



## 104TH GENERAL ASSEMBLY

### State of Illinois

2025 and 2026

SB2150

Introduced 2/7/2025, by Sen. Suzy Glowiak Hilton

#### SYNOPSIS AS INTRODUCED:

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

Amends the Election Code. Provides that the county officers electoral board shall hear and pass upon objections to nominations for municipal offices, for township offices, if the township is wholly located in one county, and for community college district offices. Provides that if a municipality, school district, or community college district is located in 2 or more counties, the county officers electoral board of the county in which the principal offices of the municipality, school district, or community college district are located shall hear and pass upon the objections. Deletes provisions concerning the municipal officers electoral board, the township officers electors board, and the education officers electors board. Makes other changes.

LRB104 11151 SPS 21233 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 Sections 10-9 and 10-10 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, municipal, and township offices and judicial  
4 offices of a district, subcircuit, or circuit coterminous  
5 with or less than a county, for any school district  
6 offices and community college district offices, for the  
7 office of multi-township assessor where candidates for  
8 such office are nominated in accordance with this Code,  
9 and for all special district offices, shall be composed of  
10 the county clerk, or an assistant designated by the county  
11 clerk, the State's attorney of the county or an Assistant  
12 State's Attorney designated by the State's Attorney, and  
13 the clerk of the circuit court, or an assistant designated  
14 by the clerk of the circuit court, of the county, of whom  
15 the county clerk or his designee shall be the chair,  
16 except that in any county which has established a county  
17 board of election commissioners that board shall  
18 constitute the county officers electoral board ex-officio.  
19 If a municipality, school district, or community college  
20 is located in 2 or more counties, the county officers  
21 electoral board of the county in which the principal  
22 office of the school district is located shall hear and  
23 pass upon objections to nominations of candidates for the  
24 municipal office, school district office in that school  
25 district, or community college district office.

26 2.5. The county officers electoral board of a county

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

1 district is located shall hear and pass upon objections to  
2 nominations of candidates for the municipal office, school  
3 district office in that school district, or community  
4 college district office.

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

17 4. (Blank). ~~The township officers electoral board to~~  
18 ~~pass upon objections to the nominations of township~~  
19 ~~officers shall be composed of the township supervisor, the~~  
20 ~~town clerk, and that eligible town trustee elected in the~~  
21 ~~township who has had the longest term of continuous~~  
22 ~~service as town trustee, of whom the township supervisor~~  
23 ~~shall be the chair.~~

24 5. (Blank). ~~The education officers electoral board to~~  
25 ~~hear and pass upon objections to the nominations of~~  
26 ~~candidates for offices in community college districts~~

1 ~~shall be composed of the presiding officer of the~~  
2 ~~community college district board, who shall be the chair,~~  
3 ~~the secretary of the community college district board and~~  
4 ~~the eligible elected community college board member who~~  
5 ~~has the longest term of continuous service as a board~~  
6 ~~member.~~

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

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

25 In the event that any member of the county officers  
26 electoral ~~appropriate~~ board is a candidate for the office with

1 relation to which the objector's petition is filed, he or she  
2 shall not be eligible to serve on that board and shall not act  
3 as a member of the board and his or her place shall be filled  
4 by the county treasurer, and if the county treasurer is  
5 ineligible to serve, by the sheriff of the county. as follows:

6 ~~a. In the county officers electoral board by the~~  
7 ~~county treasurer, and if he or she is ineligible to serve,~~  
8 ~~by the sheriff of the county.~~

9 ~~b. In the municipal officers electoral board by the~~  
10 ~~eligible elected city council or board of trustees member~~  
11 ~~who has served the second greatest number of years as a~~  
12 ~~city council or board of trustees member.~~

13 ~~c. In the township officers electoral board by the~~  
14 ~~eligible elected town trustee who has had the second~~  
15 ~~longest term of continuous service as a town trustee.~~

16 ~~d. In the education officers electoral board by the~~  
17 ~~eligible elected community college district board member~~  
18 ~~who has had the second longest term of continuous service~~  
19 ~~as a board member.~~

20 In the event that the chair of the electoral board is  
21 ineligible to act because of the fact that he or she is a  
22 candidate for the office with relation to which the objector's  
23 petition is filed, then the substitute chosen under the  
24 provisions of this Section shall be the chair; In this case,  
25 the officer or board with whom the objector's petition is  
26 filed, shall transmit the certificate of nomination or

1 nomination papers as the case may be, and the objector's  
2 petition to the substitute chair of the electoral board.

3 ~~When 2 or more eligible individuals, by reason of their~~  
4 ~~terms of service on a city council or board of trustees,~~  
5 ~~township board of trustees, or community college district~~  
6 ~~board, qualify to serve on an electoral board, the one to serve~~  
7 ~~shall be chosen by lot.~~

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

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

20 (10 ILCS 5/10-10) (from Ch. 46, par. 10-10)

21 Sec. 10-10. Within 24 hours after the receipt of the  
22 certificate of nomination or nomination papers or proposed  
23 question of public policy, as the case may be, and the  
24 objector's petition, the chair of the electoral board other  
25 than the State Board of Elections shall send a call by

1 registered or certified mail: to each of the members of the  
2 electoral board; to the objector who filed the objector's  
3 petition; either to the candidate whose certificate of  
4 nomination or nomination papers are objected to or to the  
5 principal proponent or attorney for proponents of a question  
6 of public policy, as the case may be, whose petitions are  
7 objected to; to the election authority to whom the ballot is  
8 certified; and to the appropriate county clerk. The chair of  
9 the electoral board other than the State Board of Elections  
10 shall also cause the sheriff of the county or counties in which  
11 such officers and persons reside to serve a copy of such call  
12 upon each of such officers and persons, which call shall set  
13 out the fact that the electoral board is required to meet to  
14 hear and pass upon the objections to nominations made for the  
15 office, designating it, and shall state the day, hour and  
16 place at which the electoral board shall meet for the purpose,  
17 which place shall be in the county court house in the county in  
18 the case of the County Officers Electoral Board, ~~the Municipal~~  
19 ~~Officers Electoral Board, the Township Officers Electoral~~  
20 ~~Board or the Education Officers Electoral Board~~, except that  
21 the Municipal Officers Electoral Board, the Township Officers  
22 Electoral Board, and the Education Officers Electoral Board  
23 may meet at the location where the governing body of the  
24 municipality, township, or community college district,  
25 respectively, holds its regularly scheduled meetings, if that  
26 location is available; provided that voter records may be

1 removed from the offices of an election authority only at the  
2 discretion and under the supervision of the election  
3 authority. In those cases where the State Board of Elections  
4 is the electoral board designated under Section 10-9, the  
5 chair of the State Board of Elections shall, within 24 hours  
6 after the receipt of the certificate of nomination or  
7 nomination papers or petitions for a proposed amendment to  
8 Article IV of the Constitution or proposed statewide question  
9 of public policy, send a call by registered or certified mail  
10 to the objector who files the objector's petition, and either  
11 to the candidate whose certificate of nomination or nomination  
12 papers are objected to or to the principal proponent or  
13 attorney for proponents of the proposed Constitutional  
14 amendment or statewide question of public policy and shall  
15 state the day, hour, and place at which the electoral board  
16 shall meet for the purpose, which place may be in the Capitol  
17 Building or in the principal or permanent branch office of the  
18 State Board. The day of the meeting shall not be less than 3  
19 nor more than 5 days after the receipt of the certificate of  
20 nomination or nomination papers and the objector's petition by  
21 the chair of the electoral board.

22 The electoral board shall have the power to administer  
23 oaths and to subpoena and examine witnesses and, at the  
24 request of either party and only upon a vote by a majority of  
25 its members, may authorize the chair to issue subpoenas  
26 requiring the attendance of witnesses and subpoenas duces

1     tecum requiring the production of such books, papers, records  
2     and documents as may be evidence of any matter under inquiry  
3     before the electoral board, in the same manner as witnesses  
4     are subpoenaed in the Circuit Court.

5             Service of such subpoenas shall be made by any sheriff or  
6     other person in the same manner as in cases in such court and  
7     the fees of such sheriff shall be the same as is provided by  
8     law, and shall be paid by the objector or candidate who causes  
9     the issuance of the subpoena. In case any person so served  
10    shall knowingly neglect or refuse to obey any such subpoena,  
11    or to testify, the electoral board shall at once file a  
12    petition in the circuit court of the county in which such  
13    hearing is to be heard, or has been attempted to be heard,  
14    setting forth the facts, of such knowing refusal or neglect,  
15    and accompanying the petition with a copy of the citation and  
16    the answer, if one has been filed, together with a copy of the  
17    subpoena and the return of service thereon, and shall apply  
18    for an order of court requiring such person to attend and  
19    testify, and forthwith produce books and papers, before the  
20    electoral board. Any circuit court of the state, excluding the  
21    judge who is sitting on the electoral board, upon such showing  
22    shall order such person to appear and testify, and to  
23    forthwith produce such books and papers, before the electoral  
24    board at a place to be fixed by the court. If such person shall  
25    knowingly fail or refuse to obey such order of the court  
26    without lawful excuse, the court shall punish him or her by

1 fine and imprisonment, as the nature of the case may require  
2 and may be lawful in cases of contempt of court.

3 The electoral board on the first day of its meeting shall  
4 adopt rules of procedure for the introduction of evidence and  
5 the presentation of arguments and may, in its discretion,  
6 provide for the filing of briefs by the parties to the  
7 objection or by other interested persons.

8 In the event of a State Electoral Board hearing on  
9 objections to a petition for an amendment to Article IV of the  
10 Constitution pursuant to Section 3 of Article XIV of the  
11 Constitution, or to a petition for a question of public policy  
12 to be submitted to the voters of the entire State, the  
13 certificates of the county clerks and boards of election  
14 commissioners showing the results of the random sample of  
15 signatures on the petition shall be prima facie valid and  
16 accurate, and shall be presumed to establish the number of  
17 valid and invalid signatures on the petition sheets reviewed  
18 in the random sample, as prescribed in Section 28-11 and 28-12  
19 of this Code. Either party, however, may introduce evidence at  
20 such hearing to dispute the findings as to particular  
21 signatures. In addition to the foregoing, in the absence of  
22 competent evidence presented at such hearing by a party  
23 substantially challenging the results of a random sample, or  
24 showing a different result obtained by an additional sample,  
25 this certificate of a county clerk or board of election  
26 commissioners shall be presumed to establish the ratio of

1 valid to invalid signatures within the particular election  
2 jurisdiction.

3 The electoral board shall take up the question as to  
4 whether or not the certificate of nomination or nomination  
5 papers or petitions are in proper form, and whether or not they  
6 were filed within the time and under the conditions required  
7 by law, and whether or not they are the genuine certificate of  
8 nomination or nomination papers or petitions which they  
9 purport to be, and whether or not in the case of the  
10 certificate of nomination in question it represents accurately  
11 the decision of the caucus or convention issuing it, and in  
12 general shall decide whether or not the certificate of  
13 nomination or nominating papers or petitions on file are valid  
14 or whether the objections thereto should be sustained and the  
15 decision of a majority of the electoral board shall be final  
16 subject to judicial review as provided in Section 10-10.1. The  
17 electoral board must state its findings in writing and must  
18 state in writing which objections, if any, it has sustained. A  
19 copy of the decision shall be served upon the parties to the  
20 proceedings in open proceedings before the electoral board. If  
21 a party does not appear for receipt of the decision, the  
22 decision shall be deemed to have been served on the absent  
23 party on the date when a copy of the decision is personally  
24 delivered or on the date when a copy of the decision is  
25 deposited in the United States mail, in a sealed envelope or  
26 package, with postage prepaid, addressed to each party

1 affected by the decision or to such party's attorney of  
2 record, if any, at the address on record for such person in the  
3 files of the electoral board.

4 Upon the expiration of the period within which a  
5 proceeding for judicial review must be commenced under Section  
6 10-10.1, the electoral board shall, unless a proceeding for  
7 judicial review has been commenced within such period,  
8 transmit, by registered or certified mail, a certified copy of  
9 its ruling, together with the original certificate of  
10 nomination or nomination papers or petitions and the original  
11 objector's petition, to the officer or board with whom the  
12 certificate of nomination or nomination papers or petitions,  
13 as objected to, were on file and to the election authority to  
14 whom the ballot is certified and the appropriate county clerk,  
15 and such officer or board shall abide by and comply with the  
16 ruling so made to all intents and purposes.

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