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1 AMENDMENT TO HOUSE BILL 426

2 AMENDMENT NO. _____. Amend House Bill 426 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Election Code is amended by changing
5 Sections 1A-8, 2A-1.1, 7-8, 8-4, and 9-10 as follows:

6 (10 ILCS 5/1A-8) (from Ch. 46, par. 1A-8)

7 Sec. 1A-8. The State Board of Elections shall exercise the
8 following powers and perform the following duties in addition
9 to any powers or duties otherwise provided for by law:

10 (1) Assume all duties and responsibilities of the State
11 Electoral Board and the Secretary of State as heretofore
12 provided in this Act;

13 (2) Disseminate information to and consult with
14 election authorities concerning the conduct of elections
15 and registration in accordance with the laws of this State
16 and the laws of the United States;

1 (3) Furnish to each election authority prior to each
2 primary and general election and any other election it
3 deems necessary, a manual of uniform instructions
4 consistent with the provisions of this Act which shall be
5 used by election authorities in the preparation of the
6 official manual of instruction to be used by the judges of
7 election in any such election. In preparing such manual,
8 the State Board shall consult with representatives of the
9 election authorities throughout the State. The State Board
10 may provide separate portions of the uniform instructions
11 applicable to different election jurisdictions which
12 administer elections under different options provided by
13 law. The State Board may by regulation require particular
14 portions of the uniform instructions to be included in any
15 official manual of instructions published by election
16 authorities. Any manual of instructions published by any
17 election authority shall be identical with the manual of
18 uniform instructions issued by the Board, but may be
19 adapted by the election authority to accommodate special or
20 unusual local election problems, provided that all manuals
21 published by election authorities must be consistent with
22 the provisions of this Act in all respects and must receive
23 the approval of the State Board of Elections prior to
24 publication; provided further that if the State Board does
25 not approve or disapprove of a proposed manual within 60
26 days of its submission, the manual shall be deemed

1 approved.

2 (4) Prescribe and require the use of such uniform
3 forms, notices, and other supplies not inconsistent with
4 the provisions of this Act as it shall deem advisable which
5 shall be used by election authorities in the conduct of
6 elections and registrations;

7 (5) Prepare and certify the form of ballot for any
8 proposed amendment to the Constitution of the State of
9 Illinois, or any referendum to be submitted to the electors
10 throughout the State or, when required to do so by law, to
11 the voters of any area or unit of local government of the
12 State;

13 (6) Require such statistical reports regarding the
14 conduct of elections and registration from election
15 authorities as may be deemed necessary;

16 (7) Review and inspect procedures and records relating
17 to conduct of elections and registration as may be deemed
18 necessary, and to report violations of election laws to the
19 appropriate State's Attorney;

20 (8) Recommend to the General Assembly legislation to
21 improve the administration of elections and registration;

22 (9) Adopt, amend or rescind rules and regulations in
23 the performance of its duties provided that all such rules
24 and regulations must be consistent with the provisions of
25 this Article 1A or issued pursuant to authority otherwise
26 provided by law;

1 (10) Determine the validity and sufficiency of
2 petitions filed under Article XIV, Section 3, of the
3 Constitution of the State of Illinois of 1970;

4 (11) Maintain in its principal office a research
5 library that includes, but is not limited to, abstracts of
6 votes by precinct for general primary elections and general
7 elections, current precinct maps and current precinct poll
8 lists from all election jurisdictions within the State. The
9 research library shall be open to the public during regular
10 business hours. Such abstracts, maps and lists shall be
11 preserved as permanent records and shall be available for
12 examination and copying at a reasonable cost;

13 (12) Supervise the administration of the registration
14 and election laws throughout the State;

15 (13) Obtain from the Department of Central Management
16 Services, under Section 405-250 of the Department of
17 Central Management Services Law (20 ILCS 405/405-250),
18 such use of electronic data processing equipment as may be
19 required to perform the duties of the State Board of
20 Elections and to provide election-related information to
21 candidates, public and party officials, interested civic
22 organizations and the general public in a timely and
23 efficient manner; and

24 (14) To take such action as may be necessary or
25 required to give effect to directions of the national
26 committee or State central committee of an established

1 political party under Sections 7-8, 7-11 and 7-14.1 or such
2 other provisions as may be applicable pertaining to the
3 selection of delegates and alternate delegates to an
4 established political party's national nominating
5 conventions or, notwithstanding any candidate
6 certification schedule contained within the Election Code,
7 the certification of the Presidential and Vice
8 Presidential candidate selected by the established
9 political party's national nominating convention ~~in 2004~~.

10 The Board may by regulation delegate any of its duties or
11 functions under this Article, except that final determinations
12 and orders under this Article shall be issued only by the
13 Board.

14 The requirement for reporting to the General Assembly shall
15 be satisfied by filing copies of the report with the Speaker,
16 the Minority Leader and the Clerk of the House of
17 Representatives and the President, the Minority Leader and the
18 Secretary of the Senate and the Legislative Research Unit, as
19 required by Section 3.1 of "An Act to revise the law in
20 relation to the General Assembly", approved February 25, 1874,
21 as amended, and filing such additional copies with the State
22 Government Report Distribution Center for the General Assembly
23 as is required under paragraph (t) of Section 7 of the State
24 Library Act.

25 (Source: P.A. 93-686, eff. 7-8-04.)

1 (10 ILCS 5/2A-1.1) (from Ch. 46, par. 2A-1.1)

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

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

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

13 (10 ILCS 5/7-8) (from Ch. 46, par. 7-8)

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

17 State Central Committee

18 (a) Within 30 days after the effective date of this
19 amendatory Act of 1983 the State central committee of each
20 political party shall certify to the State Board of Elections
21 which of the following alternatives it wishes to apply to the
22 State central committee of that party.

23 Alternative A. At the primary ~~held on the third Tuesday in~~
24 ~~March~~ 1970~~7~~, and at the general primary election held every 4
25 years thereafter, each primary elector may vote for one

1 candidate of his party for member of the State central
2 committee for the congressional district in which he resides.
3 The candidate receiving the highest number of votes shall be
4 declared elected State central committeeman from the district.
5 A political party may, in lieu of the foregoing, by a majority
6 vote of delegates at any State convention of such party,
7 determine to thereafter elect the State central committeemen in
8 the manner following:

9 At the county convention held by such political party State
10 central committeemen shall be elected in the same manner as
11 provided in this Article for the election of officers of the
12 county central committee, and such election shall follow the
13 election of officers of the county central committee. Each
14 elected ward, township or precinct committeeman shall cast as
15 his vote one vote for each ballot voted in his ward, township,
16 part of a township or precinct in the last preceding primary
17 election of his political party. In the case of a county lying
18 partially within one congressional district and partially
19 within another congressional district, each ward, township or
20 precinct committeeman shall vote only with respect to the
21 congressional district in which his ward, township, part of a
22 township or precinct is located. In the case of a congressional
23 district which encompasses more than one county, each ward,
24 township or precinct committeeman residing within the
25 congressional district shall cast as his vote one vote for each
26 ballot voted in his ward, township, part of a township or

1 precinct in the last preceding primary election of his
2 political party for one candidate of his party for member of
3 the State central committee for the congressional district in
4 which he resides and the Chairman of the county central
5 committee shall report the results of the election to the State
6 Board of Elections. The State Board of Elections shall certify
7 the candidate receiving the highest number of votes elected
8 State central committeeman for that congressional district.

9 The State central committee shall adopt rules to provide
10 for and govern the procedures to be followed in the election of
11 members of the State central committee.

12 After the effective date of this amendatory Act of the 91st
13 General Assembly, whenever a vacancy occurs in the office of
14 Chairman of a State central committee, or at the end of the
15 term of office of Chairman, the State central committee of each
16 political party that has selected Alternative A shall elect a
17 Chairman who shall not be required to be a member of the State
18 Central Committee. The Chairman shall be a registered voter in
19 this State and of the same political party as the State central
20 committee.

21 Alternative B. Each congressional committee shall, within
22 30 days after the adoption of this alternative, appoint a
23 person of the sex opposite that of the incumbent member for
24 that congressional district to serve as an additional member of
25 the State central committee until his or her successor is
26 elected at the general primary election in 1986. Each

1 congressional committee shall make this appointment by voting
2 on the basis set forth in paragraph (e) of this Section. In
3 each congressional district at the general primary election
4 held in 1986 and every 4 years thereafter, the male candidate
5 receiving the highest number of votes of the party's male
6 candidates for State central committeeman, and the female
7 candidate receiving the highest number of votes of the party's
8 female candidates for State central committeewoman, shall be
9 declared elected State central committeeman and State central
10 committeewoman from the district. At the general primary
11 election held in 1986 and every 4 years thereafter, if all a
12 party's candidates for State central committeemen or State
13 central committeewomen from a congressional district are of the
14 same sex, the candidate receiving the highest number of votes
15 shall be declared elected a State central committeeman or State
16 central committeewoman from the district, and, because of a
17 failure to elect one male and one female to the committee, a
18 vacancy shall be declared to exist in the office of the second
19 member of the State central committee from the district. This
20 vacancy shall be filled by appointment by the congressional
21 committee of the political party, and the person appointed to
22 fill the vacancy shall be a resident of the congressional
23 district and of the sex opposite that of the committeeman or
24 committeewoman elected at the general primary election. Each
25 congressional committee shall make this appointment by voting
26 on the basis set forth in paragraph (e) of this Section.

1 The Chairman of a State central committee composed as
2 provided in this Alternative B must be selected from the
3 committee's members.

4 Except as provided for in Alternative A with respect to the
5 selection of the Chairman of the State central committee, under
6 both of the foregoing alternatives, the State central committee
7 of each political party shall be composed of members elected or
8 appointed from the several congressional districts of the
9 State, and of no other person or persons whomsoever. The
10 members of the State central committee shall, within 41 days
11 after each quadrennial election of the full committee, meet in
12 the city of Springfield and organize by electing a chairman,
13 and may at such time elect such officers from among their own
14 number (or otherwise), as they may deem necessary or expedient.
15 The outgoing chairman of the State central committee of the
16 party shall, 10 days before the meeting, notify each member of
17 the State central committee elected at the primary of the time
18 and place of such meeting. In the organization and proceedings
19 of the State central committee, each State central committeeman
20 and State central committeewoman shall have one vote for each
21 ballot voted in his or her congressional district by the
22 primary electors of his or her party at the primary election
23 immediately preceding the meeting of the State central
24 committee. Whenever a vacancy occurs in the State central
25 committee of any political party, the vacancy shall be filled
26 by appointment of the chairmen of the county central committees

1 of the political party of the counties located within the
2 congressional district in which the vacancy occurs and, if
3 applicable, the ward and township committeemen of the political
4 party in counties of 2,000,000 or more inhabitants located
5 within the congressional district. If the congressional
6 district in which the vacancy occurs lies wholly within a
7 county of 2,000,000 or more inhabitants, the ward and township
8 committeemen of the political party in that congressional
9 district shall vote to fill the vacancy. In voting to fill the
10 vacancy, each chairman of a county central committee and each
11 ward and township committeeman in counties of 2,000,000 or more
12 inhabitants shall have one vote for each ballot voted in each
13 precinct of the congressional district in which the vacancy
14 exists of his or her county, township, or ward cast by the
15 primary electors of his or her party at the primary election
16 immediately preceding the meeting to fill the vacancy in the
17 State central committee. The person appointed to fill the
18 vacancy shall be a resident of the congressional district in
19 which the vacancy occurs, shall be a qualified voter, and, in a
20 committee composed as provided in Alternative B, shall be of
21 the same sex as his or her predecessor. A political party may,
22 by a majority vote of the delegates of any State convention of
23 such party, determine to return to the election of State
24 central committeeman and State central committeewoman by the
25 vote of primary electors. Any action taken by a political party
26 at a State convention in accordance with this Section shall be

1 reported to the State Board of Elections by the chairman and
2 secretary of such convention within 10 days after such action.

3 Ward, Township and Precinct Committeemen

4 (b) At the primary ~~held on the third Tuesday in March,~~
5 1972~~7~~ and at the general primary election every 4 years
6 thereafter, each primary elector in cities having a population
7 of 200,000 or over may vote for one candidate of his party in
8 his ward for ward committeeman. Each candidate for ward
9 committeeman must be a resident of and in the ward where he
10 seeks to be elected ward committeeman. The one having the
11 highest number of votes shall be such ward committeeman of such
12 party for such ward. At the primary election ~~held on the third~~
13 ~~Tuesday in March,~~ 1970~~7~~ and at the general primary election
14 every 4 years thereafter, each primary elector in counties
15 containing a population of 2,000,000 or more, outside of cities
16 containing a population of 200,000 or more, may vote for one
17 candidate of his party for township committeeman. Each
18 candidate for township committeeman must be a resident of and
19 in the township or part of a township (which lies outside of a
20 city having a population of 200,000 or more, in counties
21 containing a population of 2,000,000 or more), and in which
22 township or part of a township he seeks to be elected township
23 committeeman. The one having the highest number of votes shall
24 be such township committeeman of such party for such township
25 or part of a township. At the primary ~~held on the third Tuesday~~
26 in ~~March,~~ 1970 and at the general primary election every 2

1 years thereafter, each primary elector, except in counties
2 having a population of 2,000,000 or over, may vote for one
3 candidate of his party in his precinct for precinct
4 committeeman. Each candidate for precinct committeeman must be
5 a bona fide resident of the precinct where he seeks to be
6 elected precinct committeeman. The one having the highest
7 number of votes shall be such precinct committeeman of such
8 party for such precinct. The official returns of the primary
9 shall show the name of the committeeman of each political
10 party.

11 Terms of Committeemen. All precinct committeemen elected
12 under the provisions of this Article shall continue as such
13 committeemen until the date of the primary to be held in the
14 second year after their election. Except as otherwise provided
15 in this Section for certain State central committeemen who have
16 2 year terms, all State central committeemen, township
17 committeemen and ward committeemen shall continue as such
18 committeemen until the date of primary to be held in the fourth
19 year after their election. However, a vacancy exists in the
20 office of precinct committeeman when a precinct committeeman
21 ceases to reside in the precinct in which he was elected and
22 such precinct committeeman shall thereafter neither have nor
23 exercise any rights, powers or duties as committeeman in that
24 precinct, even if a successor has not been elected or
25 appointed.

26 (c) The Multi-Township Central Committee shall consist of

1 the precinct committeemen of such party, in the multi-township
2 assessing district formed pursuant to Section 2-10 of the
3 Property Tax Code and shall be organized for the purposes set
4 forth in Section 45-25 of the Township Code. In the
5 organization and proceedings of the Multi-Township Central
6 Committee each precinct committeeman shall have one vote for
7 each ballot voted in his precinct by the primary electors of
8 his party at the primary at which he was elected.

9 County Central Committee

10 (d) The county central committee of each political party in
11 each county shall consist of the various township committeemen,
12 precinct committeemen and ward committeemen, if any, of such
13 party in the county. In the organization and proceedings of the
14 county central committee, each precinct committeeman shall
15 have one vote for each ballot voted in his precinct by the
16 primary electors of his party at the primary at which he was
17 elected; each township committeeman shall have one vote for
18 each ballot voted in his township or part of a township as the
19 case may be by the primary electors of his party at the primary
20 election for the nomination of candidates for election to the
21 General Assembly immediately preceding the meeting of the
22 county central committee; and in the organization and
23 proceedings of the county central committee, each ward
24 committeeman shall have one vote for each ballot voted in his
25 ward by the primary electors of his party at the primary
26 election for the nomination of candidates for election to the

1 General Assembly immediately preceding the meeting of the
2 county central committee.

3 Cook County Board of Review Election District Committee

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

21 Congressional Committee

22 (e) The congressional committee of each party in each
23 congressional district shall be composed of the chairmen of the
24 county central committees of the counties composing the
25 congressional district, except that in congressional districts
26 wholly within the territorial limits of one county, or partly

1 within 2 or more counties, but not coterminous with the county
2 lines of all of such counties, the precinct committeemen,
3 township committeemen and ward committeemen, if any, of the
4 party representing the precincts within the limits of the
5 congressional district, shall compose the congressional
6 committee. A State central committeeman in each district shall
7 be a member and the chairman or, when a district has 2 State
8 central committeemen, a co-chairman of the congressional
9 committee, but shall not have the right to vote except in case
10 of a tie.

11 In the organization and proceedings of congressional
12 committees composed of precinct committeemen or township
13 committeemen or ward committeemen, or any combination thereof,
14 each precinct committeeman shall have one vote for each ballot
15 voted in his precinct by the primary electors of his party at
16 the primary at which he was elected, each township committeeman
17 shall have one vote for each ballot voted in his township or
18 part of a township as the case may be by the primary electors
19 of his party at the primary election immediately preceding the
20 meeting of the congressional committee, and each ward
21 committeeman shall have one vote for each ballot voted in each
22 precinct of his ward located in such congressional district by
23 the primary electors of his party at the primary election
24 immediately preceding the meeting of the congressional
25 committee; and in the organization and proceedings of
26 congressional committees composed of the chairmen of the county

1 central committees of the counties within such district, each
2 chairman of such county central committee shall have one vote
3 for each ballot voted in his county by the primary electors of
4 his party at the primary election immediately preceding the
5 meeting of the congressional committee.

6 Judicial District Committee

7 (f) The judicial district committee of each political party
8 in each judicial district shall be composed of the chairman of
9 the county central committees of the counties composing the
10 judicial district.

11 In the organization and proceedings of judicial district
12 committees composed of the chairmen of the county central
13 committees of the counties within such district, each chairman
14 of such county central committee shall have one vote for each
15 ballot voted in his county by the primary electors of his party
16 at the primary election immediately preceding the meeting of
17 the judicial district committee.

18 Circuit Court Committee

19 (g) The circuit court committee of each political party in
20 each judicial circuit outside Cook County shall be composed of
21 the chairmen of the county central committees of the counties
22 composing the judicial circuit.

23 In the organization and proceedings of circuit court
24 committees, each chairman of a county central committee shall
25 have one vote for each ballot voted in his county by the
26 primary electors of his party at the primary election

1 immediately preceding the meeting of the circuit court
2 committee.

3 Judicial Subcircuit Committee

4 (g-1) The judicial subcircuit committee of each political
5 party in each judicial subcircuit in a judicial circuit divided
6 into subcircuits shall be composed of (i) the ward and township
7 committeemen of the townships and wards composing the judicial
8 subcircuit in Cook County and (ii) the precinct committeemen of
9 the precincts composing the judicial subcircuit in any county
10 other than Cook County.

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

1 Municipal Central Committee

2 (h) The municipal central committee of each political party
3 shall be composed of the precinct, township or ward
4 committeemen, as the case may be, of such party representing
5 the precincts or wards, embraced in such city, incorporated
6 town or village. The voting strength of each precinct, township
7 or ward committeeman on the municipal central committee shall
8 be the same as his voting strength on the county central
9 committee.

10 For political parties, other than a statewide political
11 party, established only within a municipality or township, the
12 municipal or township managing committee shall be composed of
13 the party officers of the local established party. The party
14 officers of a local established party shall be as follows: the
15 chairman and secretary of the caucus for those municipalities
16 and townships authorized by statute to nominate candidates by
17 caucus shall serve as party officers for the purpose of filling
18 vacancies in nomination under Section 7-61; for municipalities
19 and townships authorized by statute or ordinance to nominate
20 candidates by petition and primary election, the party officers
21 shall be the party's candidates who are nominated at the
22 primary. If no party primary was held because of the provisions
23 of Section 7-5, vacancies in nomination shall be filled by the
24 party's remaining candidates who shall serve as the party's
25 officers.

1 (i) Each committee and its officers shall have the powers
2 usually exercised by such committees and by the officers
3 thereof, not inconsistent with the provisions of this Article.
4 The several committees herein provided for shall not have power
5 to delegate any of their powers, or functions to any other
6 person, officer or committee, but this shall not be construed
7 to prevent a committee from appointing from its own membership
8 proper and necessary subcommittees.

9 (j) The State central committee of a political party which
10 elects its members by Alternative B under paragraph (a) of this
11 Section shall adopt a plan to give effect to the delegate
12 selection rules of the national political party and file a copy
13 of such plan with the State Board of Elections when approved by
14 a national political party.

15 (k) For the purpose of the designation of a proxy by a
16 Congressional Committee to vote in place of an absent State
17 central committeeman or committeewoman at meetings of the State
18 central committee of a political party which elects its members
19 by Alternative B under paragraph (a) of this Section, the proxy
20 shall be appointed by the vote of the ward and township
21 committeemen, if any, of the wards and townships which lie
22 entirely or partially within the Congressional District from
23 which the absent State central committeeman or committeewoman
24 was elected and the vote of the chairmen of the county central
25 committees of those counties which lie entirely or partially
26 within that Congressional District and in which there are no

1 ward or township committeemen. When voting for such proxy the
2 county chairman, ward committeeman or township committeeman,
3 as the case may be shall have one vote for each ballot voted in
4 his county, ward or township, or portion thereof within the
5 Congressional District, by the primary electors of his party at
6 the primary at which he was elected. However, the absent State
7 central committeeman or committeewoman may designate a proxy
8 when permitted by the rules of a political party which elects
9 its members by Alternative B under paragraph (a) of this
10 Section.

11 Notwithstanding any law to the contrary, a person is
12 ineligible to hold the position of committeeperson in any
13 committee established pursuant to this Section if he or she is
14 statutorily ineligible to vote in a general election because of
15 conviction of a felony. When a committeeperson is convicted of
16 a felony, the position occupied by that committeeperson shall
17 automatically become vacant.

18 (Source: P.A. 93-541, eff. 8-18-03; 93-574, eff. 8-21-03;
19 93-847, eff. 7-30-04; 94-645, eff. 8-22-05.)

20 (10 ILCS 5/8-4) (from Ch. 46, par. 8-4)

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

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

1 (10 ILCS 5/9-10) (from Ch. 46, par. 9-10)

2 Sec. 9-10. Financial reports.

3 (a) The treasurer of every state political committee and
4 the treasurer of every local political committee shall file
5 with the Board, and the treasurer of every local political
6 committee shall file with the county clerk, reports of campaign
7 contributions, and semi-annual reports of campaign
8 contributions and expenditures on forms to be prescribed or
9 approved by the Board. The treasurer of every political
10 committee that acts as both a state political committee and a
11 local political committee shall file a copy of each report with
12 the State Board of Elections and the county clerk. Entities
13 subject to Section 9-7.5 shall file reports required by that
14 Section at times provided in this Section and are subject to
15 the penalties provided in this Section.

16 (b) This subsection does not apply with respect to general
17 primary elections. Reports of campaign contributions shall be
18 filed no later than the 15th day next preceding each election
19 ~~including a primary election~~ in connection with which the
20 political committee has accepted or is accepting contributions
21 or has made or is making expenditures. Such reports shall be
22 complete as of the 30th day next preceding each election
23 ~~including a primary election~~. The Board shall assess a civil
24 penalty not to exceed \$5,000 for a violation of this
25 subsection, except that for State officers and candidates and

1 political committees formed for statewide office, the civil
2 penalty may not exceed \$10,000. The fine, however, shall not
3 exceed \$500 for a first filing violation for filing less than
4 10 days after the deadline. There shall be no fine if the
5 report is mailed and postmarked at least 72 hours prior to the
6 filing deadline. For the purpose of this subsection, "statewide
7 office" and "State officer" means the Governor, Lieutenant
8 Governor, Attorney General, Secretary of State, Comptroller,
9 and Treasurer. However, a continuing political committee that
10 does not make expenditures in excess of \$500 on behalf of or in
11 opposition to any candidate or public question on the ballot at
12 an election shall not be required to file the reports
13 ~~heretofore~~ prescribed in this subsection (b) and subsection
14 (b-5) but may file in lieu thereof a Statement of
15 Nonparticipation in the Election with the Board or the Board
16 and the county clerk ; except that if the political committee,
17 by the terms of its statement of organization filed in
18 accordance with this Article, is organized to support or oppose
19 a candidate or public question on the ballot at the next
20 election or primary, that committee must file reports required
21 by this subsection (b) and by subsection (b-5).

22 (b-5) Notwithstanding the provisions of subsection (b) and
23 Section 1.25 of the Statute on Statutes, any contribution of
24 more than \$500 received (i) with respect to elections other
25 than the general primary election, in the interim between the
26 last date of the period covered by the last report filed under

1 subsection (b) prior to the election and the date of the
2 election or (ii) with respect to general primary elections, in
3 the period beginning January 1 of the year of the general
4 primary election and prior to the date of the general primary
5 election shall be filed with and must actually be received by
6 the State Board of Elections within 2 business days after
7 receipt of such contribution. A continuing political committee
8 that does not support or oppose a candidate or public question
9 on the ballot at a general primary election and does not make
10 expenditures in excess of \$500 on behalf of or in opposition to
11 any candidate or public question on the ballot at the general
12 primary election shall not be required to file the report
13 prescribed in this subsection unless the committee makes an
14 expenditure in excess of \$500 on behalf of or in opposition to
15 any candidate or public question on the ballot at the general
16 primary election. The committee shall timely file the report
17 required under this subsection beginning with the date the
18 expenditure that triggered participation was made. The State
19 Board shall allow filings of reports of contributions of more
20 than \$500 under this subsection (b-5) by political committees
21 that are not required to file electronically to be made by
22 facsimile transmission. For the purpose of this subsection, a
23 contribution is considered received on the date the public
24 official, candidate, or political committee (or equivalent
25 person in the case of a reporting entity other than a political
26 committee) actually receives it or, in the case of goods or

1 services, 2 business days after the date the public official,
2 candidate, committee, or other reporting entity receives the
3 certification required under subsection (b) of Section 9-6.
4 Failure to report each contribution is a separate violation of
5 this subsection. In the final disposition of any matter by the
6 Board on or after the effective date of this amendatory Act of
7 the 93rd General Assembly, the Board may impose fines for
8 violations of this subsection not to exceed 100% of the total
9 amount of the contributions that were untimely reported, but in
10 no case when a fine is imposed shall it be less than 10% of the
11 total amount of the contributions that were untimely reported.
12 When considering the amount of the fine to be imposed, the
13 Board shall consider, but is not limited to, the following
14 factors:

15 (1) whether in the Board's opinion the violation was
16 committed inadvertently, negligently, knowingly, or
17 intentionally;

18 (2) the number of days the contribution was reported
19 late; and

20 (3) past violations of Sections 9-3 and 9-10 of this
21 Article by the committee.

22 (c) In addition to such reports the treasurer of every
23 political committee shall file semi-annual reports of campaign
24 contributions and expenditures no later than July 20th ~~31st~~,
25 covering the period from January 1st through June 30th
26 immediately preceding, and no later than January 20th ~~31st~~,

1 covering the period from July 1st through December 31st of the
2 preceding calendar year. Reports of contributions and
3 expenditures must be filed to cover the prescribed time periods
4 even though no contributions or expenditures may have been
5 received or made during the period. The Board shall assess a
6 civil penalty not to exceed \$5,000 for a violation of this
7 subsection, except that for State officers and candidates and
8 political committees formed for statewide office, the civil
9 penalty may not exceed \$10,000. The fine, however, shall not
10 exceed \$500 for a first filing violation for filing less than
11 10 days after the deadline. There shall be no fine if the
12 report is mailed and postmarked at least 72 hours prior to the
13 filing deadline. For the purpose of this subsection, "statewide
14 office" and "State officer" means the Governor, Lieutenant
15 Governor, Attorney General, Secretary of State, Comptroller,
16 and Treasurer.

17 (c-5) A political committee that acts as either (i) a State
18 and local political committee or (ii) a local political
19 committee and that files reports electronically under Section
20 9-28 is not required to file copies of the reports with the
21 appropriate county clerk if the county clerk has a system that
22 permits access to, and duplication of, reports that are filed
23 with the State Board of Elections. A State and local political
24 committee or a local political committee shall file with the
25 county clerk a copy of its statement of organization pursuant
26 to Section 9-3.

1 (d) A copy of each report or statement filed under this
2 Article shall be preserved by the person filing it for a period
3 of two years from the date of filing.

4 (Source: P.A. 93-574, eff. 8-21-03; 93-615, eff. 11-19-03;
5 94-645, eff. 8-22-05.)

6 Section 10. The General Assembly Compensation Act is
7 amended by changing Section 4 as follows:

8 (25 ILCS 115/4) (from Ch. 63, par. 15.1)

9 Sec. 4. Office allowance. Beginning July 1, 2001, each
10 member of the House of Representatives is authorized to approve
11 the expenditure of not more than \$61,000 per year and each
12 member of the Senate is authorized to approve the expenditure
13 of not more than \$73,000 per year to pay for "personal
14 services", "contractual services", "commodities", "printing",
15 "travel", "operation of automotive equipment",
16 "telecommunications services", as defined in the State Finance
17 Act, and the compensation of one or more legislative assistants
18 authorized pursuant to this Section, in connection with his or
19 her legislative duties and not in connection with any political
20 campaign. On July 1, 2002 and on July 1 of each year
21 thereafter, the amount authorized per year under this Section
22 for each member of the Senate and each member of the House of
23 Representatives shall be increased by a percentage increase
24 equivalent to the lesser of (i) the increase in the designated

1 cost of living index or (ii) 5%. The designated cost of living
2 index is the index known as the "Employment Cost Index, Wages
3 and Salaries, By Occupation and Industry Groups: State and
4 Local Government Workers: Public Administration" as published
5 by the Bureau of Labor Statistics of the U.S. Department of
6 Labor for the calendar year immediately preceding the year of
7 the respective July 1st increase date. The increase shall be
8 added to the then current amount, and the adjusted amount so
9 determined shall be the annual amount beginning July 1 of the
10 increase year until July 1 of the next year. No increase under
11 this provision shall be less than zero.

12 A member may purchase office equipment if the member
13 certifies to the Secretary of the Senate or the Clerk of the
14 House, as applicable, that the purchase price, whether paid in
15 lump sum or installments, amounts to less than would be charged
16 for renting or leasing the equipment over its anticipated
17 useful life. All such equipment must be purchased through the
18 Secretary of the Senate or the Clerk of the House, as
19 applicable, for proper identification and verification of
20 purchase.

21 Each member of the General Assembly is authorized to employ
22 one or more legislative assistants, who shall be solely under
23 the direction and control of that member, for the purpose of
24 assisting the member in the performance of his or her official
25 duties. A legislative assistant may be employed pursuant to
26 this Section as a full-time employee, part-time employee, or

1 contractual employee, at the discretion of the member. If
2 employed as a State employee, a legislative assistant shall
3 receive employment benefits on the same terms and conditions
4 that apply to other employees of the General Assembly. Each
5 member shall adopt and implement personnel policies for
6 legislative assistants under his or her direction and control
7 relating to work time requirements, documentation for
8 reimbursement for travel on official State business,
9 compensation, and the earning and accrual of State benefits for
10 those legislative assistants who may be eligible to receive
11 those benefits. The policies shall also require legislative
12 assistants to periodically submit time sheets documenting, in
13 quarter-hour increments, the time spent each day on official
14 State business. The policies shall require the time sheets to
15 be submitted on paper, electronically, or both and to be
16 maintained in either paper or electronic format by the
17 applicable fiscal office for a period of at least 2 years.
18 Contractual employees may satisfy the time sheets requirement
19 by complying with the terms of their contract, which shall
20 provide for a means of compliance with this requirement. A
21 member may satisfy the requirements of this paragraph by
22 adopting and implementing the personnel policies promulgated
23 by that member's legislative leader under the State Officials
24 and Employees Ethics Act with respect to that member's
25 legislative assistants.

26 As used in this Section the term "personal services" shall

1 include contributions of the State under the Federal Insurance
2 Contribution Act and under Article 14 of the Illinois Pension
3 Code. As used in this Section the term "contractual services"
4 shall not include improvements to real property unless those
5 improvements are the obligation of the lessee under the lease
6 agreement. Beginning July 1, 1989, as used in the Section, the
7 term "travel" shall be limited to travel in connection with a
8 member's legislative duties and not in connection with any
9 political campaign. Beginning on the effective date of this
10 amendatory Act of the 93rd General Assembly, as used in this
11 Section, the term "printing" includes, but is not limited to,
12 newsletters, brochures, certificates, congratulatory mailings,
13 greeting or welcome messages, anniversary or birthday cards,
14 and congratulations for prominent achievement cards. As used in
15 this Section, the term "printing" includes fees for
16 non-substantive resolutions charged by the Clerk of the House
17 of Representatives under subsection (c-5) of Section 1 of the
18 Legislative Materials Act. No newsletter or brochure that is
19 paid for, in whole or in part, with funds provided under this
20 Section may be printed or mailed during a period beginning
21 December 15 ~~February 1~~ of the year preceding ~~of~~ a general
22 primary election and ending the day after the general primary
23 election and during a period beginning September 1 of the year
24 of a general election and ending the day after the general
25 election, except that such a newsletter or brochure may be
26 mailed during those times if it is mailed to a constituent in

1 response to that constituent's inquiry concerning the needs of
2 that constituent or questions raised by that constituent.
3 Nothing in this Section shall be construed to authorize
4 expenditures for lodging and meals while a member is in
5 attendance at sessions of the General Assembly.

6 Any utility bill for service provided to a member's
7 district office for a period including portions of 2
8 consecutive fiscal years may be paid from funds appropriated
9 for such expenditure in either fiscal year.

10 If a vacancy occurs in the office of Senator or
11 Representative in the General Assembly, any office equipment in
12 the possession of the vacating member shall transfer to the
13 member's successor; if the successor does not want such
14 equipment, it shall be transferred to the Secretary of the
15 Senate or Clerk of the House of Representatives, as the case
16 may be, and if not wanted by other members of the General
17 Assembly then to the Department of Central Management Services
18 for treatment as surplus property under the State Property
19 Control Act. Each member, on or before June 30th of each year,
20 shall conduct an inventory of all equipment purchased pursuant
21 to this Act. Such inventory shall be filed with the Secretary
22 of the Senate or the Clerk of the House, as the case may be.
23 Whenever a vacancy occurs, the Secretary of the Senate or the
24 Clerk of the House, as the case may be, shall conduct an
25 inventory of equipment purchased.

26 In the event that a member leaves office during his or her

1 term, any unexpended or unobligated portion of the allowance
2 granted under this Section shall lapse. The vacating member's
3 successor shall be granted an allowance in an amount, rounded
4 to the nearest dollar, computed by dividing the annual
5 allowance by 365 and multiplying the quotient by the number of
6 days remaining in the fiscal year.

7 From any appropriation for the purposes of this Section for
8 a fiscal year which overlaps 2 General Assemblies, no more than
9 1/2 of the annual allowance per member may be spent or
10 encumbered by any member of either the outgoing or incoming
11 General Assembly, except that any member of the incoming
12 General Assembly who was a member of the outgoing General
13 Assembly may encumber or spend any portion of his annual
14 allowance within the fiscal year.

15 The appropriation for the annual allowances permitted by
16 this Section shall be included in an appropriation to the
17 President of the Senate and to the Speaker of the House of
18 Representatives for their respective members. The President of
19 the Senate and the Speaker of the House shall voucher for
20 payment individual members' expenditures from their annual
21 office allowances to the State Comptroller, subject to the
22 authority of the Comptroller under Section 9 of the State
23 Comptroller Act.

24 (Source: P.A. 93-615, eff. 11-19-03; 93-617, eff. 12-9-03.)

25 Section 15. The Legislative Commission Reorganization Act

1 of 1984 is amended by changing Section 9-2.5 as follows:

2 (25 ILCS 130/9-2.5)

3 Sec. 9-2.5. Newsletters and brochures. The Legislative
4 Printing Unit may not print for any member of the General
5 Assembly any newsletters or brochures during the period
6 beginning December 15 ~~February 1~~ of the year preceding ~~of~~ a
7 general primary election and ending the day after the general
8 primary election and during a period beginning September 1 of
9 the year of a general election and ending the day after the
10 general election. A member of the General Assembly may not
11 mail, during a period beginning December 15 ~~February 1~~ of the
12 year preceding ~~of~~ a general primary election and ending the day
13 after the general primary election and during a period
14 beginning September 1 of the year of a general election and
15 ending the day after the general election, any newsletters or
16 brochures that were printed, at any time, by the Legislative
17 Printing Unit, except that such a newsletter or brochure may be
18 mailed during those times if it is mailed to a constituent in
19 response to that constituent's inquiry concerning the needs of
20 that constituent or questions raised by that constituent.

21 (Source: P.A. 93-615, eff. 11-19-03; 93-617, eff. 12-9-03.)

22 Section 20. The School Code is amended by changing Section
23 33-1 as follows:

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

2 Sec. 33-1. Board of Education - Election - Terms. In all
3 school districts, including special charter districts having a
4 population of 100,000 and not more than 500,000, which adopt
5 this Article, as hereinafter provided, there shall be
6 maintained a system of free schools in charge of a board of
7 education, which shall be a body politic and corporate by the
8 name of "Board of Education of the City of....". The board
9 shall consist of 7 members elected by the voters of the
10 district. Except as provided in Section 33-1b of this Act, the
11 regular election for members of the board shall be held at the
12 consolidated election ~~on the first Tuesday of April~~ in odd
13 numbered years and at the general primary election ~~on the third~~
14 ~~Tuesday of March~~ in even numbered years. The law governing the
15 registration of voters for the primary election shall apply to
16 the regular election. At the first regular election 7 persons
17 shall be elected as members of the board. The person who
18 receives the greatest number of votes shall be elected for a
19 term of 5 years. The 2 persons who receive the second and third
20 greatest number of votes shall be elected for a term of 4
21 years. The person who receives the fourth greatest number of
22 votes shall be elected for a term of 3 years. The 2 persons who
23 receive the fifth and sixth greatest number of votes shall be
24 elected for a term of 2 years. The person who receives the
25 seventh greatest number of votes shall be elected for a term of
26 1 year. Thereafter, at each regular election for members of the

1 board, the successors of the members whose terms expire in the
2 year of election shall be elected for a term of 5 years. All
3 terms shall commence on July 1 next succeeding the elections.
4 Any vacancy occurring in the membership of the board shall be
5 filled by appointment until the next regular election for
6 members of the board.

7 In any school district which has adopted this Article, a
8 proposition for the election of board members by school board
9 district rather than at large may be submitted to the voters of
10 the district at the regular school election of any year in the
11 manner provided in Section 9-22. If the proposition is approved
12 by a majority of those voting on the propositions, the board
13 shall divide the school district into 7 school board districts
14 as provided in Section 9-22. At the regular school election in
15 the year following the adoption of such proposition, one member
16 shall be elected from each school board district, and the 7
17 members so elected shall, by lot, determine one to serve for
18 one year, 2 for 2 years, one for 3 years, 2 for 4 years, and one
19 for 5 years. Thereafter their respective successors shall be
20 elected for terms of 5 years. The terms of all incumbent
21 members expire July 1 of the year following the adoption of
22 such a proposition.

23 Any school district which has adopted this Article may, by
24 referendum in accordance with Section 33-1a, adopt the method
25 of electing members of the board of education provided in that
26 Section.

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

4 A board of education may appoint a student to the board to
5 serve in an advisory capacity. The student member shall serve
6 for a term as determined by the board. The board may not grant
7 the student member any voting privileges, but shall consider
8 the student member as an advisor. The student member may not
9 participate in or attend any executive session of the board.

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

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