



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

SB2966

Introduced 1/31/2024, by Sen. Napoleon Harris, III

SYNOPSIS AS INTRODUCED:

60 ILCS 1/60-5
60 ILCS 1/70-45

Amends the Township Code. Provides that, if there are 28 months or less remaining in the term of a township officer at the time of the vacancy or failure to qualify, an appointed officer shall serve for the remainder of the term. Provides that, if there are more than 28 months remaining in the term at the time of the vacancy or failure to qualify, the office shall be filled by a special election to be held at the next general election and the appointed officer shall serve until the election results are certified and the person elected at the special election is qualified (rather than a person appointed shall hold office for the remainder of the unexpired term). Provides that the compensation for a supervisor of a township in Cook County may not be increased during the term of office for which the supervisor is elected or appointed. Provides that an ordinance establishing compensation, including an increase or decrease in a supervisor's compensation, shall apply uniformly to the supervisors whose terms start after enactment of the compensation ordinance. Prohibits a township from decreasing the salary for a person elected as supervisor of a township while maintaining the salary of an incumbent. Provides that an ordinance that violates the provisions is null and void. Effective immediately.

LRB103 37745 AWJ 67873 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 Township Code is amended by changing
5 Sections 60-5 and 70-45 as follows:

6 (60 ILCS 1/60-5)

7 Sec. 60-5. Filling vacancies in township offices.

8 (a) Except for the office of township or multi-township
9 assessor, if a township fails to elect the number of township
10 officers that the township is entitled to by law, or a person
11 elected to any township office fails to qualify, or a vacancy
12 in any township office occurs for any other reason including
13 without limitation the resignation of an officer or the
14 conviction in any court of the State of Illinois or of the
15 United States of an officer for an infamous crime, then the
16 township board shall fill the vacancy by appointment, by
17 warrant under their signatures and seals. If there are 28
18 months or less remaining in the term at the time of the vacancy
19 or failure to qualify, the appointed officer shall serve for
20 the remainder of the term. If there are more than 28 months
21 remaining in the term at the time of the vacancy or failure to
22 qualify, the office shall be filled by a special election to be
23 held at the next general election and the appointed officer

1 shall serve until the election results are certified and the
2 person elected at the special election is qualified ~~, and the~~
3 ~~persons so appointed shall hold their respective offices for~~
4 ~~the remainder of the unexpired terms.~~ All persons so appointed
5 shall have the same powers and duties and are subject to the
6 same penalties as if they had been elected or appointed for a
7 full term of office. A vacancy in the office of township or
8 multi-township assessor shall be filled only as provided in
9 the Property Tax Code.

10 For purposes of this subsection (a), a conviction for an
11 offense that disqualifies an officer from holding that office
12 occurs on the date of (i) the entry of a plea of guilty in
13 court, (ii) the return of a guilty verdict, or (iii) in the
14 case of a trial by the court, the entry of a finding of guilt.

15 (b) If a vacancy on the township board is not filled within
16 60 days, then a special township meeting must be called under
17 Section 35-5 to select a replacement under Section 35-35.

18 (b-5) If the vacancy being filled under subsection (a) or
19 (b) is for the township supervisor, a trustee shall be
20 appointed as deputy supervisor to perform the ministerial
21 functions of that office until the vacancy is filled under
22 subsections (a) or (b). Once the vacancy is filled under
23 subsections (a) or (b), the deputy supervisor's appointment is
24 terminated.

25 (c) Except as otherwise provided in this Section, whenever
26 any township or multi-township office becomes vacant or

1 temporarily vacant, the township or multi-township board may
2 temporarily appoint a deputy to perform the ministerial
3 functions of the vacant office until the vacancy has been
4 filled as provided in subsection (a) or (b). If the office is
5 temporarily vacant, the temporarily appointed deputy may
6 perform the ministerial functions of the vacant office until
7 the township officer submits a written statement to the
8 appropriate board that he or she is able to resume his or her
9 duties. The statement shall be sworn to before an officer
10 authorized to administer oaths in this State. A temporary
11 deputy shall not be permitted to vote at any meeting of the
12 township board on any matter properly before the board unless
13 the appointed deputy is a trustee of the board at the time of
14 the vote. If the appointed deputy is a trustee appointed as a
15 temporary deputy, his or her trustee compensation shall be
16 suspended until he or she concludes his or her appointment as
17 an appointed deputy upon the permanent appointment to fill the
18 vacancy. The compensation of a temporary deputy shall be
19 determined by the appropriate board. The township board shall
20 not appoint a deputy clerk if the township clerk has appointed
21 a deputy clerk under Section 75-45.

22 (d) Except for the temporary appointment of a deputy under
23 subsection (c), any person appointed to fill a vacancy under
24 this Section shall be a member of the same political party as
25 the person vacating the office if the person vacating the
26 office was elected as a member of an established political

1 party, under Section 10-2 of the Election Code, that is still
2 in existence at the time of appointment. The appointee shall
3 establish his or her political party affiliation by his or her
4 record of voting in party primary elections or by holding or
5 having held an office in a political party organization before
6 appointment. If the appointee has not voted in a party primary
7 election or is not holding or has not held an office in a
8 political party organization before the appointment, then the
9 appointee shall establish his or her political party
10 affiliation by his or her record of participating in a
11 political party's nomination or election caucus.

12 (Source: P.A. 101-104, eff. 7-19-19.)

13 (60 ILCS 1/70-45)

14 Sec. 70-45. Supervisors in Cook County. The supervisors of
15 townships in Cook County shall perform the same duties as
16 supervisors of townships in other counties under township
17 organization, except that they shall not be members of the
18 county board or exercise any of the powers of county board
19 members. They shall have the same compensation for their
20 services prescribed by law for similar services rendered by
21 other township supervisors.

22 Township supervisors may serve as members of the Cook
23 County Townships Public Aid Committee. The supervisors shall
24 not receive additional compensation for duties associated with
25 the Cook County Townships Public Aid Committee but shall be

1 reimbursed for actual and necessary expenses related to
2 service on the Committee.

3 The compensation for a supervisor of a township in Cook
4 County may not be increased during the term of office for which
5 the supervisor is elected or appointed. An ordinance
6 establishing compensation, including an increase or decrease
7 in a supervisor's compensation, shall apply uniformly to the
8 supervisors whose terms start after enactment of the
9 compensation ordinance. A township is prohibited from
10 decreasing the salary for a person elected as supervisor of a
11 township while maintaining the salary of an incumbent. An
12 ordinance that violates this paragraph is null and void.

13 (Source: P.A. 90-210, eff. 7-25-97.)

14 Section 99. Effective date. This Act takes effect upon
15 becoming law.