

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 Township Code is amended by changing Section  
5 60-5 as follows:

6 (60 ILCS 1/60-5)

7 Sec. 60-5. Filling vacancies in township offices.

8 (a) Except for the office of township or multi-township  
9 assessor, if a township fails to elect the number of township  
10 officers that the township is entitled to by law, or a person  
11 elected to any township office fails to qualify, or a vacancy  
12 in any township office occurs for any other reason including  
13 without limitation the resignation of an officer or the  
14 conviction in any court of the State of Illinois or of the  
15 United States of an officer for an infamous crime, then the  
16 township board shall fill the vacancy by appointment, by  
17 warrant under their signatures and seals, and the persons so  
18 appointed shall hold their respective offices for the remainder  
19 of the unexpired terms. All persons so appointed shall have the  
20 same powers and duties and are subject to the same penalties as  
21 if they had been elected or appointed for a full term of  
22 office. A vacancy in the office of township or multi-township  
23 assessor shall be filled only as provided in the Property Tax

1 Code.

2 For purposes of this subsection (a), a conviction for an  
3 offense that disqualifies an officer from holding that office  
4 occurs on the date of (i) the entry of a plea of guilty in  
5 court, (ii) the return of a guilty verdict, or (iii) in the  
6 case of a trial by the court, the entry of a finding of guilt.

7 (b) If a vacancy on the township board is not filled within  
8 60 days, then a special township meeting must be called under  
9 Section 35-5 to select a replacement under Section 35-35.

10 (b-5) If the vacancy being filled under subsection (a) or  
11 (b) is for the township supervisor, a trustee shall be  
12 appointed as deputy supervisor to perform the ministerial  
13 functions of that office until the vacancy is filled under  
14 subsections (a) or (b). Once the vacancy is filled under  
15 subsections (a) or (b), the deputy supervisor's appointment is  
16 terminated.

17 (c) Except as otherwise provided in this Section, whenever  
18 any township or multi-township office becomes vacant or  
19 temporarily vacant ~~due to a physical incapacity of a township~~  
20 ~~officer~~, the township or multi-township board may temporarily  
21 appoint a deputy to perform the ministerial functions of the  
22 vacant office until the vacancy has been filled as provided in  
23 subsection (a) or (b). If the office is temporarily vacant, the  
24 temporarily appointed deputy may perform the ministerial  
25 functions of the vacant office until the ~~physically~~  
26 ~~incapacitated~~ township officer submits a written statement to

1 the appropriate board that he or she is ~~physically~~ able to  
2 resume ~~perform~~ his or her duties ~~duty~~. The statement shall be  
3 sworn to before an officer authorized to administer oaths in  
4 this State. A temporary deputy shall not be permitted to vote  
5 at any meeting of the township board on any matter properly  
6 before the board unless the appointed deputy is a trustee of  
7 the board at the time of the vote. If the appointed deputy is a  
8 trustee appointed as a temporary deputy, his or her trustee  
9 compensation shall be suspended until he or she concludes his  
10 or her appointment as an appointed deputy upon the permanent  
11 appointment to fill the vacancy. The compensation of a  
12 temporary deputy shall be determined by the appropriate board.  
13 The township board shall not appoint a deputy clerk if the  
14 township clerk has appointed a deputy clerk under Section  
15 75-45.

16 (d) Except for the temporary appointment of a deputy under  
17 subsection (c), any Any person appointed to fill a vacancy  
18 under this Section shall be a member of the same political  
19 party as the person vacating the office if the person vacating  
20 the office was elected as a member of an established political  
21 party, under Section 10-2 of the Election Code, that is still  
22 in existence at the time of appointment. The appointee shall  
23 establish his or her political party affiliation by his or her  
24 record of voting in party primary elections or by holding or  
25 having held an office in a political party organization before  
26 appointment. If the appointee has not voted in a party primary

1 election or is not holding or has not held an office in a  
2 political party organization before the appointment, then the  
3 appointee shall establish his or her political party  
4 affiliation by his or her record of participating in a  
5 political party's nomination or election caucus.

6 (Source: P.A. 97-295, eff. 1-1-12.)

7 Section 99. Effective date. This Act takes effect upon  
8 becoming law.