



94TH GENERAL ASSEMBLY

State of Illinois

2005 and 2006

SB1652

Introduced 2/24/2005, by Sen. John J. Cullerton

SYNOPSIS AS INTRODUCED:

| | |
|------------------------|----------------------------|
| 10 ILCS 5/2A-10 | from Ch. 46, par. 2A-10 |
| 10 ILCS 5/2A-10.2 new | |
| 10 ILCS 5/7-4 | from Ch. 46, par. 7-4 |
| 35 ILCS 200/3-50 | |
| 35 ILCS 200/3-50.5 new | |
| 55 ILCS 5/3-2013 | from Ch. 34, par. 3-2013 |
| 55 ILCS 5/3-5010 | from Ch. 34, par. 3-5010 |
| 55 ILCS 5/3-10005 | from Ch. 34, par. 3-10005 |
| 70 ILCS 810/24 | from Ch. 96 1/2, par. 6427 |

Amends the Election Code, the Counties Code, and the Property Tax Code. Creates the office of County Tax Administrator in Cook County. Establishes the County Tax Administrator as an elected county official, elected in the general election in 2010 and every 4 years thereafter. Transfers to the County Tax Administrator (i) all functions, duties, and powers and all employees, records, and property of the assessor and (ii) all tax administration-related functions, duties, and powers and certain employees, records, and property of the recorder, clerk, and treasurer. Provides that no assessor shall be elected in 2010 or thereafter. Amends the Cook County Forest Preserve District Act. Authorizes the Cook County Forest Preserve District Board to amend its annual appropriation ordinance. Provides for a monthly schedule for the year of the proposed expenditures in the appropriation ordinance.

LRB094 07764 MKM 37942 b

FISCAL NOTE ACT
MAY APPLY

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 Election Code is amended by changing Section
5 2A-10 and 7-4 and by adding Section 2A-10.2 as follows:

6 (10 ILCS 5/2A-10) (from Ch. 46, par. 2A-10)

7 Sec. 2A-10. Assessor - Board of Appeals. In each county
8 which elects a County Assessor and a Board of Appeals, the
9 County Assessor and the Board of Appeals shall be elected at
10 the general election in 1978 and at the general election every
11 4 years thereafter, except that, in Cook County, a county
12 assessor shall not be elected after the general election in
13 2006.

14 (Source: P.A. 80-936.)

15 (10 ILCS 5/2A-10.2 new)

16 Sec. 2A-10.2. Tax administrator. In Cook County, the County
17 Tax Administrator shall be elected at the general election in
18 2010 and every 4 years thereafter.

19 (10 ILCS 5/7-4) (from Ch. 46, par. 7-4)

20 Sec. 7-4. The following words and phrases in this Article 7
21 shall, unless the same be inconsistent with the context, be
22 construed as follows:

23 1. The word "primary" the primary elections provided for in
24 this Article, which are the general primary, the consolidated
25 primary, and for those municipalities which have annual
26 partisan elections for any officer, the municipal primary held
27 6 weeks prior to the general primary election date in even
28 numbered years.

29 2. The definition of terms in Section 1-3 of this Act shall
30 apply to this Article.

1 3. The word "precinct" a voting district heretofore or
2 hereafter established by law within which all qualified
3 electors vote at one polling place.

4 4. The words "state office" or "state officer", an office
5 to be filled, or an officer to be voted for, by qualified
6 electors of the entire state, including United States Senator
7 and Congressman at large.

8 5. The words "congressional office" or "congressional
9 officer", representatives in Congress.

10 6. The words "county office" or "county officer," include
11 an office to be filled or an officer to be voted for, by the
12 qualified electors of the entire county. "County office" or
13 "county officer" also include the assessor and board of appeals
14 and county tax administrator and county commissioners and
15 president of county board of Cook County, and county board
16 members and the chairman of the county board in counties
17 subject to "An Act relating to the composition and election of
18 county boards in certain counties", enacted by the 76th General
19 Assembly.

20 7. The words "city office" and "village office," and
21 "incorporated town office" or "city officer" and "village
22 officer", and "incorporated town officer" an office to be
23 filled or an officer to be voted for by the qualified electors
24 of the entire municipality, including aldermen.

25 8. The words "town office" or "town officer", an office to
26 be filled or an officer to be voted for by the qualified
27 electors of an entire town.

28 9. The words "town" and "incorporated town" shall
29 respectively be defined as in Section 1-3 of this Act.

30 10. The words "delegates and alternate delegates to
31 National nominating conventions" include all delegates and
32 alternate delegates to National nominating conventions whether
33 they be elected from the state at large or from congressional
34 districts or selected by State convention unless contrary and
35 non-inclusive language specifically limits the term to one
36 class.

1 11. "Judicial office" means a post held by a judge of the
2 Supreme, Appellate or Circuit Court.

3 (Source: P.A. 80-1469.)

4 Section 10. The Property Tax Code is amended by changing
5 Sections 3-50 and 3-50.5 as follows:

6 (35 ILCS 200/3-50)

7 Sec. 3-50. Election of county assessors - Counties of
8 3,000,000 or more. In all counties with 3,000,000 or more
9 inhabitants, ~~the office of county assessor, heretofore created~~
10 ~~and established, is hereby continued.~~

11 ~~The~~ county assessor shall be elected as provided in the
12 general election law, at the general election in 1994 and every
13 fourth year thereafter through 2006 to hold office for a term
14 of 4 years from the first Monday of December, and until a
15 successor is elected and qualified. Any vacancy in office shall
16 be filled by appointment as provided in the general election
17 law, until the next regular election of county officers when a
18 successor shall be elected for the unexpired term or for the
19 full term as the case may require. The county assessor shall
20 take the oath and give the bond herein required of other
21 assessors and of supervisors of assessments and shall receive
22 such compensation payable from the county treasury in an amount
23 set by the county board. The amount so set shall not be changed
24 during the term for which he or she is elected or appointed.
25 The county assessor shall also have a suitable office to be
26 provided by the county board.

27 No assessor shall be elected after 2006 in counties with
28 3,000,000 or more inhabitants. Notwithstanding any other law to
29 the contrary, beginning with the term of the County Tax
30 Administrator elected in 2010, (i) all functions, duties, and
31 powers of the county assessor shall be exercised by the County
32 Tax Administrator and (ii) all employees, records, and property
33 of the county assessor shall be transferred to the County Tax
34 Administrator.

1 (Source: P.A. 83-121; 88-455.)

2 (35 ILCS 200/3-50.5 new)

3 Sec. 3-50.5. Election of County Tax Administrator; Cook
4 County.

5 (a) In Cook County, the office of County Tax Administrator
6 is established.

7 (b) The County Tax Administrator shall be elected as
8 provided in the general election law, at the general election
9 in 2010 and every fourth year thereafter. The County Tax
10 Administrator shall hold office for a term of 4 years from the
11 first Monday of December and until a successor is elected and
12 qualified. Any vacancy in the office shall be filled by
13 appointment as provided in the general election law, until the
14 next regular election of county officers, when a successor
15 shall be elected for the unexpired term or for the full term,
16 as the case may require. The County Tax Administrator shall
17 take the oath and give the bond required of assessors and of
18 supervisors of assessments and shall receive compensation
19 payable from the county treasury in an amount set by the county
20 board. The amount of compensation set by the county board shall
21 not be changed during the term for which the County Tax
22 Administrator is elected or appointed. The County Tax
23 Administrator shall also have a suitable office to be provided
24 by the county board.

25 (c) The County Tax Administrator shall have all of the
26 functions, duties, and powers of a county assessor and shall
27 also have all of the tax administration-related functions,
28 duties, and powers of the county recorder, county clerk, and
29 county treasurer.

30 Section 15. The Counties Code is amended by changing
31 Sections 3-2013, 3-5010, and 3-10005 as follows:

32 (55 ILCS 5/3-2013) (from Ch. 34, par. 3-2013)

33 Sec. 3-2013. General duties of clerk. Subject to the

1 provisions of "The Local Records Act", the duties of the county
2 clerk shall be-

3 1st. To act as clerk of the county board of his county and
4 to keep an accurate record of the proceedings of said board,
5 file and preserve all bills of account acted upon by the board,
6 and when any account is allowed or disallowed, he shall note
7 that fact thereon, and when a part of any account is allowed he
8 shall note particularly the items allowed.

9 2nd. To keep a book in which he shall enter the number,
10 date and amount of each order upon the county treasurer, and
11 the name of the person in whose favor the same is drawn, and
12 when such order is canceled, he shall note the date of
13 cancellation opposite such entry.

14 3rd. Before any such order is delivered to the person for
15 whose benefit it is drawn, the county clerk shall present the
16 same to the county treasurer, who shall personally countersign
17 the same.

18 4th. To keep a book, in which shall be entered in
19 alphabetical order, by name of the principal, a minute of all
20 official bonds filed in his office, giving the name of the
21 office, amount and date of bond, names of sureties and date of
22 filing, with such reference to the number or other designation
23 of the bond, that the same may be easily found.

24 5th. To keep proper alphabetical indexes of all records and
25 papers in his office.

26 6th. To give any person requiring the same, and paying the
27 lawful fees therefor, a copy of any record, paper or account in
28 his office.

29 7th. Such other duties as are or may be required by law.

30 In Cook County, notwithstanding any other law to the
31 contrary, beginning with the term of the County Tax
32 Administrator elected in 2010, (i) all functions, duties, and
33 powers of the clerk that are related to administration of taxes
34 shall be exercised by the County Tax Administrator and (ii)
35 those employees, records, and property of the clerk determined
36 by the county board to be necessary to the exercise of those

1 functions, duties, and powers shall be transferred to the
2 County Tax Administrator.

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

4 (55 ILCS 5/3-5010) (from Ch. 34, par. 3-5010)

5 Sec. 3-5010. Duties of recorder. Every recorder shall, as
6 soon as practicable after the receipt of any instrument in
7 writing in his office, entitled to be recorded, record the same
8 at length in the order of time of its reception, in well bound
9 books to be provided for that purpose. In counties of 500,000
10 or more inhabitants, the recorder may microphotograph or
11 otherwise reproduce on film any of such instruments in the
12 manner provided by law. In counties of less than 500,000
13 inhabitants, the recorder may cause to be microphotographed or
14 otherwise reproduced on film any of such instruments only if
15 authorized to do so by the county board. When any such
16 instrument is reproduced on film, the film shall comply with
17 the minimum standards of quality approved for permanent
18 photographic records of the State Records Commission and the
19 device used to reproduce the records on the film shall be one
20 which accurately reproduces the contents of the original.

21 Notwithstanding any other law to the contrary, beginning
22 with the term of the County Tax Administrator elected in 2010,
23 (i) all functions, duties, and powers of the recorder that are
24 related to administration of taxes shall be exercised by the
25 County Tax Administrator and (ii) those employees, records, and
26 property of the recorder determined by the county board to be
27 necessary to the exercise of those functions, duties, and
28 powers shall be transferred to the County Tax Administrator.

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

30 (55 ILCS 5/3-10005) (from Ch. 34, par. 3-10005)

31 Sec. 3-10005. Functions, powers and duties of treasurer.
32 The treasurer has those functions, powers and duties as
33 provided in the Sections following this Section and preceding
34 Section 3-10006. He shall receive and safely keep the revenues

1 and other public moneys of the county, and all money and funds
2 authorized by law to be paid to him, and disburse the same
3 pursuant to law. He shall appoint his deputies, assistants and
4 personnel to assist him in the performance of his duties. His
5 deputies shall take and subscribe the same oath for the
6 discharge of their duties as is required of him, which oath
7 shall be entered of record in the office of the county clerk.
8 The Treasurer shall, in all cases, be responsible for the acts
9 of his deputies. The functions and powers of the county
10 treasurers shall be uniform in the various counties of this
11 State.

12 In Cook County, notwithstanding any other law to the
13 contrary, beginning with the term of the County Tax
14 Administrator elected in 2010, (i) all functions, duties, and
15 powers of the treasurer that are related to administration of
16 taxes shall be exercised by the County Tax Administrator and
17 (ii) those employees, records, and property of the treasurer
18 determined by the county board to be necessary to the exercise
19 of those functions, duties, and powers shall be transferred to
20 the County Tax Administrator.

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

22 Section 20. The Cook County Forest Preserve District Act is
23 amended by changing Section 24 as follows:

24 (70 ILCS 810/24) (from Ch. 96 1/2, par. 6427)

25 Sec. 24. Fiscal year; annual appropriation ordinance;
26 amendments; monthly schedule.

27 (a) The fiscal year of each forest preserve district
28 subject to this Act shall extend from January 1, until December
29 31. The forest preserve district shall, before the commencement
30 or within 60 days after the commencement of each fiscal year,
31 adopt an annual appropriation ordinance, which shall
32 appropriate sums of money required to defray all necessary
33 expenses and liabilities of the district to be paid or incurred
34 during that fiscal year. Transfers from one appropriation of

1 any one fund to another of the same fund, not affecting the
2 total amount appropriated, may be made at any meeting of the
3 Board.

4 (b) The annual appropriation ordinance may be amended in
5 the same manner as other ordinances appropriating money. The
6 ordinance must be amended at the next meeting of the Board that
7 occurs not less than 5 days after the passage of the
8 appropriation ordinance. The ordinance, as originally passed
9 or as subsequently amended, may also be amended at any meeting
10 of the Board held not more than 15 days after the first meeting
11 of the Board that occurs not less than 5 days after the passage
12 of the annual appropriation ordinance, by repealing or reducing
13 the amount of any item or items of appropriation contained in
14 the ordinance. The Board has the power, by a two-thirds vote of
15 all members of the Board, to make transfers within any fund,
16 department, or other office or agency of the district, of sums
17 of money appropriated for one object or purpose to another
18 object or purpose, but no appropriation for any object or
19 purpose shall be reduced below an amount sufficient to cover
20 all obligations incurred against the appropriation.

21 (c) For purposes of controlling expenditures, the
22 expenditure of or incurring of obligations against any
23 appropriation may be delayed, restricted, or terminated with
24 regard to any object or purpose for which appropriations were
25 made in the appropriation ordinance. A monthly schedule for the
26 year of proposed expenditure, including any limitations or
27 conditions against appropriations for each program,
28 subactivity, and the agency or department, shall be made within
29 30 days of the adoption of the annual appropriation ordinance.
30 The schedule, as amended by the President of the Board, shall
31 be binding upon all officers, agencies, and departments. The
32 schedule of expenditure or of incurring obligations may not be
33 exceeded, but the schedule may be revised after 3 calendar
34 months have elapsed since the last schedule.

35 (Source: P.A. 87-1191.)