

GIFFIN WINNING COHEN & BODEWES, P.C.

A T T O R N E Y S A T L A W

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September 23, 2015

ESTABLISHED 1911

D. LOGAN GIFFIN
(1890-1980)

MONTGOMERY S. WINNING
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(1904-1980)

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(1921-2013)

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ABBY L. ALLGIRE

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ROBERT S. COHEN
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Mr. Michael McCreery
United Counties Council of Illinois
217 East Monroe Street, Suite 101
Springfield, IL 62701

Re: **Member of County Board Serving on Other Public Bodies**
Our File: UNITCC-0601

Dear Mike:

Issue

A series of questions were received relative to a member of the county board serving on other public bodies. The following questions were presented: May a county board member serve simultaneously on a municipal board, township board of trustees or a school board.

Analysis

The Public Officer Prohibited Activities Act¹ (the "Act") identifies a series of prohibited and permitted activities involving county board members. In substance, the Act prohibits a county board member during the term that he is serving as a county board member from being elected nor appointed to any other office unless authorized by the Act. In addition to the Public Officers Prohibited Activities Act, the General Assembly enacted an additional law known as the "Public Officer Simultaneous Tenure Act,"² which identifies those offices that may be held simultaneously with the office of county board member.

Conclusion

A county board member, in counties with less than 50,000 inhabitants, may serve as an alderman of a city or a member of the board of trustees of a village or an incorporated town provided the city, village or incorporated town has less than 1,000 inhabitants.

¹ 50 ILCS 105/01 *et seq.*

² 50 ILCS 110/0.01.

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A county board member in counties of 100,000 or less inhabitants may serve as a township trustee simultaneously while holding the office of a county board member.

The county board member may simultaneously hold the office of township supervisor in all counties regardless of the population of the county.

In counties of less than 300,000 in population, the county board member may also hold the office of township assessor or town clerk.

In counties having less than 40,000 inhabitants, a member of a county board may serve as a member of the board of education, regional board of school trustees, board of school directors, board of community college districts, or board of school inspectors.

Sincerely,

GIFFIN, WINNING, COHEN & BODEWES, P.C.



Herman G. Bodewes

HGB:PA

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Disclaimer: This opinion was prepared by Giffin, Winning, Cohen & Bodewes, P.C. at the request of UCCI and is to be used solely by UCCI and its members. The State's Attorney is the attorney for the County. Legal advice, if requested, should be sought from the State's Attorney.