



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

SB2592

Introduced 6/18/2013, by Sen. Pamela J. Althoff - Dan Duffy

SYNOPSIS AS INTRODUCED:

10 ILCS 5/6A-1
10 ILCS 5/6A-3

from Ch. 46, par. 6A-1
from Ch. 46, par. 6A-3

If and only if House Bill 2418 of the 98th General Assembly becomes law, amends the Election Code by deleting language providing for the establishment of a county board of election commissioners in a county with a population of more than 700,000 persons as of the 2010 federal decennial census that borders another state and borders no more than 2 other Illinois counties. Effective immediately or on the date House Bill 2418 of the 98th General Assembly takes effect, whichever is later.

LRB098 12351 HLH 46664 b

1 AN ACT concerning elections.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. If and only if House Bill 2418 of the 98th
5 General Assembly becomes law, then the Election Code is amended
6 by changing Sections 6A-1 and 6A-3 as follows:

7 (10 ILCS 5/6A-1) (from Ch. 46, par. 6A-1)

8 Sec. 6A-1. (a) Any county in which there is no city,
9 village or incorporated town with a board of election
10 commissioners may establish a county board of election
11 commissioners either (1) by ordinance of the county board or
12 (2) by vote of the electors of the county in accordance with
13 subsection (a) of Section 6A-2.

14 The fact that some territory in a county is within the
15 corporate limits of a city, village or incorporated town with a
16 board of election commissioners does not prevent that county
17 from establishing a county board of election commissioners in
18 accordance with this Article if no portion of such city,
19 village or incorporated town was within the county at the time
20 of the establishment of the board of election commissioners for
21 such city, village or incorporated town. If such a county
22 establishes a county board of election commissioners pursuant
23 to this Article, the county board of election commissioners

1 shall, with respect to the territory in the county within the
2 corporate limits of the city, village or incorporated town,
3 supersede the board of election commissioners of that city,
4 village or incorporated town.

5 (b) (Blank). ~~Any county with a population of more than~~
6 ~~700,000 persons as of the 2010 federal decennial census that~~
7 ~~borders another state and borders no more than 2 other Illinois~~
8 ~~counties, shall be subject to a county board of election~~
9 ~~commissioners beginning 90 days after the effective date of~~
10 ~~this amendatory Act of the 98th General Assembly.~~

11 (c) Any county with a population of less than 200,000 but
12 more than 175,000 persons as of the 2010 federal decennial
13 census in which a city, village, or incorporated town with a
14 board of election commissioners is located may establish a
15 county board of election commissioners by vote of the electors
16 of the county in accordance with subsection (b) of Section
17 6A-2. If such a county establishes a county board of election
18 commissioners, the county board of election commissioners,
19 with respect to the territory in the county within the
20 corporate limits of the city, village, or incorporated town,
21 shall supersede the board of election commissioners of that
22 city village, or incorporated town.

23 (Source: P.A. 81-1433; 09800HB2418sam002.)

24 (10 ILCS 5/6A-3) (from Ch. 46, par. 6A-3)

25 Sec. 6A-3. Commissioners; filling vacancies.

1 (a) If the county board adopts an ordinance providing for
2 the establishment of a county board of election commissioners,
3 or if a majority of the votes cast on a proposition submitted
4 in accordance with Section 6A-2(a) are in favor of a county
5 board of election commissioners, a county board of election
6 commissioners shall be appointed in the same manner as is
7 provided in Article 6 for boards of election commissioners in
8 cities, villages and incorporated towns, except that the county
9 board of election commissioners shall be appointed by the
10 chairman of the county board rather than the circuit court.
11 However, before any appointments are made, the appointing
12 authority shall ascertain whether the county clerk desires to
13 be a member of the county board of election commissioners. If
14 the county clerk so desires, he shall be one of the members of
15 the county board of election commissioners, and the appointing
16 authority shall appoint only 2 other members.

17 (b) (Blank). ~~For any county board of election commissioners~~
18 ~~established under subsection (b) of Section 6A 1, within 30~~
19 ~~days after the effective date of this amendatory Act of the~~
20 ~~98th General Assembly, the chief judge of the circuit court of~~
21 ~~the county shall appoint 5 commissioners. At least 4 of those~~
22 ~~commissioners shall be selected from the 2 major established~~
23 ~~political parties of the State, with at least 2 from each of~~
24 ~~those parties. Such appointment shall be entered of record in~~
25 ~~the office of the County Clerk and the State Board of~~
26 ~~Elections. Those first appointed shall hold their offices for~~

1 ~~the period of one, 2, and 3 years respectively, and the judge~~
2 ~~appointing them shall designate the term for which each~~
3 ~~commissioner shall hold his or her office, whether for one, 2~~
4 ~~or 3 years except that no more than one commissioner from each~~
5 ~~major established political party may be designated the same~~
6 ~~term. After the initial term, each commissioner or his or her~~
7 ~~successor shall be appointed to a 3 year term. No elected~~
8 ~~official or former elected official who has been out of elected~~
9 ~~office for less than 2 years may be appointed to the board.~~
10 ~~Vacancies shall be filled by the chief judge of the circuit~~
11 ~~court within 30 days of the vacancy in a manner that maintains~~
12 ~~the foregoing political party representation.~~

13 (c) For any county board of election commissioners
14 established under subsection (c) of Section 6A-1, within 30
15 days after the conclusion of the election at which the
16 proposition to establish a county board of election
17 commissioners is approved by the voters, the municipal board
18 shall apply to the circuit court of the county for the chief
19 judge of the circuit court to appoint 2 additional
20 commissioners, one of whom shall be from each major established
21 political party and neither of whom shall reside within the
22 limits of the municipal board, so that 3 commissioners shall
23 reside within the limits of the municipal board and 2 shall
24 reside within the county but not within the municipality, as it
25 may exist from time to time. Not more than 3 of the
26 commissioners shall be members of the same major established

1 political party. Vacancies shall be filled by the chief judge
2 of the circuit court upon application of the remaining
3 commissioners in a manner that maintains the foregoing
4 geographical and political party representation.

5 (Source: P.A. 91-358, eff. 7-29-99; 09800HB2418sam002.)

6 Section 99. Effective date. This Act takes effect upon
7 becoming law or on the date House Bill 2418 of the 98th General
8 Assembly takes effect, whichever is later.