



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB1649

Introduced 1/28/2025, by Rep. Jed Davis

SYNOPSIS AS INTRODUCED:

10 ILCS 5/10-9

from Ch. 46, par. 10-9

Amends the Election Code. In provisions concerning objections to certificates of nomination and nomination papers, designates the township officers electoral board of a township in a county with a population of 3,000,000 or more (rather than the township officers electoral board) to hear and pass upon objector's petitions. Makes a conforming change.

LRB104 09270 SPS 19328 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. The Election Code is amended by changing
5 Section 10-9 as follows:

6 (10 ILCS 5/10-9) (from Ch. 46, par. 10-9)

7 Sec. 10-9. The following electoral boards are designated
8 for the purpose of hearing and passing upon the objector's
9 petition described in Section 10-8.

10 1. The State Board of Elections will hear and pass
11 upon objections to the nominations of candidates for State
12 offices, nominations of candidates for congressional or
13 legislative offices that are in more than one county or
14 are wholly located within a single county with a
15 population of less than 3,000,000 and judicial offices of
16 districts, subcircuits, or circuits situated in more than
17 one county, nominations of candidates for the offices of
18 State's attorney or regional superintendent of schools to
19 be elected from more than one county, and petitions for
20 proposed amendments to the Constitution of the State of
21 Illinois as provided for in Section 3 of Article XIV of the
22 Constitution.

23 2. The county officers electoral board of a county

1 with a population of less than 3,000,000 to hear and pass
2 upon objections to the nominations of candidates for
3 county offices and judicial offices of a district,
4 subcircuit, or circuit coterminous with or less than a
5 county, for any school district offices, for the office of
6 multi-township assessor where candidates for such office
7 are nominated in accordance with this Code, for any
8 township officers, and for all special district offices,
9 shall be composed of the county clerk, or an assistant
10 designated by the county clerk, the State's attorney of
11 the county or an Assistant State's Attorney designated by
12 the State's Attorney, and the clerk of the circuit court,
13 or an assistant designated by the clerk of the circuit
14 court, of the county, of whom the county clerk or his
15 designee shall be the chair, except that in any county
16 which has established a county board of election
17 commissioners that board shall constitute the county
18 officers electoral board ex-officio. If a school district
19 is located in 2 or more counties, the county officers
20 electoral board of the county in which the principal
21 office of the school district is located shall hear and
22 pass upon objections to nominations of candidates for
23 school district office in that school district.

24 2.5. The county officers electoral board of a county
25 with a population of 3,000,000 or more to hear and pass
26 upon objections to the nominations of candidates for

1 county offices, candidates for congressional offices and
2 representatives in the General Assembly if the district is
3 wholly within a county with a population of 3,000,000 or
4 more, unless the district is wholly or partially within
5 the jurisdiction of a municipal board of election
6 commissioners, and judicial offices of a district,
7 subcircuit, or circuit coterminous with or less than a
8 county, for any school district offices, for the office of
9 multi-township assessor where candidates for such office
10 are nominated in accordance with this Code, for all
11 special district offices, and for candidates for the
12 Senate, shall be composed of the county clerk, or an
13 assistant designated by the county clerk, the State's
14 Attorney of the county or an Assistant State's Attorney
15 designated by the State's Attorney, and the clerk of the
16 circuit court, or an assistant designated by the clerk of
17 the circuit court, of the county, of whom the county clerk
18 or his designee shall be the chair, except that, in any
19 county which has established a county board of election
20 commissioners, that board shall constitute the county
21 officers electoral board ex-officio. If a school district
22 is located in 2 or more counties, the county officers
23 electoral board of the county in which the principal
24 office of the school district is located shall hear and
25 pass upon objections to nominations of candidates for
26 school district office in that school district.

1 3. The municipal officers electoral board to hear and
2 pass upon objections to the nominations of candidates for
3 officers of municipalities shall be composed of the mayor
4 or president of the board of trustees of the city, village
5 or incorporated town, and the city, village or
6 incorporated town clerk, and one member of the city
7 council or board of trustees, that member being designated
8 who is eligible to serve on the electoral board and has
9 served the greatest number of years as a member of the city
10 council or board of trustees, of whom the mayor or
11 president of the board of trustees shall be the chair.

12 4. The township officers electoral board of a township
13 in a county with a population of 3,000,000 or more to pass
14 upon objections to the nominations of township officers
15 shall be composed of the township supervisor, the town
16 clerk, and that eligible town trustee elected in the
17 township who has had the longest term of continuous
18 service as town trustee, of whom the township supervisor
19 shall be the chair.

20 5. The education officers electoral board to hear and
21 pass upon objections to the nominations of candidates for
22 offices in community college districts shall be composed
23 of the presiding officer of the community college district
24 board, who shall be the chair, the secretary of the
25 community college district board and the eligible elected
26 community college board member who has the longest term of

1 continuous service as a board member.

2 6. In all cases, however, where the Congressional,
3 Legislative, or Representative district is wholly or
4 partially within the jurisdiction of a single municipal
5 board of election commissioners in Cook County and in all
6 cases where the school district or special district is
7 wholly within the jurisdiction of a municipal board of
8 election commissioners and in all cases where the
9 municipality or township is wholly or partially within the
10 jurisdiction of a municipal board of election
11 commissioners, the board of election commissioners shall
12 ex-officio constitute the electoral board.

13 For special districts situated in more than one county,
14 the county officers electoral board of the county in which the
15 principal office of the district is located has jurisdiction
16 to hear and pass upon objections. For purposes of this
17 Section, "special districts" means all political subdivisions
18 other than counties, municipalities, townships and school and
19 community college districts.

20 In the event that any member of the appropriate board is a
21 candidate for the office with relation to which the objector's
22 petition is filed, he shall not be eligible to serve on that
23 board and shall not act as a member of the board and his place
24 shall be filled as follows:

25 a. In the county officers electoral board by the
26 county treasurer, and if he or she is ineligible to serve,

1 by the sheriff of the county.

2 b. In the municipal officers electoral board by the
3 eligible elected city council or board of trustees member
4 who has served the second greatest number of years as a
5 city council or board of trustees member.

6 c. In the township officers electoral board by the
7 eligible elected town trustee who has had the second
8 longest term of continuous service as a town trustee.

9 d. In the education officers electoral board by the
10 eligible elected community college district board member
11 who has had the second longest term of continuous service
12 as a board member.

13 In the event that the chair of the electoral board is
14 ineligible to act because of the fact that he or she is a
15 candidate for the office with relation to which the objector's
16 petition is filed, then the substitute chosen under the
17 provisions of this Section shall be the chair; In this case,
18 the officer or board with whom the objector's petition is
19 filed, shall transmit the certificate of nomination or
20 nomination papers as the case may be, and the objector's
21 petition to the substitute chair of the electoral board.

22 When 2 or more eligible individuals, by reason of their
23 terms of service on a city council or board of trustees,
24 township board of trustees, or community college district
25 board, qualify to serve on an electoral board, the one to serve
26 shall be chosen by lot.

1 Any vacancies on an electoral board not otherwise filled
2 pursuant to this Section shall be filled by public members
3 appointed by the Chief Judge of the Circuit Court for the
4 county wherein the electoral board hearing is being held upon
5 notification to the Chief Judge of such vacancies. The Chief
6 Judge shall be so notified by a member of the electoral board
7 or the officer or board with whom the objector's petition was
8 filed. In the event that none of the individuals designated by
9 this Section to serve on the electoral board are eligible, the
10 chair of an electoral board shall be designated by the Chief
11 Judge.

12 (Source: P.A. 103-467, eff. 8-4-23.)