District Act of 1991. Provides that, if a vacancy occurred prior to May 27, 2022 and that vacancy has not been filled by the trustees before the effective date of the amendatory Act, then the State Librarian shall fill the vacancy within 60 days after the effective date of the amendatory Act (currently, if the State Librarian fails to fill the vacancy within the 60 days after the trustees have failed to fill the vacancy, the vacancy shall be filled at the next regularly scheduled election). Makes a conforming change. Effective immediately.

LRB102 29110 AWJ 41045 b

A BILL FOR

1 AN ACT concerning local government.

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

4 Section 5. The Public Library District Act of 1991 is  
5 amended by changing Sections 30-25 and 30-40 as follows:

6 (75 ILCS 16/30-25)

7 Sec. 30-25. Vacancies.

8 (a) Vacancies shall be declared in the office of trustee  
9 by the board when an elected or appointed trustee (i)  
10 declines, fails, or is unable to serve, (ii) becomes a  
11 nonresident of the district, (iii) is convicted of a  
12 misdemeanor by failing, neglecting, or refusing to discharge  
13 any duty imposed upon him or her by this Act, or (iv) has  
14 failed to pay the library taxes levied by the district.  
15 Absence without cause from all regular board meetings for a  
16 period of one year shall be a basis for declaring a vacancy.

17 (b) All vacancies shall be filled by appointment by the  
18 remaining trustees until the next regular library election, at  
19 which time a trustee shall be elected for the remainder of the  
20 unexpired term. If, however, the vacancy occurs with less than  
21 28 months remaining in the term, and if the vacancy occurs less  
22 than 88 days before the next regular scheduled election for  
23 this office, then the person so appointed shall serve the

1 remainder of the unexpired term and no election to fill the  
2 vacancy shall be held. If the vacancy is in the office of a  
3 trustee of a library district with an appointed board, the  
4 vacancy shall be filled by appointment by the remaining  
5 trustees. Vacancies shall be filled within 90 days after a  
6 vacancy has been declared. If the trustees fail to appoint a  
7 new member within 90 days after a vacancy has been declared,  
8 the State Librarian shall appoint an individual to fill the  
9 vacancy within 60 days after the trustees have failed to fill  
10 the vacancy. If the State Librarian fails to fill the vacancy  
11 within the 60 days after the trustees have failed to fill the  
12 vacancy, the vacancy shall be filled at the next regularly  
13 scheduled election; except that, if a vacancy occurred prior  
14 to May 27, 2022 and that vacancy has not been filled by the  
15 trustees before the effective date of this amendatory Act of  
16 the 102nd General Assembly, the State Librarian shall fill the  
17 vacancy within 60 days after the effective date of this  
18 amendatory Act of the 102nd General Assembly.

19 (Source: P.A. 102-977, eff. 5-27-22.)

20 (75 ILCS 16/30-40)

21 Sec. 30-40. Organization of board; qualification and oath  
22 of trustees.

23 (a) Within 74 days after their election or appointment,  
24 the incumbent and new trustees shall take their oath of office  
25 as prescribed by law and meet to organize the board.

1           (b) The first action taken at the meeting shall be the  
2 election of a president, a vice-president, a secretary, and a  
3 treasurer from among the trustees. The secretary shall then  
4 record the membership of the board. The board may, instead of  
5 electing a treasurer from among the trustees, by majority vote  
6 of the board, appoint and fix the compensation of a qualified  
7 treasurer that is not a trustee of the board.

8           (c) Trustees duly elected or appointed as certified by the  
9 appropriate election authority or appointing authority shall  
10 be qualified to serve as trustees under this Act. The required  
11 oath shall be taken and subscribed before a notary public or  
12 the secretary of the board.

13           (d) Within 60 days after the organization of the board,  
14 the secretary shall file, with the county clerk of the county  
15 containing all or a larger portion of the district and with the  
16 Illinois State Librarian, a statement listing the names and  
17 addresses of the trustees and officers and their respective  
18 terms in office. The secretary shall report a vacancy on the  
19 board to the county clerk and the State Librarian within 60  
20 days after it occurs and shall report the filling of a vacancy  
21 within 60 days after it is filled.

22           (e) The first officers shall serve until the next regular  
23 election of trustees. Thereafter, officers shall serve for  
24 terms set by ordinance but not to exceed 2 years, ending on the  
25 third Monday of the month following each regular election or  
26 until their successors are duly elected by the board. A

1 vacancy in any office shall be filled ~~by the board~~ for the  
2 unexpired term under Section 30-25.

3 (Source: P.A. 102-977, eff. 5-27-22.)

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