

SB1493



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

SB1493

Introduced 1/31/2025, by Sen. Meg Loughran Cappel

SYNOPSIS AS INTRODUCED:

105 ILCS 5/10-10

from Ch. 122, par. 10-10

Amends the School Boards Article of the School Code. Requires each member of a board of education, on the date of his or her election to the board, to be the age of 22 (rather than 18) years or over.

LRB104 10301 LNS 20375 b

A BILL FOR

1 AN ACT concerning education.

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

4 Section 5. The School Code is amended by changing Section
5 10-10 as follows:

6 (105 ILCS 5/10-10) (from Ch. 122, par. 10-10)

7 Sec. 10-10. Board of education; term; vacancy. All school
8 districts having a population of not fewer than 1,000 and not
9 more than 500,000 inhabitants, as ascertained by any special
10 or general census, and not governed by special Acts, shall be
11 governed by a board of education consisting of 7 members,
12 serving without compensation except as herein provided. Each
13 member shall be elected for a term of 4 years for the initial
14 members of the board of education of a combined school
15 district to which that subsection applies. If 5 members are
16 elected in 1983 pursuant to the extension of terms provided by
17 law for transition to the consolidated election schedule under
18 the general election law, 2 of those members shall be elected
19 to serve terms of 2 years and 3 shall be elected to serve terms
20 of 4 years; their successors shall serve for a 4 year term.
21 When the voters of a district have voted to elect members of
22 the board of education for 6 year terms, as provided in Section
23 9-5, the terms of office of members of the board of education

1 of that district expire when their successors assume office
2 but not later than 7 days after such election. If at the
3 regular school election held in the first odd-numbered year
4 after the determination to elect members for 6 year terms 2
5 members are elected, they shall serve for a 6 year term; and of
6 the members elected at the next regular school election 3
7 shall serve for a term of 6 years and 2 shall serve a term of 2
8 years. Thereafter members elected in such districts shall be
9 elected to a 6 year term. If at the regular school election
10 held in the first odd-numbered year after the determination to
11 elect members for 6 year terms 3 members are elected, they
12 shall serve for a 6 year term; and of the members elected at
13 the next regular school election 2 shall serve for a term of 2
14 years and 2 shall serve for a term of 6 years. Thereafter
15 members elected in such districts shall be elected to a 6 year
16 term. If at the regular school election held in the first
17 odd-numbered year after the determination to elect members for
18 6 year terms 4 members are elected, 3 shall serve for a term of
19 6 years and one shall serve for a term of 2 years; and of the
20 members elected at the next regular school election 2 shall
21 serve for terms of 6 years and 2 shall serve for terms of 2
22 years. Thereafter members elected in such districts shall be
23 elected to a 6 year term. If at the regular school election
24 held in the first odd-numbered year after the determination to
25 elect members for a 6 year term 5 members are elected, 3 shall
26 serve for a term of 6 years and 2 shall serve for a term of 2

1 years; and of the members elected at the next regular school
2 election 2 shall serve for terms of 6 years and 2 shall serve
3 for terms of 2 years. Thereafter members elected in such
4 districts shall be elected to a 6 year term. An election for
5 board members shall not be held in school districts which by
6 consolidation, annexation or otherwise shall cease to exist as
7 a school district within 6 months after the election date, and
8 the term of all board members which would otherwise terminate
9 shall be continued until such district shall cease to exist.
10 Each member, on the date of his or her election, shall be a
11 citizen of the United States of the age of 22 ~~18~~ years or over,
12 shall be a resident of the State and the territory of the
13 district for at least one year immediately preceding his or
14 her election, shall be a registered voter as provided in the
15 general election law, shall not be a school trustee, must not
16 have been removed from a school board pursuant to Section
17 2-3.25f-5 of this Code (unless subsequently appointed as a
18 member of an Independent Authority or if it has been 10 years
19 since the abolition of the Independent Authority in the
20 district), and shall not be a child sex offender as defined in
21 Section 11-9.3 of the Criminal Code of 2012. When the board of
22 education is the successor of the school directors, all rights
23 of property, and all rights regarding causes of action
24 existing or vested in such directors, shall vest in it as fully
25 as they were vested in the school directors. Terms of members
26 are subject to Section 2A-54 of the Election Code.

1 Nomination papers filed under this Section are not valid
2 unless the candidate named therein files with the county clerk
3 or the county board of election commissioners, as the case may
4 be, of the county in which the principal office of the school
5 district is located a receipt from the county clerk showing
6 that the candidate has filed a statement of economic interests
7 as required by the Illinois Governmental Ethics Act. Such
8 receipt shall be so filed either previously during the
9 calendar year in which his nomination papers were filed or
10 within the period for the filing of nomination papers in
11 accordance with the general election law.

12 Whenever a vacancy occurs, the remaining members shall
13 notify the regional superintendent of that vacancy within 5
14 days after its occurrence and shall proceed to fill the
15 vacancy until the next regular school election, at which
16 election a successor shall be elected to serve the remainder
17 of the unexpired term. However, if the vacancy occurs with
18 less than 868 days remaining in the term, or if the vacancy
19 occurs less than 88 days before the next regularly scheduled
20 election for this office then the person so appointed shall
21 serve the remainder of the unexpired term, and no election to
22 fill the vacancy shall be held. Should they fail so to act,
23 within 60 days after the vacancy occurs, the regional
24 superintendent of schools under whose supervision and control
25 the district is operating, as defined in Section 3-14.2 of
26 this Act, shall within 30 days after the remaining members

1 have failed to fill the vacancy, fill the vacancy as provided
2 for herein. Upon the regional superintendent's failure to fill
3 the vacancy, the vacancy shall be filled at the next regularly
4 scheduled election. Whether elected or appointed by the
5 remaining members or regional superintendent, the successor
6 shall be an inhabitant of the particular area from which his or
7 her predecessor was elected if the residential requirements
8 contained in Section 10-10.5 or 12-2 of this Code apply.

9 A board of education may appoint a student to the board to
10 serve in an advisory capacity. The student member shall serve
11 for a term as determined by the board. The board may not grant
12 the student member any voting privileges, but shall consider
13 the student member as an advisor. The student member may not
14 participate in or attend any executive session of the board.

15 (Source: P.A. 101-67, eff. 1-1-20.)