RESOLUTION 24

WHEREAS, this Board has previously voted not to put a binding referendum on Recall on the ballot; and

WHEREAS, the Board Members voting No asserted they did so out of the belief that the County Board did not have the constitutional or statutory authority to enact Recall via a binding referendum; and

WHEREAS, this Board previously passed a Resolution supporting Senate Bill 1954, sponsored by Senator Doris Turner, which would have statutorily authorized Sangamon County to enact Recall via a binding referendum at the November 3, 2026 General Election, but the bill failed to pass and is now moot due to the November 3rd Election having already occurred; and

WHEREAS, the Circuit Court of Kane County on October 21, 2026 in the case of *Helen Francis Ratzlow v. Aurora Municipal Officers,* No. 2026-MR-307, ruled that Local Government Article VII of the Illinois Constitution authorized the city of Aurora to adopt Recall for the office of Mayor by a binding referendum; and

WHEREAS, the Court held that Section 6(f) of Article VII of the Illinois Constitution expressly authorized the binding Referendum on Recall; and

WHEREAS, the Court based its ruling on the following language in Section 6(f): "A home rule municipality shall have the power to provide for its officers, their manner of selection and term of office only as approved by referendum or otherwise authorized by law."; and

WHEREAS, Section 7 of Article VII provides almost the exact same language for counties, stating: "(4) in the case of counties, to provide for their officers, manner of selection and terms of office as provided in Section 4 of this Article"; and

WHEREAS, Section 4 provides that for counties the terms of office and manner of selection may be changed by county-wide referendum; and

WHEREAS, the Court held that Recall alters the terms of office of elected officials; and

WHEREAS, the Kane County Circuit Court's ruling is currently on appeal in the Illinois Appellate Court for the Second District under No, 26-0548; has been fully briefed; and a ruling is expected any day; and

WHEREAS, at the November 3, 2026 election the binding referendum on Recall for the office of Mayor of Aurora passed overwhelmingly; and

WHEREAS, the deadline for the County Board to place a referendum on the April 6, 2027 ballot is Tuesday, January 19, 2027; and

FILED

NOV 06 2026

Sangamon County Clerk

WHEREAS, the Massey Commission recommended the adoption of Recall and adopting Recall was also strongly endorsed by Sonya Massey's father, James Wilburn; and

WHEREAS, Pursuant to Sections 4 and 7 of Article VII of the Illinois Constitution of 1970, the Sangamon County may change the terms of office and manner of selection of county officers by county-wide referendum; and

WHEREAS, Pursuant to Section 11 of Article VII of tf) he Illinois Constitution of 1970 and the Illinois Election Code, 10 ILCS 5/28-1 et seq, the Sangamon County Board has the authority to initiate and submit to the electors such a county-wide referendum by resolution; and

WHEREAS, The County Board believes it is in the best interest of the residents of the County Sangamon to move as expeditiously as possible to submit this proposition to the voters at the next regularly scheduled election, to be held on April 6, 2027;

NOW, THEREFORE BE IT RESOLVED by the Members of the Board of Sangamon County in session this 10th day of November

Section 1. The above recitals are expressly incorporated herein and made part hereof as though fully set forth herein.

Section 2. The County Board of Sangamon County does hereby initiate and authorize the following referendum to be submitted to the voters of the entire County of Sangamon at the regularly scheduled election next occurring after the effective date of this resolution, which is the Consolidated Election to be held on April 6, 2027:

Shall the voters of the County of Sangamon provide for the power of recall for the Offices of County Sheriff, County Auditor, County Clerk, County Treasurer, and County Board Member (collectively "County Officers") as follows: The terms of County Officers are subject to the right of recall vested in the electors of the County of Sangamon. A County Officer may be recalled and removed from office by a majority vote of the electorate at a recall referendum initiated by a petition signed by the electors of Sangamon County numbering not less than 8% of the total vote cast for the candidates for Governor in the preceding Gubernatorial Election by the registered voters in Sangamon County, except that in the case of petitions to recall a County Board Member, the petition shall be signed by the electors of the County Board District where the recall is sought numbering not less than 8% of the total vote cast for the candidates for Governor in the preceding Gubernatorial Election by the registered voters in said District, where the petition was filed with the Sangamon County Clerk not less than 92 days before the next regular election. A proposition to recall the County Officer shall be certified by the Sangamon County Clerk, who shall then submit the proposition to the voters at the next regular election in accordance with the general election law. The proposition shall be in substantially the following form:	**YES**	☐

"Shall (Name of Incumbent County Officer) be recalled and removed from the Office of (Name of their Office)?" Where if a majority of votes shall be cast in favor of the recall of the County Officer, the Officer's term shall end; the Office shall be declared vacant, and the Office shall then be filled in the manner provided by law for the filling of a vacancy; provided that the County Officer who has been recalled may not be appointed to fill the vacancy?	**NO**	☐

Section 3. The County Clerk of Sangamon County shall certify the county-wide referendum referenced herein to in accordance with Article 28 of the Election Code.

Section 4. This resolution shall be in full force and effect upon its passage

_____
Chairman, Sangamon County Board

ATTEST:
County Clerk: _____

(Resolution offered by County Board Members Sam Cahnman and Sheila Feipel)