



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

HB0426

Introduced 1/26/2007, by Rep. Michael J. Madigan - Constance A. Howard - Mike Boland - Mary E. Flowers

SYNOPSIS AS INTRODUCED:

10 ILCS 5/2A-1.1	from Ch. 46, par. 2A-1.1
10 ILCS 5/7-8	from Ch. 46, par. 7-8
10 ILCS 5/8-4	from Ch. 46, par. 8-4
105 ILCS 5/33-1	from Ch. 122, par. 33-1

Amends the Election Code and the School Code. Changes the general primary election from the third Tuesday in March to the first Tuesday in February in even-numbered years. Effective immediately.

LRB095 06829 JAM 26945 b

FISCAL NOTE ACT
MAY APPLY

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-1.1, 7-8, and 8-4 as follows:

6 (10 ILCS 5/2A-1.1) (from Ch. 46, par. 2A-1.1)

7 Sec. 2A-1.1. All Elections - Consolidated Schedule. (a) In
8 even-numbered years, the general election shall be held on the
9 first Tuesday after the first Monday of November; and an
10 election to be known as the general primary election shall be
11 held on the first ~~third~~ Tuesday in February ~~March~~;

12 (b) In odd-numbered years, an election to be known as the
13 consolidated election shall be held on the first Tuesday in
14 April except as provided in Section 2A-1.1a of this Act; and an
15 election to be known as the consolidated primary election shall
16 be held on the last Tuesday in February.

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

18 (10 ILCS 5/7-8) (from Ch. 46, par. 7-8)

19 Sec. 7-8. The State central committee shall be composed of
20 one or two members from each congressional district in the
21 State and shall be elected as follows:

22 State Central Committee

1 (a) Within 30 days after the effective date of this
2 amendatory Act of 1983 the State central committee of each
3 political party shall certify to the State Board of Elections
4 which of the following alternatives it wishes to apply to the
5 State central committee of that party.

6 Alternative A. At the primary ~~held on the third Tuesday in~~
7 ~~March~~ 1970⁷ and at the general primary election held every 4
8 years thereafter, each primary elector may vote for one
9 candidate of his party for member of the State central
10 committee for the congressional district in which he resides.
11 The candidate receiving the highest number of votes shall be
12 declared elected State central committeeman from the district.
13 A political party may, in lieu of the foregoing, by a majority
14 vote of delegates at any State convention of such party,
15 determine to thereafter elect the State central committeemen in
16 the manner following:

17 At the county convention held by such political party State
18 central committeemen shall be elected in the same manner as
19 provided in this Article for the election of officers of the
20 county central committee, and such election shall follow the
21 election of officers of the county central committee. Each
22 elected ward, township or precinct committeeman shall cast as
23 his vote one vote for each ballot voted in his ward, township,
24 part of a township or precinct in the last preceding primary
25 election of his political party. In the case of a county lying
26 partially within one congressional district and partially

1 within another congressional district, each ward, township or
2 precinct committeeman shall vote only with respect to the
3 congressional district in which his ward, township, part of a
4 township or precinct is located. In the case of a congressional
5 district which encompasses more than one county, each ward,
6 township or precinct committeeman residing within the
7 congressional district shall cast as his vote one vote for each
8 ballot voted in his ward, township, part of a township or
9 precinct in the last preceding primary election of his
10 political party for one candidate of his party for member of
11 the State central committee for the congressional district in
12 which he resides and the Chairman of the county central
13 committee shall report the results of the election to the State
14 Board of Elections. The State Board of Elections shall certify
15 the candidate receiving the highest number of votes elected
16 State central committeeman for that congressional district.

17 The State central committee shall adopt rules to provide
18 for and govern the procedures to be followed in the election of
19 members of the State central committee.

20 After the effective date of this amendatory Act of the 91st
21 General Assembly, whenever a vacancy occurs in the office of
22 Chairman of a State central committee, or at the end of the
23 term of office of Chairman, the State central committee of each
24 political party that has selected Alternative A shall elect a
25 Chairman who shall not be required to be a member of the State
26 Central Committee. The Chairman shall be a registered voter in

1 this State and of the same political party as the State central
2 committee.

3 Alternative B. Each congressional committee shall, within
4 30 days after the adoption of this alternative, appoint a
5 person of the sex opposite that of the incumbent member for
6 that congressional district to serve as an additional member of
7 the State central committee until his or her successor is
8 elected at the general primary election in 1986. Each
9 congressional committee shall make this appointment by voting
10 on the basis set forth in paragraph (e) of this Section. In
11 each congressional district at the general primary election
12 held in 1986 and every 4 years thereafter, the male candidate
13 receiving the highest number of votes of the party's male
14 candidates for State central committeeman, and the female
15 candidate receiving the highest number of votes of the party's
16 female candidates for State central committeewoman, shall be
17 declared elected State central committeeman and State central
18 committeewoman from the district. At the general primary
19 election held in 1986 and every 4 years thereafter, if all a
20 party's candidates for State central committeemen or State
21 central committeewomen from a congressional district are of the
22 same sex, the candidate receiving the highest number of votes
23 shall be declared elected a State central committeeman or State
24 central committeewoman from the district, and, because of a
25 failure to elect one male and one female to the committee, a
26 vacancy shall be declared to exist in the office of the second

1 member of the State central committee from the district. This
2 vacancy shall be filled by appointment by the congressional
3 committee of the political party, and the person appointed to
4 fill the vacancy shall be a resident of the congressional
5 district and of the sex opposite that of the committeeman or
6 committeewoman elected at the general primary election. Each
7 congressional committee shall make this appointment by voting
8 on the basis set forth in paragraph (e) of this Section.

9 The Chairman of a State central committee composed as
10 provided in this Alternative B must be selected from the
11 committee's members.

12 Except as provided for in Alternative A with respect to the
13 selection of the Chairman of the State central committee, under
14 both of the foregoing alternatives, the State central committee
15 of each political party shall be composed of members elected or
16 appointed from the several congressional districts of the
17 State, and of no other person or persons whomsoever. The
18 members of the State central committee shall, within 41 days
19 after each quadrennial election of the full committee, meet in
20 the city of Springfield and organize by electing a chairman,
21 and may at such time elect such officers from among their own
22 number (or otherwise), as they may deem necessary or expedient.
23 The outgoing chairman of the State central committee of the
24 party shall, 10 days before the meeting, notify each member of
25 the State central committee elected at the primary of the time
26 and place of such meeting. In the organization and proceedings

1 of the State central committee, each State central committeeman
2 and State central committeewoman shall have one vote for each
3 ballot voted in his or her congressional district by the
4 primary electors of his or her party at the primary election
5 immediately preceding the meeting of the State central
6 committee. Whenever a vacancy occurs in the State central
7 committee of any political party, the vacancy shall be filled
8 by appointment of the chairmen of the county central committees
9 of the political party of the counties located within the
10 congressional district in which the vacancy occurs and, if
11 applicable, the ward and township committeemen of the political
12 party in counties of 2,000,000 or more inhabitants located
13 within the congressional district. If the congressional
14 district in which the vacancy occurs lies wholly within a
15 county of 2,000,000 or more inhabitants, the ward and township
16 committeemen of the political party in that congressional
17 district shall vote to fill the vacancy. In voting to fill the
18 vacancy, each chairman of a county central committee and each
19 ward and township committeeman in counties of 2,000,000 or more
20 inhabitants shall have one vote for each ballot voted in each
21 precinct of the congressional district in which the vacancy
22 exists of his or her county, township, or ward cast by the
23 primary electors of his or her party at the primary election
24 immediately preceding the meeting to fill the vacancy in the
25 State central committee. The person appointed to fill the
26 vacancy shall be a resident of the congressional district in

1 which the vacancy occurs, shall be a qualified voter, and, in a
2 committee composed as provided in Alternative B, shall be of
3 the same sex as his or her predecessor. A political party may,
4 by a majority vote of the delegates of any State convention of
5 such party, determine to return to the election of State
6 central committeeman and State central committeewoman by the
7 vote of primary electors. Any action taken by a political party
8 at a State convention in accordance with this Section shall be
9 reported to the State Board of Elections by the chairman and
10 secretary of such convention within 10 days after such action.

11 Ward, Township and Precinct Committeemen

12 (b) At the primary ~~held on the third Tuesday in March,~~
13 1972~~7~~ and at the general primary election every 4 years
14 thereafter, each primary elector in cities having a population
15 of 200,000 or over may vote for one candidate of his party in
16 his ward for ward committeeman. Each candidate for ward
17 committeeman must be a resident of and in the ward where he
18 seeks to be elected ward committeeman. The one having the
19 highest number of votes shall be such ward committeeman of such
20 party for such ward. At the primary election ~~held on the third~~
21 ~~Tuesday in March,~~ 1970~~7~~ and at the general primary election
22 every 4 years thereafter, each primary elector in counties
23 containing a population of 2,000,000 or more, outside of cities
24 containing a population of 200,000 or more, may vote for one
25 candidate of his party for township committeeman. Each
26 candidate for township committeeman must be a resident of and

1 in the township or part of a township (which lies outside of a
2 city having a population of 200,000 or more, in counties
3 containing a population of 2,000,000 or more), and in which
4 township or part of a township he seeks to be elected township
5 committeeman. The one having the highest number of votes shall
6 be such township committeeman of such party for such township
7 or part of a township. At the primary ~~held on the third Tuesday~~
8 in ~~March,~~ 1970 and at the general primary election every 2
9 years thereafter, each primary elector, except in counties
10 having a population of 2,000,000 or over, may vote for one
11 candidate of his party in his precinct for precinct
12 committeeman. Each candidate for precinct committeeman must be
13 a bona fide resident of the precinct where he seeks to be
14 elected precinct committeeman. The one having the highest
15 number of votes shall be such precinct committeeman of such
16 party for such precinct. The official returns of the primary
17 shall show the name of the committeeman of each political
18 party.

19 Terms of Committeemen. All precinct committeemen elected
20 under the provisions of this Article shall continue as such
21 committeemen until the date of the primary to be held in the
22 second year after their election. Except as otherwise provided
23 in this Section for certain State central committeemen who have
24 2 year terms, all State central committeemen, township
25 committeemen and ward committeemen shall continue as such
26 committeemen until the date of primary to be held in the fourth

1 year after their election. However, a vacancy exists in the
2 office of precinct committeeman when a precinct committeeman
3 ceases to reside in the precinct in which he was elected and
4 such precinct committeeman shall thereafter neither have nor
5 exercise any rights, powers or duties as committeeman in that
6 precinct, even if a successor has not been elected or
7 appointed.

8 (c) The Multi-Township Central Committee shall consist of
9 the precinct committeemen of such party, in the multi-township
10 assessing district formed pursuant to Section 2-10 of the
11 Property Tax Code and shall be organized for the purposes set
12 forth in Section 45-25 of the Township Code. In the
13 organization and proceedings of the Multi-Township Central
14 Committee each precinct committeeman shall have one vote for
15 each ballot voted in his precinct by the primary electors of
16 his party at the primary at which he was elected.

17 County Central Committee

18 (d) The county central committee of each political party in
19 each county shall consist of the various township committeemen,
20 precinct committeemen and ward committeemen, if any, of such
21 party in the county. In the organization and proceedings of the
22 county central committee, each precinct committeeman shall
23 have one vote for each ballot voted in his precinct by the
24 primary electors of his party at the primary at which he was
25 elected; each township committeeman shall have one vote for
26 each ballot voted in his township or part of a township as the

1 case may be by the primary electors of his party at the primary
2 election for the nomination of candidates for election to the
3 General Assembly immediately preceding the meeting of the
4 county central committee; and in the organization and
5 proceedings of the county central committee, each ward
6 committeeman shall have one vote for each ballot voted in his
7 ward by the primary electors of his party at the primary
8 election for the nomination of candidates for election to the
9 General Assembly immediately preceding the meeting of the
10 county central committee.

11 Cook County Board of Review Election District Committee

12 (d-1) Each board of review election district committee of
13 each political party in Cook County shall consist of the
14 various township committeemen and ward committeemen, if any, of
15 that party in the portions of the county composing the board of
16 review election district. In the organization and proceedings
17 of each of the 3 election district committees, each township
18 committeeman shall have one vote for each ballot voted in his
19 or her township or part of a township, as the case may be, by
20 the primary electors of his or her party at the primary
21 election immediately preceding the meeting of the board of
22 review election district committee; and in the organization and
23 proceedings of each of the 3 election district committees, each
24 ward committeeman shall have one vote for each ballot voted in
25 his or her ward or part of that ward, as the case may be, by the
26 primary electors of his or her party at the primary election

1 immediately preceding the meeting of the board of review
2 election district committee.

3 Congressional Committee

4 (e) The congressional committee of each party in each
5 congressional district shall be composed of the chairmen of the
6 county central committees of the counties composing the
7 congressional district, except that in congressional districts
8 wholly within the territorial limits of one county, or partly
9 within 2 or more counties, but not coterminous with the county
10 lines of all of such counties, the precinct committeemen,
11 township committeemen and ward committeemen, if any, of the
12 party representing the precincts within the limits of the
13 congressional district, shall compose the congressional
14 committee. A State central committeeman in each district shall
15 be a member and the chairman or, when a district has 2 State
16 central committeemen, a co-chairman of the congressional
17 committee, but shall not have the right to vote except in case
18 of a tie.

19 In the organization and proceedings of congressional
20 committees composed of precinct committeemen or township
21 committeemen or ward committeemen, or any combination thereof,
22 each precinct committeeman shall have one vote for each ballot
23 voted in his precinct by the primary electors of his party at
24 the primary at which he was elected, each township committeeman
25 shall have one vote for each ballot voted in his township or
26 part of a township as the case may be by the primary electors

1 of his party at the primary election immediately preceding the
2 meeting of the congressional committee, and each ward
3 committeeman shall have one vote for each ballot voted in each
4 precinct of his ward located in such congressional district by
5 the primary electors of his party at the primary election
6 immediately preceding the meeting of the congressional
7 committee; and in the organization and proceedings of
8 congressional committees composed of the chairmen of the county
9 central committees of the counties within such district, each
10 chairman of such county central committee shall have one vote
11 for each ballot voted in his county by the primary electors of
12 his party at the primary election immediately preceding the
13 meeting of the congressional committee.

14 Judicial District Committee

15 (f) The judicial district committee of each political party
16 in each judicial district shall be composed of the chairman of
17 the county central committees of the counties composing the
18 judicial district.

19 In the organization and proceedings of judicial district
20 committees composed of the chairmen of the county central
21 committees of the counties within such district, each chairman
22 of such county central committee shall have one vote for each
23 ballot voted in his county by the primary electors of his party
24 at the primary election immediately preceding the meeting of
25 the judicial district committee.

26 Circuit Court Committee

1 (g) The circuit court committee of each political party in
2 each judicial circuit outside Cook County shall be composed of
3 the chairmen of the county central committees of the counties
4 composing the judicial circuit.

5 In the organization and proceedings of circuit court
6 committees, each chairman of a county central committee shall
7 have one vote for each ballot voted in his county by the
8 primary electors of his party at the primary election
9 immediately preceding the meeting of the circuit court
10 committee.

11 Judicial Subcircuit Committee

12 (g-1) The judicial subcircuit committee of each political
13 party in each judicial subcircuit in a judicial circuit divided
14 into subcircuits shall be composed of (i) the ward and township
15 committeemen of the townships and wards composing the judicial
16 subcircuit in Cook County and (ii) the precinct committeemen of
17 the precincts composing the judicial subcircuit in any county
18 other than Cook County.

19 In the organization and proceedings of each judicial
20 subcircuit committee, each township committeeman shall have
21 one vote for each ballot voted in his township or part of a
22 township, as the case may be, in the judicial subcircuit by the
23 primary electors of his party at the primary election
24 immediately preceding the meeting of the judicial subcircuit
25 committee; each precinct committeeman shall have one vote for
26 each ballot voted in his precinct or part of a precinct, as the

1 case may be, in the judicial subcircuit by the primary electors
2 of his party at the primary election immediately preceding the
3 meeting of the judicial subcircuit committee; and each ward
4 committeeman shall have one vote for each ballot voted in his
5 ward or part of a ward, as the case may be, in the judicial
6 subcircuit by the primary electors of his party at the primary
7 election immediately preceding the meeting of the judicial
8 subcircuit committee.

9 Municipal Central Committee

10 (h) The municipal central committee of each political party
11 shall be composed of the precinct, township or ward
12 committeemen, as the case may be, of such party representing
13 the precincts or wards, embraced in such city, incorporated
14 town or village. The voting strength of each precinct, township
15 or ward committeeman on the municipal central committee shall
16 be the same as his voting strength on the county central
17 committee.

18 For political parties, other than a statewide political
19 party, established only within a municipality or township, the
20 municipal or township managing committee shall be composed of
21 the party officers of the local established party. The party
22 officers of a local established party shall be as follows: the
23 chairman and secretary of the caucus for those municipalities
24 and townships authorized by statute to nominate candidates by
25 caucus shall serve as party officers for the purpose of filling
26 vacancies in nomination under Section 7-61; for municipalities

1 and townships authorized by statute or ordinance to nominate
2 candidates by petition and primary election, the party officers
3 shall be the party's candidates who are nominated at the
4 primary. If no party primary was held because of the provisions
5 of Section 7-5, vacancies in nomination shall be filled by the
6 party's remaining candidates who shall serve as the party's
7 officers.

8 Powers

9 (i) Each committee and its officers shall have the powers
10 usually exercised by such committees and by the officers
11 thereof, not inconsistent with the provisions of this Article.
12 The several committees herein provided for shall not have power
13 to delegate any of their powers, or functions to any other
14 person, officer or committee, but this shall not be construed
15 to prevent a committee from appointing from its own membership
16 proper and necessary subcommittees.

17 (j) The State central committee of a political party which
18 elects its members by Alternative B under paragraph (a) of this
19 Section shall adopt a plan to give effect to the delegate
20 selection rules of the national political party and file a copy
21 of such plan with the State Board of Elections when approved by
22 a national political party.

23 (k) For the purpose of the designation of a proxy by a
24 Congressional Committee to vote in place of an absent State
25 central committeeman or committeewoman at meetings of the State
26 central committee of a political party which elects its members

1 by Alternative B under paragraph (a) of this Section, the proxy
2 shall be appointed by the vote of the ward and township
3 committeemen, if any, of the wards and townships which lie
4 entirely or partially within the Congressional District from
5 which the absent State central committeeman or committeewoman
6 was elected and the vote of the chairmen of the county central
7 committees of those counties which lie entirely or partially
8 within that Congressional District and in which there are no
9 ward or township committeemen. When voting for such proxy the
10 county chairman, ward committeeman or township committeeman,
11 as the case may be shall have one vote for each ballot voted in
12 his county, ward or township, or portion thereof within the
13 Congressional District, by the primary electors of his party at
14 the primary at which he was elected. However, the absent State
15 central committeeman or committeewoman may designate a proxy
16 when permitted by the rules of a political party which elects
17 its members by Alternative B under paragraph (a) of this
18 Section.

19 Notwithstanding any law to the contrary, a person is
20 ineligible to hold the position of committeeperson in any
21 committee established pursuant to this Section if he or she is
22 statutorily ineligible to vote in a general election because of
23 conviction of a felony. When a committeeperson is convicted of
24 a felony, the position occupied by that committeeperson shall
25 automatically become vacant.

26 (Source: P.A. 93-541, eff. 8-18-03; 93-574, eff. 8-21-03;

1 93-847, eff. 7-30-04; 94-645, eff. 8-22-05.)

2 (10 ILCS 5/8-4) (from Ch. 46, par. 8-4)

3 Sec. 8-4. ~~The A primary shall be held on the third Tuesday~~
4 ~~in March of each even numbered year for the~~ nomination of
5 candidates for legislative offices shall be made at the general
6 primary election.

7 (Source: P.A. 82-750.)

8 Section 10. The School Code is amended by changing Section
9 33-1 as follows:

10 (105 ILCS 5/33-1) (from Ch. 122, par. 33-1)

11 Sec. 33-1. Board of Education - Election - Terms. In all
12 school districts, including special charter districts having a
13 population of 100,000 and not more than 500,000, which adopt
14 this Article, as hereinafter provided, there shall be
15 maintained a system of free schools in charge of a board of
16 education, which shall be a body politic and corporate by the
17 name of "Board of Education of the City of....". The board
18 shall consist of 7 members elected by the voters of the
19 district. Except as provided in Section 33-1b of this Act, the
20 regular election for members of the board shall be held at the
21 consolidated election ~~on the first Tuesday of April~~ in odd
22 numbered years and at the general primary election ~~on the third~~
23 ~~Tuesday of March~~ in even numbered years. The law governing the

1 registration of voters for the primary election shall apply to
2 the regular election. At the first regular election 7 persons
3 shall be elected as members of the board. The person who
4 receives the greatest number of votes shall be elected for a
5 term of 5 years. The 2 persons who receive the second and third
6 greatest number of votes shall be elected for a term of 4
7 years. The person who receives the fourth greatest number of
8 votes shall be elected for a term of 3 years. The 2 persons who
9 receive the fifth and sixth greatest number of votes shall be
10 elected for a term of 2 years. The person who receives the
11 seventh greatest number of votes shall be elected for a term of
12 1 year. Thereafter, at each regular election for members of the
13 board, the successors of the members whose terms expire in the
14 year of election shall be elected for a term of 5 years. All
15 terms shall commence on July 1 next succeeding the elections.
16 Any vacancy occurring in the membership of the board shall be
17 filled by appointment until the next regular election for
18 members of the board.

19 In any school district which has adopted this Article, a
20 proposition for the election of board members by school board
21 district rather than at large may be submitted to the voters of
22 the district at the regular school election of any year in the
23 manner provided in Section 9-22. If the proposition is approved
24 by a majority of those voting on the propositions, the board
25 shall divide the school district into 7 school board districts
26 as provided in Section 9-22. At the regular school election in

1 the year following the adoption of such proposition, one member
2 shall be elected from each school board district, and the 7
3 members so elected shall, by lot, determine one to serve for
4 one year, 2 for 2 years, one for 3 years, 2 for 4 years, and one
5 for 5 years. Thereafter their respective successors shall be
6 elected for terms of 5 years. The terms of all incumbent
7 members expire July 1 of the year following the adoption of
8 such a proposition.

9 Any school district which has adopted this Article may, by
10 referendum in accordance with Section 33-1a, adopt the method
11 of electing members of the board of education provided in that
12 Section.

13 Reapportionment of the voting districts provided for in
14 this Article or created pursuant to a court order, shall be
15 completed pursuant to Section 33-1c.

16 A board of education may appoint a student to the board to
17 serve in an advisory capacity. The student member shall serve
18 for a term as determined by the board. The board may not grant
19 the student member any voting privileges, but shall consider
20 the student member as an advisor. The student member may not
21 participate in or attend any executive session of the board.

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

23 Section 99. Effective date. This Act takes effect upon
24 becoming law.