



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

SB1502

Introduced 2/9/2007, by Sen. David Koehler

SYNOPSIS AS INTRODUCED:

10 ILCS 5/2A-1.2	from Ch. 46, par. 2A-1.2
10 ILCS 5/7-10	from Ch. 46, par. 7-10
10 ILCS 5/7-12	from Ch. 46, par. 7-12
10 ILCS 5/10-9	from Ch. 46, par. 10-9
10 ILCS 5/22-1	from Ch. 46, par. 22-1
10 ILCS 5/22-7	from Ch. 46, par. 22-7
220 ILCS 5/2-101	from Ch. 111 2/3, par. 2-101
220 ILCS 5/2-101.5 new	
220 ILCS 5/2-102	from Ch. 111 2/3, par. 2-102

Amends the Election Code. Requires that the election of commissioners of the Illinois Commerce Commission be included on general election ballots. Provides guidelines for the form and filing of petitions for nomination in the election of commissioners to the Commission. Provides that the State Board of Elections will hear and pass upon objections to the nominations of candidates for the Commission. Amends the Public Utilities Act. Provides for a Commerce Commission consisting of 5 members elected on a partisan basis. Requires the General Assembly to divide the State into 5 districts for the election of Commission members with one member being elected from each district. Provides that the members of the Commission shall elect one of the members to serve as chairperson of the Commission. Provides for the chairman to serve a 2-year term. Makes other changes. Effective immediately.

LRB095 09096 MJR 29288 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning regulation.

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

4 Section 5. The Election Code is amended by changing
5 Sections 2A-1.2, 7-10, 7-12, 10-9, 22-1, and 22-7 as follows:

6 (10 ILCS 5/2A-1.2) (from Ch. 46, par. 2A-1.2)

7 Sec. 2A-1.2. Consolidated schedule of elections; offices
8 designated.

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

12 (1) Elector of President and Vice President of the
13 United States;

14 (2) United States Senator and United States
15 Representative;

16 (3) State Executive Branch elected officers;

17 (4) State Senator and State Representative;

18 (5) County elected officers, including State's
19 Attorney, County Board member, County Commissioners, and
20 elected President of the County Board or County Chief
21 Executive;

22 (6) Circuit Court Clerk;

23 (7) Regional Superintendent of Schools, except in

1 counties or educational service regions in which that
2 office has been abolished;

3 (8) Judges of the Supreme, Appellate and Circuit
4 Courts, on the question of retention, to fill vacancies and
5 newly created judicial offices;

6 (9) Members of the Illinois Commerce Commission
7 ~~(Blank)~~;

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

10 (11) Special District elected officers, not otherwise
11 designated in this Section, where the statute creating or
12 authorizing the creation of the district requires an annual
13 election and permits or requires election of candidates of
14 political parties.

15 (b) At the general primary election:

16 (1) in each even-numbered year candidates of political
17 parties shall be nominated for those offices to be filled
18 at the general election in that year, except where pursuant
19 to law nomination of candidates of political parties is
20 made by caucus.

21 (2) in the appropriate even-numbered years the
22 political party offices of State central committeeman,
23 township committeeman, ward committeeman, and precinct
24 committeeman shall be filled and delegates and alternate
25 delegates to the National nominating conventions shall be
26 elected as may be required pursuant to this Code. In the

1 even-numbered years in which a Presidential election is to
2 be held, candidates in the Presidential preference primary
3 shall also be on the ballot.

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

17 (4) in each school district which has adopted the
18 provisions of Article 33 of the School Code, successors to
19 the members of the board of education whose terms expire in
20 the year in which the general primary is held shall be
21 elected.

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

24 (1) Municipal officers, provided that in
25 municipalities in which candidates for alderman or other
26 municipal office are not permitted by law to be candidates

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

10 (2) Village and incorporated town library directors;

11 (3) City boards of stadium commissioners;

12 (4) Commissioners of park districts;

13 (5) Trustees of public library districts;

14 (6) Special District elected officers, not otherwise
15 designated in this section, where the statute creating or
16 authorizing the creation of the district permits or
17 requires election of candidates of political parties;

18 (7) Township officers, including township park
19 commissioners, township library directors, and boards of
20 managers of community buildings, and Multi-Township
21 Assessors;

22 (8) Highway commissioners and road district clerks;

23 (9) Members of school boards in school districts which
24 adopt Article 33 of the School Code;

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

1 (11) Forest preserve district commissioners elected
2 under Section 3.5 of the Downstate Forest Preserve District
3 Act;

4 (12) Elected members of school boards, school
5 trustees, directors of boards of school directors,
6 trustees of county boards of school trustees (except in
7 counties or educational service regions having a
8 population of 2,000,000 or more inhabitants) and members of
9 boards of school inspectors, except school boards in school
10 districts that adopt Article 33 of the School Code;

11 (13) Members of Community College district boards;

12 (14) Trustees of Fire Protection Districts;

13 (15) Commissioners of the Springfield Metropolitan
14 Exposition and Auditorium Authority;

15 (16) Elected Trustees of Tuberculosis Sanitarium
16 Districts;

17 (17) Elected Officers of special districts not
18 otherwise designated in this Section for which the law
19 governing those districts does not permit candidates of
20 political parties.

21 (d) At the consolidated primary election in each
22 odd-numbered year, candidates of political parties shall be
23 nominated for those offices to be filled at the consolidated
24 election in that year, except where pursuant to law nomination
25 of candidates of political parties is made by caucus, and
26 except those offices listed in paragraphs (12) through (17) of

1 subsection (c).

2 At the consolidated primary election in the appropriate
3 odd-numbered years, the mayor, clerk, treasurer, and aldermen
4 shall be elected in municipalities in which candidates for
5 mayor, clerk, treasurer, or alderman are not permitted by law
6 to be candidates of political parties, subject to runoff
7 elections to be held at the consolidated election as may be
8 required by law, and municipal officers shall be nominated in a
9 nonpartisan election in municipalities in which pursuant to law
10 candidates for such office are not permitted to be candidates
11 of political parties.

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

17 (e) (Blank).

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

22 Notwithstanding the regular dates for election of officers
23 established in this Article, whenever a referendum is held for
24 the establishment of a political subdivision whose officers are
25 to be elected, the initial officers shall be elected at the
26 election at which such referendum is held if otherwise so

1 provided by law. In such cases, the election of the initial
2 officers shall be subject to the referendum.

3 Notwithstanding the regular dates for election of
4 officials established in this Article, any community college
5 district which becomes effective by operation of law pursuant
6 to Section 6-6.1 of the Public Community College Act, as now or
7 hereafter amended, shall elect the initial district board
8 members at the next regularly scheduled election following the
9 effective date of the new district.

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

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

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

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

19 Sec. 7-10. Form of petition for nomination. The name of no
20 candidate for nomination, or State central committeeman, or
21 township committeeman, or precinct committeeman, or ward
22 committeeman or candidate for delegate or alternate delegate to
23 national nominating conventions, shall be printed upon the
24 primary ballot unless a petition for nomination has been filed
25 in his behalf as provided in this Article in substantially the

1 following form:

2 We, the undersigned, members of and affiliated with the
 3 party and qualified primary electors of the party, in
 4 the of, in the county of and State of Illinois,
 5 do hereby petition that the following named person or persons
 6 shall be a candidate or candidates of the party for the
 7 nomination for (or in case of committeemen for election to) the
 8 office or offices hereinafter specified, to be voted for at the
 9 primary election to be held on (insert date).

10	Name	Office	Address
11	John Jones	Governor	Belvidere, Ill.
12	Thomas Smith	Attorney General	Oakland, Ill.

13 Name..... Address.....

14 State of Illinois)

15) ss.

16 County of.....)

17 I,, do hereby certify that I reside at No.
 18 street, in the of, county of, and State of
 19, that I am 18 years of age or older, that I am a citizen
 20 of the United States, and that the signatures on this sheet
 21 were signed in my presence, and are genuine, and that to the
 22 best of my knowledge and belief the persons so signing were at
 23 the time of signing the petitions qualified voters of the
 24 party, and that their respective residences are correctly

1 stated, as above set forth.

2

3 Subscribed and sworn to before me on (insert date).

4

5

6 Each sheet of the petition other than the statement of
7 candidacy and candidate's statement shall be of uniform size
8 and shall contain above the space for signatures an appropriate
9 heading giving the information as to name of candidate or
10 candidates, in whose behalf such petition is signed; the
11 office, the political party represented and place of residence;
12 and the heading of each sheet shall be the same.

13 Such petition shall be signed by qualified primary electors
14 residing in the political division for which the nomination is
15 sought in their own proper persons only and opposite the
16 signature of each signer, his residence address shall be
17 written or printed. The residence address required to be
18 written or printed opposite each qualified primary elector's
19 name shall include the street address or rural route number of
20 the signer, as the case may be, as well as the signer's county,
21 and city, village or town, and state. However the county or
22 city, village or town, and state of residence of the electors
23 may be printed on the petition forms where all of the electors
24 signing the petition reside in the same county or city, village
25 or town, and state. Standard abbreviations may be used in

1 writing the residence address, including street number, if any.
2 At the bottom of each sheet of such petition shall be added a
3 circulator statement signed by a person 18 years of age or
4 older who is a citizen of the United States, stating the street
5 address or rural route number, as the case may be, as well as
6 the county, city, village or town, and state; and certifying
7 that the signatures on that sheet of the petition were signed
8 in his or her presence and certifying that the signatures are
9 genuine; and either (1) indicating the dates on which that
10 sheet was circulated, or (2) indicating the first and last
11 dates on which the sheet was circulated, or (3) certifying that
12 none of the signatures on the sheet were signed more than 90
13 days preceding the last day for the filing of the petition and
14 certifying that to the best of his or her knowledge and belief
15 the persons so signing were at the time of signing the
16 petitions qualified voters of the political party for which a
17 nomination is sought. Such statement shall be sworn to before
18 some officer authorized to administer oaths in this State.

19 No petition sheet shall be circulated more than 90 days
20 preceding the last day provided in Section 7-12 for the filing
21 of such petition.

22 The person circulating the petition, or the candidate on
23 whose behalf the petition is circulated, may strike any
24 signature from the petition, provided that:

25 (1) the person striking the signature shall initial the
26 petition at the place where the signature is struck; and

1 (2) the person striking the signature shall sign a
2 certification listing the page number and line number of
3 each signature struck from the petition. Such
4 certification shall be filed as a part of the petition.

5 Such sheets before being filed shall be neatly fastened
6 together in book form, by placing the sheets in a pile and
7 fastening them together at one edge in a secure and suitable
8 manner, and the sheets shall then be numbered consecutively.
9 The sheets shall not be fastened by pasting them together end
10 to end, so as to form a continuous strip or roll. All petition
11 sheets which are filed with the proper local election
12 officials, election authorities or the State Board of Elections
13 shall be the original sheets which have been signed by the
14 voters and by the circulator thereof, and not photocopies or
15 duplicates of such sheets. Each petition must include as a part
16 thereof, a statement of candidacy for each of the candidates
17 filing, or in whose behalf the petition is filed. This
18 statement shall set out the address of such candidate, the
19 office for which he is a candidate, shall state that the
20 candidate is a qualified primary voter of the party to which
21 the petition relates and is qualified for the office specified
22 (in the case of a candidate for State's Attorney it shall state
23 that the candidate is at the time of filing such statement a
24 licensed attorney-at-law of this State), shall state that he
25 has filed (or will file before the close of the petition filing
26 period) a statement of economic interests as required by the

1 Illinois Governmental Ethics Act, shall request that the
 2 candidate's name be placed upon the official ballot, and shall
 3 be subscribed and sworn to by such candidate before some
 4 officer authorized to take acknowledgment of deeds in the State
 5 and shall be in substantially the following form:

6 Statement of Candidacy

7	Name	Address	Office	District	Party
8	John Jones	102 Main St.	Governor	Statewide	Republican
9		Belvidere,			
10		Illinois			

11 State of Illinois)

12) ss.

13 County of)

14 I,, being first duly sworn, say that I reside at
 15 Street in the city (or village) of, in the county of,
 16 State of Illinois; that I am a qualified voter therein and am a
 17 qualified primary voter of the party; that I am a
 18 candidate for nomination (for election in the case of
 19 committeeman and delegates and alternate delegates) to the
 20 office of to be voted upon at the primary election to be
 21 held on (insert date); that I am legally qualified (including
 22 being the holder of any license that may be an eligibility
 23 requirement for the office I seek the nomination for) to hold
 24 such office and that I have filed (or I will file before the
 25 close of the petition filing period) a statement of economic

1 interests as required by the Illinois Governmental Ethics Act
 2 and I hereby request that my name be printed upon the official
 3 primary ballot for nomination for (or election to in the case
 4 of committeemen and delegates and alternate delegates) such
 5 office.

6 Signed

7 Subscribed and sworn to (or affirmed) before me by,
 8 who is to me personally known, on (insert date).

9 Signed

10 (Official Character)

11 (Seal, if officer has one.)

12 The petitions, when filed, shall not be withdrawn or added
 13 to, and no signatures shall be revoked except by revocation
 14 filed in writing with the State Board of Elections, election
 15 authority or local election official with whom the petition is
 16 required to be filed, and before the filing of such petition.
 17 Whoever forges the name of a signer upon any petition required
 18 by this Article is deemed guilty of a forgery and on conviction
 19 thereof shall be punished accordingly.

20 A candidate for the offices listed in this Section must
 21 obtain the number of signatures specified in this Section on
 22 his or her petition for nomination.

23 (a) Statewide office or delegate to a national nominating
 24 convention. If a candidate seeks to run for statewide office or
 25 as a delegate or alternate delegate to a national nominating

1 convention elected from the State at-large, then the
2 candidate's petition for nomination must contain at least 5,000
3 but not more than 10,000 signatures.

4 (b) Congressional office or congressional delegate to a
5 national nominating convention. If a candidate seeks to run for
6 United States Congress or as a congressional delegate or
7 alternate congressional delegate to a national nominating
8 convention elected from a congressional district, then the
9 candidate's petition for nomination must contain at least the
10 number of signatures equal to 0.5% of the qualified primary
11 electors of his or her party in his or her congressional
12 district. In the first primary election following a
13 redistricting of congressional districts, a candidate's
14 petition for nomination must contain at least 600 signatures of
15 qualified primary electors of the candidate's political party
16 in his or her congressional district.

17 (c) County office. If a candidate seeks to run for any
18 countywide office, including but not limited to county board
19 chairperson or county board member, elected on an at-large
20 basis, in a county other than Cook County, then the candidate's
21 petition for nomination must contain at least the number of
22 signatures equal to 0.5% of the qualified electors of his or
23 her party who cast votes at the last preceding general election
24 in his or her county. If a candidate seeks to run for county
25 board member elected from a county board district, then the
26 candidate's petition for nomination must contain at least the

1 number of signatures equal to 0.5% of the qualified primary
2 electors of his or her party in the county board district. In
3 the first primary election following a redistricting of county
4 board districts or the initial establishment of county board
5 districts, a candidate's petition for nomination must contain
6 at least the number of signatures equal to 0.5% of the
7 qualified electors of his or her party in the entire county who
8 cast votes at the last preceding general election divided by
9 the total number of county board districts comprising the
10 county board; provided that in no event shall the number of
11 signatures be less than 25.

12 (d) County office; Cook County only.

13 (1) If a candidate seeks to run for countywide office
14 in Cook County, then the candidate's petition for
15 nomination must contain at least the number of signatures
16 equal to 0.5% of the qualified electors of his or her party
17 who cast votes at the last preceding general election in
18 Cook County.

19 (2) If a candidate seeks to run for Cook County Board
20 Commissioner, then the candidate's petition for nomination
21 must contain at least the number of signatures equal to
22 0.5% of the qualified primary electors of his or her party
23 in his or her county board district. In the first primary
24 election following a redistricting of Cook County Board of
25 Commissioners districts, a candidate's petition for
26 nomination must contain at least the number of signatures

1 equal to 0.5% of the qualified electors of his or her party
2 in the entire county who cast votes at the last preceding
3 general election divided by the total number of county
4 board districts comprising the county board; provided that
5 in no event shall the number of signatures be less than 25.

6 (3) If a candidate seeks to run for Cook County Board
7 of Review Commissioner, which is elected from a district
8 pursuant to subsection (c) of Section 5-5 of the Property
9 Tax Code, then the candidate's petition for nomination must
10 contain at least the number of signatures equal to 0.5% of
11 the total number of registered voters in his or her board
12 of review district in the last general election at which a
13 commissioner was regularly scheduled to be elected from
14 that board of review district. In no event shall the number
15 of signatures required be greater than the requisite number
16 for a candidate who seeks countywide office in Cook County
17 under subsection (d)(1) of this Section. In the first
18 primary election following a redistricting of Cook County
19 Board of Review districts, a candidate's petition for
20 nomination must contain at least 4,000 signatures or at
21 least the number of signatures required for a countywide
22 candidate in Cook County, whichever is less, of the
23 qualified electors of his or her party in the district.

24 (e) Municipal or township office. If a candidate seeks to
25 run for municipal or township office, then the candidate's
26 petition for nomination must contain at least the number of

1 signatures equal to 0.5% of the qualified primary electors of
2 his or her party in the municipality or township. If a
3 candidate seeks to run for alderman of a municipality, then the
4 candidate's petition for nomination must contain at least the
5 number of signatures equal to 0.5% of the qualified primary
6 electors of his or her party of the ward. In the first primary
7 election following redistricting of aldermanic wards or
8 trustee districts of a municipality or the initial
9 establishment of wards or districts, a candidate's petition for
10 nomination must contain the number of signatures equal to at
11 least 0.5% of the total number of votes cast for the candidate
12 of that political party who received the highest number of
13 votes in the entire municipality at the last regular election
14 at which an officer was regularly scheduled to be elected from
15 the entire municipality, divided by the number of wards or
16 districts. In no event shall the number of signatures be less
17 than 25.

18 (f) State central committeeperson. If a candidate seeks to
19 run for State central committeeperson, then the candidate's
20 petition for nomination must contain at least 100 signatures of
21 the primary electors of his or her party of his or her
22 congressional district.

23 (g) Sanitary district trustee. If a candidate seeks to run
24 for trustee of a sanitary district in which trustees are not
25 elected from wards, then the candidate's petition for
26 nomination must contain at least the number of signatures equal

1 to 0.5% of the primary electors of his or her party from the
2 sanitary district. If a candidate seeks to run for trustee of a
3 sanitary district in which trustees are elected from wards,
4 then the candidate's petition for nomination must contain at
5 least the number of signatures equal to 0.5% of the primary
6 electors of his or her party in the ward of that sanitary
7 district. In the first primary election following
8 redistricting of sanitary districts elected from wards, a
9 candidate's petition for nomination must contain at least the
10 signatures of 150 qualified primary electors of his or her ward
11 of that sanitary district.

12 (h) Judicial office. If a candidate seeks to run for
13 judicial office in a district, then the candidate's petition
14 for nomination must contain the number of signatures equal to
15 0.4% of the number of votes cast in that district for the
16 candidate for his or her political party for the office of
17 Governor at the last general election at which a Governor was
18 elected, but in no event less than 500 signatures. If a
19 candidate seeks to run for judicial office in a circuit or
20 subcircuit, then the candidate's petition for nomination must
21 contain the number of signatures equal to 0.25% of the number
22 of votes cast for the judicial candidate of his or her
23 political party who received the highest number of votes at the
24 last general election at which a judicial officer from the same
25 circuit or subcircuit was regularly scheduled to be elected,
26 but in no event less than 500 signatures.

1 (i) Precinct, ward, and township committeeperson. If a
2 candidate seeks to run for precinct committeeperson, then the
3 candidate's petition for nomination must contain at least 10
4 signatures of the primary electors of his or her party for the
5 precinct. If a candidate seeks to run for ward committeeperson,
6 then the candidate's petition for nomination must contain no
7 less than the number of signatures equal to 10% of the primary
8 electors of his or her party of the ward, but no more than 16%
9 of those same electors; provided that the maximum number of
10 signatures may be 50 more than the minimum number, whichever is
11 greater. If a candidate seeks to run for township
12 committeeperson, then the candidate's petition for nomination
13 must contain no less than the number of signatures equal to 5%
14 of the primary electors of his or her party of the township,
15 but no more than 8% of those same electors; provided that the
16 maximum number of signatures may be 50 more than the minimum
17 number, whichever is greater.

18 (j) State's attorney or regional superintendent of schools
19 for multiple counties. If a candidate seeks to run for State's
20 attorney or regional Superintendent of Schools who serves more
21 than one county, then the candidate's petition for nomination
22 must contain at least the number of signatures equal to 0.5% of
23 the primary electors of his or her party in the territory
24 comprising the counties.

25 (k) If for a candidate for member of the Illinois Commerce
26 Commission, by at least 0.5% of the primary electors of his or

1 her party in the district in which the person is a candidate
2 for nomination.

3 (1) ~~(k)~~ Any other office. If a candidate seeks any other
4 office, then the candidate's petition for nomination must
5 contain at least the number of signatures equal to 0.5% of the
6 registered voters of the political subdivision, district, or
7 division for which the nomination is made or 25 signatures,
8 whichever is greater.

9 For purposes of this Section the number of primary electors
10 shall be determined by taking the total vote cast, in the
11 applicable district, for the candidate for that political party
12 who received the highest number of votes, statewide, at the
13 last general election in the State at which electors for
14 President of the United States were elected. For political
15 subdivisions, the number of primary electors shall be
16 determined by taking the total vote cast for the candidate for
17 that political party who received the highest number of votes
18 in the political subdivision at the last regular election at
19 which an officer was regularly scheduled to be elected from
20 that subdivision. For wards or districts of political
21 subdivisions, the number of primary electors shall be
22 determined by taking the total vote cast for the candidate for
23 that political party who received the highest number of votes
24 in the ward or district at the last regular election at which
25 an officer was regularly scheduled to be elected from that ward
26 or district.

1 A "qualified primary elector" of a party may not sign
2 petitions for or be a candidate in the primary of more than one
3 party.

4 The changes made to this Section of this amendatory Act of
5 the 93rd General Assembly are declarative of existing law,
6 except for item (3) of subsection (d).

7 Petitions of candidates for nomination for offices herein
8 specified, to be filed with the same officer, may contain the
9 names of 2 or more candidates of the same political party for
10 the same or different offices.

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

12 (10 ILCS 5/7-12) (from Ch. 46, par. 7-12)

13 Sec. 7-12. Filing of petitions for nomination. All
14 petitions for nomination shall be filed by mail or in person as
15 follows:

16 (1) Where the nomination is to be made for a State,
17 congressional, Illinois Commerce Commission, or judicial
18 office, or for any office a nomination for which is made for a
19 territorial division or district which comprises more than one
20 county or is partly in one county and partly in another county
21 or counties, then, except as otherwise provided in this
22 Section, such petition for nomination shall be filed in the
23 principal office of the State Board of Elections not more than
24 99 and not less than 92 days prior to the date of the primary,
25 but, in the case of petitions for nomination to fill a vacancy

1 by special election in the office of representative in Congress
2 from this State, such petition for nomination shall be filed in
3 the principal office of the State Board of Elections not more
4 than 57 days and not less than 50 days prior to the date of the
5 primary.

6 Where a vacancy occurs in the office of Supreme, Appellate
7 or Circuit Court Judge within the 3-week period preceding the
8 92nd day before a general primary election, petitions for
9 nomination for the office in which the vacancy has occurred
10 shall be filed in the principal office of the State Board of
11 Elections not more than 78 nor less than 71 days prior to the
12 date of the general primary election.

13 Where the nomination is to be made for delegates or
14 alternate delegates to a national nominating convention, then
15 such petition for nomination shall be filed in the principal
16 office of the State Board of Elections not more than 99 and not
17 less than 92 days prior to the date of the primary; provided,
18 however, that if the rules or policies of a national political
19 party conflict with such requirements for filing petitions for
20 nomination for delegates or alternate delegates to a national
21 nominating convention, the chairman of the State central
22 committee of such national political party shall notify the
23 Board in writing, citing by reference the rules or policies of
24 the national political party in conflict, and in such case the
25 Board shall direct such petitions to be filed not more than 69
26 and not less than 62 days prior to the date of the primary.

1 (2) Where the nomination is to be made for a county office
2 or trustee of a sanitary district then such petition shall be
3 filed in the office of the county clerk not more than 99 nor
4 less than 92 days prior to the date of the primary.

5 (3) Where the nomination is to be made for a municipal or
6 township office, such petitions for nomination shall be filed
7 in the office of the local election official, not more than 78
8 nor less than 71 days prior to the date of the primary;
9 provided, where a municipality's or township's boundaries are
10 coextensive with or are entirely within the jurisdiction of a
11 municipal board of election commissioners, the petitions shall
12 be filed in the office of such board; and provided, that
13 petitions for the office of multi-township assessor shall be
14 filed with the election authority.

15 (4) The petitions of candidates for State central
16 committeeman shall be filed in the principal office of the
17 State Board of Elections not more than 99 nor less than 92 days
18 prior to the date of the primary.

19 (5) Petitions of candidates for precinct, township or ward
20 committeemen shall be filed in the office of the county clerk
21 not more than 99 nor less than 92 days prior to the date of the
22 primary.

23 (6) The State Board of Elections and the various election
24 authorities and local election officials with whom such
25 petitions for nominations are filed shall specify the place
26 where filings shall be made and upon receipt shall endorse

1 thereon the day and hour on which each petition was filed. All
2 petitions filed by persons waiting in line as of 8:00 a.m. on
3 the first day for filing, or as of the normal opening hour of
4 the office involved on such day, shall be deemed filed as of
5 8:00 a.m. or the normal opening hour, as the case may be.
6 Petitions filed by mail and received after midnight of the
7 first day for filing and in the first mail delivery or pickup
8 of that day shall be deemed as filed as of 8:00 a.m. of that day
9 or as of the normal opening hour of such day, as the case may
10 be. All petitions received thereafter shall be deemed as filed
11 in the order of actual receipt. Where 2 or more petitions are
12 received simultaneously, the State Board of Elections or the
13 various election authorities or local election officials with
14 whom such petitions are filed shall break ties and determine
15 the order of filing, by means of a lottery or other fair and
16 impartial method of random selection approved by the State
17 Board of Elections. Such lottery shall be conducted within 9
18 days following the last day for petition filing and shall be
19 open to the public. Seven days written notice of the time and
20 place of conducting such random selection shall be given by the
21 State Board of Elections to the chairman of the State central
22 committee of each established political party, and by each
23 election authority or local election official, to the County
24 Chairman of each established political party, and to each
25 organization of citizens within the election jurisdiction
26 which was entitled, under this Article, at the next preceding

1 election, to have pollwatchers present on the day of election.
2 The State Board of Elections, election authority or local
3 election official shall post in a conspicuous, open and public
4 place, at the entrance of the office, notice of the time and
5 place of such lottery. The State Board of Elections shall adopt
6 rules and regulations governing the procedures for the conduct
7 of such lottery. All candidates shall be certified in the order
8 in which their petitions have been filed. Where candidates have
9 filed simultaneously, they shall be certified in the order
10 determined by lot and prior to candidates who filed for the
11 same office at a later time.

12 (7) The State Board of Elections or the appropriate
13 election authority or local election official with whom such a
14 petition for nomination is filed shall notify the person for
15 whom a petition for nomination has been filed of the obligation
16 to file statements of organization, reports of campaign
17 contributions, and annual reports of campaign contributions
18 and expenditures under Article 9 of this Act. Such notice shall
19 be given in the manner prescribed by paragraph (7) of Section
20 9-16 of this Code.

21 (8) Nomination papers filed under this Section are not
22 valid if the candidate named therein fails to file a statement
23 of economic interests as required by the Illinois Governmental
24 Ethics Act in relation to his candidacy with the appropriate
25 officer by the end of the period for the filing of nomination
26 papers unless he has filed a statement of economic interests in

1 relation to the same governmental unit with that officer within
2 a year preceding the date on which such nomination papers were
3 filed. If the nomination papers of any candidate and the
4 statement of economic interest of that candidate are not
5 required to be filed with the same officer, the candidate must
6 file with the officer with whom the nomination papers are filed
7 a receipt from the officer with whom the statement of economic
8 interests is filed showing the date on which such statement was
9 filed. Such receipt shall be so filed not later than the last
10 day on which nomination papers may be filed.

11 (9) Any person for whom a petition for nomination, or for
12 committeeman or for delegate or alternate delegate to a
13 national nominating convention has been filed may cause his
14 name to be withdrawn by request in writing, signed by him and
15 duly acknowledged before an officer qualified to take
16 acknowledgments of deeds, and filed in the principal or
17 permanent branch office of the State Board of Elections or with
18 the appropriate election authority or local election official,
19 not later than the date of certification of candidates for the
20 consolidated primary or general primary ballot. No names so
21 withdrawn shall be certified or printed on the primary ballot.
22 If petitions for nomination have been filed for the same person
23 with respect to more than one political party, his name shall
24 not be certified nor printed on the primary ballot of any
25 party. If petitions for nomination have been filed for the same
26 person for 2 or more offices which are incompatible so that the

1 same person could not serve in more than one of such offices if
2 elected, that person must withdraw as a candidate for all but
3 one of such offices within the 5 business days following the
4 last day for petition filing. If he fails to withdraw as a
5 candidate for all but one of such offices within such time his
6 name shall not be certified, nor printed on the primary ballot,
7 for any office. For the purpose of the foregoing provisions, an
8 office in a political party is not incompatible with any other
9 office.

10 (10) (a) Notwithstanding the provisions of any other
11 statute, no primary shall be held for an established
12 political party in any township, municipality, or ward
13 thereof, where the nomination of such party for every
14 office to be voted upon by the electors of such township,
15 municipality, or ward thereof, is uncontested. Whenever a
16 political party's nomination of candidates is uncontested
17 as to one or more, but not all, of the offices to be voted
18 upon by the electors of a township, municipality, or ward
19 thereof, then a primary shall be held for that party in
20 such township, municipality, or ward thereof; provided
21 that the primary ballot shall not include those offices
22 within such township, municipality, or ward thereof, for
23 which the nomination is uncontested. For purposes of this
24 Article, the nomination of an established political party
25 of a candidate for election to an office shall be deemed to
26 be uncontested where not more than the number of persons to

1 be nominated have timely filed valid nomination papers
2 seeking the nomination of such party for election to such
3 office.

4 (b) Notwithstanding the provisions of any other
5 statute, no primary election shall be held for an
6 established political party for any special primary
7 election called for the purpose of filling a vacancy in the
8 office of representative in the United States Congress
9 where the nomination of such political party for said
10 office is uncontested. For the purposes of this Article,
11 the nomination of an established political party of a
12 candidate for election to said office shall be deemed to be
13 uncontested where not more than the number of persons to be
14 nominated have timely filed valid nomination papers
15 seeking the nomination of such established party for
16 election to said office. This subsection (b) shall not
17 apply if such primary election is conducted on a regularly
18 scheduled election day.

19 (c) Notwithstanding the provisions in subparagraph (a)
20 and (b) of this paragraph (10), whenever a person who has
21 not timely filed valid nomination papers and who intends to
22 become a write-in candidate for a political party's
23 nomination for any office for which the nomination is
24 uncontested files a written statement or notice of that
25 intent with the State Board of Elections or the local
26 election official with whom nomination papers for such

1 office are filed, a primary ballot shall be prepared and a
2 primary shall be held for that office. Such statement or
3 notice shall be filed on or before the date established in
4 this Article for certifying candidates for the primary
5 ballot. Such statement or notice shall contain (i) the name
6 and address of the person intending to become a write-in
7 candidate, (ii) a statement that the person is a qualified
8 primary elector of the political party from whom the
9 nomination is sought, (iii) a statement that the person
10 intends to become a write-in candidate for the party's
11 nomination, and (iv) the office the person is seeking as a
12 write-in candidate. An election authority shall have no
13 duty to conduct a primary and prepare a primary ballot for
14 any office for which the nomination is uncontested unless a
15 statement or notice meeting the requirements of this
16 Section is filed in a timely manner.

17 (11) If multiple sets of nomination papers are filed for a
18 candidate to the same office, the State Board of Elections,
19 appropriate election authority or local election official
20 where the petitions are filed shall within 2 business days
21 notify the candidate of his or her multiple petition filings
22 and that the candidate has 3 business days after receipt of the
23 notice to notify the State Board of Elections, appropriate
24 election authority or local election official that he or she
25 may cancel prior sets of petitions. If the candidate notifies
26 the State Board of Elections, appropriate election authority or

1 local election official, the last set of petitions filed shall
2 be the only petitions to be considered valid by the State Board
3 of Elections, election authority or local election official. If
4 the candidate fails to notify the State Board of Elections,
5 election authority or local election official then only the
6 first set of petitions filed shall be valid and all subsequent
7 petitions shall be void.

8 (12) All nominating petitions shall be available for public
9 inspection and shall be preserved for a period of not less than
10 6 months.

11 (Source: P.A. 86-867; 86-873; 86-875; 86-1028; 86-1089;
12 87-1052.)

13 (10 ILCS 5/10-9) (from Ch. 46, par. 10-9)

14 Sec. 10-9. The following electoral boards are designated
15 for the purpose of hearing and passing upon the objector's
16 petition described in Section 10-8.

17 1. The State Board of Elections will hear and pass upon
18 objections to the nominations of candidates for State offices,
19 nominations of candidates for congressional, legislative and
20 judicial offices of districts, subcircuits, or circuits
21 situated in more than one county, nominations of candidates for
22 members of the Illinois Commerce Commission, nominations of
23 candidates for the offices of State's attorney or regional
24 superintendent of schools to be elected from more than one
25 county, and petitions for proposed amendments to the

1 Constitution of the State of Illinois as provided for in
2 Section 3 of Article XIV of the Constitution.

3 2. The county officers electoral board to hear and pass
4 upon objections to the nominations of candidates for county
5 offices, for congressional, legislative and judicial offices
6 of a district, subcircuit, or circuit coterminous with or less
7 than a county, for school trustees to be voted for by the
8 electors of the county or by the electors of a township of the
9 county, for the office of multi-township assessor where
10 candidates for such office are nominated in accordance with
11 this Code, and for all special district offices, shall be
12 composed of the county clerk, or an assistant designated by the
13 county clerk, the State's attorney of the county or an
14 Assistant State's Attorney designated by the State's Attorney,
15 and the clerk of the circuit court, or an assistant designated
16 by the clerk of the circuit court, of the county, of whom the
17 county clerk or his designee shall be the chairman, except that
18 in any county which has established a county board of election
19 commissioners that board shall constitute the county officers
20 electoral board ex-officio.

21 3. The municipal officers electoral board to hear and pass
22 upon objections to the nominations of candidates for officers
23 of municipalities shall be composed of the mayor or president
24 of the board of trustees of the city, village or incorporated
25 town, and the city, village or incorporated town clerk, and one
26 member of the city council or board of trustees, that member

1 being designated who is eligible to serve on the electoral
2 board and has served the greatest number of years as a member
3 of the city council or board of trustees, of whom the mayor or
4 president of the board of trustees shall be the chairman.

5 4. The township officers electoral board to pass upon
6 objections to the nominations of township officers shall be
7 composed of the township supervisor, the town clerk, and that
8 eligible town trustee elected in the township who has had the
9 longest term of continuous service as town trustee, of whom the
10 township supervisor shall be the chairman.

11 5. The education officers electoral board to hear and pass
12 upon objections to the nominations of candidates for offices in
13 school or community college districts shall be composed of the
14 presiding officer of the school or community college district
15 board, who shall be the chairman, the secretary of the school
16 or community college district board and the eligible elected
17 school or community college board member who has the longest
18 term of continuous service as a board member.

19 6. In all cases, however, where the Congressional or
20 Legislative district is wholly within the jurisdiction of a
21 board of election commissioners and in all cases where the
22 school district or special district is wholly within the
23 jurisdiction of a municipal board of election commissioners and
24 in all cases where the municipality or township is wholly or
25 partially within the jurisdiction of a municipal board of
26 election commissioners, the board of election commissioners

1 shall ex-officio constitute the electoral board.

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

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

14 a. In the county officers electoral board by the county
15 treasurer, and if he or she is ineligible to serve, by the
16 sheriff of the county.

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

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

24 d. In the education officers electoral board by the
25 eligible elected school or community college district
26 board member who has had the second longest term of

1 continuous service as a board member.

2 In the event that the chairman of the electoral board is
3 ineligible to act because of the fact that he is a candidate
4 for the office with relation to which the objector's petition
5 is filed, then the substitute chosen under the provisions of
6 this Section shall be the chairman; In this case, the officer
7 or board with whom the objector's petition is filed, shall
8 transmit the certificate of nomination or nomination papers as
9 the case may be, and the objector's petition to the substitute
10 chairman of the electoral board.

11 When 2 or more eligible individuals, by reason of their
12 terms of service on a city council or board of trustees,
13 township board of trustees, or school or community college
14 district board, qualify to serve on an electoral board, the one
15 to serve shall be chosen by lot.

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

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

2 (10 ILCS 5/22-1) (from Ch. 46, par. 22-1)

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

9 A. For Governor and Lieutenant Governor;

10 B. For State officers;

11 C. For presidential electors;

12 D. For United States Senators and Representatives to
13 Congress;

14 E. For judges of the Supreme Court;

15 F. For judges of the Appellate Court;

16 G. For judges of the circuit court;

17 H. For Senators and Representatives to the General
18 Assembly;

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

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

22 K. For county officers and for propositions submitted to
23 the electors of the county only;

24 L. For Regional Superintendent of Schools;

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

1 N. For Trustee of a Regional Board of School Trustees; ~~and~~
2 O. For members of the Illinois Commerce Commission.

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

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

11 The foregoing abstracts shall be preserved by the election
12 authority in its office.

13 Whenever any county clerk is unable to canvass the vote,
14 the deputy county clerk or a designee of the county clerk shall
15 serve in his or her place.

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

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

1 consolidated election, the certifying officer shall notify the
2 election authority of the receipt of those documents, and the
3 county clerk shall issue the certification of election under
4 the provisions of Section 22-18.

5 (Source: P.A. 93-847, eff. 7-30-04; 94-645, eff. 8-22-05;
6 94-647, eff. 1-1-06; revised 10-4-05.)

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

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

1 of the canvass, and they shall at the same time and in the same
2 manner, canvass the vote cast upon amendments to the
3 Constitution, and upon other propositions submitted to the
4 electors of the entire State; and the Governor shall cause to
5 be made such proclamation of the result of the canvass as the
6 statutes elsewhere provide. The State Board of Elections shall
7 transmit to the State Comptroller a list of the persons elected
8 to the various offices. The State Board of Elections shall also
9 transmit to the Supreme Court the names of persons elected to
10 judgeships in adversary elections and the names of judges who
11 fail to win retention in office.

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

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

1 Section 10. The Public Utilities Act is amended by changing
2 Sections 2-101 and 2-102 and adding Section 2-101.5 as follows:

3 (220 ILCS 5/2-101) (from Ch. 111 2/3, par. 2-101)

4 Sec. 2-101. Commerce Commission created. There is created
5 an Illinois Commerce Commission consisting of 5 members elected
6 as provided in Section 2-101.5 ~~not more than 3 of whom shall be~~
7 ~~members of the same political party at the time of appointment.~~
8 The Governor shall fill a vacancy by appointment ~~appoint the~~
9 ~~members of such Commission~~ by and with the advice and consent
10 of the Senate. In case of a vacancy in such office during the
11 recess of the Senate the Governor shall make a temporary
12 appointment until the next meeting of the Senate, when he shall
13 nominate some person to fill such office; and any person so
14 nominated who is confirmed by the Senate, shall hold his office
15 during the remainder of the term and until his successor shall
16 be elected ~~appointed~~ and qualified. If 28 or fewer months
17 remain on the vacating member's term, the person appointed to
18 fill the vacancy shall serve for the remainder of the term. If
19 more than 28 months remain on the vacating member's term, the
20 person appointed to fill the vacancy shall serve until the
21 second Monday in January after the next general election; at
22 that next general election a person shall be elected to fill
23 the remainder of the vacating member's term. Each member of the
24 Commission shall hold office ~~for a term of 5 years~~ from the
25 second ~~third~~ Monday in January of the year in which his

1 predecessor's term expires for a term as provided in Section
2 2-101.5.

3 ~~Notwithstanding any provision of this Section to the~~
4 ~~contrary, the term of office of each member of the Commission~~
5 ~~is terminated on the effective date of this amendatory Act of~~
6 ~~1995, but the incumbent members shall continue to exercise all~~
7 ~~of the powers and be subject to all of the duties of members of~~
8 ~~the Commission until their respective successors are appointed~~
9 ~~and qualified. Of the members initially appointed under the~~
10 ~~provisions of this amendatory Act of 1995, one member shall be~~
11 ~~appointed for a term of office which shall expire on the third~~
12 ~~Monday of January, 1997; 2 members shall be appointed for terms~~
13 ~~of office which shall expire on the third Monday of January,~~
14 ~~1998; one member shall be appointed for a term of office which~~
15 ~~shall expire on the third Monday of January, 1999; and one~~
16 ~~member shall be appointed for a term of office which shall~~
17 ~~expire on the third Monday of January, 2000. Each respective~~
18 ~~successor shall be appointed for a term of 5 years from the~~
19 ~~third Monday of January of the year in which his predecessor's~~
20 ~~term expires in accordance with the provisions of the first~~
21 ~~paragraph of this Section.~~

22 Each member shall serve until his successor is elected
23 ~~appointed~~ and qualified, ~~except that if the Senate refuses to~~
24 ~~consent to the appointment of any member, such office shall be~~
25 ~~deemed vacant, and within 2 weeks of the date the Senate~~
26 ~~refuses to consent to the reappointment of any member, such~~

1 ~~member shall vacate such office. The Governor shall from time~~
2 ~~to time designate the member of the Commission who shall be its~~
3 ~~chairman.~~ One member of the Commission shall be elected by the
4 members to serve as Chairperson for a term of 2 years. The
5 election for chairperson shall be held on the second Monday in
6 the January following the general election after the members
7 elected at that general election have assumed office.

8 Consistent with the provisions of this Act, the Chairman shall
9 be the chief executive officer of the Commission for the
10 purpose of ensuring that the Commission's policies are properly
11 executed.

12 If there is no vacancy on the Commission, 4 members of the
13 Commission shall constitute a quorum to transact business;
14 otherwise, a majority of the Commission shall constitute a
15 quorum to transact business, and no vacancy shall impair the
16 right of the remaining commissioners to exercise all of the
17 powers of the Commission. Every finding, order, or decision
18 approved by a majority of the members of the Commission shall
19 be deemed to be the finding, order, or decision of the
20 Commission. The terms of all members incumbent on the effective
21 date of this amendatory Act of the 95th General Assembly, and
22 all members appointed to fill a vacancy existing on the
23 Commission on or after the effective date of this amendatory
24 Act of the 95th General Assembly, however, those members shall
25 remain in office until their successors are elected and
26 qualified.

1 (Source: P.A. 92-22, eff. 6-30-01.)

2 (220 ILCS 5/2-101.5 new)

3 Sec. 2-101.5. Commission districts; election of members.

4 (a) Commission Districts shall be compact, contiguous and
5 substantially equal in population. In 2007, and in the year
6 following each federal decennial census year thereafter, the
7 General Assembly by law shall redistrict the State into 5
8 Commission Districts. If no redistricting plan becomes
9 effective by June 30 of that year, the General Assembly shall
10 follow the procedure set forth for legislative redistricting in
11 subsection (b) of Section 3 of Article 4 of the Illinois
12 Constitution. The Commission Districts shall be divided into 2
13 groups for the purpose of establishing terms for which the
14 members shall be elected in each group. One group shall be
15 comprised of the even-numbered districts and the other group
16 shall be comprised of the odd-numbered districts.

17 (b) At the general election in 2008, one member of the
18 Commission shall be elected from each Commission District
19 established under subsection (a) of this Section. The members
20 of the Commission elected in 2008 shall serve 4-year terms.
21 Within 120 days after the general election held in 2012, the
22 members shall meet and publicly by lot determine which group
23 shall be the first group and which group shall be the second
24 group. The members or their successors from the first group
25 shall be elected for successive terms of 4 years, 4 years and 2

1 years and members and their successors from the second group
2 shall be elected for successive terms of 2 years, 4 years and 4
3 years.

4 (c) To be eligible to serve as a member of the Commission,
5 a person must be a United States citizen, at least 21 years
6 old, and for the 2 years preceding his or her election or
7 appointment a resident of the district he or she is to
8 represent. In the general election following a redistricting, a
9 candidate for the Illinois Commerce Commission may be elected
10 from any district that contains a part of the district in which
11 he or she resided at the time of the redistricting and may be
12 reelected if a resident of the new district he or she
13 represents for 18 months prior to reelection.

14 (220 ILCS 5/2-102) (from Ch. 111 2/3, par. 2-102)

15 Sec. 2-102. Commissioners and officers; prohibited
16 activities.

17 (a) Each commissioner and each person appointed to office
18 by the Commission shall before entering upon the duties of his
19 office take and subscribe the constitutional oath of office.

20 Before entering upon the duties of his office each
21 commissioner shall give bond, with security to be approved by
22 the Governor, in the sum of \$20,000, conditioned for the
23 faithful performance of his duty as such commissioner. Every
24 person appointed or employed by the Commission, may, in the
25 discretion of the Commission, before entering upon the duties

1 of his office, be required to give bond for the faithful
2 discharge of his duties, in such sum as the Commission may
3 designate, which bond shall be approved by the Commission.

4 All bonds required to be filed pursuant to this section
5 shall be filed in the office of the Secretary of State.

6 (b) No person in the employ of or holding any official
7 relation to any corporation or person subject in whole or in
8 part to regulation by the Commission, and no person holding
9 stock or bonds in any such corporation, or who is in any other
10 manner pecuniarily interested therein, directly or indirectly,
11 shall be appointed ~~to or hold the office of commissioner or be~~
12 ~~appointed~~ or employed by the Commission; and if any such person
13 shall voluntarily become so interested his office or employment
14 shall ipso facto become vacant. If any person become so
15 interested otherwise than voluntarily he shall within a
16 reasonable time divest himself of such interest, and if he
17 fails to do so his office or employment shall become vacant.

18 No commissioner or person appointed or employed by the
19 Commission shall solicit or accept any gift, gratuity,
20 emolument or employment from any person or corporation subject
21 to the supervision of the Commission, or from any officer,
22 agent or employee thereof; nor solicit, request from or
23 recommend, directly or indirectly, to any such person or
24 corporation, or to any officer, agent or employee thereof the
25 appointment of any person to any place or position. Every such
26 corporation and person, and every officer, agent or employee

1 thereof, is hereby forbidden to offer to any commissioner or to
2 any person appointed or employed by the Commission any gift,
3 gratuity, emolument or employment. If any commissioner or any
4 person appointed or employed by the Commission shall violate
5 any provisions of this paragraph he shall be removed from the
6 office or employment held by him. Every person violating the
7 provisions of this paragraph shall be guilty of a Class A
8 misdemeanor.

9 (c) Each commissioner shall devote his entire time to the
10 duties of his office, and shall hold no other office or
11 position of profit, or engage in any other business, employment
12 or vocation.

13 (Source: P.A. 84-617.)

14 Section 99. Effective date. This Act takes effect upon
15 becoming law.