



94TH GENERAL ASSEMBLY

State of Illinois

2005 and 2006

HB3621

Introduced 2/24/2005, by Rep. Jim Sacia

SYNOPSIS AS INTRODUCED:

55 ILCS 5/2-3009

from Ch. 34, par. 2-3009

Amends the Counties Code. Provides that when a county board member enters into active military service of the United States and is unable to continue to discharge the member's powers and duties, there shall be a temporary vacancy declared. The county board shall appoint a temporary replacement county board member to serve until the member delivers a written notice to the chairperson that he or she is no longer unable to serve as a member due to his or her active military service or the term of office to which the member was elected ends. When the county board member returns, he or she shall resume the position of county board member for the balance of the term of office to which he or she was elected. Effective immediately.

LRB094 09550 AJO 39801 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 Counties Code is amended by changing Section
5 2-3009 as follows:

6 (55 ILCS 5/2-3009) (from Ch. 34, par. 2-3009)

7 Sec. 2-3009. Terms of board members; vacancies; elections.

8 (a) County board member elections by county board
9 districts. In those counties subject to this Division which
10 elect county board members by county board districts the
11 members shall, no later than 45 days after December 15, 1982,
12 and thereafter no later than September 1 of the year of the
13 next general election following reapportionment, divide the
14 county board districts publicly by lot as equally as possible
15 into 2 groups. Board members or their successors from one group
16 shall be elected for successive terms of 2 years, 4 years and 4
17 years; and members or their successors from the second group
18 shall be elected for successive terms of 4 years, 4 years, and
19 2 years. A county under this subsection may, by ordinance,
20 decide to divide the county board districts into 3 rather than
21 2 groups. If a county adopts an ordinance to this effect, the
22 members of the county board shall divide the county board
23 districts publicly by lot as equally as possible into 3 groups
24 no later than September 1 of the year of the next general
25 election following reapportionment. Board members or their
26 successors from one group shall be elected for successive terms
27 of 2 years, 4 years, and 4 years; members or their successors
28 from the second group shall be elected for successive terms of
29 4 years, 2 years, and 4 years; and members or their successors
30 from the third group shall be elected for successive terms of 4
31 years, 4 years, and 2 years. All terms shall commence on the
32 first Monday of the month following the month of election.

1 (b) County board member elections at large. In those
2 counties which elect county board members at large, under
3 Sections 2-3002 and 2-3006, the members elected in the general
4 election following reapportionment shall, no later than 45 days
5 after taking office, divide themselves publicly by lot as
6 equally as possible into 2 groups. Board members or their
7 successors from one group shall be elected for successive terms
8 of 2 years, 4 years and 4 years; and members or their
9 successors from the second group shall be elected for
10 successive terms of 4 years, 4 years and 2 years. A county
11 under this subsection may, by ordinance, decide to divide the
12 county board members into 3 rather than 2 groups. If a county
13 adopts an ordinance to this effect, the members of the county
14 board elected in the general election following
15 reapportionment shall, no later than 45 days after taking
16 office, divide themselves publicly by lot as equally as
17 possible into 3 groups. Board members or their successors from
18 one group shall be elected for successive terms of 2 years, 4
19 years, and 4 years; members and their successors from the
20 second group shall be elected for successive terms of 4 years,
21 2 years, and 4 years; and members or their successors from the
22 third group shall be elected for successive terms of 4 years, 4
23 years, and 2 years. All terms shall commence on the first
24 Monday of the month following the month of election.

25 (c) Vacancies; time for elections. In counties under
26 subsection (a) or (b), if a vacancy occurs in the office of
27 chairperson ~~chairman~~ of the county board, the remaining members
28 of the board shall elect one of the members of the board to
29 serve for the balance of the unexpired term of the chairperson
30 ~~chairman~~.

31 (d) County board member in active military service. If any
32 county board member enters into the active military service of
33 the United States and is therefore unable to continue to
34 discharge the member's powers and duties, the member shall send
35 a written notice of the member's temporary inability to serve
36 to the chairperson of the county board. When the notice is

1 received, the office of that county board member shall be
2 deemed to be temporarily vacant and the county board shall
3 appoint a temporary replacement county board member who shall
4 perform and discharge all of the powers and duties of the
5 county board member during the time that the member is in
6 active military service and unable to discharge the member's
7 powers and duties. However, all powers and duties of the
8 temporary replacement county board member shall cease upon the
9 expiration of the term of office for which the county board
10 member was elected or upon the delivery of a written notice to
11 the chairperson from the county board member that states that
12 he or she is no longer unable to discharge the member's powers
13 and duties due to his or her active military service. Upon the
14 chairperson's receipt of the written notice from the county
15 board member, he or she shall resume the office of county board
16 member for the balance of the term of office for which he or
17 she was elected.

18 (e) In counties under subsection (a) or (b), the time for
19 the election of county board members shall be as provided by
20 the general election law for the election of such members.

21 (Source: P.A. 86-962; 87-924.)

22 Section 99. Effective date. This Act takes effect upon
23 becoming law.