

1 AN ACT in relation to counties.

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

4 Section 5. The Election Code is amended by changing
5 Section 28-1 as follows:

6 (10 ILCS 5/28-1) (from Ch. 46, par. 28-1)

7 Sec. 28-1. The initiation and submission of all public
8 questions to be voted upon by the electors of the State or of
9 any political subdivision or district or precinct or
10 combination of precincts shall be subject to the provisions
11 of this Article.

12 Questions of public policy which have any legal effect
13 shall be submitted to referendum only as authorized by a
14 statute which so provides or by the Constitution. Advisory
15 questions of public policy shall be submitted to referendum
16 pursuant to Section 28-5 or pursuant to a statute which so
17 provides.

18 The method of initiating the submission of a public
19 question shall be as provided by the statute authorizing such
20 public question, or as provided by the Constitution.

21 All public questions shall be initiated, submitted and
22 printed on the ballot in the form required by Section 16-7 of
23 this Act, except as may otherwise be specified in the statute
24 authorizing a public question.

25 Whenever a statute provides for the initiation of a
26 public question by a petition of electors, the provisions of
27 such statute shall govern with respect to the number of
28 signatures required, the qualifications of persons entitled
29 to sign the petition, the contents of the petition, the
30 officer with whom the petition must be filed, and the form of
31 the question to be submitted. If such statute does not

1 specify any of the foregoing petition requirements, the
2 corresponding petition requirements of Section 28-6 shall
3 govern such petition.

4 Irrespective of the method of initiation, not more than 3
5 public questions other than (a) back door referenda, (b)
6 referenda to determine whether a disconnection may take place
7 where a city coterminous with a township is proposing to
8 annex territory from an adjacent township, ~~or~~ (c) referenda
9 held under the provisions of the Property Tax Extension
10 Limitation Law in the Property Tax Code, or (d) referenda
11 held under Section 2-3002 of the Counties Code may be
12 submitted to referendum with respect to a political
13 subdivision at the same election.

14 If more than 3 propositions are timely initiated or
15 certified for submission at an election with respect to a
16 political subdivision, the first 3 validly initiated, by the
17 filing of a petition or by the adoption of a resolution or
18 ordinance of a political subdivision, as the case may be,
19 shall be printed on the ballot and submitted at that
20 election. However, except as expressly authorized by law not
21 more than one proposition to change the form of government of
22 a municipality pursuant to Article VII of the Constitution
23 may be submitted at an election. If more than one such
24 proposition is timely initiated or certified for submission
25 at an election with respect to a municipality, the first
26 validly initiated shall be the one printed on the ballot and
27 submitted at that election.

28 No public question shall be submitted to the voters of a
29 political subdivision at any regularly scheduled election at
30 which such voters are not scheduled to cast votes for any
31 candidates for nomination for, election to or retention in
32 public office, except that if, in any existing or proposed
33 political subdivision in which the submission of a public
34 question at a regularly scheduled election is desired, the

1 voters of only a portion of such existing or proposed
2 political subdivision are not scheduled to cast votes for
3 nomination for, election to or retention in public office at
4 such election, but the voters in one or more other portions
5 of such existing or proposed political subdivision are
6 scheduled to cast votes for nomination for, election to or
7 retention in public office at such election, the public
8 question shall be voted upon by all the qualified voters of
9 the entire existing or proposed political subdivision at the
10 election.

11 Not more than 3 advisory public questions may be
12 submitted to the voters of the entire state at a general
13 election. If more than 3 such advisory propositions are
14 initiated, the first 3 timely and validly initiated shall be
15 the questions printed on the ballot and submitted at that
16 election; provided however, that a question for a proposed
17 amendment to Article IV of the Constitution pursuant to
18 Section 3, Article XIV of the Constitution, or for a question
19 submitted under the Property Tax Cap Referendum Law, shall
20 not be included in the foregoing limitation.

21 (Source: P.A. 88-116; 89-510, eff. 7-11-96.)

22 Section 10. The Counties Code is amended by changing
23 Sections 2-3002 and 2-3003 as follows:

24 (55 ILCS 5/2-3002) (from Ch. 34, par. 2-3002)

25 Sec. 2-3002. Counties with population of less than
26 3,000,000 and with township form of government.

27 (a) Reapportionment required. By July 1, 1971, and each
28 10 years thereafter, the county board of each county having a
29 population of less than 3,000,000 inhabitants and the
30 township form of government shall reapportion its county so
31 that each member of the county board represents the same
32 number of inhabitants. In reapportioning its county, the

1 county board shall first determine the size of the county
2 board to be elected, which may consist of not less than 5 nor
3 more than 29 members and may not exceed the size of the
4 county board in that county on October 2, 1969. Except as
5 provided in subsection (c), the county board shall also
6 determine whether board members shall be elected at large
7 from the county or by county board districts.

8 If the chairman of the county board is to be elected by
9 the voters in a county of less than 450,000 population as
10 provided in Section 2-3007, such chairman shall not be
11 counted as a member of the county board for the purpose of
12 the limitations on the size of a county board provided in
13 this Section.

14 (b) Advisory referenda. The voters of a county may
15 advise the county board, through an advisory referendum, on
16 questions concerning (i) the number of members of the county
17 board to be elected, (ii) whether the board members should be
18 elected from single-member districts, multi-member districts,
19 or at-large, (iii) whether voters will have cumulative voting
20 rights in the election of county board members, or (IV) any
21 combination of the preceding 3 questions. The advisory
22 referendum may be initiated either by petition or by
23 ordinance of the county board. A written petition for an
24 advisory referendum authorized by this Section must contain
25 the signatures of at least 1% of the registered voters of the
26 county and must be filed with the appropriate election
27 authority. An ordinance initiating an advisory referendum
28 authorized by this Section must be approved by a majority of
29 the members of the county board and must be filed with the
30 appropriate election authority. An advisory referendum
31 initiated under this Section shall be placed on the ballot at
32 the general election designated in the petition or ordinance.

33 (c) Method of election of county board. Members of the
34 county board may be elected from single-member districts,

1 multi-member districts, or at-large. Voters may have
2 cumulative voting rights in the election of county board
3 members in multi-member districts or at-large elections. The
4 method of election of the county board, including whether
5 voters have cumulative voting rights, may be determined by
6 county-wide referendum, initiated either by a petition or by
7 ordinance of the county board. A written petition for an
8 advisory referendum authorized by this subsection must
9 contain the signatures of at least 3% of the registered
10 voters of the county and must be filed with the appropriate
11 election authority. An ordinance initiating a referendum
12 under this subsection must be approved by a majority of the
13 county board and must be filed with the appropriate election
14 authority. A referendum initiated under this subsection shall
15 be placed on the ballot at the general election designated in
16 the petition or ordinance. If the voters of the county alter
17 the method of election for county board member by referendum
18 from an at-large election to an election by districts, the
19 county board shall, no later than April 1 following the
20 general election at which the referendum was held, develop an
21 apportionment plan under Section 2-3003. If the method of
22 electing county board members is determined by referendum,
23 then the county board may not alter that method by ordinance
24 for a period of 12 years after the date of the referendum.

25 (Source: P.A. 86-962.)

26 (55 ILCS 5/2-3003) (from Ch. 34, par. 2-3003)

27 Sec. 2-3003. Apportionment plan. (1) If the county board
28 determines that members shall be elected by districts, it
29 shall develop an apportionment plan and specify the number of
30 districts and the number of county board members to be
31 elected from each district and whether voters will have
32 cumulative voting rights in multi-member districts. Each such
33 district:

1 a. Shall be equal in population to each other district;

2 b. Shall be comprised of contiguous territory, as nearly
3 compact as practicable; and

4 c. May divide townships or municipalities only when
5 necessary to conform to the population requirement of
6 paragraph a. of this Section.

7 d. Shall be created in such a manner so that no precinct
8 shall be divided between 2 or more districts, insofar as is
9 practicable.

10 (2) The county board of each county having a population
11 of less than 3,000,000 inhabitants may, if it should so
12 decide, provide within that county for single member
13 districts outside the corporate limits and multi-member
14 districts within the corporate limits of any municipality
15 with a population in excess of 75,000. Paragraphs a, b, c
16 and d of subsection (1) of this Section shall apply to the
17 apportionment of both single and multi-member districts
18 within a county to the extent that compliance with paragraphs
19 a, b, c and d still permit the establishment of such
20 districts, except that the population of any multi-member
21 district shall be equal to the population of any single
22 member district, times the number of members found within
23 that multi-member district.

24 (Source: P.A. 86-962.)

25 Section 99. Effective date. This Act takes effect upon
26 becoming law.