

1 AN ACT regarding higher education.

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

4 Section 5. The Illinois Governmental Ethics Act is
5 amended by changing Section 4A-101 as follows:

6 (5 ILCS 420/4A-101) (from Ch. 127, par. 604A-101)

7 Sec. 4A-101. Persons required to file. The following
8 persons shall file verified written statements of economic
9 interests, as provided in this Article:

10 (a) Members of the General Assembly and candidates
11 for nomination or election to the General Assembly.

12 (b) Persons holding an elected office in the
13 Executive Branch of this State or on the Board of
14 Trustees of the University of Illinois, and candidates
15 for nomination or election to these offices.

16 (c) Members of a Commission or Board created by the
17 Illinois Constitution, and candidates for nomination or
18 election to such Commission or Board.

19 (d) Persons whose appointment to office is subject
20 to confirmation by the Senate.

21 (e) Holders of, and candidates for nomination or
22 election to, the office of judge or associate judge of
23 the Circuit Court and the office of judge of the
24 Appellate or Supreme Court.

25 (f) Persons who are employed by any branch, agency,
26 authority or board of the government of this State,
27 including but not limited to, the Illinois State Toll
28 Highway Authority, the Illinois Housing Development
29 Authority, the Illinois Community College Board, and
30 institutions under the jurisdiction of the Board of
31 Trustees of the University of Illinois, Board of Trustees

1 of Southern Illinois University, Board of Trustees of
2 Chicago State University, Board of Trustees of Eastern
3 Illinois University, Board of Trustees of Governor's
4 State University, Board of Trustees of Illinois State
5 University, Board of Trustees of Northeastern Illinois
6 University, Board of Trustees of Northern Illinois
7 University, Board of Trustees of Western Illinois
8 University, or Board of Trustees of the Illinois
9 Mathematics and Science Academy, and are compensated for
10 services as employees and not as independent contractors
11 and who:

12 (1) are, or function as, the head of a
13 department, commission, board, division, bureau,
14 authority or other administrative unit within the
15 government of this State, or who exercise similar
16 authority within the government of this State;

17 (2) have direct supervisory authority over, or
18 direct responsibility for the formulation,
19 negotiation, issuance or execution of contracts
20 entered into by the State in the amount of \$5,000 or
21 more;

22 (3) have authority for the issuance or
23 promulgation of rules and regulations within areas
24 under the authority of the State;

25 (4) have authority for the approval of
26 professional licenses;

27 (5) have responsibility with respect to the
28 financial inspection of regulated nongovernmental
29 entities;

30 (6) adjudicate, arbitrate, or decide any
31 judicial or administrative proceeding, or review the
32 adjudication, arbitration or decision of any
33 judicial or administrative proceeding within the
34 authority of the State; or

1 (7) have supervisory responsibility for 20 or
2 more employees of the State.

3 (g) Persons who are elected to office in a unit of
4 local government, and candidates for nomination or
5 election to that office, including regional
6 superintendents of school districts.

7 (h) Persons appointed to the governing board of a
8 unit of local government, or of a special district, and
9 persons appointed to a zoning board, or zoning board of
10 appeals, or to a regional, county, or municipal plan
11 commission, or to a board of review of any county, and
12 persons appointed to the Board of the Metropolitan Pier
13 and Exposition Authority and any Trustee appointed under
14 Section 22 of the Metropolitan Pier and Exposition
15 Authority Act, and persons appointed to a board or
16 commission of a unit of local government who have
17 authority to authorize the expenditure of public funds.
18 This subsection does not apply to members of boards or
19 commissions who function in an advisory capacity.

20 (i) Persons who are employed by a unit of local
21 government and are compensated for services as employees
22 and not as independent contractors and who:

23 (1) are, or function as, the head of a
24 department, division, bureau, authority or other
25 administrative unit within the unit of local
26 government, or who exercise similar authority within
27 the unit of local government;

28 (2) have direct supervisory authority over, or
29 direct responsibility for the formulation,
30 negotiation, issuance or execution of contracts
31 entered into by the unit of local government in the
32 amount of \$1,000 or greater;

33 (3) have authority to approve licenses and
34 permits by the unit of local government; this item

1 does not include employees who function in a
2 ministerial capacity;

3 (4) adjudicate, arbitrate, or decide any
4 judicial or administrative proceeding, or review the
5 adjudication, arbitration or decision of any
6 judicial or administrative proceeding within the
7 authority of the unit of local government;

8 (5) have authority to issue or promulgate
9 rules and regulations within areas under the
10 authority of the unit of local government; or

11 (6) have supervisory responsibility for 20 or
12 more employees of the unit of local government.

13 (j) Persons on the Board of Trustees of the
14 Illinois Mathematics and Science Academy.

15 (k) Persons employed by a school district in
16 positions that require that person to hold an
17 administrative or a chief school business official
18 endorsement.

19 (l) (Blank).

20 This Section shall not be construed to prevent any unit
21 of local government from enacting financial disclosure
22 requirements that mandate more information than required by
23 this Act.

24 (Source: P.A. 91-622, eff. 8-19-99.)

25 Section 10. The Election Code is amended by changing
26 Sections 2A-1.2, 7-1, 7-9, 22-1, 22-7, 23-1.1a, 23-1.2a, and
27 23-1.13a and adding Section 2A-53.5 as follows:

28 (10 ILCS 5/2A-1.2) (from Ch. 46, par. 2A-1.2)
29 Sec. 2A-1.2. Consolidated Schedule of Elections -
30 Offices Designated.

31 (a) At the general election in the appropriate
32 even-numbered years, the following offices shall be filled or

1 shall be on the ballot as otherwise required by this Code:

2 (1) Elector of President and Vice President of the
3 United States;

4 (2) United States Senator and United States
5 Representative;

6 (3) State Executive Branch elected officers;

7 (4) State Senator and State Representative;

8 (5) County elected officers, including State's
9 Attorney, County Board member, County Commissioners, and
10 elected President of the County Board or County Chief
11 Executive;

12 (6) Circuit Court Clerk;

13 (7) Regional Superintendent of Schools, except in
14 counties or educational service regions in which that
15 office has been abolished;

16 (8) Judges of the Supreme, Appellate and Circuit
17 Courts, on the question of retention, to fill vacancies
18 and newly created judicial offices;

19 (9) Trustee of the University of Illinois (Blank);

20 (10) Trustee of the Metropolitan Sanitary District
21 of Chicago, and elected Trustee of other Sanitary
22 Districts;

23 (11) Special District elected officers, not
24 otherwise designated in this Section, where the statute
25 creating or authorizing the creation of the district
26 requires an annual election and permits or requires
27 election of candidates of political parties.

28 (b) At the general primary election:

29 (1) in each even-numbered year candidates of
30 political parties shall be nominated for those offices to
31 be filled at the general election in that year, except
32 where pursuant to law nomination of candidates of
33 political parties is made by caucus.

34 (2) in the appropriate even-numbered years the

1 political party offices of State central committeeman,
2 township committeeman, ward committeeman, and precinct
3 committeeman shall be filled and delegates and alternate
4 delegates to the National nominating conventions shall be
5 elected as may be required pursuant to this Code. In the
6 even-numbered years in which a Presidential election is
7 to be held, candidates in the Presidential preference
8 primary shall also be on the ballot.

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

23 (4) in each school district which has adopted the
24 provisions of Article 33 of the School Code, successors
25 to the members of the board of education whose terms
26 expire in the year in which the general primary is held
27 shall be elected.

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

30 (1) Municipal officers, provided that in
31 municipalities in which candidates for alderman or other
32 municipal office are not permitted by law to be
33 candidates of political parties, the runoff election
34 where required by law, or the nonpartisan election where

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

8 (2) Village and incorporated town library
9 directors;

10 (3) City boards of stadium commissioners;

11 (4) Commissioners of park districts;

12 (5) Trustees of public library districts;

13 (6) Special District elected officers, not
14 otherwise designated in this section, where the statute
15 creating or authorizing the creation of the district
16 permits or requires election of candidates of political
17 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
24 which adopt Article 33 of the School Code;

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

27 (11) Forest preserve district commissioners elected
28 under Section 3.5 of the Downstate Forest Preserve
29 District Act;

30 (12) Elected members of school boards, school
31 trustees, directors of boards of school directors,
32 trustees of county boards of school trustees (except in
33 counties or educational service regions having a
34 population of 2,000,000 or more inhabitants) and members

1 of boards of school inspectors, except school boards in
2 school districts that adopt Article 33 of the School
3 Code;

4 (13) Members of Community College district boards;

5 (14) Trustees of Fire Protection Districts;

6 (15) Commissioners of the Springfield Metropolitan
7 Exposition and Auditorium Authority;

8 (16) Elected Trustees of Tuberculosis Sanitarium
9 Districts;

10 (17) Elected Officers of special districts not
11 otherwise designated in this Section for which the law
12 governing those districts does not permit candidates of
13 political parties.

14 (d) At the consolidated primary election in each
15 odd-numbered year, candidates of political parties shall be
16 nominated for those offices to be filled at the consolidated
17 election in that year, except where pursuant to law
18 nomination of candidates of political parties is made by
19 caucus, and except those offices listed in paragraphs (12)
20 through (17) of subsection (c).

21 At the consolidated primary election in the appropriate
22 odd-numbered years, the mayor, clerk, treasurer, and aldermen
23 shall be elected in municipalities in which candidates for
24 mayor, clerk, treasurer, or alderman are not permitted by law
25 to be candidates of political parties, subject to runoff
26 elections to be held at the consolidated election as may be
27 required by law, and municipal officers shall be nominated in
28 a nonpartisan election in municipalities in which pursuant to
29 law candidates for such office are not permitted to be
30 candidates of political parties.

31 At the consolidated primary election in the appropriate
32 odd-numbered years, municipal officers shall be nominated or
33 elected, or elected subject to a runoff, as may be provided
34 by an ordinance providing a form of government of the

1 municipality pursuant to Section 7 of Article VII of the
2 Constitution.

3 (e) (Blank).

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

9 Notwithstanding the regular dates for election of
10 officers established in this Article, whenever a referendum
11 is held for the establishment of a political subdivision
12 whose officers are to be elected, the initial officers shall
13 be elected at the election at which such referendum is held
14 if otherwise so provided by law. In such cases, the election
15 of the initial officers shall be subject to the referendum.

16 Notwithstanding the regular dates for election of
17 officials established in this Article, any community college
18 district which becomes effective by operation of law pursuant
19 to Section 6-6.1 of the Public Community College Act, as now
20 or hereafter amended, shall elect the initial district board
21 members at the next regularly scheduled election following
22 the effective date of the new district.

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

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

29 (Source: P.A. 89-5, eff. 1-1-96; 89-95, eff. 1-1-96; 89-626,
30 eff. 8-9-96; 90-358, eff. 1-1-98.)

31 (10 ILCS 5/2A-53.5 new)

32 Sec. 2A-53.5. University of Illinois; trustee; time of
33 election. Beginning with the general election in 2004, a

1 trustee of the University of Illinois shall be elected at
2 each general election to succeed each incumbent trustee whose
3 term expires in January of the year next following that
4 general election.

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

6 Sec. 7-1. Application of Article.

7 (a) Except as otherwise provided in this Article, the
8 nomination of all candidates for all elective State,
9 congressional, judicial, and county officers, State's
10 Attorneys (whether elected from a single county or from more
11 than one county), city, village, and incorporated town and
12 municipal officers, trustees of sanitary districts, township
13 officers in townships of over 5,000 population coextensive
14 with or included wholly within cities or villages not under
15 the commission form of government, precinct, township, ward,
16 and State central committeemen, and delegates and alternate
17 delegates to national nominating conventions by all political
18 parties, as defined in Section 7-2 of this Article 7, shall
19 be made in the manner provided in this Article 7 and not
20 otherwise. The nomination of candidates for electors of
21 President and Vice President of the United States and for
22 trustees of the University of Illinois shall be made only in
23 the manner provided for in Section 7-9 of this Article.

24 (b) This Article 7 shall not apply to (i) the nomination
25 of candidates for school elections and township elections,
26 except in those townships specifically mentioned in
27 subsection (a) and except in those cases in which a township
28 central committee determines under Section 6A-2 of the
29 Township Law of 1874 or Section 45-55 of the Township Code
30 that its candidates for township offices shall be nominated
31 by primary in accordance with this Article, (ii) the
32 nomination of park commissioners in park districts organized
33 under the Park District Code, (iii) the nomination of

1 officers of cities and villages organized under special
2 charters, or (iv) the nomination of municipal officers for
3 cities, villages, and incorporated towns with a population of
4 5,000 or less, except where a city, village, or incorporated
5 town with a population of 5,000 or less has by ordinance
6 determined that political parties shall nominate candidates
7 for municipal office in the city, village, or incorporated
8 town by primary in accordance with this Article. In that
9 event, the municipal clerk shall certify the ordinance to the
10 proper election officials no later than November 15 in the
11 year preceding the consolidated primary election.

12 (c) The words "township officers" or "township offices"
13 shall be construed, when used in this Article, to include
14 supervisors.

15 (d) As provided in Sections 3.1-25-20 through 3.1-25-60
16 of the Illinois Municipal Code, a village may adopt a system
17 of nonpartisan primary and general elections for the election
18 of village officers.

19 (Source: P.A. 88-670, eff. 12-2-94; 89-5, eff. 1-1-96.)

20 (10 ILCS 5/7-9) (from Ch. 46, par. 7-9)

21 Sec. 7-9. County central committee; county and State
22 conventions.

23 (a) On the second Monday next succeeding the primary at
24 which committeemen are elected, the county central committee
25 of each political party shall meet at the county seat of the
26 proper county and proceed to organize by electing from its
27 own number a chairman and either from its own number, or
28 otherwise, such other officers as such committee may deem
29 necessary or expedient. Such meeting of the county central
30 committee shall be known as the county convention.

31 The chairman of each county committee shall within 10
32 days after the organization, forward to the State Board of
33 Elections, the names and post office addresses of the

1 officers, precinct committeemen and representative
2 committeemen elected by his political party.

3 The county convention of each political party shall
4 choose delegates to the State convention of its party; but in
5 any county having within its limits any city having a
6 population of 200,000, or over the delegates from such city
7 shall be chosen by wards, the ward committeemen from the
8 respective wards choosing the number of delegates to which
9 such ward is entitled on the basis prescribed in paragraph
10 (e) of this Section such delegates to be members of the
11 delegation to the State convention from such county. In all
12 counties containing a population of 2,000,000 or more outside
13 of cities having a population of 200,000 or more, the
14 delegates from each of the townships or parts of townships as
15 the case may be shall be chosen by townships or parts of
16 townships as the case may be, the township committeemen from
17 the respective townships or parts of townships as the case
18 may be choosing the number of delegates to which such
19 townships or parts of townships as the case may be are
20 entitled, on the basis prescribed in paragraph (e) of this
21 Section such delegates to be members of the delegation to the
22 State convention from such county.

23 Each member of the State Central Committee of a political
24 party which elects its members by Alternative B under
25 paragraph (a) of Section 7-8 shall be a delegate to the State
26 Convention, ex officio.

27 Each member of the State Central Committee of a political
28 party which elects its members by Alternative B under
29 paragraph (a) of Section 7-8 may appoint 2 delegates to the
30 State Convention who must be residents of the member's
31 Congressional District.

32 (b) State conventions shall be held within 180 days after
33 the general primary in the year 2000 and every 4 years
34 thereafter. In the year 1998, and every 4 years thereafter,

1 the chairman of a State central committee may issue a call
2 for a State convention within 180 days after the general
3 primary.

4 The State convention of each political party has power to
5 make nominations of candidates of its political party for the
6 electors of President and Vice President of the United States
7 and for trustees of the University of Illinois, and to adopt
8 any party platform, and, to the extent determined by the
9 State central committee as provided in Section 7-14, to
10 choose and select delegates and alternate delegates at large
11 to national nominating conventions. The State Central
12 Committee may adopt rules to provide for and govern the
13 procedures of the State convention.

14 (c) The chairman and secretary of each State convention
15 shall, within 2 days thereafter, transmit to the State Board
16 of Elections of this State a certificate setting forth the
17 names and addresses of all persons nominated by such State
18 convention for electors of President and Vice President of
19 the United States and for trustees of the University of
20 Illinois, and of any persons selected by the State convention
21 for delegates and alternate delegates at large to national
22 nominating conventions; and the names of such candidates so
23 chosen by such State convention for electors of President and
24 Vice President of the United States and for trustees of the
25 University of Illinois, shall be caused by the State Board of
26 Elections to be printed upon the official ballot at the
27 general election, in the manner required by law, and shall be
28 certified to the various county clerks of the proper counties
29 in the manner as provided in Section 7-60 of this Article 7
30 for the certifying of the names of persons nominated by any
31 party for State offices. If and as long as this Act
32 prescribes that the names of such electors be not printed on
33 the ballot, then the names of such electors shall be
34 certified in such manner as may be prescribed by the parts of

1 this Act applicable thereto.

2 (d) Each convention may perform all other functions
3 inherent to such political organization and not inconsistent
4 with this Article.

5 (e) At least 33 days before the date of a State
6 convention, the chairman of the State central committee of
7 each political party shall file in the principal office of
8 the State Board of Elections a call for the State convention.
9 Such call shall state, among other things, the time and place
10 (designating the building or hall) for holding the State
11 convention. Such call shall be signed by the chairman and
12 attested by the secretary of the committee. In such
13 convention each county shall be entitled to one delegate for
14 each 500 ballots voted by the primary electors of the party
15 in such county at the primary to be held next after the
16 issuance of such call; and if in such county, less than 500
17 ballots are so voted or if the number of ballots so voted is
18 not exactly a multiple of 500, there shall be one delegate
19 for such group which is less than 500, or for such group
20 representing the number of votes over the multiple of 500,
21 which delegate shall have 1/500 of one vote for each primary
22 vote so represented by him. The call for such convention
23 shall set forth this paragraph (e) of Section 7-9 in full and
24 shall direct that the number of delegates to be chosen be
25 calculated in compliance herewith and that such number of
26 delegates be chosen.

27 (f) All precinct, township and ward committeemen when
28 elected as provided in this Section shall serve as though
29 elected at large irrespective of any changes that may be made
30 in precinct, township or ward boundaries and the voting
31 strength of each committeeman shall remain as provided in
32 this Section for the entire time for which he is elected.

33 (g) The officers elected at any convention provided for
34 in this Section shall serve until their successors are

1 elected as provided in this Act.

2 (h) A special meeting of any central committee may be
3 called by the chairman, or by not less than 25% of the
4 members of such committee, by giving 5 days notice to members
5 of such committee in writing designating the time and place
6 at which such special meeting is to be held and the business
7 which it is proposed to present at such special meeting.

8 (i) Except as otherwise provided in this Act, whenever a
9 vacancy exists in the office of precinct committeeman because
10 no one was elected to that office or because the precinct
11 committeeman ceases to reside in the precinct or for any
12 other reason, the chairman of the county central committee of
13 the appropriate political party may fill the vacancy in such
14 office by appointment of a qualified resident of the county
15 and the appointed precinct committeeman shall serve as though
16 elected; however, no such appointment may be made between the
17 general primary election and the 14th day after the general
18 primary election.

19 (j) If the number of Congressional Districts in the
20 State of Illinois is reduced as a result of reapportionment
21 of Congressional Districts following a federal decennial
22 census, the State Central Committeemen and Committeewomen of
23 a political party which elects its State Central Committee by
24 either Alternative A or by Alternative B under paragraph (a)
25 of Section 7-8 who were previously elected shall continue to
26 serve as if no reapportionment had occurred until the
27 expiration of their terms.

28 (Source: P.A. 89-5, eff. 1-1-96; 90-627, eff. 7-10-98.)

29 (10 ILCS 5/22-1) (from Ch. 46, par. 22-1)

30 Sec. 22-1. Abstracts of votes. Within 7 days after the
31 close of the election at which candidates for offices
32 hereinafter named in this Section are voted upon, the county
33 clerks of the respective counties, with the assistance of the

1 chairmen of the county central committees of the Republican
2 and Democratic parties of the county, shall open the returns
3 and make abstracts of the votes on a separate sheet for each
4 of the following:

5 A. For Governor and Lieutenant Governor;

6 B. For State officers;

7 C. For presidential electors;

8 D. For United States Senators and Representatives to
9 Congress;

10 E. For judges of the Supreme Court;

11 F. For judges of the Appellate Court;

12 G. For judges of the circuit court;

13 H. For Senators and Representatives to the General
14 Assembly;

15 I. For State's Attorneys elected from 2 or more
16 counties;

17 J. For amendments to the Constitution, and for other
18 propositions submitted to the electors of the entire State;

19 K. For county officers and for propositions submitted to
20 the electors of the county only;

21 L. For Regional Superintendent of Schools;

22 M. For trustees of Sanitary Districts; and

23 N. For Trustee of a Regional Board of School Trustees;
24 and-

25 O. For trustees of the University of Illinois.

26 Multiple originals of each of the sheets shall be
27 prepared and one of each shall be turned over to the chairman
28 of the county central committee of each of the then existing
29 established political parties, as defined in Section 10-2, or
30 his duly authorized representative immediately after the
31 completion of the entries on the sheets and before the totals
32 have been compiled.

33 The foregoing abstracts shall be preserved by the county
34 clerk in his office.

1 Whenever any county chairman is also county clerk or
2 whenever any county chairman is unable to serve as a member
3 of such canvassing board the vice-chairman or secretary of
4 his county central committee, in that order, shall serve in
5 his place as member of such canvassing board; provided, that
6 if none of these persons is able to serve, the county
7 chairman may appoint a member of his county central committee
8 to serve as a member of such canvassing board.

9 The powers and duties of the county canvassing board are
10 limited to those specified in this Section. In no event shall
11 such canvassing board open any package in which the ballots
12 have been wrapped or any envelope containing "defective" or
13 "objected to" ballots, or in any manner undertake to examine
14 the ballots used in the election, except as provided in
15 Section 22-9.1 or when directed by a court in an election
16 contest. Nor shall such canvassing board call in the precinct
17 judges of election or any other persons to open or recount
18 the ballots.

19 (Source: P.A. 89-5, eff. 1-1-96.)

20 (10 ILCS 5/22-7) (from Ch. 46, par. 22-7)

21 Sec. 22-7. Canvass of votes; declaration and proclamation
22 of result. The State Board of Elections, shall proceed,
23 within 20 days after the election, and sooner if all the
24 returns are received, to canvass the votes given for United
25 States Senators and Representatives to Congress, State
26 executive officers, judges of the Supreme Court, judges of
27 the Appellate Court, judges of the Circuit Court, Senators,
28 Representatives to the General Assembly, State's Attorneys
29 and Regional Superintendents of Schools elected from 2 or
30 more counties, and trustees of the University of Illinois,
31 respectively, and the persons having the highest number of
32 votes for the respective offices shall be declared duly
33 elected, but if it appears that more than the number of

1 persons to be elected have the highest and an equal number of
 2 votes for the same office, the electoral board shall decide
 3 by lot which of such persons shall be elected; and to each
 4 person duly elected, the Governor shall give a certificate of
 5 election or commission, as the case may require, and shall
 6 cause proclamation to be made of the result of the canvass,
 7 and they shall at the same time and in the same manner,
 8 canvass the vote cast upon amendments to the Constitution,
 9 and upon other propositions submitted to the electors of the
 10 entire State; and the Governor shall cause to be made such
 11 proclamation of the result of the canvass as the statutes
 12 elsewhere provide. The State Board of Elections shall
 13 transmit to the State Comptroller a list of the persons
 14 elected to the various offices. The State Board of Elections
 15 shall also transmit to the Supreme Court the names of persons
 16 elected to judgeships in adversary elections and the names of
 17 judges who fail to win retention in office.

18 (Source: P.A. 89-5, eff. 1-1-96.)

19 (10 ILCS 5/23-1.1a) (from Ch. 46, par. 23-1.1a)
 20 Sec. 23-1.1a. Election contest - Statewide -
 21 Jurisdiction. The Supreme Court shall have jurisdiction over
 22 contests of the results of any election, including a primary,
 23 for an elected officer provided for in Article V of the
 24 Constitution and for trustee of the University of Illinois,
 25 and shall retain jurisdiction throughout the course of such
 26 election contests.

27 (Source: P.A. 89-5, eff. 1-1-96.)

28 (10 ILCS 5/23-1.2a) (from Ch. 46, par. 23-1.2a)
 29 Sec. 23-1.2a. Election contest - Statewide offices - Who
 30 may contest - Time and place for filing - Fee. The results
 31 of an election, including a primary, for an elected executive
 32 officer provided for in Article V of the Constitution or for

1 trustee of the University of Illinois may be challenged (1)
2 by any candidate whose name was on the ballot for that
3 office, (2) by any person who filed a declaration of intent
4 to be a write-in candidate for that office, or (3) by any
5 person who voted in that election, provided that such
6 person's challenge is supported by a verified petition signed
7 by persons who voted in the election in a number no less than
8 the largest number of signatures required to nominate a
9 person to be a candidate of any political party which
10 nominated a candidate for the office being contested.

11 Any person, including a candidate, qualified pursuant to
12 this Section and desiring to contest the results of an
13 election for such an office shall, within 15 days of the date
14 of the official proclamation of results of such election,
15 file a Petition of State Election Contest with the clerk of
16 the Supreme Court together with a filing fee in the amount of
17 \$10,000.

18 (Source: P.A. 89-5, eff. 1-1-96.)

19 (10 ILCS 5/23-1.13a) (from Ch. 46, par. 23-1.13a)

20 Sec. 23-1.13a. If any of the powers or duties to be
21 exercised or performed by the Supreme Court under Sections
22 23-1.1a through 23-1.12a may not constitutionally be
23 exercised or performed by the Supreme Court by reason of
24 jurisdictional limitations, then Sections 23-1.1a through
25 23-1.12a shall nonetheless continue to govern contests of
26 elections for elected officers provided for in Article V of
27 the Constitution and for trustees of the University of
28 Illinois, and in such event the Supreme Court shall, pursuant
29 to its general administrative and supervisory powers, assign
30 to a circuit court those adjudicatory powers and duties with
31 respect to such a contest as may not be exercised or
32 performed by the Supreme Court, subject to appropriate
33 judicial review.

1 (Source: P.A. 89-5, eff. 1-1-96.)

2 Section 15. The University of Illinois Trustees Act is
3 amended by changing Section 1 as follows:

4 (110 ILCS 310/1) (from Ch. 144, par. 41)

5 Sec. 1. Membership.

6 (a) The Board of Trustees of the University of Illinois
7 shall consist of the Governor and at least 12 trustees. Nine
8 trustees shall be appointed by the Governor, by and with the
9 advice and consent of the Senate; however, with respect to
10 these 9 trustees, beginning with the general election in
11 2004, a trustee shall instead be elected at each general
12 election to succeed each incumbent trustee whose term expires
13 in January of the year next following that general election.
14 The other trustees shall be students, of whom one student
15 shall be selected from each University campus.

16 (b) Each student trustee shall serve a term of one year,
17 beginning on July 1 or on the date of his or her selection,
18 whichever is later, and expiring on the next succeeding June
19 30.

20 (c) Each trustee shall have all of the privileges of
21 membership, except that only one student trustee shall have
22 the right to cast a legally binding vote. The Governor shall
23 designate which one of the student trustees shall possess,
24 for his or her entire term, the right to cast a legally
25 binding vote. Each student trustee who does not possess the
26 right to cast a legally binding vote shall have the right to
27 cast an advisory vote and the right to make and second
28 motions and to attend executive sessions.

29 (d) Each trustee shall be governed by the same conflict
30 of interest standards. Pursuant to those standards, it shall
31 not be a conflict of interest for a student trustee to vote
32 on matters pertaining to students generally, such as tuition

1 and fees. However, it shall be a conflict of interest for a
2 student trustee to vote on faculty member tenure or
3 promotion.

4 (e) Student trustees shall be chosen by campus-wide
5 student election, and the student trustee designated by the
6 Governor to possess a legally binding vote shall be one of
7 the students selected by this method. A student trustee who
8 does not possess a legally binding vote on a measure at a
9 meeting of the Board or any of its committees shall not be
10 considered a trustee for the purpose of determining whether a
11 quorum is present at the time that measure is voted upon.
12 To be eligible for selection as a student trustee and to be
13 eligible to remain as a voting or nonvoting student trustee,
14 a student trustee must be a resident of this State, must have
15 and maintain a grade point average that is equivalent to at
16 least 2.5 on a 4.0 scale, and must be a full time student
17 enrolled at all times during his or her term of office except
18 for that part of the term which follows the completion of
19 the last full regular semester of an academic year and
20 precedes the first full regular semester of the succeeding
21 academic year at the University (sometimes commonly referred
22 to as the summer session or summer school). If a voting or
23 nonvoting student trustee fails to continue to meet or
24 maintain the residency, minimum grade point average, or
25 enrollment requirement established by this Section, his or
26 her membership on the Board shall be deemed to have
27 terminated by operation of law.

28 If a voting student trustee resigns or otherwise ceases
29 to serve on the Board, the Governor shall, within 30 days,
30 designate one of the remaining student trustees to possess
31 the right to cast a legally binding vote for the remainder of
32 his or her term. If a nonvoting student trustee resigns or
33 otherwise ceases to serve on the Board, the chief executive
34 of the student government from that campus shall, within 30

1 days, select a new nonvoting student trustee to serve for the
2 remainder of the term.

3 (f) Until those members elected at the general election
4 in 2004 have taken office, no more than 5 of the 9 appointed
5 trustees shall be affiliated with the same political party.
6 ~~Each trustee appointed by the Governor must be a resident of~~
7 ~~this State. A failure to meet or maintain this residency~~
8 ~~requirement constitutes a resignation from and creates a~~
9 ~~vacancy in the Board.~~ The term of office of each of these
10 appointed trustees trustee shall be 6 years from the third
11 Monday in January of each odd numbered year. The regular
12 terms of office of these the appointed trustees shall be
13 staggered so that 3 terms expire in each odd-numbered year.
14 Vacancies for these appointed trustees shall be filled for
15 the unexpired term in the same manner as original
16 appointments. If these vacancies a-vacancy in membership
17 occur occurs at a time when the Senate is not in session, the
18 Governor shall make temporary appointments until the next
19 meeting of the Senate, when he shall appoint persons to fill
20 such memberships for the remainder of their respective terms.
21 ~~If the Senate is not in session when appointments for a full~~
22 ~~term are made, appointments shall be made as in the case of~~
23 ~~vacancies.~~

24 Beginning with the general election in 2004, 3 trustees
25 shall be elected at the general election in November of each
26 even-numbered year in the manner provided by law. The term of
27 office of each elected trustee shall be 6 years from the
28 third Monday in January next succeeding his or her election
29 and until his or her successor is elected and qualified. In
30 case of a vacancy in an elected trustee's seat, the vacancy
31 shall be filled by appointment by the Governor (i) for the
32 unexpired term if 28 or fewer months remain in the term or
33 (ii) if more than 28 months remain in the term, until a
34 trustee is elected at the next general election to serve for

1 the unexpired term and is qualified.

2 (g) Each elected or appointed trustee must be a resident
3 of this State. A failure to meet or maintain this residency
4 requirement constitutes a resignation from and creates a
5 vacancy in the Board.

6 (h) No action of the board shall be invalidated by
7 reason of any vacancies on the board, or by reason of any
8 failure to select student trustees.

9 (Source: P.A. 91-778, eff. 1-1-01; 91-798, eff. 7-9-00;
10 92-16, eff. 6-28-01.)

11 Section 99. Effective date. This Act takes effect upon
12 becoming law.