



Sen. Bill Brady

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09500SB1276sam002

LRB095 10703 JAM 33155 a

1 AMENDMENT TO SENATE BILL 1276

2 AMENDMENT NO. _____. Amend Senate Bill 1276, AS AMENDED,
3 by inserting immediately after the enacting clause the
4 following:

5 "Section 2. The Illinois Governmental Ethics Act is amended
6 by changing Section 4A-101 as follows:

7 (5 ILCS 420/4A-101) (from Ch. 127, par. 604A-101)

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

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

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

1 (c) Members of a Commission or Board created by the
2 Illinois Constitution, and candidates for nomination or
3 election to such Commission or Board.

4 (d) Persons whose appointment to office is subject to
5 confirmation by the Senate.

6 (e) Holders of, and candidates for nomination or
7 election to, the office of judge or associate judge of the
8 Circuit Court and the office of judge of the Appellate or
9 Supreme Court.

10 (f) Persons who are employed by any branch, agency,
11 authority or board of the government of this State,
12 including but not limited to, the Illinois State Toll
13 Highway Authority, the Illinois Housing Development
14 Authority, the Illinois Community College Board, and
15 institutions under the jurisdiction of the Board of
16 Trustees of the University of Illinois, Board of Trustees
17 of Southern Illinois University, Board of Trustees of
18 Chicago State University, Board of Trustees of Eastern
19 Illinois University, Board of Trustees of Governor's State
20 University, Board of Trustees of Illinois State
21 University, Board of Trustees of Northeastern Illinois
22 University, Board of Trustees of Northern Illinois
23 University, Board of Trustees of Western Illinois
24 University, or Board of Trustees of the Illinois
25 Mathematics and Science Academy, and are compensated for
26 services as employees and not as independent contractors

1 and who:

2 (1) are, or function as, the head of a department,
3 commission, board, division, bureau, authority or
4 other administrative unit within the government of
5 this State, or who exercise similar authority within
6 the government of this State;

7 (2) have direct supervisory authority over, or
8 direct responsibility for the formulation,
9 negotiation, issuance or execution of contracts
10 entered into by the State in the amount of \$5,000 or
11 more;

12 (3) have authority for the issuance or
13 promulgation of rules and regulations within areas
14 under the authority of the State;

15 (4) have authority for the approval of
16 professional licenses;

17 (5) have responsibility with respect to the
18 financial inspection of regulated nongovernmental
19 entities;

20 (6) adjudicate, arbitrate, or decide any judicial
21 or administrative proceeding, or review the
22 adjudication, arbitration or decision of any judicial
23 or administrative proceeding within the authority of
24 the State;

25 (7) have supervisory responsibility for 20 or more
26 employees of the State; or

1 (8) negotiate, assign, authorize, or grant naming
2 rights or sponsorship rights regarding any property or
3 asset of the State, whether real, personal, tangible,
4 or intangible.

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

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

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

25 (1) are, or function as, the head of a department,
26 division, bureau, authority or other administrative

1 unit within the unit of local government, or who
2 exercise similar authority within the unit of local
3 government;

4 (2) have direct supervisory authority over, or
5 direct responsibility for the formulation,
6 negotiation, issuance or execution of contracts
7 entered into by the unit of local government in the
8 amount of \$1,000 or greater;

9 (3) have authority to approve licenses and permits
10 by the unit of local government; this item does not
11 include employees who function in a ministerial
12 capacity;

13 (4) adjudicate, arbitrate, or decide any judicial
14 or administrative proceeding, or review the
15 adjudication, arbitration or decision of any judicial
16 or administrative proceeding within the authority of
17 the unit of local government;

18 (5) have authority to issue or promulgate rules and
19 regulations within areas under the authority of the
20 unit of local government; or

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

23 (j) Persons on the Board of Trustees of the Illinois
24 Mathematics and Science Academy.

25 (k) Persons employed by a school district in positions
26 that require that person to hold an administrative or a

1 chief school business official endorsement.

2 (1) Special government agents. A "special government
3 agent" is a person who is directed, retained, designated,
4 appointed, or employed, with or without compensation, by or
5 on behalf of a statewide executive branch constitutional
6 officer to make an ex parte communication under Section
7 5-50 of the State Officials and Employees Ethics Act or
8 Section 5-165 of the Illinois Administrative Procedure
9 Act.

10 This Section shall not be construed to prevent any unit of
11 local government from enacting financial disclosure
12 requirements that mandate more information than required by
13 this Act.

14 (Source: P.A. 93-617, eff. 12-9-03; 93-816, eff. 7-27-04.);
15 and

16 by replacing the introductory paragraph of Section 5 with the
17 following:

18 "Section 5. The Election Code is amended by changing
19 Sections 2A-1.2, 7-1, 7-9, 7-41, 10-3, 10-6, 17-29, 19-2.2,
20 22-1, 22-7, 23-1.1a, 23-1.2a, and 23-1.13a and adding Section
21 2A-53.5 as follows:

22 (10 ILCS 5/2A-1.2) (from Ch. 46, par. 2A-1.2)

23 Sec. 2A-1.2. Consolidated Schedule of Elections - Offices

1 Designated.

2 (a) At the general election in the appropriate
3 even-numbered years, the following offices shall be filled or
4 shall be on the ballot as otherwise required by this Code:

5 (1) Elector of President and Vice President of the
6 United States;

7 (2) United States Senator and United States
8 Representative;

9 (3) State Executive Branch elected officers;

10 (4) State Senator and State Representative;

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

15 (6) Circuit Court Clerk;

16 (7) Regional Superintendent of Schools, except in
17 counties or educational service regions in which that
18 office has been abolished;

19 (8) Judges of the Supreme, Appellate and Circuit
20 Courts, on the question of retention, to fill vacancies and
21 newly created judicial offices;

22 (9) Trustee of the University of Illinois ~~(Blank)~~;

23 (10) Trustee of the Metropolitan Sanitary District of
24 Chicago, and elected Trustee of other Sanitary Districts;

25 (11) Special District elected officers, not otherwise
26 designated in this Section, where the statute creating or

1 authorizing the creation of the district requires an annual
2 election and permits or requires election of candidates of
3 political parties.

4 (b) At the general primary election:

5 (1) in each even-numbered year candidates of political
6 parties shall be nominated for those offices to be filled
7 at the general election in that year, except where pursuant
8 to law nomination of candidates of political parties is
9 made by caucus.

10 (2) in the appropriate even-numbered years the
11 political party offices of State central committeeman,
12 township committeeman, ward committeeman, and precinct
13 committeeman shall be filled and delegates and alternate
14 delegates to the National nominating conventions shall be
15 elected as may be required pursuant to this Code. In the
16 even-numbered years in which a Presidential election is to
17 be held, candidates in the Presidential preference primary
18 shall also be on the ballot.

19 (3) in each even-numbered year, where the municipality
20 has provided for annual elections to elect municipal
21 officers pursuant to Section 6(f) or Section 7 of Article
22 VII of the Constitution, pursuant to the Illinois Municipal
23 Code or pursuant to the municipal charter, the offices of
24 such municipal officers shall be filled at an election held
25 on the date of the general primary election, provided that
26 the municipal election shall be a nonpartisan election

1 where required by the Illinois Municipal Code. For partisan
2 municipal elections in even-numbered years, a primary to
3 nominate candidates for municipal office to be elected at
4 the general primary election shall be held on the Tuesday 6
5 weeks preceding that election.

6 (4) in each school district which has adopted the
7 provisions of Article 33 of the School Code, successors to
8 the members of the board of education whose terms expire in
9 the year in which the general primary is held shall be
10 elected.

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

13 (1) Municipal officers, provided that in
14 municipalities in which candidates for alderman or other
15 municipal office are not permitted by law to be candidates
16 of political parties, the runoff election where required by
17 law, or the nonpartisan election where required by law,
18 shall be held on the date of the consolidated election; and
19 provided further, in the case of municipal officers
20 provided for by an ordinance providing the form of
21 government of the municipality pursuant to Section 7 of
22 Article VII of the Constitution, such offices shall be
23 filled by election or by runoff election as may be provided
24 by such ordinance;

25 (2) Village and incorporated town library directors;

26 (3) City boards of stadium commissioners;

- 1 (4) Commissioners of park districts;
- 2 (5) Trustees of public library districts;
- 3 (6) Special District elected officers, not otherwise
4 designated in this section, where the statute creating or
5 authorizing the creation of the district permits or
6 requires election of candidates of political parties;
- 7 (7) Township officers, including township park
8 commissioners, township library directors, and boards of
9 managers of community buildings, and Multi-Township
10 Assessors;
- 11 (8) Highway commissioners and road district clerks;
- 12 (9) Members of school boards in school districts which
13 adopt Article 33 of the School Code;
- 14 (10) The directors and chairman of the Chain O Lakes -
15 Fox River Waterway Management Agency;
- 16 (11) Forest preserve district commissioners elected
17 under Section 3.5 of the Downstate Forest Preserve District
18 Act;
- 19 (12) Elected members of school boards, school
20 trustees, directors of boards of school directors,
21 trustees of county boards of school trustees (except in
22 counties or educational service regions having a
23 population of 2,000,000 or more inhabitants) and members of
24 boards of school inspectors, except school boards in school
25 districts that adopt Article 33 of the School Code;
- 26 (13) Members of Community College district boards;

1 (14) Trustees of Fire Protection Districts;

2 (15) Commissioners of the Springfield Metropolitan
3 Exposition and Auditorium Authority;

4 (16) Elected Trustees of Tuberculosis Sanitarium
5 Districts;

6 (17) Elected Officers of special districts not
7 otherwise designated in this Section for which the law
8 governing those districts does not permit candidates of
9 political parties.

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

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

1 At the consolidated primary election in the appropriate
2 odd-numbered years, municipal officers shall be nominated or
3 elected, or elected subject to a runoff, as may be provided by
4 an ordinance providing a form of government of the municipality
5 pursuant to Section 7 of Article VII of the Constitution.

6 (e) (Blank).

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

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

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

25 (g) At any election established in Section 2A-1.1, if in
26 any precinct there are no offices or public questions required

1 to be on the ballot under this Code then no election shall be
2 held in the precinct on that date.

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

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

7 (10 ILCS 5/2A-53.5 new)

8 Sec. 2A-53.5. University of Illinois; trustee; time of
9 election. Beginning with the general election in 2008, a
10 trustee of the University of Illinois shall be elected at each
11 general election to succeed each incumbent trustee whose term
12 expires in January of the year next following that general
13 election.

14 (10 ILCS 5/7-1) (from Ch. 46, par. 7-1)

15 Sec. 7-1. Application of Article.

16 (a) Except as otherwise provided in this Article, the
17 nomination of all candidates for all elective State,
18 congressional, judicial, and county officers, State's
19 Attorneys (whether elected from a single county or from more
20 than one county), city, village, and incorporated town and
21 municipal officers, trustees of sanitary districts, township
22 officers in townships of over 5,000 population coextensive with
23 or included wholly within cities or villages not under the
24 commission form of government, precinct, township, ward, and

1 State central committeemen, and delegates and alternate
2 delegates to national nominating conventions by all political
3 parties, as defined in Section 7-2 of this Article 7, shall be
4 made in the manner provided in this Article 7 and not
5 otherwise. The nomination of candidates for electors of
6 President and Vice President of the United States and for
7 trustees of the University of Illinois shall be made only in
8 the manner provided for in Section 7-9 of this Article.

9 (b) This Article 7 shall not apply to (i) the nomination of
10 candidates for school elections and township elections, except
11 in those townships specifically mentioned in subsection (a) and
12 except in those cases in which a township central committee
13 determines under Section 6A-2 of the Township Law of 1874 or
14 Section 45-55 of the Township Code that its candidates for
15 township offices shall be nominated by primary in accordance
16 with this Article, (ii) the nomination of park commissioners in
17 park districts organized under the Park District Code, (iii)
18 the nomination of officers of cities and villages organized
19 under special charters, or (iv) the nomination of municipal
20 officers for cities, villages, and incorporated towns with a
21 population of 5,000 or less, except where a city, village, or
22 incorporated town with a population of 5,000 or less has by
23 ordinance determined that political parties shall nominate
24 candidates for municipal office in the city, village, or
25 incorporated town by primary in accordance with this Article.
26 In that event, the municipal clerk shall certify the ordinance

1 to the proper election officials no later than November 15 in
2 the year preceding the consolidated primary election.

3 (c) The words "township officers" or "township offices"
4 shall be construed, when used in this Article, to include
5 supervisors.

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

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

11 (10 ILCS 5/7-9) (from Ch. 46, par. 7-9)

12 Sec. 7-9. County central committee; county and State
13 conventions.

14 (a) On the 29th day next succeeding the primary at which
15 committeemen are elected, the county central committee of each
16 political party shall meet within the county and proceed to
17 organize by electing from its own number a chairman and either
18 from its own number, or otherwise, such other officers as such
19 committee may deem necessary or expedient. Such meeting of the
20 county central committee shall be known as the county
21 convention.

22 The chairman of each county committee shall within 10 days
23 after the organization, forward to the State Board of
24 Elections, the names and post office addresses of the officers,
25 precinct committeemen and representative committeemen elected

1 by his political party.

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

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

25 Each member of the State Central Committee of a political
26 party which elects its members by Alternative B under paragraph

1 (a) of Section 7-8 may appoint 2 delegates to the State
2 Convention who must be residents of the member's Congressional
3 District.

4 (b) State conventions shall be held within 180 days after
5 the general primary in the year 2000 and every 4 years
6 thereafter. In the year 1998, and every 4 years thereafter, the
7 chairman of a State central committee may issue a call for a
8 State convention within 180 days after the general primary.

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

19 (c) The chairman and secretary of each State convention
20 shall, within 2 days thereafter, transmit to the State Board of
21 Elections of this State a certificate setting forth the names
22 and addresses of all persons nominated by such State convention
23 for electors of President and Vice President of the United
24 States and for trustees of the University of Illinois, and of
25 any persons selected by the State convention for delegates and
26 alternate delegates at large to national nominating

1 conventions; and the names of such candidates so chosen by such
2 State convention for electors of President and Vice President
3 of the United States and for trustees of the University of
4 Illinois, shall be caused by the State Board of Elections to be
5 printed upon the official ballot at the general election, in
6 the manner required by law, and shall be certified to the
7 various county clerks of the proper counties in the manner as
8 provided in Section 7-60 of this Article 7 for the certifying
9 of the names of persons nominated by any party for State
10 offices. If and as long as this Act prescribes that the names
11 of such electors be not printed on the ballot, then the names
12 of such electors shall be certified in such manner as may be
13 prescribed by the parts of this Act applicable thereto.

14 (d) Each convention may perform all other functions
15 inherent to such political organization and not inconsistent
16 with this Article.

17 (e) At least 33 days before the date of a State convention,
18 the chairman of the State central committee of each political
19 party shall file in the principal office of the State Board of
20 Elections a call for the State convention. Such call shall
21 state, among other things, the time and place (designating the
22 building or hall) for holding the State convention. Such call
23 shall be signed by the chairman and attested by the secretary
24 of the committee. In such convention each county shall be
25 entitled to one delegate for each 500 ballots voted by the
26 primary electors of the party in such county at the primary to

1 be held next after the issuance of such call; and if in such
2 county, less than 500 ballots are so voted or if the number of
3 ballots so voted is not exactly a multiple of 500, there shall
4 be one delegate for such group which is less than 500, or for
5 such group representing the number of votes over the multiple
6 of 500, which delegate shall have 1/500 of one vote for each
7 primary vote so represented by him. The call for such
8 convention shall set forth this paragraph (e) of Section 7-9 in
9 full and shall direct that the number of delegates to be chosen
10 be calculated in compliance herewith and that such number of
11 delegates be chosen.

12 (f) All precinct, township and ward committeemen when
13 elected as provided in this Section shall serve as though
14 elected at large irrespective of any changes that may be made
15 in precinct, township or ward boundaries and the voting
16 strength of each committeeman shall remain as provided in this
17 Section for the entire time for which he is elected.

18 (g) The officers elected at any convention provided for in
19 this Section shall serve until their successors are elected as
20 provided in this Act.

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

1 (i) Except as otherwise provided in this Act, whenever a
2 vacancy exists in the office of precinct committeeman because
3 no one was elected to that office or because the precinct
4 committeeman ceases to reside in the precinct or for any other
5 reason, the chairman of the county central committee of the
6 appropriate political party may fill the vacancy in such office
7 by appointment of a qualified resident of the county and the
8 appointed precinct committeeman shall serve as though elected;
9 however, no such appointment may be made between the general
10 primary election and the 30th day after the general primary
11 election.

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

21 (Source: P.A. 93-847, eff. 7-30-04.)"; and

22 in Section 5, by inserting after the last line of Section
23 19-2.2 the following:

24 "(10 ILCS 5/22-1) (from Ch. 46, par. 22-1)

1 Sec. 22-1. Abstracts of votes. Within 21 days after the
2 close of the election at which candidates for offices
3 hereinafter named in this Section are voted upon, the election
4 authorities of the respective counties shall open the returns
5 and make abstracts of the votes on a separate sheet for each of
6 the following:

7 A. For Governor and Lieutenant Governor;

8 B. For State officers;

9 C. For presidential electors;

10 D. For United States Senators and Representatives to
11 Congress;

12 E. For judges of the Supreme Court;

13 F. For judges of the Appellate Court;

14 G. For judges of the circuit court;

15 H. For Senators and Representatives to the General
16 Assembly;

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

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

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

22 L. For Regional Superintendent of Schools;

23 M. For trustees of Sanitary Districts; ~~and~~

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

25 O. For trustees of the University of Illinois.

26 Each sheet shall report the returns by precinct or ward.

1 Multiple originals of each of the sheets shall be prepared
2 and one of each shall be turned over to the chairman of the
3 county central committee of each of the then existing
4 established political parties, as defined in Section 10-2, or
5 his duly authorized representative immediately after the
6 completion of the entries on the sheets and before the totals
7 have been compiled.

8 The foregoing abstracts shall be preserved by the election
9 authority in its office.

10 Whenever any county clerk is unable to canvass the vote,
11 the deputy county clerk or a designee of the county clerk shall
12 serve in his or her place.

13 The powers and duties of the election authority canvassing
14 the votes are limited to those specified in this Section.

15 No person who is shown by the election authority's
16 ~~canvassing board's~~ proclamation to have been elected at the
17 consolidated election or general election as a write-in
18 candidate shall take office unless that person has first filed
19 with the certifying office or board a statement of candidacy
20 pursuant to Section 7-10 or Section 10-5, a statement pursuant
21 to Section 7-10.1, and a receipt for filing a statement of
22 economic interests in relation to the unit of government to
23 which he or she has been elected. For officers elected at the
24 consolidated election, the certifying officer shall notify the
25 election authority of the receipt of those documents, and the
26 county clerk shall issue the certification of election under

1 the provisions of Section 22-18.

2 (Source: P.A. 93-847, eff. 7-30-04; 94-645, eff. 8-22-05;
3 94-647, eff. 1-1-06; revised 10-4-05.)

4 (10 ILCS 5/22-7) (from Ch. 46, par. 22-7)

5 Sec. 22-7. Canvass of votes; declaration and proclamation
6 of result. The State Board of Elections⁷ shall proceed₈ within
7 31 days after the election, and sooner if all the returns are
8 received, to canvass the votes given for United States Senators
9 and Representatives to Congress, State executive officers,
10 judges of the Supreme Court, judges of the Appellate Court,
11 judges of the Circuit Court, Senators, Representatives to the
12 General Assembly, State's Attorneys and Regional
13 Superintendents of Schools elected from 2 or more counties, and
14 trustees of the University of Illinois, respectively, and the
15 persons having the highest number of votes for the respective
16 offices shall be declared duly elected, but if it appears that
17 more than the number of persons to be elected have the highest
18 and an equal number of votes for the same office, the electoral
19 board shall decide by lot which of such persons shall be
20 elected; and to each person duly elected, the Governor shall
21 give a certificate of election or commission, as the case may
22 require, and shall cause proclamation to be made of the result
23 of the canvass, and they shall at the same time and in the same
24 manner, canvass the vote cast upon amendments to the
25 Constitution, and upon other propositions submitted to the

1 electors of the entire State; and the Governor shall cause to
2 be made such proclamation of the result of the canvass as the
3 statutes elsewhere provide. The State Board of Elections shall
4 transmit to the State Comptroller a list of the persons elected
5 to the various offices. The State Board of Elections shall also
6 transmit to the Supreme Court the names of persons elected to
7 judgeships in adversary elections and the names of judges who
8 fail to win retention in office.

9 No person who is shown by the canvassing board's
10 proclamation to have been elected at the consolidated election
11 or general election as a write-in candidate shall take office
12 unless that person has first filed with the certifying office
13 or board a statement of candidacy pursuant to Section 7-10 or
14 Section 10-5, a statement pursuant to Section 7-10.1, and a
15 receipt for filing a statement of economic interests in
16 relation to the unit of government to which he or she has been
17 elected. For officers elected at the consolidated election, the
18 certifying officer shall notify the election authority of the
19 receipt of those documents, and the county clerk shall issue
20 the certification of election under the provisions of Section
21 22-18.

22 (Source: P.A. 93-847, eff. 7-30-04; 94-645, eff. 8-22-05.)

23 (10 ILCS 5/23-1.1a) (from Ch. 46, par. 23-1.1a)

24 Sec. 23-1.1a. Election contest - Statewide - Jurisdiction.
25 The Supreme Court shall have jurisdiction over contests of the

1 results of any election, including a primary, for an elected
2 officer provided for in Article V of the Constitution and for
3 trustee of the University of Illinois, and shall retain
4 jurisdiction throughout the course of such election contests.

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

6 (10 ILCS 5/23-1.2a) (from Ch. 46, par. 23-1.2a)

7 Sec. 23-1.2a. Election contest - Statewide offices - Who
8 may contest - Time and place for filing - Fee. The results of
9 an election, including a primary, for an elected executive
10 officer provided for in Article V of the Constitution or for
11 trustee of the University of Illinois may be challenged (1) by
12 any candidate whose name was on the ballot for that office, (2)
13 by any person who filed a declaration of intent to be a
14 write-in candidate for that office, or (3) by any person who
15 voted in that election, provided that such person's challenge
16 is supported by a verified petition signed by persons who voted
17 in the election in a number no less than the largest number of
18 signatures required to nominate a person to be a candidate of
19 any political party which nominated a candidate for the office
20 being contested.

21 Any person, including a candidate, qualified pursuant to
22 this Section and desiring to contest the results of an election
23 for such an office shall, within 15 days of the date of the
24 official proclamation of results of such election, file a
25 Petition of State Election Contest with the clerk of the

1 Supreme Court together with a filing fee in the amount of
2 \$10,000.

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

4 (10 ILCS 5/23-1.13a) (from Ch. 46, par. 23-1.13a)

5 Sec. 23-1.13a. If any of the powers or duties to be
6 exercised or performed by the Supreme Court under Sections
7 23-1.1a through 23-1.12a may not constitutionally be exercised
8 or performed by the Supreme Court by reason of jurisdictional
9 limitations, then Sections 23-1.1a through 23-1.12a shall
10 nonetheless continue to govern contests of elections for
11 elected officers provided for in Article V of the Constitution
12 and for trustees of the University of Illinois, and in such
13 event the Supreme Court shall, pursuant to its general
14 administrative and supervisory powers, assign to a circuit
15 court those adjudicatory powers and duties with respect to such
16 a contest as may not be exercised or performed by the Supreme
17 Court, subject to appropriate judicial review.

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

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

21 (110 ILCS 310/1) (from Ch. 144, par. 41)

22 Sec. 1. Membership.

23 (a) The Board of Trustees of the University of Illinois

1 shall consist of the Governor and at least 12 trustees. Nine
2 trustees shall be appointed by the Governor, by and with the
3 advice and consent of the Senate; however, with respect to
4 these 9 trustees, beginning with the general election in 2008,
5 a trustee shall instead be elected at each general election to
6 succeed each incumbent trustee whose term expires in January of
7 the year next following that general election. The other
8 trustees shall be students, of whom one student shall be
9 selected from each University campus.

10 (b) Each student trustee shall serve a term of one year,
11 beginning on July 1 or on the date of his or her selection,
12 whichever is later, and expiring on the next succeeding June
13 30.

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

23 (d) Each trustee shall be governed by the same conflict of
24 interest standards. Pursuant to those standards, it shall not
25 be a conflict of interest for a student trustee to vote on
26 matters pertaining to students generally, such as tuition and

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

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

26 If a voting student trustee resigns or otherwise ceases to

1 serve on the Board, the Governor shall, within 30 days,
2 designate one of the remaining student trustees to possess the
3 right to cast a legally binding vote for the remainder of his
4 or her term. If a nonvoting student trustee resigns or
5 otherwise ceases to serve on the Board, the chief executive of
6 the student government from that campus shall, within 30 days,
7 select a new nonvoting student trustee to serve for the
8 remainder of the term.

9 (f) Until those members elected at the general election in
10 2008 have taken office, no more than 5 of the 9 appointed
11 trustees shall be affiliated with the same political party.
12 ~~Each trustee appointed by the Governor must be a resident of~~
13 ~~this State. A failure to meet or maintain this residency~~
14 ~~requirement constitutes a resignation from and creates a~~
15 ~~vacancy in the Board.~~ The term of office of each of these
16 appointed trustees ~~trustee~~ shall be 6 years from the third
17 Monday in January of each odd numbered year. The regular terms
18 of office of these ~~the~~ appointed trustees shall be staggered so
19 that 3 terms expire in each odd-numbered year. Vacancies for
20 these appointed trustees shall be filled for the unexpired term
21 in the same manner as original appointments. If these vacancies
22 ~~a vacancy~~ in membership occur ~~occurs~~ at a time when the Senate
23 is not in session, the Governor shall make temporary
24 appointments until the next meeting of the Senate, when he
25 shall appoint persons to fill such memberships for the
26 remainder of their respective terms. ~~If the Senate is not in~~

1 ~~session when appointments for a full term are made,~~
2 ~~appointments shall be made as in the case of vacancies.~~

3 Beginning with the general election in 2008, 3 trustees
4 shall be elected at the general election in November of each
5 even-numbered year in the manner provided by law. The term of
6 office of each elected trustee shall be 6 years from the third
7 Monday in January next succeeding his or her election and until
8 his or her successor is elected and qualified. In case of a
9 vacancy in an elected trustee's seat, the vacancy shall be
10 filled by appointment by the Governor (i) for the unexpired
11 term if 28 or fewer months remain in the term or (ii) if more
12 than 28 months remain in the term, until a trustee is elected
13 at the next general election to serve for the unexpired term
14 and is qualified.

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

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

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

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