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December 8, 2015

ESTABLISHED 1911

D. LOGAN GIFFIN
(1890-1980)

MONTGOMERY S. WINNING
(1892-1966)

C. TERRY LINDNER
(1903-1987)

ALFRED F. NEWKIRK
(1904-1980)

JAMES M. WINNING
(1921-2013)

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

Re: Residency time period for county board members

Dear Mike:

Issue

What is the time period of the residency requirement for county board members?

Analysis

In those counties with a population of 3,000,000 or fewer, an individual must be a legal voter and have been a resident of the county for 1 year immediately prior to the election in order to be eligible to hold the office of county board member or commissioner.¹ Further, an individual who has not resided in a municipality for at least 1 year immediately prior to the election is not qualified for an elective municipal office.² Cook County is governed by Division 2-6 of the Counties Code since it has a population exceeding 3,000,000.³

¹ 55 ILCS 5/2-3015

² 65 ILCS 3.1-10-5(a)

³ 55 ILCS 5/2-6002

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Conclusion

In order to be eligible to hold the office of county board member or commissioner outside of Cook County, an individual must be a legal voter and a resident of the county for the year immediately preceding the election.

Sincerely,

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


Herman G. Bodewes


Abby L. Allgite

HGB/ALA: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.