

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 10-9 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 upon
11 objections to the nominations of candidates for State offices,
12 nominations of candidates for congressional, legislative and
13 judicial offices of districts, subcircuits, or circuits
14 situated in more than one county, nominations of candidates for
15 the offices of State's attorney or regional superintendent of
16 schools to be elected from more than one county, and petitions
17 for proposed amendments to the Constitution of the State of
18 Illinois as provided for in Section 3 of Article XIV of the
19 Constitution.

20 2. The county officers electoral board to hear and pass
21 upon objections to the nominations of candidates for county
22 offices, for congressional, legislative and judicial offices
23 of a district, subcircuit, or circuit coterminous with or less
24 than a county, for school trustees to be voted for by the
25 electors of the county or by the electors of a township of the
26 county, for offices of a school or community college district
27 within the county, for the office of multi-township assessor
28 where candidates for such office are nominated in accordance
29 with this Code, and for all special district offices, shall be
30 composed of the county clerk, or an assistant designated by the
31 county clerk, the State's attorney of the county or an
32 Assistant State's Attorney designated by the State's Attorney,

1 and the clerk of the circuit court, or an assistant designated
2 by the clerk of the circuit court, of the county, of whom the
3 county clerk or his designee shall be the chairman, except that
4 in any county which has established a county board of election
5 commissioners that board shall constitute the county officers
6 electoral board ex-officio.

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

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

23 5. (Blank.) ~~The education officers electoral board to hear~~
24 ~~and pass upon objections to the nominations of candidates for~~
25 ~~offices in school or community college districts shall be~~
26 ~~composed of the presiding officer of the school or community~~
27 ~~college district board, who shall be the chairman, the~~
28 ~~secretary of the school or community college district board and~~
29 ~~the eligible elected school or community college board member~~
30 ~~who has the longest term of continuous service as a board~~
31 ~~member.~~

32 6. In all cases, however, where the Congressional or
33 Legislative district is wholly within the jurisdiction of a
34 board of election commissioners and in all cases where the
35 school district or special district is wholly within the
36 jurisdiction of a municipal board of election commissioners and

1 in all cases where the municipality or township is wholly or
2 partially within the jurisdiction of a municipal board of
3 election commissioners, the board of election commissioners
4 shall ex-officio constitute the electoral board.

5 For special districts situated in more than one county, the
6 county officers electoral board of the county in which the
7 principal office of the district is located has jurisdiction to
8 hear and pass upon objections. For purposes of this Section,
9 "special districts" means all political subdivisions other
10 than counties, municipalities, and townships ~~and school and~~
11 ~~community college districts.~~

12 In the event that any member of the appropriate board is a
13 candidate for the office with relation to which the objector's
14 petition is filed, he shall not be eligible to serve on that
15 board and shall not act as a member of the board and his place
16 shall be filled as follows:

17 a. In the county officers electoral board by the county
18 treasurer, and if he or she is ineligible to serve, by the
19 sheriff of the county.

20 b. In the municipal officers electoral board by the
21 eligible elected city council or board of trustees member
22 who has served the second greatest number of years as a
23 city council or board of trustees member.

24 c. In the township officers electoral board by the
25 eligible elected town trustee who has had the second
26 longest term of continuous service as a town trustee.

27 ~~d. In the education officers electoral board by the~~
28 ~~eligible elected school or community college district~~
29 ~~board member who has had the second longest term of~~
30 ~~continuous service as a board member.~~

31 In the event that the chairman of the electoral board is
32 ineligible to act because of the fact that he is a candidate
33 for the office with relation to which the objector's petition
34 is filed, then the substitute chosen under the provisions of
35 this Section shall be the chairman; In this case, the officer
36 or board with whom the objector's petition is filed, shall

1 transmit the certificate of nomination or nomination papers as
2 the case may be, and the objector's petition to the substitute
3 chairman of the electoral board.

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

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

20 (Source: P.A. 94-645, eff. 8-22-05.)