

HB4176



100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

HB4176

by Rep. Charles Meier

SYNOPSIS AS INTRODUCED:

10 ILCS 5/7A-1

from Ch. 46, par. 7A-1

Amends the Election Code. Provides that no judge or former judge may submit his or her candidacy for a vacancy in a judicial office by any method other than seeking retention in his or her office, unless that judge or former judge is seeking judicial office in a higher or lower court or he or she has not served as an elected or appointed judge for at least 2 years.

LRB100 15836 RJF 30947 b

A BILL FOR

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 Section
5 7A-1 as follows:

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

7 Sec. 7A-1. Any Supreme, Appellate or Circuit Judge who has
8 been elected to that office and who seeks to be retained in
9 that office under subsection (d) of Section 12 of Article VI of
10 the Constitution shall file a declaration of candidacy to
11 succeed himself or herself in the office of the Secretary of
12 State not less than 6 months before the general election
13 preceding the expiration of his term of office. No judge or
14 former judge may submit his or her candidacy for a vacancy in a
15 judicial office by any method other than seeking retention in
16 his or her office, unless that judge or former judge is seeking
17 judicial office in a higher or lower court or he or she has not
18 served as elected or appointed judge for at least 2 years.
19 Within 3 business days thereafter, the Secretary of State shall
20 certify to the State Board of Elections the names of all
21 incumbent judges who were eligible to stand for retention at
22 the next general election but failed to timely file a
23 declaration of candidacy to succeed themselves in office or,

1 having timely filed such a declaration, withdrew it. The State
2 Board of Elections may rely upon the certification from the
3 Secretary of State (a) to determine when vacancies in judicial
4 office exist and (b) to determine the judicial positions for
5 which elections will be held. The Secretary of State, not less
6 than 63 days before the election, shall certify the Judge's
7 candidacy to the proper election officials. The names of Judges
8 seeking retention shall be submitted to the electors,
9 separately and without party designation, on the sole question
10 whether each Judge shall be retained in office for another
11 term. The retention elections shall be conducted at general
12 elections in the appropriate Judicial District, for Supreme and
13 Appellate Judges, and in the circuit for Circuit Judges. The
14 affirmative vote of three-fifths of the electors voting on the
15 question shall elect the Judge to the office for a term
16 commencing on the first Monday in December following his or her
17 election.

18 Upon certification of a Judge's candidacy for retention by
19 the Secretary of State, the judicial candidate may file a
20 written request with the Secretary of State for redaction of
21 the judicial candidate's home address information from the
22 candidate's declaration of candidacy for retention. After
23 receipt of the candidate's written request, the Secretary of
24 State shall redact or cause redaction of the judicial
25 candidate's home address from the candidate's declaration of
26 candidacy for retention within 5 business days. For the

1 purposes of this subsection, "home address" has the meaning as
2 defined in Section 1-10 of the Judicial Privacy Act.

3 (Source: P.A. 96-886, eff. 1-1-11; 97-847, eff. 9-22-12.)