



94TH GENERAL ASSEMBLY
State of Illinois
2005 and 2006
HB1310

Introduced 2/9/2005, by Rep. Brandon W. Phelps

SYNOPSIS AS INTRODUCED:

50 ILCS 610/1

from Ch. 21, par. 13

Amends the Public Graveyards Act. Provides that, if a township board has vested control of a public graveyard in 3 trustees, the township board may, by resolution, divest the trustees of control and assume control of the public graveyard. Effective immediately.

LRB094 06028 MKM 36088 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 Public Graveyards Act is amended by changing
5 Section 1 as follows:

6 (50 ILCS 610/1) (from Ch. 21, par. 13)

7 Sec. 1. (a) Public graveyards in this State, not under the
8 control of any corporation sole, organization or society, and
9 located within the limits of townships or counties not under
10 township organization, shall and may be controlled or vacated
11 by the corporate authorities of such township or county in such
12 manner as such authorities may deem proper, and in the case of
13 townships, such control may be vested in 3 trustees. If a
14 township board has vested control of a public graveyard in 3
15 trustees in accordance with this Section, it may, by
16 resolution, divest the trustees of control of the public
17 graveyard and assume control of the public graveyard.

18 (b) Vacancies created by the expiration occurring at any
19 time after the effective date of the amendatory Act of the
20 Seventy-eighth General Assembly and after this amendatory Act
21 of the 83rd General Assembly of the terms of cemetery trustees
22 of a township (except a township coterminous with a
23 municipality) or of a county not under township organization
24 elected under this Act shall be filled only by appointment.
25 Such appointment shall be made by the county board of any
26 county not under township organization or by the Township Board
27 of Trustees in counties under township organization, as the
28 case may be, for a term of 6 years. Until the effective date of
29 this amendatory Act of 1983, in a township coterminous with a
30 municipality, cemetery trustees shall continue to be elected by
31 ballot, with one trustee elected in each odd-numbered year, in
32 accordance with the provisions of the general election law, for

1 a term of 6 years and until their respective successors are
2 elected and qualified. After the effective date of this
3 amendatory Act of 1983, in a township coterminous with a
4 municipality, cemetery trustees shall be appointed by the
5 governing authority of the municipality with one trustee
6 appointed in each odd-numbered year for a term of 6 years and
7 until his or her respective successors are appointed and
8 qualified.

9 Such trustees may be paid such compensation, not to exceed
10 \$500 per year, as may be fixed by the Township Board of
11 Trustees.

12 (c) Not more than one of the trustees shall be from any one
13 city or village or incorporated town or section of land within
14 such township unless such city, village, incorporated town or
15 section of land shall have more than 50% of the population of
16 the township according to the last preceding Federal census in
17 which are included 2 or more cities, villages, incorporated
18 towns or sections of land.

19 (Source: P.A. 83-712.)

20 Section 99. Effective date. This Act takes effect upon
21 becoming law.