



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB4136

Introduced 1/22/2020, by Rep. Kambium Buckner

SYNOPSIS AS INTRODUCED:

10 ILCS 5/2A-1.2	from Ch. 46, par. 2A-1.2
10 ILCS 5/2A-48	from Ch. 46, par. 2A-48
105 ILCS 5/34-3	from Ch. 122, par. 34-3
105 ILCS 5/34-4	from Ch. 122, par. 34-4
105 ILCS 5/34-4.1 new	
105 ILCS 5/34-4.2 new	
105 ILCS 5/34-13.1	
105 ILCS 5/34-21.9 new	

Amends the Election Code. Provides for the election of the Chicago Board of Education for the 2023 and 2027 consolidated primary elections. Amends the Chicago School District Article of the School Code. Provides that no later than June 30, 2029, the General Assembly must review and revise the election of members of the Chicago Board of Education and if the General Assembly has not reauthorized the election of members of the Chicago Board of Education by June 30, 2029, then, on May 13, 2031, the terms of all members elected in 2027 shall end, and a new Chicago Board of Education consisting of 7 members shall be appointed by the Mayor. Makes conforming changes. Provides that, beginning on May 9, 2023 and until May 13, 2031, successors of the Inspector General for the Chicago school district shall be appointed by the school board instead of the Mayor. Effective immediately.

LRB101 16374 CMG 65752 b

FISCAL NOTE ACT
MAY APPLY

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
5 Sections 2A-1.2 and 2A-48 as follows:

6 (10 ILCS 5/2A-1.2) (from Ch. 46, par. 2A-1.2)

7 Sec. 2A-1.2. Consolidated schedule of elections - offices
8 designated.

9 (a) At the general election in the appropriate
10 even-numbered years, the following offices shall be filled or
11 shall be on the ballot as otherwise required by this Code:

12 (1) Elector of President and Vice President of the
13 United States;

14 (2) United States Senator and United States
15 Representative;

16 (3) State Executive Branch elected officers;

17 (4) State Senator and State Representative;

18 (5) County elected officers, including State's
19 Attorney, County Board member, County Commissioners, and
20 elected President of the County Board or County Chief
21 Executive;

22 (6) Circuit Court Clerk;

23 (7) Regional Superintendent of Schools, except in

1 counties or educational service regions in which that
2 office has been abolished;

3 (8) Judges of the Supreme, Appellate and Circuit
4 Courts, on the question of retention, to fill vacancies and
5 newly created judicial offices;

6 (9) (Blank);

7 (10) Trustee of the Metropolitan Water Reclamation
8 ~~Sanitary~~ District of Greater Chicago, and elected Trustee
9 of other Sanitary Districts;

10 (11) Special District elected officers, not otherwise
11 designated in this Section, where the statute creating or
12 authorizing the creation of the district requires an annual
13 election and permits or requires election of candidates of
14 political parties.

15 (b) At the general primary election:

16 (1) in each even-numbered year candidates of political
17 parties shall be nominated for those offices to be filled
18 at the general election in that year, except where pursuant
19 to law nomination of candidates of political parties is
20 made by caucus.

21 (2) in the appropriate even-numbered years the
22 political party offices of State central committeeperson,
23 township committeeperson, ward committeeperson, and
24 precinct committeeperson shall be filled and delegates and
25 alternate delegates to the National nominating conventions
26 shall be elected as may be required pursuant to this Code.

1 In the even-numbered years in which a Presidential election
2 is to be held, candidates in the Presidential preference
3 primary shall also be on the ballot.

4 (3) in each even-numbered year, where the municipality
5 has provided for annual elections to elect municipal
6 officers pursuant to Section 6(f) or Section 7 of Article
7 VII of the Constitution, pursuant to the Illinois Municipal
8 Code or pursuant to the municipal charter, the offices of
9 such municipal officers shall be filled at an election held
10 on the date of the general primary election, provided that
11 the municipal election shall be a nonpartisan election
12 where required by the Illinois Municipal Code. For partisan
13 municipal elections in even-numbered years, a primary to
14 nominate candidates for municipal office to be elected at
15 the general primary election shall be held on the Tuesday 6
16 weeks preceding that election.

17 (4) in each school district which has adopted the
18 provisions of Article 33 of the School Code, successors to
19 the members of the board of education whose terms expire in
20 the year in which the general primary is held shall be
21 elected.

22 (c) At the consolidated election in the appropriate
23 odd-numbered years, the following offices shall be filled:

24 (1) Municipal officers, provided that in
25 municipalities in which candidates for alderman or other
26 municipal office are not permitted by law to be candidates

1 of political parties, the runoff election where required by
2 law, or the nonpartisan election where required by law,
3 shall be held on the date of the consolidated election; and
4 provided further, in the case of municipal officers
5 provided for by an ordinance providing the form of
6 government of the municipality pursuant to Section 7 of
7 Article VII of the Constitution, such offices shall be
8 filled by election or by runoff election as may be provided
9 by such ordinance;

10 (2) Village and incorporated town library directors;

11 (3) City boards of stadium commissioners;

12 (4) Commissioners of park districts;

13 (5) Trustees of public library districts;

14 (6) Special District elected officers, not otherwise
15 designated in this Section, where the statute creating or
16 authorizing the creation of the district permits or
17 requires election of candidates of political parties;

18 (7) Township officers, including township park
19 commissioners, township library directors, and boards of
20 managers of community buildings, and Multi-Township
21 Assessors;

22 (8) Highway commissioners and road district clerks;

23 (9) Members of school boards in school districts which
24 adopt Article 33 of the School Code;

25 (10) The directors and chair of the Chain O Lakes - Fox
26 River Waterway Management Agency;

1 (11) Forest preserve district commissioners elected
2 under Section 3.5 of the Downstate Forest Preserve District
3 Act;

4 (12) Elected members of school boards, school
5 trustees, directors of boards of school directors,
6 trustees of county boards of school trustees (except in
7 counties or educational service regions having a
8 population of 2,000,000 or more inhabitants), and members
9 of boards of school inspectors, except school boards in
10 school districts that adopt Article 33 of the School Code;

11 (13) Members of Community College district boards;

12 (14) Trustees of Fire Protection Districts;

13 (15) Commissioners of the Springfield Metropolitan
14 Exposition and Auditorium Authority;

15 (16) Elected Trustees of Tuberculosis Sanitarium
16 Districts;

17 (17) Elected Officers of special districts not
18 otherwise designated in this Section for which the law
19 governing those districts does not permit candidates of
20 political parties.

21 (d) At the consolidated primary election in each
22 odd-numbered year, candidates of political parties shall be
23 nominated for those offices to be filled at the consolidated
24 election in that year, except where pursuant to law nomination
25 of candidates of political parties is made by caucus, and
26 except those offices listed in paragraphs (12) through (17) of

1 subsection (c).

2 At the consolidated primary election in the appropriate
3 odd-numbered years, the mayor, clerk, treasurer, and aldermen
4 shall be elected in municipalities in which candidates for
5 mayor, clerk, treasurer, or alderman are not permitted by law
6 to be candidates of political parties, subject to runoff
7 elections to be held at the consolidated election as may be
8 required by law, and municipal officers shall be nominated in a
9 nonpartisan election in municipalities in which pursuant to law
10 candidates for such office are not permitted to be candidates
11 of political parties.

12 At the consolidated primary election in the appropriate
13 odd-numbered years, municipal officers shall be nominated or
14 elected, or elected subject to a runoff, as may be provided by
15 an ordinance providing a form of government of the municipality
16 pursuant to Section 7 of Article VII of the Constitution.

17 At the consolidated primary elections in 2023 and 2027,
18 members of the Chicago Board of Education shall be elected as
19 provided in subsection (b-5) of Section 34-3 of the School
20 Code, subject to the runoff elections to be held at the
21 consolidated election as may be required by law.

22 (e) (Blank).

23 (f) At any election established in Section 2A-1.1, public
24 questions may be submitted to voters pursuant to this Code and
25 any special election otherwise required or authorized by law or
26 by court order may be conducted pursuant to this Code.

1 Notwithstanding the regular dates for election of officers
2 established in this Article, whenever a referendum is held for
3 the establishment of a political subdivision whose officers are
4 to be elected, the initial officers shall be elected at the
5 election at which such referendum is held if otherwise so
6 provided by law. In such cases, the election of the initial
7 officers shall be subject to the referendum.

8 Notwithstanding the regular dates for election of
9 officials established in this Article, any community college
10 district which becomes effective by operation of law pursuant
11 to Section 6-6.1 of the Public Community College Act, as now or
12 hereafter amended, shall elect the initial district board
13 members at the next regularly scheduled election following the
14 effective date of the new district.

15 (g) At any election established in Section 2A-1.1, if in
16 any precinct there are no offices or public questions required
17 to be on the ballot under this Code then no election shall be
18 held in the precinct on that date.

19 (h) There may be conducted a referendum in accordance with
20 the provisions of Division 6-4 of the Counties Code.

21 (Source: P.A. 100-1027, eff. 1-1-19; revised 8-23-19.)

22 (10 ILCS 5/2A-48) (from Ch. 46, par. 2A-48)

23 Sec. 2A-48. Board of School Directors and Board of
24 Education - Member - Time of Election. A member of a Board of
25 School Directors or a member of an elected Board of Education,

1 as the case may be, shall be elected at each consolidated
2 election to succeed each incumbent member whose term ends
3 before the following consolidated election. At the
4 consolidated primary elections in 2023 and 2027, members of the
5 Chicago Board of Education shall be elected as provided in
6 subsection (b-5) of Section 34-3 of the School Code, subject to
7 the runoff elections to be held at the consolidated election as
8 may be required by law.

9 (Source: P.A. 90-358, eff. 1-1-98.)

10 Section 10. The School Code is amended by changing Sections
11 34-3, 34-4, and 34-13.1 and by adding Sections 34-4.1, 34-4.2,
12 and 34-21.9 as follows:

13 (105 ILCS 5/34-3) (from Ch. 122, par. 34-3)

14 Sec. 34-3. Chicago School Reform Board of Trustees; new
15 Chicago Board of Education; members; term; vacancies.

16 (a) Within 30 days after the effective date of this
17 amendatory Act of 1995, the terms of all members of the Chicago
18 Board of Education holding office on that date are abolished
19 and the Mayor shall appoint, without the consent or approval of
20 the City Council, a 5 member Chicago School Reform Board of
21 Trustees which shall take office upon the appointment of the
22 fifth member. The Chicago School Reform Board of Trustees and
23 its members shall serve until, and the terms of all members of
24 the Chicago School Reform Board of Trustees shall expire on,

1 June 30, 1999 or upon the appointment of a new Chicago Board of
2 Education as provided in subsection (b), whichever is later.
3 Any vacancy in the membership of the Trustees shall be filled
4 through appointment by the Mayor, without the consent or
5 approval of the City Council, for the unexpired term. One of
6 the members appointed by the Mayor to the Trustees shall be
7 designated by the Mayor to serve as President of the Trustees.
8 The Mayor shall appoint a full-time, compensated chief
9 executive officer, and his or her compensation as such chief
10 executive officer shall be determined by the Mayor. The Mayor,
11 at his or her discretion, may appoint the President to serve
12 simultaneously as the chief executive officer.

13 (b) Within 30 days before the expiration of the terms of
14 the members of the Chicago Reform Board of Trustees as provided
15 in subsection (a), a new Chicago Board of Education consisting
16 of 7 members shall be appointed by the Mayor to take office on
17 the later of July 1, 1999 or the appointment of the seventh
18 member. Three of the members initially so appointed under this
19 subsection shall serve for terms ending June 30, 2002, 4 of the
20 members initially so appointed under this subsection shall
21 serve for terms ending June 30, 2003, and each member initially
22 so appointed shall continue to hold office until his or her
23 successor is appointed and qualified. Thereafter at the
24 expiration of the term of any member a successor shall be
25 appointed by the Mayor and shall hold office for a term of 4
26 years, from July 1 of the year in which the term commences and

1 until a successor is appointed and qualified. Any vacancy in
2 the membership of the Chicago Board of Education shall be
3 filled through appointment by the Mayor for the unexpired term.
4 No appointment to membership on the Chicago Board of Education
5 that is made by the Mayor under this subsection shall require
6 the approval of the City Council, whether the appointment is
7 made for a full term or to fill a vacancy for an unexpired term
8 on the Board. Notwithstanding any provision of law to the
9 contrary, the terms of all members of the Chicago Board of
10 Education serving on May 9, 2023 shall end when the members of
11 the board organized under subsection (b-5) are elected and
12 qualified. This subsection shall be inoperative after May 31,
13 2023.

14 (b-5) At the consolidated primaries in 2023 and 2027, a
15 Chicago Board of Education consisting of 21 members shall be
16 elected by the electors of the school district as provided in
17 this subsection.

18 Each member shall be elected for a term of 4 years. For
19 purposes of elections conducted under this subsection, the City
20 of Chicago shall be subdivided into 20 electoral districts by
21 the General Assembly for seats on the Chicago Board of
22 Education, as provided under Section 34-21.9. Each district
23 shall be represented by a member, and one member shall be
24 elected at large and serve as the president of the board.

25 The candidate receiving a majority of the votes cast for a
26 seat on the Chicago Board of Education at the consolidated

1 primary election shall be declared elected. If no candidate
2 receives a majority of the votes for a seat on the Chicago
3 Board of Education, a runoff election shall be held at the
4 consolidated election, when only the names of the candidates
5 receiving the highest and second highest number of votes for
6 that seat on the Chicago Board of Education at the consolidated
7 primary election shall appear on the ballot. If more than one
8 candidate received the highest or second highest number of
9 votes for a seat on the Chicago Board of Education at the
10 consolidated primary election, the names of all candidates
11 receiving the highest and second highest number of votes for
12 that seat on the Chicago Board of Education shall appear on the
13 ballot at the consolidated election. The candidate receiving
14 the highest number of votes for that seat on the Chicago Board
15 of Education at the consolidated election shall be declared
16 elected.

17 Within 28 days after the members enter office, the board
18 shall organize by electing its vice president and fixing a time
19 and place for the regular meetings. No less than a majority of
20 the board's regular meetings shall take place after regular
21 business hours in order to maximize community participation.
22 Upon organizing itself as provided in this subsection, the
23 board shall enter upon the discharge of its duties.

24 Whenever a vacancy in the board occurs, the remaining
25 members of the board shall notify the Mayor of that vacancy
26 within 5 days after its occurrence and shall proceed to fill

1 the vacancy for the remainder of the unexpired term. The
2 successor shall have the same residential and other
3 qualifications as his or her predecessor. Should the remaining
4 board members fail to act within 45 days after the vacancy
5 occurs, the Mayor shall, within 30 days after the remaining
6 members have failed to fill the vacancy, fill the vacancy as
7 provided for in this Section. Upon the Mayor's failure to fill
8 the vacancy, the vacancy shall be filled at the next election
9 of a new board. The successor shall have the same residential
10 and other qualifications as his or her predecessor.

11 (b-10) No later than June 30, 2029, the General Assembly
12 must review and revise the election of members of the Chicago
13 Board of Education under subsection (b-5). If the General
14 Assembly has not reauthorized the election of members of the
15 Chicago Board of Education under subsection (b-5) by June 30,
16 2029, then, on May 13, 2031, the terms of all members elected
17 in 2027 under subsection (b-5) shall end, and a new Chicago
18 Board of Education consisting of 7 members shall be appointed
19 by the Mayor. Three of the members initially so appointed under
20 this subsection shall serve for terms ending June 30, 2033, 4
21 of the members initially so appointed under this subsection
22 shall serve for terms ending June 30, 2035, and each member
23 initially so appointed shall continue to hold office until his
24 or her successor is appointed and qualified. Thereafter, at the
25 expiration of the term of any member, a successor shall be
26 appointed by the Mayor and shall hold office for a term of 4

1 years, from July 1 of the year in which the term commences and
2 until a successor is appointed and qualified. Any vacancy in
3 the membership of the Chicago Board of Education shall be
4 filled through appointment by the Mayor for the unexpired term.
5 No appointment to membership on the Chicago Board of Education
6 that is made by the Mayor under this subsection shall require
7 the approval of the City Council, regardless of whether the
8 appointment is made for a full term or to fill a vacancy for an
9 unexpired term on the Board.

10 (b-15) Except as otherwise provided under subsection
11 (b-5), the ~~The~~ board shall elect annually from its number a
12 president and vice-president, in such manner and at such time
13 as the board determines by its rules. The officers so elected
14 shall each perform the duties imposed upon his or her ~~their~~
15 respective office by the rules of the board, provided that (i)
16 the president shall preside at meetings of the board and vote
17 as any other member but have no power of veto, and (ii) the
18 vice president shall perform the duties of the president if
19 that office is vacant or the president is absent or unable to
20 act. The secretary of the board ~~Board~~ shall be selected by the
21 board ~~Board~~ and shall be an employee of the board ~~Board~~ rather
22 than a member of the board ~~Board~~, notwithstanding subsection
23 (d) of Section 34-3.3. The duties of the secretary shall be
24 imposed by the rules of the board ~~Board~~.

25 (b-20) No member shall have, or be an employee or owner of
26 a company that has, a contract with the school district. No

1 former officer, member, or employee of the board shall, within
2 a period of one year immediately after termination of service
3 on the board, knowingly accept employment or receive
4 compensation or fees for services from a person or entity if
5 the officer, member, or employee, during the year immediately
6 preceding termination of service on the board, participated
7 personally and substantially in the award of contracts with the
8 board or the school district, or the issuance of contract
9 change orders with the board or the school district, with a
10 cumulative value of \$25,000 or more to the person or entity, or
11 its parent or subsidiary.

12 (c) The board may appoint a student to the board to serve
13 in an advisory capacity. The student member shall serve for a
14 term as determined by the board. The board may not grant the
15 student member any voting privileges, but shall consider the
16 student member as an advisor. The student member may not
17 participate in or attend any executive session of the board.

18 (Source: P.A. 94-231, eff. 7-14-05.)

19 (105 ILCS 5/34-4) (from Ch. 122, par. 34-4)

20 Sec. 34-4. Eligibility.

21 (a) To be eligible for election or appointment to the
22 board, a person shall be a citizen of the United States, shall
23 be a registered voter as provided in the Election Code, shall
24 have been a resident of the city and, if applicable, the
25 electoral district for at least one year ~~3 years~~ immediately

1 preceding his or her election or appointment, and shall not be
2 a child sex offender as defined in Section 11-9.3 of the
3 Criminal Code of 2012. A person is ineligible for election or
4 appointment to the board if that person is an employee of the
5 school district. For the board elected under subsection (b-5)
6 of Section 34-3, all persons eligible for election to the board
7 shall be nominated by a petition signed by no less than 250
8 voters residing within the electoral district on a petition in
9 order to be placed on the ballot, except that persons eligible
10 for election to the board at large shall be nominated by a
11 petition signed by no less than 2,500 voters residing within
12 the city.

13 Permanent removal from the city by any member of the board
14 during his or her term of office constitutes a resignation
15 therefrom and creates a vacancy in the board. Except for the
16 President of the Chicago School Reform Board of Trustees who
17 may be paid compensation for his or her services as chief
18 executive officer as determined by the Mayor as provided in
19 subsection (a) of Section 34-3, board members shall serve
20 without any compensation; provided, that board members shall be
21 reimbursed for expenses incurred while in the performance of
22 their duties upon submission of proper receipts or upon
23 submission of a signed voucher in the case of an expense
24 allowance evidencing the amount of such reimbursement or
25 allowance to the president of the board for verification and
26 approval. The board of education may continue to provide health

1 care insurance coverage, employer pension contributions,
2 employee pension contributions, and life insurance premium
3 payments for an employee required to resign from an
4 administrative, teaching, or career service position in order
5 to qualify as a member of the board of education. They shall
6 not hold other public office under the Federal, State or any
7 local government other than that of Director of the Regional
8 Transportation Authority, member of the economic development
9 commission of a city having a population exceeding 500,000,
10 notary public or member of the National Guard, and by accepting
11 any such office while members of the board, or by not resigning
12 any such office held at the time of being elected or appointed
13 to the board within 30 days after such election or appointment,
14 shall be deemed to have vacated their membership in the board.

15 (Source: P.A. 97-1150, eff. 1-25-13.)

16 (105 ILCS 5/34-4.1 new)

17 Sec. 34-4.1. Nomination petitions. In addition to the
18 requirements of the general election law, the form of petitions
19 under Section 34-4 for the board elected under subsection (b-5)
20 of Section 34-3 shall be substantially as follows:

21 NOMINATING PETITIONS

22 (LEAVE OUT THE INAPPLICABLE PART.)

23 To the Board of Election Commissioners for the City of
24 Chicago:

25 We the undersigned, being (.... or more) of the voters

1 residing within said district, hereby petition that who
2 resides at in the City of Chicago shall be a candidate for
3 the office of of the board of education (full term)
4 (vacancy) to be voted for at the election to be held on (insert
5 date).

6 Name: Address:

7 In the designation of the name of a candidate on a petition
8 for nomination, the candidate's given name or names, initial or
9 initials, a nickname by which the candidate is commonly known,
10 or a combination thereof may be used in addition to the
11 candidate's surname. If a candidate has changed his or her
12 name, whether by a statutory or common law procedure in
13 Illinois or any other jurisdiction, within 3 years before the
14 last day for filing the petition, then (i) the candidate's name
15 on the petition must be followed by "formerly known as (list
16 all prior names during the 3-year period) until name changed on
17 (list date of each such name change)" and (ii) the petition
18 must be accompanied by the candidate's affidavit stating the
19 candidate's previous names during the period specified in
20 clause (i) and the date or dates each of those names was
21 changed; failure to meet these requirements shall be grounds
22 for denying certification of the candidate's name for the
23 ballot, but these requirements do not apply to name changes
24 resulting from adoption to assume an adoptive parent's or
25 parents' surname, marriage to assume a spouse's surname, or
26 dissolution of marriage or declaration of invalidity of

1 marriage to assume a former surname. No other designation, such
2 as a political slogan, as defined by Section 7-17 of the
3 Election Code, title or degree, or nickname suggesting or
4 implying possession of a title, degree or professional status,
5 or similar information may be used in connection with the
6 candidate's surname.

7 All petitions for the nomination of members of a board of
8 education shall be filed with the board of election
9 commissioners of the jurisdiction in which the principal office
10 of the school district is located within the time provided for
11 by the general election law. The board of election
12 commissioners shall receive and file only those petitions that
13 include a statement of candidacy, the required number of voter
14 signatures, the notarized signature of the petition
15 circulator, and a receipt from the County Clerk showing that
16 the candidate has filed a statement of economic interest on or
17 before the last day to file as required by the Illinois
18 Governmental Ethics Act. The board of election commissioners
19 may have petition forms available for issuance to potential
20 candidates and may give notice of the petition filing period by
21 publication in a newspaper of general circulation within the
22 school district not less than 10 days prior to the first day of
23 filing. The board of election commissioners shall make
24 certification to the proper election authorities in accordance
25 with the general election law.

26 The board of election commissioners of the jurisdiction in

1 which the principal office of the school district is located
2 shall notify the candidates for whom a petition for nomination
3 is filed or the appropriate committee of the obligations under
4 the Campaign Financing Act as provided in the general election
5 law. Such notice shall be given on a form prescribed by the
6 State Board of Elections and in accordance with the
7 requirements of the general election law. The board of election
8 commissioners shall within 7 days of filing or on the last day
9 for filing, whichever is earlier, acknowledge to the petitioner
10 in writing the office's acceptance of the petition.

11 A candidate for membership on the board of education who
12 has petitioned for nomination to fill a full term and to fill a
13 vacant term to be voted upon at the same election must withdraw
14 his or her petition for nomination from either the full term or
15 the vacant term by written declaration.

16 Nomination petitions are not valid unless the candidate
17 named therein files with the board of election commissioners a
18 receipt from the county clerk showing that the candidate has
19 filed a statement of economic interests as required by the
20 Illinois Governmental Ethics Act. Such receipt shall be so
21 filed either previously during the calendar year in which his
22 or her nomination papers were filed or within the period for
23 the filing of nomination papers in accordance with the general
24 election law.

1 Sec. 34-4.2. Ballots. This Section applies only to the
2 board election under subsection (b-5) under Section 34-3. The
3 board of election commissioners of the jurisdiction in which
4 the principal office of the school district is located shall
5 conduct a lottery to determine the ballot order of candidates
6 for full terms in the event of any simultaneous petition
7 filings. Such candidate lottery shall be conducted as follows:

8 All petitions filed by persons waiting in line as of 8:00
9 a.m. on the first day for filing, or as of the normal opening
10 hour of the office involved on such day, shall be deemed
11 simultaneously filed as of 8:00 a.m. or the normal opening
12 hour, as the case may be. Petitions filed by mail and received
13 after midnight of the first day for filing and in the first
14 mail delivery or pickup of that day shall be deemed
15 simultaneously filed as of 8:00 a.m. of that day or as of the
16 normal opening hour of such day, as the case may be. All
17 petitions received thereafter shall be deemed filed in the
18 order of actual receipt. However, 2 or more petitions filed
19 within the last hour of the filing deadline shall be deemed
20 filed simultaneously.

21 Where 2 or more petitions are received simultaneously for
22 the same office as of 8:00 a.m. on the first day for petition
23 filing or as of the normal opening hour of the office of the
24 board of election commissioners with whom such petitions are
25 filed, the board of election commissioners shall break ties and
26 determine the order of filing by means of a lottery or other

1 fair and impartial method of random selection. Such lottery
2 shall be conducted within 9 days following the last day for
3 petition filing and shall be open to the public. Seven days
4 written notice of the time and place of conducting such random
5 selection shall be given by the board of election commissioners
6 to all candidates who filed their petitions simultaneously and
7 to each organization of citizens within the election
8 jurisdiction that was entitled, under the general election law,
9 at the next preceding election, to have poll watchers present
10 on the day of election. The board of election commissioners
11 shall post in a conspicuous, open, and public place, at the
12 entrance of his or her office, notice of the time and place of
13 such lottery.

14 All candidates shall be certified in the order in which
15 their petitions have been filed and in the manner prescribed by
16 Section 10-15 of the Election Code. Where candidates have filed
17 simultaneously, they shall be certified in the order prescribed
18 by this Section and prior to candidates who filed for the same
19 office at a later time.

20 Where elections are conducted for unexpired terms, a second
21 lottery to determine ballot order shall be conducted for
22 candidates who simultaneously file petitions for such
23 unexpired terms. Such lottery shall be conducted in the same
24 manner as prescribed by this Section for full term candidates.

25 Ballots for the election of school officers shall be in the
26 following form:

1 (BALLOT FORMAT

2 Ballot position for candidates shall be determined by the
3 order of petition filing or lottery held pursuant to this
4 Section.

5 The school district is divided into 20 electoral districts,
6 each of which elects one member to the board of education and
7 votes on one member to serve at-large.)

8 OFFICIAL BALLOT

9 DISTRICT (1 through 20)

10 FOR MEMBERS OF THE BOARD OF EDUCATION TO SERVE

11 A FULL 4-YEAR TERM

12 VOTE FOR ONE

13 ()

14 ()

15 ()

16 OFFICIAL BALLOT

17 AT LARGE

18 FOR MEMBERS OF THE BOARD OF EDUCATION TO SERVE

19 A FULL 4-YEAR TERM

20 VOTE FOR ONE

21 ()

22 ()

23 ()

24 REVERSE SIDE:

25 OFFICIAL BALLOT

1 DISTRICT (1 through 20)
2 (Precinct name or number)
3 School District No., County, Illinois
4 Election Tuesday (insert date)
5 (facsimile signature of Election Authority)
6 (County)

7 (105 ILCS 5/34-13.1)
8 Sec. 34-13.1. Inspector General.

9 (a) The Inspector General and his office in existence on
10 the effective date of this amendatory Act of 1995 shall be
11 transferred to the jurisdiction of the board upon appointment
12 of the Chicago School Reform Board of Trustees. The Inspector
13 General shall have the authority to conduct investigations into
14 allegations of or incidents of waste, fraud, and financial
15 mismanagement in public education within the jurisdiction of
16 the board by a local school council member or an employee,
17 contractor, or member of the board or involving school projects
18 managed or handled by the Public Building Commission. The
19 Inspector General shall make recommendations to the board about
20 the investigations. The Inspector General in office on the
21 effective date of this amendatory Act of 1996 shall serve for a
22 term expiring on June 30, 1998. His or her successors in office
23 shall each be appointed by the Mayor, without the consent or
24 approval of the City Council, for 4 year terms expiring on June
25 30th of an even numbered year; however, beginning on May 9,

1 2023 and until May 13, 2031, successors shall be appointed by
2 the board instead of the Mayor. If the Inspector General leaves
3 office or if a vacancy in that office otherwise occurs, the
4 Mayor shall appoint, without the consent or approval of the
5 City Council, a successor to serve under this Section for the
6 remainder of the unexpired term; however, beginning on May 9,
7 2023 and until May 13, 2031, successors shall be appointed by
8 the board instead of the Mayor. The Inspector General shall be
9 independent of the operations of the board and the School
10 Finance Authority, and shall perform other duties requested by
11 the board.

12 (b) The Inspector General shall have access to all
13 information and personnel necessary to perform the duties of
14 the office. If the Inspector General determines that a possible
15 criminal act has been committed or that special expertise is
16 required in the investigation, he or she shall immediately
17 notify the Chicago Police Department and the Cook County
18 State's Attorney. All investigations conducted by the
19 Inspector General shall be conducted in a manner that ensures
20 the preservation of evidence for use in criminal prosecutions.

21 (c) At all times the Inspector General shall be granted
22 access to any building or facility that is owned, operated, or
23 leased by the board, the Public Building Commission, or the
24 city in trust and for the use and benefit of the schools of the
25 district.

26 (d) The Inspector General shall have the power to subpoena

1 witnesses and compel the production of books and papers
2 pertinent to an investigation authorized by this Code. Any
3 person who (1) fails to appear in response to a subpoena; (2)
4 fails to answer any question; (3) fails to produce any books or
5 papers pertinent to an investigation under this Code; or (4)
6 knowingly gives false testimony during an investigation under
7 this Code, is guilty of a Class A misdemeanor.

8 (e) The Inspector General shall provide to the board and
9 the Illinois General Assembly a summary of reports and
10 investigations made under this Section for the previous fiscal
11 year no later than January 1 of each year, except that the
12 Inspector General shall provide the summary of reports and
13 investigations made under this Section for the period
14 commencing July 1, 1998 and ending April 30, 1999 no later than
15 May 1, 1999. The summaries shall detail the final disposition
16 of those recommendations. The summaries shall not contain any
17 confidential or identifying information concerning the
18 subjects of the reports and investigations. The summaries shall
19 also include detailed recommended administrative actions and
20 matters for consideration by the General Assembly.

21 (f) (Blank).

22 (g) (Blank).

23 (Source: P.A. 89-15, eff. 5-30-95; 89-698, eff. 1-14-97.)

24 (105 ILCS 5/34-21.9 new)

25 Sec. 34-21.9. Creation of electoral districts;

1 reapportionment of districts. For purposes of an election
2 conducted under subsection (b-5) of Section 34-3, the City of
3 Chicago shall be subdivided into 20 electoral districts after
4 the effective date of this amendatory Act of the 101st General
5 Assembly by the General Assembly for seats on the Chicago Board
6 of Education. The electoral districts must be drawn on or
7 before May 31, 2022. Each district must be compact, contiguous,
8 and substantially equal in population.

9 Section 99. Effective date. This Act takes effect upon
10 becoming law.