

INDEX OF OPINIONS ON COMPATIBILITY OF OFFICES

COVERING

OPINIONS ON COMPATIBILITY OF OFFICES

ISSUED BY THE OFFICE OF THE ATTORNEY GENERAL

FROM THE YEAR 1971

THROUGH

August 17, 2018

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This pamphlet contains a comprehensive index of compatibility opinions issued by the office of the Attorney General since July 1, 1971, the effective date of the 1970 Illinois Constitution. An effort has been made to eliminate or note opinions which have been superseded by statute or dealt with in case law. You should, however, review each opinion upon which you would rely in consultation with the attorney for your unit of government.

Some compatibility opinions issued prior to July 1, 1971 may still be valid even though they were not included in this pamphlet. If you do not find an opinion on the offices with which you are concerned, or if you need a copy of a cited opinion, feel free to contact the Opinions Bureau of the Office of the Attorney General.

NOTE:

Opinion numbers including the letters "NP" and "I" reference opinions which were not published in the Attorney General's opinions books. Such opinions are available from the Opinions Bureau and in some libraries. Published opinions appear at the pages noted in the volumes for the years in which the opinions were issued.

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AIRPORT AUTHORITY COMMISSIONER					
Alderman	Incomp	I-18-009	08/17/18	n/a	
Conservation District Trustee	Incomp	I-18-009	08/17/18	n/a	
Village Planning Commissioner	Incomp	I-18-009	08/17/18	n/a	
ALDERMAN (see also CITY COMMISSIONER, CITY COUNCIL MEMBER, VILLAGE TRUSTEE)					
Airport Authority Commissioner	Incomp	I-18-009	08/17/18	n/a	
Board of Review Member	Incomp	I-95-014	04/17/95	n/a	
Cemetery Maintenance District President	Incomp	I-13-003	04/12/13	n/a	
County Board Member	Incomp ¹	S-419	03/13/72	1972	45
County Board Member on Co. Housing Auth. Bd	Incomp ²	I-08-020	07/01/08	n/a	
County Clerk	Comp	I-95-026	08/23/95	n/a	
County Highway Superintendent	Incomp	S-1120	07/01/76	1976	232
County Housing Auth. Com. & Co. Bd Member	Incomp ³	I-08-020	07/01/08	n/a	
County Recorder	Comp	I-95-026	08/23/95	n/a	
County Zoning Administrator	Incomp	82-020	06/29/82	1982	53
Drainage District Commissioner	Incomp	I-90-058	12/17/90	n/a	
High School Principal	Comp	I-94-030	06/08/94	n/a	
Jail Administrator	Comp ⁴	I-05-007	09/23/05	n/a	
Park District President	Incomp	85-015	07/19/85	1991	177
Regional Planning Commission Member	Comp	S-500	07/24/72	1972	195
Regional Planning Commission Member	Comp	NP-529	11/03/72	n/a	
Regional Port District Board Member	Incomp	80-030	09/22/80	1980	122
Regional Superintendent of Schools	Comp	NP-956	08/28/75	n/a	
Supervisor of Assessments	Incomp	S-674	12/27/73	1973	241
Township Assessor	Incomp	I-93-051	10/21/93	n/a	
ASSISTANT PUBLIC DEFENDER					
County Board Member	Incomp	I-10-010	08/30/10	n/a	
ASSISTANT REGIONAL SCHOOL SUPERINTENDENT					
Community Mental Health Board Member	Comp	S-1114	07/01/76	1976	219

¹ But see 50 ILCS 105/1 (West 2017 Supp.) (providing that no member of a county board, during the term of office for which he or she is elected, may be appointed to, accept, or hold any office other than, among others, alderman of a city or member of the board of trustees of a village or incorporated town if the city, village, or incorporated town has fewer than 1,000 inhabitants and is located in a county having fewer than 50,000 inhabitants unless he or she first resigns from the office of county board member or unless the holding of another office is authorized by law. Any such prohibited appointment or election is void.)

² Under section 3 of the Housing Authorities Act (310 ILCS 10/3 (West 2016)) only two "public officers" may serve on the same housing authority board. Because the two county board members and city alderman who are the focus of the opinion are "public officers" as defined in the Act, only two of them may serve on the housing authority board simultaneously.

³ Under section 3 of the Housing Authorities Act (310 ILCS 10/3 (West 2016)) only two "public officers" may serve on the same housing authority board. Because the two county board members and city alderman who are the focus of the opinion are "public officers" as defined in the Act, only two of them may serve on the housing authority board simultaneously.

⁴ Although opinion No. S-987, issued October 29, 1975 (1975 Ill. Att'y Gen. Op. 278), advised that the incompatibility rules pertain only to officers and not employees, earlier opinions of the Attorney General applied incompatibility rules to both offices as well as to employees and other positions. See also *Rogers v. Village of Tinley Park*, 116 Ill. App. 3d 437 (1983).

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ASSISTANT STATE'S ATTORNEY (see also STATE'S ATTORNEY)					
City Commissioner	Incomp	S-1411	03/09/79	1979	21
County Board Member (neighboring county)	Incomp ⁵	I-08-008	03/25/08	n/a	
County Zoning Board of Appeals Member	Incomp	I-89-020	03/21/89	n/a	
Park District Commissioner	Comp	I-97-010	04/16/97	n/a	
State Senator	Incomp	NP-217	09/08/70	n/a	
Township Supervisor	Incomp	I-09-019	10/29/09	n/a	
BOARD OF REVIEW MEMBER					
Alderman	Incomp	I-95-014	04/17/95	n/a	
County Board Member	Comp	S-877	03/17/75	1975	37
County Zoning Board of Appeals Member	Comp	I-18-005	05/31/18	n/a	
Sanitary District Trustee	Incomp	I-96-053	12/30/96	n/a	
School Board Member	Incomp	I-90-016	05/29/90	n/a	
Township Supervisor	Incomp	I-97-027	08/28/97	n/a	
Township Trustee	Incomp	S-1459	08/20/79	1979	121
CEMETERY MAINTENANCE DISTRICT PRESIDENT					
Alderman	Incomp	I-13-003	04/12/13	n/a	
CHICAGO BOARD OF EDUCATION MEMBER					
School District Superintendent	Comp/Incomp ⁶	I-92-039	07/21/92	n/a	
CIRCUIT CLERK					
City Commissioner	See Opinion ⁷	I-96-018	02/28/96	n/a	
County Board Member	Incomp	I-99-024	05/18/99	n/a	
CITY ATTORNEY (see also VILLAGE LEGAL CONSULTANT)					
County Board Member	Incomp	NP-532	11/09/72	n/a	
Deputy Public Defender	Incomp	S-1025	12/30/75	1975	350
State's Attorney	Incomp	I-92-002	01/21/92	n/a	
CITY CLERK (see also VILLAGE CLERK)					
County Board Member	Incomp	I-10-006	06/10/10	n/a	
Township Trustee	Comp	I-89-002	01/03/89	n/a	
CITY COMMISSIONER (see also ALDERMAN, CITY COUNCIL MEMBER, VILLAGE TRUSTEE)					
Assistant State's Attorney	Incomp	S-1411	03/09/79	1979	21
Circuit Clerk	See Opinion ⁸	I-96-018	02/28/96	n/a	
County Clerk	See Opinion ⁹	I-96-018	02/28/96	n/a	

⁵ Conclusion reached in this opinion superseded by statutory enactment. See 55 ILCS 5/3-9006 (West 2016) (An Assistant State's Attorney may serve simultaneously as a county board member for a county located outside of the jurisdiction of the State's Attorney's office that he or she serves.).

⁶ See opinion - superintendent of a school district outside the city of Chicago should not be considered a public officer

⁷ Fact questions may control.

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County Commissioner	Incomp ¹⁰	I-96-018	02/28/96	n/a	
Regional Planning Commission Member	Comp	NP-529	11/03/72	n/a	
River Conservancy District Trustee	Incomp	I-91-017	06/05/91	n/a	
Township Auditor	Incomp	NP-962	09/24/75	n/a	
Township Supervisor	Incomp	NP-962	09/24/75	n/a	
CITY COUNCIL MEMBER (see also ALDERMAN, CITY COMMISSIONER, VILLAGE TRUSTEE)					
County Board of Health Member	Incomp	I-08-027	10/02/08	n/a	
Library District Trustee	Incomp	I-05-003	01/31/05	n/a	
School Board Member	Incomp	85-019 ¹¹	11/19/85	1991 ..	188
Township Supervisor	Incomp	UP-1342	02/17/65	n/a	
CITY FIRE CHIEF					
School Board Member	Comp	I-94-030	06/08/94	n/a	
CITY LIBRARY BOARD MEMBER					
City Treasurer	Comp	98-002	01/15/98	n/a	
CITY MANAGER					
Regional Planning Commission Member	Comp	NP-529	11/03/72	n/a	
School Board Member	Incomp	I-94-030	06/08/94	n/a	
CITY PLAN COMMISSION MEMBER					
County Board Member	Incomp	S-419	03/13/72	1972	45
Township Trustee	Incomp	97-013	07/07/97	n/a	
CITY POLICE CHIEF					
County Board Member	Comp ¹²	NP-1104	05/28/76	n/a	
Mayor	Incomp	I-06-021	03/13/06	n/a	
CITY TREASURER					
City Library Board Trustee	Comp	98-002	01/15/98	n/a	
Community College Board Trustee	Comp	I-94-010	01/27/94	n/a	
Township Supervisor	Comp	I-04-008	05/21/04	n/a	
CITY ZONING BOARD OF APPEALS MEMBER					
County Board Member	Incomp	S-419	03/13/72	1972	45
Township Assessor	Comp	I-89-034	07/11/89	n/a	

¹⁰ But see 50 ILCS 105/1 (West 2017 Supp.).

¹¹ Under section 1.3 of the Public Officer Prohibited Activities Act (50 ILCS 105/1.3 (West 2016)), in a city, village, or incorporated town with fewer than 2,500 inhabitants, an alderman of the city or a member of the board of trustees of a village or incorporated town, may also hold the office of member of the board of education, regional board of school trustees, board of school directors, or board of school inspectors.

¹² The validity of opinion No. NP-1104 is questioned. Consult with legal counsel.

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COMMUNITY COLLEGE BOARD TRUSTEE (see also JUNIOR COLLEGE BOARD TRUSTEE)					
City Treasurer	Comp	I-94-010	01/27/94	n/a	
County Board Member	Incomp ¹³	94-021	10/25/94	n/a	
County Board Member	Incomp ¹⁴	I-10-001	01/07/10	n/a	
County Board Member	Incomp	I-12-005	03/29/12	n/a	
Fire Protection District Trustee	Incomp	I-93-037	07/09/93	n/a	
General Assembly Member	Comp	99-015	07/09/99	n/a	
Mayor	Incomp	I-92-060	12/08/92	n/a	
Regional Board of Schools Trustee	Incomp	I-06-011	01/26/06	n/a	
Regional Superintendent of Schools	Incomp	I-16-003	04/28/16	n/a	
School Board Member	Incomp	I-96-048	12/02/96	n/a	
State's Attorney	Incomp	I-00-043	10/16/00	n/a	
COMMUNITY MENTAL HEALTH BOARD MEMBER					
Assistant Regional School Superintendent	Comp	S-1114	07/01/76	1976 ..	219
County Board Member	Comp	NP-899	05/05/75	n/a	
County Board Member	Comp	S-1114	07/01/76	1976 ..	219
County Board of Health Member	Incomp	97-026	12/23/97	n/a	
Township Supervisor	Incomp	S-1114	07/01/76	1976 ..	219
Village Trustee	Incomp	I-10-002	02/05/10	n/a	
CONSERVATION DISTRICT TRUSTEE					
Airport Authority Commissioner	Incomp	I-18-009	08/17/18	n/a	
CORONER					
Hospital Employee	Comp ¹⁵	I-88-047	10/26/88	n/a	
Sheriff	Comp ¹⁶	I-05-006	09/23/05	n/a	
COUNTY ASSESSOR (see COUNTY SUPERVISOR OF ASSESSMENTS)					
COUNTY BOARD CHAIRMAN					
Port District Board Member	Incomp	I-03-012	12/19/03	n/a	

¹³ But see 50 ILCS 105/1.2 (West 2016) (providing that a member of the county board in a county having fewer than 40,000 inhabitants, during the term of office for which he or she is elected, may also hold the office of member of the board of education, regional board of school trustees, board of school directors, board of a community college district, or board of school inspectors).

¹⁴ Conclusion reached in this opinion superseded by statutory enactment. See 50 ILCS 105/1.2 (West 2016) (providing that a member of the county board in a county having fewer than 40,000 inhabitants, during the term of office for which he or she is elected, may also hold the office of member of the board of education, regional board of school trustees, board of school directors, board of a community college district, or board of school inspectors); Ill. Att'y Gen. Inf. Op. No. I-12-005, issued March 29, 2012.

¹⁵ Although opinion No. S-987, issued October 29, 1975 (1975 Ill. Att'y Gen. Op. 278), advised that the incompatibility rules pertain only to officers and not employees, earlier opinions of the Attorney General applied incompatibility rules to both offices as well as to employees and other positions. See also *Rogers v. Village of Tinley Park*, 116 Ill. App. 3d 437 (1983).

¹⁶ Fact questions may control.

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COUNTY BOARD CHAIRMAN (ELECTED AT-LARGE)					
County Board Member	Comp ¹⁷	03-008	09/08/03	n/a	
County Emergency Services and Disaster Agency Coordinator	Incomp	I-04-017	10/15/04	n/a	
County Liquor Control Commissioner	Comp	I-04-017	10/15/04	n/a	
COUNTY BOARD MEMBER (see also COUNTY COMMISSIONER)					
Alderman	Incomp ¹⁸	S-419	03/13/72	1972	45
Alderman on County Housing Authority Board	Incomp ¹⁹	I-08-020	07/01/08	n/a	
Assistant Public Defender	Incomp	I-10-010	08/30/10	n/a	
Assistant State's Attorney (neighboring county)	Incomp ²⁰	I-08-008	03/25/08	n/a	
Board of Review Member	Comp	S-877	03/17/75	1975	37
Circuit Clerk	Incomp	I-99-024	05/18/99	n/a	
City Attorney	Incomp	NP-532	11/09/72	n/a	
City Clerk	Incomp	I-10-006	06/10/10	n/a	
City Plan Commission Member	Incomp	S-419	03/13/72	1972	45
City Police Chief or Officer	Comp ²¹	NP-1104	05/28/76	n/a	
City Zoning Board of Appeals Member	Incomp	S-419	03/13/72	1972	45
Community College Board Trustee	Incomp ²²	94-021	10/25/94	n/a	
Community College Board Trustee	Incomp ²³	I-10-001	01/07/10	n/a	
Community College Board Trustee	Incomp	I-12-005	3/29/12	n/a	
Community Mental Health Board Member	Comp	NP-899	05/05/75	n/a	

¹⁷ Conclusion reached in this opinion superseded by statutory enactment. See 55 ILCS 5/2-3007 (West 2016) (no person may simultaneously serve as a member of a county board and the chairman of the same board if the office of chairman is elected by the voters of the county rather than by the members of the board).

¹⁸ But see 50 ILCS 105/1 (West 2017 Supp.) (providing that no member of a county board, during the term of office for which he or she is elected, may be appointed to, accept, or hold any office other than, among others, alderman of a city or member of the board of trustees of a village or incorporated town if the city, village, or incorporated town has fewer than 1,000 inhabitants and is located in a county having fewer than 50,000 inhabitants unless he or she first resigns from the office of county board member or unless the holding of another office is authorized by law. Any such prohibited appointment or election is void.)

¹⁹ Under section 3 of the Housing Authorities Act (310 ILCS 10/3 (West 2016)) only two "public officers" may serve on the same housing authority board. Because the two county board members and city alderman who are the focus of the opinion are "public officers" as defined in the Act, only two of them may serve on the housing authority board simultaneously.

²⁰ Conclusion reached in this opinion superseded by statutory enactment. See 55 ILCS 5/3-9006 (West 2016) (An Assistant State's Attorney may serve simultaneously as a county board member for a county located outside of the jurisdiction of the State's Attorney's office that he or she serves).

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Community Mental Health Board Member	Comp	S-1114	07/01/76	1976 ..	219
County Board Chairman	Comp ²⁴	03-008	09/08/03	n/a	
County Emergency Telephone System Board ..	Incomp ²⁵	91-028	07/26/91	1991 ..	63
County Emergency Telephone System Board ..	Incomp ²⁵	I-07-008	3/15/07	n/a	
County Health Board Member	Comp	NP-985	10/23/75	n/a	
County Hospital Board Member	Incomp	NP-609	08/20/73	n/a	
County Housing Auth. Comm'n & Alderman	Incomp ²⁷	I-08-020	07/01/08	n/a	
County Zoning Commission Member	Incomp	NP-343	09/24/71	n/a	
Deputy Coroner	Incomp	I-96-028	05/28/96	n/a	
Deputy Sheriff	Incomp	I-96-028	05/28/96	n/a	
Fire Protection District Attorney	Incomp	NP-769	05/28/74	n/a	
Fire Protection District Trustee	Incomp	I-12-001	2/17/12	n/a	
Forest Preserve Commissioner or President ..	Comp	S-877	03/17/75	1975 ..	37
Highway Commissioner	Incomp ²⁸	NP-407	03/08/72	n/a	
I.C.C. Enforcement Officer	Comp	NP-480	06/23/72	n/a	
Junior College Board Trustee	Comp ²⁹	NP-549	01/12/73	n/a	
Jury Commissioner	Incomp	NP-800	08/13/74	n/a	
Legislator	Comp	S-1027	01/05/76	1976 ..	49
Library District Trustee	Incomp	91-023	06/06/91	1991 ..	51
Mayor	Incomp	S-419	03/13/72	1972 ..	45
Merit Commission Member	Incomp	NP-465	06/23/72	n/a	
Not-For-Profit Corporation Director	Comp	NP-870	02/04/75	n/a	
Port District Board Member	Incomp	I-03-012	12/19/03	n/a	
Public Building Commission Member	Comp	NP-866	02/04/75	n/a	
Regional Board of Schools Trustee	Comp ³⁰	I-95-011	04/07/95	n/a	
Regional Planning Commission Member	Comp	S-500	07/24/72	1972 ..	195
Regional Planning Commission Member	Comp	NP-529	11/03/72	n/a	
Regional Port District Board Member	Incomp	80-030	09/22/80	1980 ..	122

²⁴ Conclusion reached in this opinion superseded by statutory enactment. See 55 ILCS 5/2-3007 (West 2016) (no person may simultaneously serve as a member of a county board and the chairman of the same board if the office of chairman is elected by the voters of the county rather than by the members of the board).

²⁵ Conclusion reached in this opinion superseded by statutory enactment. See 50 ILCS 750/15.4 (West 2017 Supp.) (Elected officials, including members of a county board, are eligible to serve on an ETS board).

²⁶ Conclusion reached in this opinion superseded by statutory enactment. See 50 ILCS 750/15.4 (West 2017 Supp.) (Elected officials, including members of a county board, are eligible to serve on an ETS board).

²⁷ Under section 3 of the Housing Authorities Act (310 ILCS 10/3 (West 2016)) only two "public officers" may serve on the same housing authority board. Because the two county board members and city alderman who are the focus of the opinion are "public officers" as defined in the Act, only two of them may serve on the housing authority board simultaneously.

²⁸ But see 50 ILCS 105/1.1 (West 2016) (providing that a member of the county board in a county having fewer than 550,000 inhabitants may also hold the office of township highway commissioner).

²⁹ See Ill. Att'y Gen. Op. No. 94-021, issued October 25, 1994, finding reversed; but see 50 ILCS 105/1.2 (West 2016) (providing that a member of the county board in a county having fewer than 40,000 inhabitants, during the term of office for which he or she is elected, may also hold the office of member of the board of education, regional board of school trustees, board of school directors, board of a community college district, or board of school inspectors).

³⁰ But see 50 ILCS 105/1.2 (West 2016) (providing that a member of the county board in a county having fewer than 40,000 inhabitants, during the term of office for which he or she is elected, may also hold the office of member of the board of education, regional board of school trustees, board of school directors, board of a community college district, or board of school inspectors).

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River Conservancy District Trustee	Incomp	NP-1327	01/06/78	n/a	
Sanitary District Trustee	Incomp	NP-522	10/27/72	n/a	
Sanitary District Trustee	Incomp	I-96-053	12/30/96	n/a	
School Board Member	Incomp ³¹	NP-560	03/26/73	n/a	
School Board Member	Incomp ³²	S-590	05/22/73	1973	83
School Board Member	Incomp ³³	I-89-039	08/09/89	n/a	
School Board Member	Incomp ³⁴	93-011	05/25/93	n/a	
School Board Member	Incomp ³⁵	I-96-028	05/28/96	n/a	
School Board Member	Incomp ³⁶	I-03-002	05/01/03	n/a	
School Board Member	Incomp ³⁷	I-06-013	01/31/06	n/a	
School Board Member	Incomp ³⁸	I-09-005	05/20/09	n/a	
Sheriff's Employee	Incomp ³⁹	I-88-034	09/06/88	n/a	

³¹ But see 50 ILCS 105/1.2 (West 2016) (providing that a member of the county board in a county having fewer than 40,000 inhabitants, during the term of office for which he or she is elected, may also hold the office of member of the board of education, regional board of school trustees, board of school directors, board of a community college district, or board of school inspectors).

³² But see 50 ILCS 105/1.2 (West 2016) (providing that a member of the county board in a county having fewer than 40,000 inhabitants, during the term of office for which he or she is elected, may also hold the office of member of the board of education, regional board of school trustees, board of school directors, board of a community college district, or board of school inspectors).

³³ But see 50 ILCS 105/1.2 (West 2016) (providing that a member of the county board in a county having fewer than 40,000 inhabitants, during the term of office for which he or she is elected, may also hold the office of member of the board of education, regional board of school trustees, board of school directors, board of a community college district, or board of school inspectors).

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³⁶ But see 50 ILCS 105/1.2 (West 2016) (providing that a member of the county board in a county having fewer than 40,000 inhabitants, during the term of office for which he or she is elected, may also hold the office of member of the board of education, regional board of school trustees, board of school directors, board of a community college district, or board of school inspectors).

³⁷ But see 50 ILCS 105/1.2 (West 2016) (providing that a member of the county board in a county having fewer than 40,000 inhabitants, during the term of office for which he or she is elected, may also hold the office of member of the board of education, regional board of school trustees, board of school directors, board of a community college district, or board of school inspectors).

³⁸ But see 50 ILCS 105/1.2 (West 2016) (providing that a member of the county board in a county having fewer than 40,000 inhabitants, during the term of office for which he or she is elected, may also hold the office of member of the board of education, regional board of school trustees, board of school directors, board of a community college district, or board of school inspectors).

³⁹ Although opinion No. S-987, issued October 29, 1975 (1975 Ill. Att'y Gen. Op. 278), advised that the incompatibility rules pertain only to officers and not employees, earlier opinions of the Attorney General applied incompatibility rules to both offices as well as to employees and other positions. See also *Rogers v. Village of Tinley Park*, 116 Ill. App. 3d 437 (1983).

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Sheriff's Employee	Incomp ⁴⁰	I-88-026	07/22/88	n/a	
Soil and Water Conservation District Director	Incomp	NP-731	04/02/74	n/a	
Supervisor of Assessments	Incomp	NP-375	12/17/71	n/a	
Township Assessor	Incomp ⁴¹	81-021	07/23/81	1981	47
Township Planning Com. Member	Comp	I-92-015	03/05/92	n/a	
Township Supervisor	Comp	S-1016	12/11/75	1975	335
Township Supervisor	Comp	I-89-019	03/07/89	n/a	
Township Trustee (Auditor)	Incomp ⁴²	NP-1108	06/15/76	n/a	
Township Trustee	Incomp ⁴³	I-89-019	03/07/89	n/a	
Township Trustee	Incomp ⁴⁴	94-008	03/24/94	n/a	
Tuberculosis Sanitarium Director	Incomp	NP-953	08/28/75	n/a	
Village Clerk	Comp ⁴⁵	NP-546	12/12/72	n/a	
Village President	Incomp	I-09-001	03/05/09	n/a	
Village Trustee	Incomp ⁴⁶	I-14-005	05/07/14	n/a	

⁴⁰ Although opinion No. S-987, issued October 29, 1975 (1975 Ill. Att'y Gen. Op. 278), advised that the incompatibility rules pertain only to officers and not employees, earlier opinions of the Attorney General applied incompatibility rules to both offices as well as to employees and other positions. See also *Rogers v. Village of Tinley Park*, 116 Ill. App. 3d 437 (1983).

⁴¹ But see 50 ILCS 110/2 (West 2016) (providing that the office of county board member is compatible with the following offices: township supervisor in all counties; township trustee in counties of less than 100,000 population; and township assessor or town clerk in counties of less than 300,000 population). The offices subject to population limits presumably remain incompatible in counties exceeding those limits. See *People ex rel. Fitzsimmons v. Swailes*, 101 Ill. 2d 458 (1984) (holding the offices of county board member and township assessor to be incompatible in counties of over 300,000 population).

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⁴⁴ But see 50 ILCS 110/2 (West 2016) (providing that the office of county board member is compatible with the following offices: township supervisor in all counties; township trustee in counties of less than 100,000 population; and township assessor or town clerk in counties of less than 300,000 population). The offices subject to population limits presumably remain incompatible in counties exceeding those limits. See *People ex rel. Fitzsimmons v. Swailes*, 101 Ill. 2d 458 (1984) (holding the offices of county board member and township assessor to be incompatible in counties of over 300,000 population).

⁴⁵ Conclusion reached in this opinion superseded by statutory enactment. See 50 ILCS 105/1 (West 2017 Supp.) (county board member prohibited from holding other public offices); see also Ill. Att'y Gen. Inf. Op. No. I-10-006, issued 6/10/10.

⁴⁶ But see 50 ILCS 105/1 (West 2017 Supp.) (providing that no member of a county board, during the term of office for which he or she is elected, may be appointed to, accept, or hold any office other than, among others, alderman of a city or member of the board of trustees of a village or incorporated town if the city, village, or incorporated town has fewer than 1,000 inhabitants and is located in a county having fewer than 50,000 inhabitants unless he or she first resigns from the office of county board member or unless the holding of another office is authorized by law. Any such prohibited appointment or election is void.)

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COUNTY BOARD OF HEALTH MEMBER					
City Council Member	Incomp	I-08-027	10/02/08	n/a	
Community Mental Health Board Member	Incomp	97-026	12/23/97	n/a	
County Board Member	Comp	NP-985	10/23/75	n/a	
Forest Preserve District Commissioner	Comp	I-94-044	08/24/94	n/a	
COUNTY CLERK					
Alderman	Comp	I-95-026	08/23/95	n/a	
City Commissioner	See Opinion ⁴⁷	I-96-018	02/28/96	n/a	
County Historic Museum Board Member	Comp	I-95-001	01/06/95	n/a	
Hospital District Director	Comp	I-93-043	08/31/93	n/a	
Park District Commissioner	Comp	I-00-002	01/27/00	n/a	
COUNTY COMMISSIONER (see also COUNTY BOARD MEMBER)					
City Commissioner	Incomp ⁴⁸	I-96-018	02/28/96	n/a	
COUNTY EMERGENCY SERVICES AND DISASTER AGENCY (ESDA) COORDINATOR					
County Board Chairman Elected At-Large	Incomp	I-04-017	10/15/04	n/a	
School Board Member	Incomp	I-06-031	06/21/06	n/a	
COUNTY ENGINEER (see also COUNTY HIGHWAY SUPERINTENDENT)					
School Board Member	Incomp	I-94-003	01/07/94	n/a	
Village President	Incomp	I-95-012	04/07/95	n/a	
COUNTY EXECUTIVE					
Township Supervisor	Incomp	94-010	03/24/94	n/a	
COUNTY HIGHWAY SUPERINTENDENT (see also COUNTY ENGINEER)					
Alderman	Incomp	S-1120	07/01/76	1976 ..	232
COUNTY HISTORIC MUSEUM BOARD MEMBER					
County Clerk	Comp	I-95-001	01/06/95	n/a	
COUNTY HOSPITAL BOARD MEMBER					
County Board Member	Incomp	NP-609	08/20/73	n/a	
COUNTY HOUSING AUTHORITY COMMISSIONER					
Alderman & two County Board Members	Incomp ⁴⁹	I-08-020	07/01/08	n/a	
County Board Members (two) & Alderman	Incomp ⁵⁰	I-08-020	07/01/08	n/a	
Mayor	Comp	91-015	03/14/91	1991	30
River Conservancy District Trustee	Incomp	91-015	03/14/91	1991	30

⁴⁷ Fact questions may control.

⁴⁸ But see 50 ILCS 105/1 (West 2017 Supp.).

⁴⁹ Under section 3 of the Housing Authorities Act (310 ILCS 10/3 (West 2016)) only two "public officers" may serve on the same housing authority board. Because the two county board members and city alderman who are the focus of the opinion are "public officers" as defined in the Act, only two of them may serve on the housing authority board simultaneously.

⁵⁰ Under section 3 of the Housing Authorities Act (310 ILCS 10/3 (West 2016)) only two "public officers" may serve on the same housing authority board. Because the two county board members and city alderman who are the focus of the opinion are "public officers" as defined in the Act, only two of them may serve on the housing authority board simultaneously.

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COUNTY LIQUOR CONTROL COMMISSIONER					
County Board Chairman Elected At-Large	Comp	I-04-017	10/15/04	n/a	
COUNTY RECORDER					
Alderman	Comp	I-95-026	08/23/95	n/a	
Park District Commissioner	Comp	I-00-002	01/27/00	n/a	
COUNTY SUPERVISOR OF ASSESSMENTS (see also DEPUTY COUNTY SUPERVISOR OF ASSESSMENTS)					
Alderman	Incomp	S-674	12/27/73	1973	241
County Board Member	Incomp	NP-375	12/17/71	n/a	
County Zoning Enforcement Officer	Incomp	S-316	07/27/71	1971	68
COUNTY TREASURER					
Park District Commissioner	Comp	NP82-039	11/10/82	n/a	
School Board Member	Comp	I-18-001	01/04/18	n/a	
School Treasurer	Comp	I-18-003	04/05/18	n/a	
Township Supervisor	Comp	I-18-003	04/05/18	n/a	
Township Trustee	Comp	I-92-009	02/04/92	n/a	
COUNTY TUBERCULOSIS SANITARIUM BOARD MEMBER					
County Board Member	Incomp	NP-953	08/28/75	n/a	
COUNTY ZONING ADMINISTRATOR					
Alderman	Incomp	82-020	06/29/82	1982	53
School Board Member	Incomp	I-06-031	06/21/06	n/a	
COUNTY ZONING BOARD OF APPEALS MEMBER					
Assistant State's Attorney	Incomp	I-89-020	03/21/89	n/a	
Board of Review Member	Comp	I-18-005	05/31/18	n/a	
Drainage District Commissioner	Incomp	S-1367	06/29/78	1978	127
Regional Board of Schools Trustee	Incomp	I-89-007	01/19/89	n/a	
Regional Planning Commission Member	Comp	I-99-014	03/02/99	n/a	
School Board Member	Incomp	S-1367	06/29/78	1978	127
Township Plan Commission Member	Comp	I-06-041	11/09/06	n/a	
Township Supervisor	Incomp	S-1367	06/29/78	1978	127
COUNTY ZONING COMMISSION MEMBER					
County Board Member	Incomp	NP-343	09/24/71	n/a	
COUNTY ZONING ENFORCEMENT OFFICER					
Supervisor of Assessments	Incomp	S-316	07/27/71	1971	68
COUNTY ZONING INSPECTOR					
School Board Member	Comp	NP-341	09/24/71	n/a	
DEPUTY ASSESSOR					
Township Supervisor	Incomp	92-006	04/22/92	n/a	
DEPUTY CORONER					
County Board Member	Incomp	I-96-028	05/28/96	n/a	

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DEPUTY COUNTY SUPERVISOR OF ASSESSMENTS (see also COUNTY SUPERVISOR OF ASSESSMENTS)					
Township Assessor	Incomp	NP-785	07/18/74	n/a	
Township Assessor	Incomp	93-017	07/27/93	n/a	
DEPUTY PUBLIC DEFENDER					
City Attorney	Incomp	S-1025	12/30/75	1975 ..	350
DEPUTY SHERIFF					
County Board Member	Incomp	I-96-028	05/28/96	n/a	
Probation Officer	Incomp	NP-927	06/20/75	n/a	
Township Assessor	Comp	S-333	08/30/71	1971	93
Village Police Chief	Comp	I-08-015	05/15/08	n/a	
Emergency Telephone System Board Member	Incomp ⁵¹	I-15-007	08/26/15	n/a	
DIRECTOR OF FOX WATERWAY AGENCY					
Mayor	Incomp	I-01-011	03/14/01	n/a	
DRAINAGE DISTRICT COMMISSIONER					
Alderman	Incomp	I-90-058	12/17/90	n/a	
County Zoning Board of Appeals Member	Incomp	S-1367	06/29/78	1978 ..	127
Township Highway Commissioner	Incomp	I-01-025	05/23/01	n/a	
EDUCATIONAL LABOR RELATIONS BOARD MEMBER					
School Board Member	Incomp	I-98-037	10/28/98	n/a	
EMERGENCY TELEPHONE SYSTEM BOARD MEMBER					
County Board Member	Incomp ⁵²	91-028	07/26/91	1991	63
County Board Member	Incomp ⁵³	I-07-008	03/15/07	n/a	
Sheriff or Deputy Sheriff	Incomp ⁵⁴	I-15-007	08/26/15	n/a	
FIRE CHIEF OF FIRE PROTECTION DISTRICT					
Fire Protection District Trustee	Incomp ⁵⁵	I-01-025	05/23/01	n/a	
FIRE PROTECTION DISTRICT ATTORNEY					
County Board Member	Incomp	NP-769	05/28/74	n/a	

⁵¹ Fact questions may control.

⁵² Conclusion reached in this opinion superseded by statutory enactment. See 50 ILCS 750/15.4 (West 2017 Supp.) (Elected officials, including members of a county board, are eligible to serve on an ETS board).

⁵³ Conclusion reached in this opinion superseded by statutory enactment. See 50 ILCS 750/15.4 (West 2017 Supp.) (Elected officials, including members of a county board, are eligible to serve on an ETS board).

⁵⁴ Fact questions may control.

⁵⁵ See 50 ILCS 135/12 (West 2016) (providing that a member of any fire department or fire protection district may serve in a public office if elected to that office, and a member of any fire department or fire protection district may serve in a public office if appointed to that office).

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FIRE PROTECTION DISTRICT TRUSTEE					
Community College Board Trustee	Incomp	I-93-037	07/09/93	n/a	
County Board Member	Incomp	I-12-001	2/17/12	n/a	
Fire Chief of Fire Protection District	Incomp ⁵⁶	I-01-025	05/23/01	n/a	
Firefighter or Paramedic	Comp ⁵⁷	I-07-051	11/01/07	n/a	
School Board Member	Incomp	I-96-003	01/03/96	n/a	
Sheriff	Comp	I-11-005	07/01/11	n/a	
Township Assessor	Incomp	I-07-049	09/27/07	n/a	
Township Highway Commissioner	Comp	I-00-039	09/27/00	n/a	
Township Trustee	Comp	I-89-043	08/09/89	n/a	
Village Trustee	Incomp	I-89-013	02/21/89	n/a	
Village Trustee	Incomp	I-93-037	07/09/93	n/a	
Volunteer Firefighter	Comp ⁵⁸	I-93-013	02/26/93	n/a	
FIREFIGHTER					
Fire Protection District Trustee	Comp ⁵⁹	I-07-051	11/01/07	n/a	
FOREST PRESERVE DISTRICT COMMISSIONER OR PRESIDENT					
County Board Member	Comp	S-877	03/17/75	1975	37
County Board of Health Member	Comp	I-94-044	08/24/94	n/a	
Township Supervisor	Comp	NP-1099	05/28/76	n/a	
GENERAL ASSEMBLY MEMBER					
Community College Board Trustee	Comp	99-015	07/09/99	n/a	
County Board Member	Comp	S-1027	01/05/76	1976	49
Public Health District Board Member (Ex Officio)	Comp	80-027	09/04/80	1980	116
Township Supervisor	Comp	80-027	09/04/80	1980	116
HIGH SCHOOL PRINCIPAL					
Alderman	Comp	I-94-030	06/08/94	n/a	
HIGHWAY COMMISSIONER (see TOWNSHIP HIGHWAY COMMISSIONER)					
HOSPITAL DISTRICT DIRECTOR					
County Clerk	Comp	I-93-043	08/31/93	n/a	
State's Attorney	Incomp	I-92-002	01/21/92	n/a	

⁵⁶ See 50 ILCS 135/12 (West 2016) (providing that a member of any fire department or fire protection district may serve in a public office if elected to that office, and a member of any fire department or fire protection district may serve in a public office if appointed to that office).

⁵⁷ See 50 ILCS 135/12 (West 2016) (providing that a member of any fire department or fire protection district may serve in a public office if elected to that office, and a member of any fire department or fire protection district may serve in a public office if appointed to that office).

⁵⁸ See 50 ILCS 135/12 (West 2016) (providing that a member of any fire department or fire protection district may serve in a public office if elected to that office, and a member of any fire department or fire protection district may serve in a public office if appointed to that office).

⁵⁹ See 50 ILCS 135/12 (West 2016) (providing that a member of any fire department or fire protection district may serve in a public office if elected to that office, and a member of any fire department or fire protection district may serve in a public office if appointed to that office).

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HOSPITAL EMPLOYEE⁶⁰					
Coroner	Comp	I-88-047	10/26/88	n/a	
ILLINOIS COMMERCE COMMISSION ENFORCEMENT OFFICER					
County Board Member	Comp	NP-480	06/23/72	n/a	
ILLINOIS OFFICE OF EDUCATION EMPLOYEE⁶¹					
School Board Member	Comp	S-987	10/29/75	1975	278
JAIL ADMINISTRATOR⁶²					
Alderman	Comp	I-05-007	09/23/05	n/a	
JUNIOR COLLEGE BOARD TRUSTEE (see also COMMUNITY COLLEGE BOARD TRUSTEE)					
County Board Member	Comp ⁶³	NP-549	01/12/73	n/a	
JURY COMMISSIONER					
County Board Member	Incomp	NP-800	08/13/74	n/a	
LIBRARY DISTRICT TRUSTEE					
City Council Member	Incomp	I-05-003	01/31/05	n/a	
County Board Member	Incomp	91-023	06/06/91	1991	51
School Board Member	Comp	93-012	05/25/93	n/a	
Township Trustee	Incomp	I-96-052	12/10/96	n/a	
LOCAL PROFESSIONAL DEVELOPMENT COMMITTEE MEMBER-AT-LARGE					
School Board Member	Incomp	I-00-037	09/01/00	n/a	
MAYOR (see also VILLAGE PRESIDENT, VILLAGE MAYOR)					
City Police Chief	Incomp	I-06-021	03/13/06	n/a	
Community College Board Trustee	Incomp	I-92-060	12/08/92	n/a	
County Board Member	Incomp	S-419	03/13/72	1972	45
County Housing Authority Commissioner	Comp	91-015	03/14/91	1991	30
Director of Fox Waterway Agency	Incomp	I-01-011	03/14/01	n/a	

⁶⁰ Although opinion No. S-987, issued October 29, 1975 (1975 Ill. Att'y Gen. Op. 278), advised that the incompatibility rules pertain only to officers and not employees, earlier opinions of the Attorney General applied incompatibility rules to both offices as well as to employees and other positions. See also *Rogers v. Village of Tinley Park*, 116 Ill. App. 3d 437 (1983).

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⁶³ See Ill. Att'y Gen. Op. No. 94-021, issued October 25, 1994, finding reversed; but see 50 ILCS 105/1.2 (West 2016) (providing that a member of the county board in a county having fewer than 40,000 inhabitants, during the term of office for which he or she is elected, may also hold the office of member of the board of education, regional board of school trustees, board of school directors, board of a community college district, or board of school inspectors).

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Municipal Budget Officer	Incomp ⁶⁴	I-98-003	02/25/98	n/a	
Police Officer(contiguous city)	Comp	I-93-017	04/01/93	n/a	
Regional Planning Commission Member	Comp	S-500	07/24/72	1972 ..	195
Regional Planning CommissionMember	Comp	NP-529	11/03/72	n/a	
River Conservancy District Trustee	Incomp	91-015	03/14/91	1991 ..	30
MERIT COMMISSION MEMBER					
County Board Member	Incomp	NP-465	06/23/72	n/a	
Precinct Committeeman	Comp	S-1213	02/18/77	1977 ..	24
MULTI-TOWNSHIP ASSESSOR					
Village Trustee	Incomp	93-008	03/19/93	n/a	
MUNICIPAL BUDGET OFFICER					
Mayor	Incomp ⁶⁵	I-98-003	02/25/98	n/a	
NOT-FOR-PROFIT CORPORATION DIRECTOR					
County Board Member	Comp	NP-870	02/04/75	n/a	
Village Board Member	Comp	I-89-035	07/28/89	n/a	
PARK DISTRICT COMMISSIONER					
Assistant State's Attorney	Comp	I-97-010	04/16/97	n/a	
County Clerk and Recorder	Comp	I-00-002	01/27/00	n/a	
County Treasurer	Comp	NP82-039	11/10/82	n/a	
School Board Member	Incomp	91-031	07/26/91	1991 ..	69
State's Attorney	Incomp	I-97-010	04/16/97	n/a	
Township Trustee (Auditor)	Incomp	S-1057	03/17/76	1976 ..	116
PARK DISTRICT PRESIDENT					
Alderman	Incomp	85-015	07/19/85	1991 ..	177
POLICE OFFICER					
Mayor (of contiguous city)	Comp	I-93-017	04/01/93	n/a	
PORT DISTRICT BOARD MEMBER					
County board chairman	Incomp	I-03-012	12/19/03	n/a	
County board member	Incomp	I-03-012	12/19/03	n/a	
PRECINCT COMMITTEEMAN					
Merit Commission Member	Comp	S-1213	02/18/77	1977 ..	24

⁶⁴ But see 65 ILCS 5/8-2-9.1 (West 2016) (providing that a municipal budget officer may hold another municipal office, either elected or appointed (including, but not limited to, the office of mayor or president in municipalities with a population under 10,000), and may receive compensation for both offices except when a mayor or president in a municipality with a population under 10,000 is also the budget officer).

⁶⁵ But see 65 ILCS 5/8-2-9.1 (West 2016) (providing that a municipal budget officer may hold another municipal office, either elected or appointed (including, but not limited to, the office of mayor or president in municipalities with a population under 10,000), and may receive compensation for both offices except when a mayor or president in a municipality with a population under 10,000 is also the budget officer).

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PROBATION OFFICER					
Deputy Sheriff	Incomp	NP-927	06/20/75	n/a	
PUBLIC BUILDING COMMISSION MEMBER					
County Board Member	Comp	NP-866	02/04/75	n/a	
PUBLIC HEALTH DISTRICT BOARD MEMBER (EX OFFICIO)					
Legislator	Comp	80-027	09/04/80	1980	116
PUBLIC WATER DISTRICT TRUSTEE					
Village Trustee	Incomp	NP-1203	01/13/77	n/a	
REGIONAL BOARD OF SCHOOLS TRUSTEE					
Community College Board Trustee	Incomp	I-06-011	01/26/06	n/a	
County Board Member	Comp ⁶⁶	I-95-011	04/07/95	n/a	
County Zoning Board of Appeals Member	Incomp	I-89-007	01/19/89	n/a	
REGIONAL PLANNING COMMISSION MEMBER					
Alderman	Comp	S-500	07/24/72	1972	195
Alderman	Comp	NP-529	11/03/72	n/a	
City Commissioner	Comp	NP-529	11/03/72	n/a	
City Manager	Comp	NP-529	11/03/72	n/a	
County Board Member	Comp	S-500	07/24/72	1972	195
County Board Member	Comp	NP-529	11/03/72	n/a	
County Zoning Board of Appeals Member	Comp	I-99-014	03/02/99	n/a	
Mayor	Comp	S-500	07/24/72	1972	195
Mayor	Comp	NP-529	11/03/72	n/a	
Township Supervisor	Comp	NP-529	11/03/72	n/a	
Village President	Comp	S-500	07/24/72	1972	195
Village President	Comp	NP-529	11/03/72	n/a	
Village Trustee	Comp	S-500	07/24/72	1972	195
Village Trustee	Comp	NP-529	11/03/72	n/a	
REGIONAL PORT DISTRICT BOARD MEMBER					
Alderman	Incomp	80-030	09/22/80	1980	122
County Board Member	Incomp	80-030	09/22/80	1980	122
Village Trustee	Incomp	80-030	09/22/80	1980	122
REGIONAL PROFESSIONAL DEVELOPMENT REVIEW COMMITTEE MEMBER-AT-LARGE					
School Board Member (not Chicago)	Comp	I-00-037	09/01/00	n/a	
REGIONAL SUPERINTENDENT OF SCHOOLS					
Alderman	Comp	NP-956	08/28/75	n/a	
Community College District Trustee	Incomp	I-16-003	04/28/16	n/a	

⁶⁶ But see 50 ILCS 105/1.2 (West 2016) (providing that a member of the county board in a county having fewer than 40,000 inhabitants, during the term of office for which he or she is elected, may also hold the office of member of the board of education, regional board of school trustees, board of school directors, board of a community college district, or board of school inspectors).

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RIVER CONSERVANCY DISTRICT TRUSTEE					
City Commissioner	Incomp	I-91-017	06/05/91	n/a	
County Board Member	Incomp	NP-1327	01/06/78	n/a	
County Housing Authority Commissioner	Incomp	91-015	03/14/91	1991	30
Mayor	Incomp	91-015	03/14/91	1991	30
ROAD DISTRICT EMPLOYEE⁶⁷					
Township Trustee	Incomp	I-90-018	05/29/90	n/a	
SANITARY DISTRICT TRUSTEE					
Board of Review Member	Incomp	I-96-053	12/30/96	n/a	
County Board Member	Incomp	NP-522	10/27/72	n/a	
County Board Member	Incomp	I-96-053	12/30/96	n/a	
Village Mayor	Incomp	I-89-003	01/04/89	n/a	
SCHOOL BOARD MEMBER					
Board of Review Member	Incomp	I-90-016	05/29/90	n/a	
City Council Member	Incomp	85-019 ⁶⁸	11/19/85	1991	188
City Fire Chief	Comp	I-94-030	06/08/94	n/a	
City Manager	Incomp	I-94-030	06/08/94	n/a	
Community College District Trustee	Incomp	I-96-048	12/02/96	n/a	
County Board Member	Incomp ⁶⁹	NP-560	03/26/73	n/a	
County Board Member	Incomp ⁷⁰	S-590	05/22/73	1973	83
County Board Member	Incomp ⁷¹	I-89-039	08/09/89	n/a	
County Board Member	Incomp ⁷²	93-011	05/25/93	n/a	

⁶⁷ Although opinion No. S-987, issued October 29, 1975 (1975 Ill. Att'y Gen. Op. 278), advised that the incompatibility rules pertain only to officers and not employees, earlier opinions of the Attorney General applied incompatibility rules to both offices as well as to employees and other positions. See also *Rogers v. Village of Tinley Park*, 116 Ill. App. 3d 437 (1983).

⁶⁸ Under section 1.3 of the Public Officer Prohibited Activities Act (50 ILCS 105/1.3 (West 2016)), in a city, village, or incorporated town with fewer than 2,500 inhabitants, an alderman of the city or a member of the board of trustees of a village or incorporated town, may also hold the office of member of the board of education, regional board of school trustees, board of school directors, or board of school inspectors.

⁶⁹ But see 50 ILCS 105/1.2 (West 2016) (providing that a member of the county board in a county having fewer than 40,000 inhabitants, during the term of office for which he or she is elected, may also hold the office of member of the board of education, regional board of school trustees, board of school directors, board of a community college district, or board of school inspectors).

⁷⁰ But see 50 ILCS 105/1.2 (West 2016) (providing that a member of the county board in a county having fewer than 40,000 inhabitants, during the term of office for which he or she is elected, may also hold the office of member of the board of education, regional board of school trustees, board of school directors, board of a community college district, or board of school inspectors).

⁷¹ But see 50 ILCS 105/1.2 (West 2016) (providing that a member of the county board in a county having fewer than 40,000 inhabitants, during the term of office for which he or she is elected, may also hold the office of member of the board of education, regional board of school trustees, board of school directors, board of a community college district, or board of school inspectors).

⁷² But see 50 ILCS 105/1.2 (West 2016) (providing that a member of the county board in a county having fewer than 40,000 inhabitants, during the term of office for which he or she is elected, may also hold the office of member of the board of education, regional board of school trustees, board of school directors, board of a community college district, or board of school inspectors).

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County Board Member	Incomp ⁷³	I-96-028	05/28/96	n/a	
County Board Member	Incomp ⁷⁴	I-03-002	05/01/03	n/a	
County Board Member	Incomp ⁷⁵	I-06-013	01/31/06	n/a	
County Board Member	Incomp ⁷⁶	I-09-005	05/20/09	n/a	
County Emergency Services and Disaster Agency Coordinator	Incomp	I-06-031	06/21/06	n/a	
County Engineer	Incomp	I-94-003	01/07/94	n/a	
County Treasurer	Comp	I-18-001	01/04/18	n/a	
County Zoning Administrator	Incomp	I-06-031	06/21/06	n/a	
County Zoning Board of Appeals Member	Incomp	S-1367	06/29/78	1978	127
County Zoning Inspector	Comp	NP-341	09/24/71	n/a	
Educational Labor Relations Board Member	Incomp	I-98-037	10/28/98	n/a	
Fire Protection District Trustee	Incomp	I-96-003	01/03/96	n/a	
Illinois Office of Education Employee	Comp ⁷⁷	S-987	10/29/75	1975	278
Library District Trustee	Comp	93-012	05/25/93	n/a	
Local Professional Development Committee Member-At-Large	Incomp	I-00-037	09/01/00	n/a	
Park District Commissioner	Incomp	91-031	07/26/91	1991	69
Regional Professional Development Review Committee Member-At-Large	Comp ⁷⁸	I-00-037	09/01/00	n/a	
Sheriff	Comp	I-96-046	11/06/96	n/a	
Township Assessor	Incomp	S-590	05/22/73	1973	83
Township Clerk	Comp	I-93-037	07/09/93	n/a	
Township Highway Commissioner	Incomp	I-09-002	03/12/09	n/a	
Township Land Commissioner	Comp	I-89-066	12/05/89	n/a	
Township School Trustee	Incomp	S-590	05/22/73	1973	83
Township Supervisor (grades 9-12)	Comp	I-93-050	10/21/93	n/a	
Township Trustee or Supervisor (district lying wholly or partly within twp, grades 1-8)	Incomp	I-88-003	02/16/88	n/a	

⁷³ But see 50 ILCS 105/1.2 (West 2016) (providing that a member of the county board in a county having fewer than 40,000 inhabitants, during the term of office for which he or she is elected, may also hold the office of member of the board of education, regional board of school trustees, board of school directors, board of a community college district, or board of school inspectors).

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⁷⁶ But see 50 ILCS 105/1.2 (West 2016) (providing that a member of the county board in a county having fewer than 40,000 inhabitants, during the term of office for which he or she is elected, may also hold the office of member of the board of education, regional board of school trustees, board of school directors, board of a community college district, or board of school inspectors).

⁷⁷ Although opinion No. S-987, issued October 29, 1975 (1975 Ill. Att'y Gen. Op. 278), advised that the incompatibility rules pertain only to officers and not employees, earlier opinions of the Attorney General applied incompatibility rules to both offices as well as to employees and other positions. See also *Rogers v. Village of Tinley Park*, 116 Ill. App. 3d 437 (1983).

⁷⁸ Except for Chicago public schools

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Township Trustee or Supervisor (district lying wholly or partly within twp, grades 1-8)	Incomp	I-89-019	03/07/89	n/a	
Township Trustee or Supervisor	Comp	I-89-019	03/07/89	n/a	
Village President	Incomp	S-1494	06/30/80	1980	81
Village Zoning Board of Appeals Member	Incomp	I-06-018	02/24/06	n/a	
SCHOOL BOARD MEMBER (GRADE SCHOOL DISTRICT)					
High School Board Member	Incomp	I-11-003	03/31/11	n/a	
SCHOOL BOARD MEMBER (HIGH SCHOOL DISTRICT)					
Elementary School Board Member	Incomp	I-11-003	03/31/11	n/a	
Township Supervisor	Comp	I-93-050	10/21/93	n/a	
SCHOOL DISTRICT SUPERINTENDENT					
Chicago Board of Education Member	Comp/Incomp ⁷⁹	I-92-039	07/21/92	n/a	
SCHOOL TREASURER					
County Treasurer	Comp	I-18-003	04/05/18	n/a	
SHERIFF					
Coroner	Comp ⁸⁰	I-05-006	09/23/05	n/a	
Emergency Telephone System Board Member	Incomp ⁸¹	I-15-007	08/26/15	n/a	
Fire Protection District Trustee	Comp	I-11-005	07/01/11	n/a	
School Board Member	Comp	I-96-046	11/06/96	n/a	
Village Commissioner	Incomp	I-07-006	03/02/07	n/a	
SHERIFF'S EMPLOYEE⁸²					
County Board Member	Incomp	I-88-034	09/06/88	n/a	
County Board Member	Incomp	I-88-026	07/22/88	n/a	
SOIL AND WATER CONSERVATION DISTRICT DIRECTOR					
County Board Member	Incomp	NP-731	04/02/74	n/a	
STATE'S ATTORNEY (see also ASSISTANT STATE'S ATTORNEY)					
City Attorney	Incomp	I-92-002	01/21/92	n/a	
Community College Board Trustee	Incomp	I-00-043	10/16/00	n/a	
Hospital District Director	Incomp	I-92-002	01/21/92	n/a	
Park District Commissioner	Incomp	I-97-010	04/16/97	n/a	
Village Legal Consultant	Comp	S-1254	06/10/77	1977	81
SUPERVISOR OF ASSESSMENTS (see COUNTY SUPERVISOR OF ASSESSMENTS) (see also DEPUTY COUNTY SUPERVISOR OF ASSESSMENTS)					

⁷⁹ See opinion - superintendent of a school district outside the city of Chicago should not be considered a public officer.

⁸⁰ Fact questions may control.

⁸¹ Fact questions may control.

⁸² Although opinion No. S-987, issued October 29, 1975 (1975 Ill. Att'y Gen. Op. 278), advised that the incompatibility rules pertain only to officers and not employees, earlier opinions of the Attorney General applied incompatibility rules to both offices as well as to employees and other positions. See also *Rogers v. Village of Tinley Park*, 116 Ill. App. 3d 437 (1983).

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TOWNSHIP ASSESSOR					
Alderman	Incomp	I-93-051	10/21/93	n/a	
City Zoning Board of Appeals Member	Comp	I-89-034	07/11/89	n/a	
County Board Member	Incomp ⁸³	81-021	07/23/81	1981	47
Deputy Sheriff	Comp	S-333	08/30/71	1971	93
Deputy Supervisor of Assessments	Incomp	NP-785	07/18/74	n/a	
Deputy Supervisor of Assessments	Incomp	93-017	07/27/93	n/a	
Fire Protection District Trustee	Incomp	I-07-049	09/27/07	n/a	
School Board Member	Incomp	S-590	05/22/73	1973	83
Township Clerk (in township organized as a public health district)	Incomp ⁸⁴	I-00-027	07/06/00	n/a	
Township Trustee	Incomp	I-13-002	04/05/13	n/a	
Village Clerk	Comp	I-93-016	03/10/93	n/a	
Village Trustee	Incomp	I-10-005	5/27/10	n/a	
TOWNSHIP AUDITOR (see also TOWNSHIP TRUSTEE)					
City Commissioner	Incomp	NP-962	09/24/75	n/a	
TOWNSHIP CEMETERY MANAGER					
Village Trustee	Incomp	I-12-013	10/11/12	n/a	
TOWNSHIP CEMETERY TRUSTEE					
Township Supervisor	See Opinion ⁸⁵	I-95-021	06/21/95	n/a	
Township Trustee	See Opinion ⁸⁶	I-95-021	06/21/95	n/a	
TOWNSHIP CLERK					
Village President	Comp	NP-618	09/06/73	n/a	
School Board Member	Comp	I-93-037	07/09/93	n/a	
Township Assessor (in township organized as a public health district)	Incomp ⁸⁷	I-00-027	07/06/00	n/a	
Township Trustee	Incomp	I-92-017	03/05/92	n/a	
TOWNSHIP HIGHWAY COMMISSIONER					
County Board Member	Incomp ⁸⁸	NP-407	03/08/72	n/a	
Drainage District Commissioner	Incomp	I-01-025	05/23/01	n/a	
Fire Protection District Trustee	Comp	I-00-039	09/27/00	n/a	
School Board Member	Incomp	I-09-002	03/12/09	n/a	
Village Trustee	Incomp	I-05-002	01/31/05	n/a	

⁸³ But see 50 ILCS 110/2 (West 2016) (providing that the office of county board member is compatible with the following offices: township supervisor in all counties; township trustee in counties of less than 100,000 population; and township assessor or town clerk in counties of less than 300,000 population). The offices subject to population limits presumably remain incompatible in counties exceeding those limits. See *People ex rel. Fitzsimmons v. Swailes*, 101 Ill. 2d 458 (1984) (holding the offices of county board member and township assessor to be incompatible in counties of over 300,000 population).

⁸⁴ But, not incompatible in a single township assessment district which is not organized into a public health district.

⁸⁵ Fact questions may control.

⁸⁶ Fact questions may control.

⁸⁷ But, not incompatible in a single township assessment district which is not organized into a public health district.

⁸⁸ But see 50 ILCS 105/1.1 (West 2016) (providing that a member of the county board in a county having fewer than 550,000 inhabitants may also hold the office of township highway commissioner).

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TOWNSHIP LAND COMMISSIONER					
School Board Member	Comp	I-89-066	12/05/89	n/a	
TOWNSHIP LIBRARY TRUSTEE					
Village Trustee	Incomp	I-89-011	02/07/89	n/a	
TOWNSHIP PLANNING COMMISSION MEMBER					
County Board Member	Comp	I-92-015	03/05/92	n/a	
County Zoning Board of Appeals Member	Comp	I-06-041	11/09/06	n/a	
Township Zoning Board of Appeals Member	comp	I-04-006	04/13/04	n/a	
TOWNSHIP SCHOOL TRUSTEE					
School Board Member	Incomp	S-590	05/22/73	1973	83
TOWNSHIP SUPERVISOR					
Assistant State's Attorney	Incomp	I-09-019	10/29/09	n/a	
Board of Review Member	Incomp	I-97-027	08/28/97	n/a	
City Commissioner	Incomp	NP-962	09/24/75	n/a	
City Council Member	Incomp	UP-1342	02/17/65	n/a	
City Treasurer	Comp	I-04-008	05/21/04	n/a	
Community Mental Health Board Member	Incomp	S-1114	07/01/76	1976	219
County Board Member	Comp	S-1016	12/11/75	1975	335
County Board Member	Comp	I-89-019	03/07/89	n/a	
County Executive	Incomp	94-010	03/24/94	n/a	
County Treasurer	Comp	I-18-003	04/05/18	n/a	
County Zoning Board of Appeals Member	Incomp	S-1367	06/29/78	1978	127
Deputy Assessor	Incomp	92-006	04/22/92	n/a	
Forest Preserve Commissioner	Comp	NP-1099	05/28/76	n/a	
Legislator	Comp	80-027	09/04/80	1980	116
Regional Planning Commission Member	Comp	NP-529	11/03/72	n/a	
School Board Member	Comp	I-89-019	03/07/89	n/a	
School Board Member (district lying wholly or partly within twp, grades 1-8)	Incomp	I-88-003	02/16/88	n/a	
School Board Member (district lying wholly or partly within twp, grades 1-8)	Incomp	I-89-019	03/07/89	n/a	
School Board Member (grades 9-12)	Comp	I-93-050	10/21/93	n/a	
Township Cemetery Trustee	See Opinion ⁸⁹	I-95-021	06/21/95	n/a	
TOWNSHIP TRUSTEE (see also TOWNSHIP AUDITOR)					
Board of Review Member	Incomp	S-1459	08/20/79	1979	121
City Clerk	Comp	I-89-002	01/03/89	n/a	
City Plan Commission Member	Incomp	97-013	07/07/97	n/a	
County Board Member	Incomp ⁹⁰	NP-1108	06/15/76	n/a	

⁸⁹ Fact questions may control.

⁹⁰ But see 50 ILCS 110/2 (West 2016) (providing that the office of county board member is compatible with the following offices: township supervisor in all counties; township trustee in counties of less than 100,000 population; and township assessor or town clerk in counties of less than 300,000 population). The offices subject to population limits presumably remain incompatible in counties exceeding those limits. See *People ex rel. Fitzsimmons v. Swailes*, 101 Ill. 2d 458 (1984) (holding the offices of county board member and township assessor to be incompatible in counties of over 300,000 population).

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County Board Member	Incomp ⁹¹	I-89-019	03/07/89	n/a	
County Board Member	Incomp ⁹²	94-008	03/24/94	n/a	
County Treasurer	Comp	I-92-009	02/04/92	n/a	
Fire Protection District Trustee	Comp	I-89-043	08/09/89	n/a	
Library District Trustee	Incomp	I-96-052	12/10/96	n/a	
Park District Commissioner	Incomp	S-1057	03/17/76	1976	116
Road District Employee	Incomp ⁹³	I-90-018	05/29/90	n/a	
School Board Member	Comp	I-89-019	03/07/89	n/a	
School Board Member (grades 1-8)	Incomp	I-88-003	02/16/88	n/a	
School Board Member (grades 1-8)	Incomp	I-89-019	03/07/89	n/a	
Township Assessor	Incomp	I-13-002	04/05/13	n/a	
Township Cemetery Trustee	See Opinion ⁹⁴	I-95-021	06/21/95	n/a	
Township Clerk	Incomp	I-92-017	03/05/92	n/a	
Village Trustee	Incomp	I-89-043	08/09/89	n/a	
TOWNSHIP ZONING BOARD OF APPEALS MEMBER					
Township Plan Commission Member	comp	I-04-006	04/13/04	n/a	
VILLAGE BOARD MEMBER (see VILLAGE TRUSTEE)					
VILLAGE CLERK (see also CITY CLERK)					
County Board Member	Comp ⁹⁵	NP-546	12/12/72	n/a	
Township Assessor	Comp	I-93-016	03/10/93	n/a	
VILLAGE COMMISSIONER (see VILLAGE TRUSTEE)					
VILLAGE LEGAL CONSULTANT (see also CITY ATTORNEY)					
State's Attorney	Comp	S-1254	06/10/77	1977	81
VILLAGE MAYOR (see also MAYOR, VILLAGE PRESIDENT)					
Sanitary District Trustee	Incomp	I-89-003	01/04/89	n/a	
VILLAGE PLANNING COMMISSIONER					
Airport Authority Commissioner	Incomp	I-18-009	08/17/18	n/a	

⁹¹ But see 50 ILCS 110/2 (West 2016) (providing that the office of county board member is compatible with the following offices: township supervisor in all counties; township trustee in counties of less than 100,000 population; and township assessor or town clerk in counties of less than 300,000 population). The offices subject to population limits presumably remain incompatible in counties exceeding those limits. See *People ex rel. Fitzsimmons v. Swailes*, 101 Ill. 2d 458 (1984) (holding the offices of county board member and township assessor to be incompatible in counties of over 300,000 population).

⁹² But see 50 ILCS 110/2 (West 2016) (providing that the office of county board member is compatible with the following offices: township supervisor in all counties; township trustee in counties of less than 100,000 population; and township assessor or town clerk in counties of less than 300,000 population). The offices subject to population limits presumably remain incompatible in counties exceeding those limits. See *People ex rel. Fitzsimmons v. Swailes*, 101 Ill. 2d 458 (1984) (holding the offices of county board member and township assessor to be incompatible in counties of over 300,000 population).

⁹³ Although opinion No. S-987, issued October 29, 1975 (1975 Ill. Att'y Gen. Op. 278), advised that the incompatibility rules pertain only to officers and not employees, earlier opinions of the Attorney General applied incompatibility rules to both offices as well as to employees and other positions. See also *Rogers v. Village of Tinley Park*, 116 Ill. App. 3d 437 (1983).

⁹⁴ Fact questions may control.

⁹⁵ Conclusion reached in this opinion superseded by statutory enactment. See 50 ILCS 105/1 (West 2017 Supp.) (county board member prohibited from holding other public offices); see also Ill. Att'y Gen. Inf. Op. No. I-10-006, issued 6/10/10.

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VILLAGE POLICE CHIEF					
Deputy Sheriff	Comp	I-08-015	05/15/08	n/a	
VILLAGE PRESIDENT (see also MAYOR, VILLAGE MAYOR))					
County Board Member	Incomp	I-09-001	03/05/09	n/a	
County Engineer	Incomp	I-95-012	04/07/95	n/a	
Regional Planning Commission Member	Comp	S-500	07/24/72	1972	195
Regional Planning commission Member	Comp	NP-529	11/03/72	n/a	
School Board Member	Incomp	S-1494	06/30/80	1980	81
Township Clerk	Comp	NP-618	09/06/73	n/a	
VILLAGE TRUSTEE (see also ALDERMAN, CITY COMMISSIONER, CITY COUNCIL MEMBER)					
Community Mental Health Board Member	Incomp	I-10-002	02/05/10	n/a	
County Board Member	Incomp ⁹⁶	I-14-005	05/07/14	n/a	
Fire Protection District Trustee	Incomp	I-89-013	02/21/89	n/a	
Fire Protection District Trustee	Incomp	I-93-037	07/09/93	n/a	
Joint Township Cemetery Manager	Incomp	I-12-013	10/11/12	n/a	
Multi-Township Assessor	Incomp	93-008	03/19/93	n/a	
Not-For-Profit Corp. Director	Comp	I-89-035	07/28/89	n/a	
Public Water District Trustee	Incomp	NP-1203	01/13/77	n/a	
Regional Planning Commission Member	Comp	S-500	07/24/72	1972	195
Regional Planning Commission Member	Comp	NP-529	11/03/72	n/a	
Regional Port District Board Member	Incomp	80-030	09/22/80	1980	122
Sheriff	Incomp	I-07-006	03/02/07	n/a	
Township Assessor	Incomp	I-10-005	5/27/10	n/a	
Township Highway Commissioner	Incomp	I-05-002	01/31/05	n/a	
Township Library Trustee	Incomp	I-89-011	02/07/89	n/a	
Township Trustee	Incomp	I-89-043	08/09/89	n/a	
VILLAGE ZONING BOARD OF APPEALS MEMBER					
County Board Member	Incomp	S-419	03/13/72	1972	45
School Board Member	Incomp	I-06-018	02/24/06	n/a	
VOLUNTEER FIREFIGHTER					
Fire Protection District Trustee	Comp ⁹⁷	I-93-013	02/26/93	n/a	
ZONING BOARD OF APPEALS MEMBER (see CITY OR COUNTY OR TOWNSHIP OR VILLAGE ZONING BOARD OF APPEALS MEMBER)					

⁹⁶ But see 50 ILCS 105/1 (West 2017 Supp.) (providing that no member of a county board, during the term of office for which he or she is elected, may be appointed to, accept, or hold any office other than, among others, alderman of a city or member of the board of trustees of a village or incorporated town if the city, village, or incorporated town has fewer than 1,000 inhabitants and is located in a county having fewer than 50,000 inhabitants unless he or she first resigns from the office of county board member or unless the holding of another office is authorized by law. Any such prohibited appointment or election is void.)

⁹⁷ See 50 ILCS 135/12 (West 2016) (providing that a member of any fire department or fire protection district may serve in a public office if elected to that office, and a member of any fire department or fire protection district may serve in a public office if appointed to that office).