

1 AN ACT in relation to forest preserve districts.

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 25-11 as follows:

6 (10 ILCS 5/25-11) (from Ch. 46, par. 25-11)

7 Sec. 25-11. When a vacancy occurs in any elective county
8 office, or in a county of less than 3,000,000 population in
9 the office of clerk of the circuit court, in a county which
10 is not a home rule unit, the county board or board of county
11 commissioners shall declare that such vacancy exists and
12 notification thereof shall be given to the county central
13 committee or the appropriate county board or board of county
14 commissioners district committee of each established
15 political party within 3 days of the occurrence of the
16 vacancy. The vacancy shall be filled within 60 days by
17 appointment of the chairman of the county board or board of
18 county commissioners with the advice and consent of the
19 county board or board of county commissioners. In counties in
20 which forest preserve district commissioners are elected by
21 districts and are not also members of the county board,
22 however, vacancies in the office of forest preserve district
23 commissioner shall be filled within 60 days by appointment of
24 the president of the forest preserve district board of
25 commissioners with the advice and consent of the forest
26 preserve district board of commissioners. In counties in
27 which the forest preserve district president is not also a
28 member of the county board, vacancies in the office of forest
29 preserve district president shall be filled within 60 days by
30 the forest preserve district board of commissioners by
31 appointing one of the commissioners to serve as president.

1 The appointee shall be a member of the same political party
2 as the person he succeeds was at the time of his election and
3 shall be otherwise eligible to serve. The appointee shall
4 serve the remainder of the unexpired term. However, if more
5 than 28 months remain in the term, the appointment shall be
6 until the next general election at which time the vacated
7 office shall be filled by election for the remainder of the
8 term. In the case of a vacancy in a seat on a county board
9 or board of county commissioners which has been divided into
10 districts under Section 2-3003 or 2-4006.5 of the Counties
11 Code, the appointee must also be a resident of the county
12 board or county commission district. If a county commissioner
13 ceases to reside in the district that he or she represents, a
14 vacancy in that office exists.

15 Except as otherwise provided by county ordinance or by
16 law, in any county which is a home rule unit, vacancies in
17 elective county offices, other than the office of chief
18 executive officer, and vacancies in the office of clerk of
19 the circuit court in a county of less than 3,000,000
20 population, shall be filled by the county board or board of
21 county commissioners.

22 (Source: P.A. 92-189, eff. 8-1-01.)

23 Section 10. The Downstate Forest Preserve District Act
24 is amended by changing Section 3c as follows:

25 (70 ILCS 805/3c)

26 Sec. 3c. Elected board of commissioners in certain
27 counties. If the boundaries of a district are co-extensive
28 with the boundaries of a county having a population of more
29 than 800,000 but less than 3,000,000, all commissioners of
30 the forest preserve district shall be elected from the same
31 districts as members of the county board beginning with the
32 general election held in 2002 and each succeeding general

1 election. One commissioner shall be elected from each
2 district. At their first meeting after their election in
3 2002 and following each subsequent decennial reapportionment
4 of the county under Division 2-3 of the Counties Code, the
5 elected commissioners shall publicly by lot divide themselves
6 into 2 groups, as equal in size as possible. Commissioners
7 from the first group shall serve for terms of 2, 4, and 4
8 years; and commissioners from the second group shall serve
9 terms of 4, 4, and 2 years. ~~Commissioners-elected-under-this~~
10 ~~Section---shall---take---office---at---the---first---meeting---of~~
11 ~~commissioners---following---an---election---of---commissioners.~~
12 Beginning with the general election in 2002, the president of
13 the board of commissioners of the forest preserve district
14 shall be elected by the voters of the county, rather than by
15 the commissioners. The president shall be a resident of the
16 county and shall be elected throughout the county for a
17 4-year term without having been first elected as commissioner
18 of the forest preserve district. Each commissioner shall be a
19 resident of the county board district from which he or she
20 was elected not later than the date of the commencement of
21 the term of office. The term of office for the president and
22 commissioners elected under this Section shall commence on
23 the first Monday of the month following the month of
24 election. Neither a commissioner nor the president of the
25 board of commissioners of that forest preserve district shall
26 serve simultaneously as member or chairman of the county
27 board. No person shall seek election to both the forest
28 preserve commission and the county board at the same
29 election. The compensation for the president shall be an
30 amount equal to 85% of the annual salary of the county board
31 chairman. The president, with the advice and consent of the
32 board of commissioners shall appoint a secretary, treasurer,
33 and such other officers as deemed necessary by the board of
34 commissioners, which officers need not be members of the

1 board of commissioners. The president shall have the powers
2 and duties as specified in Section 12 of this Act.

3 Candidates for president and commissioner shall be
4 candidates of established political parties.

5 If a vacancy in the office of president or commissioner
6 occurs, other than by expiration of the president's or a
7 commissioner's term, the forest preserve district board of
8 commissioners shall declare that a vacancy exists and
9 notification of the vacancy shall be given to the county
10 central committee of each established political party within
11 3 business days after the occurrence of the vacancy. If the
12 vacancy occurs in the office of forest preserve district
13 commissioner, the president of the board of commissioners
14 shall, within 60 days after the date of the vacancy, with the
15 advice and consent of other commissioners then serving,
16 appoint a person an-individual to serve for the remainder of
17 the unexpired term. The appointee shall be affiliated with
18 the same political party as the commissioner in whose office
19 the vacancy occurred and be a resident of such district. If
20 a vacancy in the office of president occurs, other than by
21 expiration of the president's term, the remaining members of
22 the board of commissioners shall, within 60 days after the
23 vacancy, appoint one of the commissioners to serve as
24 president for the remainder of the unexpired term. In that
25 case, the office of the commissioner who is appointed to
26 serve as president shall be deemed vacant and shall be filled
27 within 60 days by appointment of the president with the
28 advice and consent of the other forest preserve district
29 commissioners. The commissioner who is appointed to fill a
30 vacancy in the office of president shall be affiliated with
31 the same political party as the person who occupied the
32 office of president prior to the vacancy. A person appointed
33 to fill a vacancy in the office of president or commissioner
34 shall establish his or her party affiliation by his or her

1 record of voting in primary elections or by holding or having
2 held an office in an established political party organization
3 before the appointment. If the appointee has not voted in a
4 party primary election or is not holding or has not held an
5 office in an established political party organization before
6 the appointment, the appointee shall establish his or her
7 political party affiliation by his or her record of
8 participating in an established political party's nomination
9 or election caucus. If, however, more than 28 months remain
10 in the unexpired term of a commissioner or the president, the
11 appointment shall be until the next general consolidated
12 election, at which time the vacated office of commissioner or
13 president shall be filled by election for the remainder of
14 the term. Notwithstanding any law to the contrary, if a
15 vacancy occurs after the last day provided in Section 7-12 of
16 the Election Code for filing nomination papers for the office
17 of president of a forest preserve district where that office
18 is elected as provided for in this Section, or as set forth
19 in Section 7-61 of the Election Code, a vacancy in nomination
20 shall be filled by the passage of a resolution by the
21 nominating committee of the affected political party within
22 the time periods specified in the Election Code. The
23 nominating committee shall consist of the chairman of the
24 county central committee and the township chairmen of the
25 affected political party. All other vacancies in nomination
26 shall be filled in accordance with the provisions of the
27 Election Code.

28 The president and commissioners elected under this
29 Section may be reimbursed for their reasonable expenses
30 actually incurred in performing their official duties under
31 this Act in accordance with the provisions of Section 3a.
32 The reimbursement paid under this Section shall be paid by
33 the forest preserve district.

34 Compensation for forest preserve commissioners elected

1 under this Section shall be the same as that of county board
2 members of the county with which the forest preserve
3 district's boundaries are co-extensive.

4 (Source: P.A. 91-933, eff. 12-30-00.)

5 Section 99. Effective date. This Act takes effect upon
6 becoming law.