

**Lee County Board
Dixon, Illinois**

RESOLUTION NO. _____

**ESTABLISHING THE SALARY
FOR THE
LEE COUNTY SHERIFF**

WHEREAS, the County of Lee, a body politic and corporate of the state of Illinois ("County") is a non-home rule unit of local government pursuant to Article VII, § 8 of the 1970 Illinois Constitution; and

WHEREAS, Section 5-1010 of the Counties Code, 55 ILCS 5/5-1010, requires the County Board to establish the salary of County officers at a meeting prior to the election of the officers whose salary is being established; and

WHEREAS, Section 2(a) of the Local Government Officer Compensation Act, 50 ILCS 145/2(a), requires the salary of elected officers for local governments to be established at least one hundred eighty (180) days prior to the start of their term; and

WHEREAS, Section 2(b) of the Local Government Officer Compensation Act, 50 ILCS 145/2(b), requires the salary of elected officers of a county be set by ordinance or resolution of the County Board; and

WHEREAS, the Public Act 102-0699 was enacted on April 19, 2022; and

WHEREAS, the Public Act 102-0699 amends the Counties Code by adding Section 3-6007.5 (55 ILCS 5/3-6007.5) as follows:

Section 3-6007.5. Sheriff's salary.

- a) As used in this Section, "salary" is exclusive of any other compensation or benefits.
- b) The salary of a sheriff elected or appointed after the effective date of this amendatory Act of the 102nd General Assembly in a non-home rule county shall not be less than 80% of the salary set for the State's Attorney under Section 4-2001 for the county in which the sheriff is elected or appointed.
- c) The State shall furnish 66 2/3% of the total annual salary to be paid to a sheriff. Said amounts furnished by the State shall be payable monthly by the Department of Revenue out of the Personal Property Tax Replacement Fund or the General Revenue Fund to the county in which the sheriff is elected or appointed. The county shall furnish 33 1/3% of the total annual salary.

; and

WHEREAS, Section 4-2001 of the Counties Code establishes the methods used to set the salary of the State's Attorney.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY BOARD OF THE COUNTY OF LEE AS FOLLOWS:

- 1) Recitals. The facts and statements contained in the preamble to this Resolution are found to be true and correct and are hereby adopted as part of this Resolution.

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- 2) Salary. Pursuant to 55 ILCS 5/3-6007.5, the salary of any appointed or elected Lee County Sheriff whose term commences on or after April 19, 2022, shall be equal to eighty percent (80%) of the Lee County State's Attorney's salary as is set by the State of Illinois pursuant to Section 4-2001 of the Counties Code.
- 3) Stipend. In addition to the salary provided for in Section 2 of this Resolution, the Sheriff shall receive an annual stipend to be paid by the Illinois Department of Revenue out of the Personal Property Tax Replacement Fund in the amount of six thousand five hundred dollars (\$6,500.00) as required by Section 4-6003(d) of the Counties Code (55 ILCS 5/4-6003(d)).
- 4) Severability. If any provision of this Resolution, or the application of any provision of this Resolution, is held unconstitutional or otherwise invalid, such occurrence shall not affect other provisions of this Resolution, or their application, that can be given effect without the unconstitutional or invalid provision or its application. Each unconstitutional or invalid provision, or application of such provision, is severable, unless otherwise provided by this Resolution.
- 5) Effective Date. This Resolution shall be in full force and effect from and after its passage and approval.

PASSED BY THE LEE COUNTY BOARD

THIS _____ DAY OF _____, 2022

BY: _____
Lee County Board Chairman

ATTEST:

BY: _____
Lee County Clerk