

SB0072



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

SB0072

Introduced 1/23/2019, by Sen. John J. Cullerton

SYNOPSIS AS INTRODUCED:

10 ILCS 5/7-11.1
55 ILCS 5/2-6003

from Ch. 46, par. 7-11.1
from Ch. 34, par. 2-6003

Amends the Election Code. Provides that, if a vacancy in the office of President of the Cook County Board occurs on or after the first day for the filing of nomination papers, then nominations for the office of President of the Cook County Board are to be made by the county central committee of each established political party. Amends the Counties Code. Provides that, in the event of a vacancy in the office of president of the county board of commissioners, the members of the county board of commissioners shall elect one of their number to serve as president of the county board of commissioners until the next special or regular election for the office of president of the county board of commissioners. Provides that, if more than 28 months remain in the unexpired term, then a special election shall be held. Provides that, if 28 months or less remain in the unexpired term, the appointed president of the county board of commissioners shall serve until the next regular election. Effective immediately.

LRB101 07330 RJF 52370 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 7-11.1 as follows:

6 (10 ILCS 5/7-11.1) (from Ch. 46, par. 7-11.1)

7 Sec. 7-11.1. Whenever a vacancy in any elective county
8 office is to be filled by election pursuant to Section 25-11 of
9 this Code or Section 2-6003 of the Counties Code, nominations
10 shall be made and any vacancy in nomination for a county office
11 shall be filled pursuant to this Section:

12 (1) If the vacancy in office occurs before the first date
13 provided in Section 7-12 for filing nomination papers for the
14 primary in the next even numbered year following the
15 commencement of the term, nominations for the election for
16 filling such vacancy shall be made pursuant to this Article 7
17 as provided for other county offices.

18 (2) Except as otherwise provided in paragraph (3.5), if ~~if~~
19 the vacancy in office occurs during the time provided in
20 Section 7-12 for filing nomination papers for county offices
21 for the primary in the next even-numbered year following
22 commencement of the term of office in which such vacancy
23 occurs, the time for filing nomination papers for such office

1 for the primary shall not be more than 91 days and not less
2 than 85 days prior to the date of the primary election.

3 (3) Except as otherwise provided in paragraph (3.5), if ~~if~~
4 the vacancy in office occurs after the last day provided in
5 Section 7-12 for filing nomination papers for any elective
6 county office a vacancy in nomination shall be deemed to have
7 occurred and the county central committee or the appropriate
8 county board district committee of each established political
9 party shall nominate, by resolution, a candidate to fill such
10 vacancy in nomination for election to such office at such
11 general election. In the nomination proceedings to fill such
12 vacancy in nomination, each member of the county central
13 committee, or the county board district committee, as the case
14 may be, shall have the voting strength as set forth in Sections
15 7-8 and 7-8.01, respectively. The name of the candidate so
16 nominated shall not appear on the ballot at the general primary
17 election. Such vacancy in nomination shall be filled prior to
18 the date of certification of candidates for the general
19 election.

20 (3.5) If the vacancy in the Office of President of the Cook
21 County Board occurs on or after the first day provided in
22 Section 7-12 for filing nomination papers for the primary in
23 the next even-numbered year following the commencement of the
24 term, a vacancy in nomination shall be deemed to have occurred
25 and the county central committee of each established political
26 party shall nominate, by resolution, a candidate to fill such

1 vacancy in nomination for the election to such office at such
2 general election. In the nomination proceedings to fill such
3 vacancy in nomination, each member of the county central
4 committee shall have the voting strength as set forth in
5 Section 7-8. The office shall not appear on the ballot at the
6 general primary election. Any vacancy in nomination occurring
7 on or after the primary and prior to certification must be
8 filled prior to the date of certification. Any vacancy in
9 nomination occurring after certification but prior to 15 days
10 before the general election shall be filled within 8 days after
11 the event creating the vacancy in nomination.

12 (4) The resolution to fill the vacancy shall be duly
13 acknowledged before an officer qualified to take
14 acknowledgments of deeds and shall include, upon its face, the
15 following information:

16 (a) the name of the original nominee and the office
17 vacated;

18 (b) the date on which the vacancy occurred;

19 (c) the name and address of the nominee selected to fill
20 the vacancy and the date of selection.

21 The resolution to fill the vacancy shall be accompanied by
22 a Statement of Candidacy, as prescribed in Section 7-10,
23 completed by the selected nominee and a receipt indicating that
24 such nominee has filed a Statement of Economic Interests as
25 required by the Illinois Governmental Ethics Act.

26 The provisions of Sections 10-8 through 10-10.1 relating to

1 objections to nomination papers, hearings on objections and
2 judicial review, shall also apply to and govern objections to
3 nomination papers and resolutions for filling vacancies in
4 nomination filed pursuant to this Section.

5 Unless otherwise specified herein, the nomination and
6 election provided for in this Section shall be governed by this
7 Code.

8 (Source: P.A. 84-1308.)

9 Section 10. The Counties Code is amended by changing
10 Section 2-6003 as follows:

11 (55 ILCS 5/2-6003) (from Ch. 34, par. 2-6003)

12 Sec. 2-6003. Vacancy in office of president. In case of the
13 death, resignation, removal from office or other inability to
14 act of the president so elected, the board of commissioners
15 shall within 30 days appoint, by election, one of their number
16 to serve as president. If ~~if~~ more than 28 months of the
17 unexpired term remain, a special election shall be held ~~the~~
18 ~~vacancy shall be filled~~ at the next general election to elect a
19 person ~~, at which election one of the regularly elected or~~
20 ~~appointed members of the board of commissioners shall be~~
21 ~~elected~~ to serve the unexpired term of the president. In the
22 case of a special election under this Section, the appointed
23 officer shall serve until the election results are certified
24 and the person elected at the special election is qualified. If

1 28 months or less ~~less than two years and sixty days~~ of the
2 unexpired term remain, the appointed officer shall serve for
3 the remainder of the term ~~board of commissioners shall elect~~
4 ~~one of their number to serve the unexpired term of the~~
5 ~~president.~~

6 (Source: P.A. 86-962.)

7 Section 99. Effective date. This Act takes effect upon
8 becoming law.