



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

HB5968

Introduced 2/10/2010, by Rep. Chapin Rose

SYNOPSIS AS INTRODUCED:

See Index

Amends the Illinois Governmental Ethics Act, the Election Code, the University of Illinois Act, and the University of Illinois Trustees Act. Provides for a Board of Trustees of the University of Illinois consisting of 7 elected members (now, the Board consists of 9 members appointed by the Governor with the advice and consent of the Senate), 6 members appointed by the University of Illinois Alumni Association, the Governor (as a non-voting member, unless in the case of a tie), and 3 student trustees, with one student trustee as a voting member. Provides that 3 members shall be elected from the First Judicial District and one member shall be elected from each of the 4 other judicial districts. Terminates the term of each appointed member of the Board when all of the new elected members take office. Provides for staggered terms for members initially elected under the amendatory Act and 6-year terms thereafter. Provides that a voting member of the student trustees shall initially be selected by random lot by the student trustees to serve for his or her term. Provides that the voting member of the student trustees shall switch campuses as selected by random lot. Makes related changes. Effective immediately.

LRB096 19798 MJR 35241 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning education.

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

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

6 (5 ILCS 420/4A-101) (from Ch. 127, par. 604A-101)

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

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

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

16 (c) Members of a Commission or Board created by the
17 Illinois Constitution, and candidates for nomination or
18 election to such Commission or Board.

19 (d) Persons whose appointment to office is subject to
20 confirmation by the Senate and persons appointed by the
21 Governor to any other position on a board or commission
22 described in subsection (a) of Section 15 of the
23 Gubernatorial Boards and Commissions Act.

1 (e) Holders of, and candidates for nomination or
2 election to, the office of judge or associate judge of the
3 Circuit Court and the office of judge of the Appellate or
4 Supreme Court.

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

23 (1) are, or function as, the head of a department,
24 commission, board, division, bureau, authority or
25 other administrative unit within the government of
26 this State, or who exercise similar authority within

1 the government of this State;

2 (2) have direct supervisory authority over, or
3 direct responsibility for the formulation,
4 negotiation, issuance or execution of contracts
5 entered into by the State in the amount of \$5,000 or
6 more;

7 (3) have authority for the issuance or
8 promulgation of rules and regulations within areas
9 under the authority of the State;

10 (4) have authority for the approval of
11 professional licenses;

12 (5) have responsibility with respect to the
13 financial inspection of regulated nongovernmental
14 entities;

15 (6) adjudicate, arbitrate, or decide any judicial
16 or administrative proceeding, or review the
17 adjudication, arbitration or decision of any judicial
18 or administrative proceeding within the authority of
19 the State;

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

22 (8) negotiate, assign, authorize, or grant naming
23 rights or sponsorship rights regarding any property or
24 asset of the State, whether real, personal, tangible,
25 or intangible; or

26 (9) have responsibility with respect to the

1 procurement of goods or services.

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

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

19 (i) Persons who are employed by a unit of local
20 government and are compensated for services as employees
21 and not as independent contractors and who:

22 (1) are, or function as, the head of a department,
23 division, bureau, authority or other administrative
24 unit within the unit of local government, or who
25 exercise similar authority within the unit of local
26 government;

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

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

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

15 (5) have authority to issue or promulgate rules and
16 regulations within areas under the authority of the
17 unit of local government; or

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

20 (j) Persons on the Board of Trustees of the Illinois
21 Mathematics and Science Academy.

22 (k) Persons employed by a school district in positions
23 that require that person to hold an administrative or a
24 chief school business official endorsement.

25 (l) Special government agents. A "special government
26 agent" is a person who is directed, retained, designated,

1 appointed, or employed, with or without compensation, by or
2 on behalf of a statewide executive branch constitutional
3 officer to make an ex parte communication under Section
4 5-50 of the State Officials and Employees Ethics Act or
5 Section 5-165 of the Illinois Administrative Procedure
6 Act.

7 (m) Members of the board of commissioners of any flood
8 prevention district.

9 (n) Members of the board of any retirement system or
10 investment board established under the Illinois Pension
11 Code, if not required to file under any other provision of
12 this Section.

13 (o) Members of the board of any pension fund
14 established under the Illinois Pension Code, if not
15 required to file under any other provision of this Section.

16 This Section shall not be construed to prevent any unit of
17 local government from enacting financial disclosure
18 requirements that mandate more information than required by
19 this Act.

20 (Source: P.A. 95-719, eff. 5-21-08; 96-6, eff. 4-3-09; 96-543,
21 eff. 8-17-09; 96-555, eff. 8-18-09; revised 9-21-09.)

22 Section 10. The Election Code is amended by changing
23 Sections 2A-1.2, 7-1, 7-9, 22-1, 22-7, 23-1.1a, 23-1.2a, and
24 23-1.13a and adding Section 2A-53.5 as follows:

1 (10 ILCS 5/2A-1.2) (from Ch. 46, par. 2A-1.2)
2 Sec. 2A-1.2. Consolidated Schedule of Elections - Offices
3 Designated.

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

7 (1) Elector of President and Vice President of the
8 United States;

9 (2) United States Senator and United States
10 Representative;

11 (3) State Executive Branch elected officers;

12 (4) State Senator and State Representative;

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

17 (6) Circuit Court Clerk;

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

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

24 (9) beginning at the general election in 2012, Trustee
25 of the University of Illinois ~~(Blank)~~;

26 (10) Trustee of the Metropolitan Sanitary District of

1 Chicago, and elected Trustee of other Sanitary Districts;

2 (11) Special District elected officers, not otherwise
3 designated in this Section, where the statute creating or
4 authorizing the creation of the district requires an annual
5 election and permits or requires election of candidates of
6 political parties.

7 (b) At the general primary election:

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

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

22 (3) in each even-numbered year, where the municipality
23 has provided for annual elections to elect municipal
24 officers pursuant to Section 6(f) or Section 7 of Article
25 VII of the Constitution, pursuant to the Illinois Municipal
26 Code or pursuant to the municipal charter, the offices of

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

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

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

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

1 by such ordinance;

2 (2) Village and incorporated town library directors;

3 (3) City boards of stadium commissioners;

4 (4) Commissioners of park districts;

5 (5) Trustees of public library districts;

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

10 (7) Township officers, including township park
11 commissioners, township library directors, and boards of
12 managers of community buildings, and Multi-Township
13 Assessors;

14 (8) Highway commissioners and road district clerks;

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

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

19 (11) Forest preserve district commissioners elected
20 under Section 3.5 of the Downstate Forest Preserve District
21 Act;

22 (12) Elected members of school boards, school
23 trustees, directors of boards of school directors,
24 trustees of county boards of school trustees (except in
25 counties or educational service regions having a
26 population of 2,000,000 or more inhabitants) and members of

1 boards of school inspectors, except school boards in school
2 districts that adopt Article 33 of the School Code;

3 (13) Members of Community College district boards;

4 (14) Trustees of Fire Protection Districts;

5 (15) Commissioners of the Springfield Metropolitan
6 Exposition and Auditorium Authority;

7 (16) Elected Trustees of Tuberculosis Sanitarium
8 Districts;

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

13 (18) Only in the election in 2011, Trustees of the
14 University of Illinois.

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

22 At the consolidated primary election in the appropriate
23 odd-numbered years, the mayor, clerk, treasurer, and aldermen
24 shall be elected in municipalities in which candidates for
25 mayor, clerk, treasurer, or alderman are not permitted by law
26 to be candidates of political parties, subject to runoff

1 elections to be held at the consolidated election as may be
2 required by law, and municipal officers shall be nominated in a
3 nonpartisan election in municipalities in which pursuant to law
4 candidates for such office are not permitted to be candidates
5 of political parties.

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

11 (e) (Blank).

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

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

23 Notwithstanding the regular dates for election of
24 officials established in this Article, any community college
25 district which becomes effective by operation of law pursuant
26 to Section 6-6.1 of the Public Community College Act, as now or

1 hereafter amended, shall elect the initial district board
2 members at the next regularly scheduled election following the
3 effective date of the new district.

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

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

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

12 (10 ILCS 5/2A-53.5 new)

13 Sec. 2A-53.5. University of Illinois; trustee; time of
14 election. Trustees of the University of Illinois, other than
15 the Governor and the student trustees, shall be elected at the
16 election in 2011. Beginning with the general election in 2012,
17 a trustee of the University of Illinois shall be elected at
18 each general election to succeed each incumbent trustee whose
19 term expires in January of the year next following that general
20 election.

21 (10 ILCS 5/7-1) (from Ch. 46, par. 7-1)

22 Sec. 7-1. Application of Article.

23 (a) Except as otherwise provided in this Article, the
24 nomination of all candidates for all elective State,

1 congressional, judicial, and county officers, State's
2 Attorneys (whether elected from a single county or from more
3 than one county), city, village, and incorporated town and
4 municipal officers, trustees of sanitary districts, township
5 officers in townships of over 5,000 population coextensive with
6 or included wholly within cities or villages not under the
7 commission form of government, precinct, township, ward, and
8 State central committeemen, and delegates and alternate
9 delegates to national nominating conventions by all political
10 parties, as defined in Section 7-2 of this Article 7, shall be
11 made in the manner provided in this Article 7 and not
12 otherwise. The nomination of candidates for electors of
13 President and Vice President of the United States and for
14 trustees of the University of Illinois shall be made only in
15 the manner provided for in Section 7-9 of this Article.

16 (b) This Article 7 shall not apply to (i) the nomination of
17 candidates for school elections and township elections, except
18 in those townships specifically mentioned in subsection (a) and
19 except in those cases in which a township central committee
20 determines under Section 6A-2 of the Township Law of 1874 or
21 Section 45-55 of the Township Code that its candidates for
22 township offices shall be nominated by primary in accordance
23 with this Article, (ii) the nomination of park commissioners in
24 park districts organized under the Park District Code, (iii)
25 the nomination of officers of cities and villages organized
26 under special charters, or (iv) the nomination of municipal

1 officers for cities, villages, and incorporated towns with a
2 population of 5,000 or less, except where a city, village, or
3 incorporated town with a population of 5,000 or less has by
4 ordinance determined that political parties shall nominate
5 candidates for municipal office in the city, village, or
6 incorporated town by primary in accordance with this Article.
7 In that event, the municipal clerk shall certify the ordinance
8 to the proper election officials no later than November 15 in
9 the year preceding the consolidated primary election.

10 (c) The words "township officers" or "township offices"
11 shall be construed, when used in this Article, to include
12 supervisors.

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

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

18 (10 ILCS 5/7-9) (from Ch. 46, par. 7-9)

19 Sec. 7-9. County central committee; county and State
20 conventions.

21 (a) On the 29th day next succeeding the primary at which
22 committeemen are elected, the county central committee of each
23 political party shall meet within the county and proceed to
24 organize by electing from its own number a chairman and either
25 from its own number, or otherwise, such other officers as such

1 committee may deem necessary or expedient. Such meeting of the
2 county central committee shall be known as the county
3 convention.

4 The chairman of each county committee shall within 10 days
5 after the organization, forward to the State Board of
6 Elections, the names and post office addresses of the officers,
7 precinct committeemen and representative committeemen elected
8 by his political party.

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

1 delegation to the State convention from such county.

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

6 Each member of the State Central Committee of a political
7 party which elects its members by Alternative B under paragraph
8 (a) of Section 7-8 may appoint 2 delegates to the State
9 Convention who must be residents of the member's Congressional
10 District.

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

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

26 (c) The chairman and secretary of each State convention

1 shall, within 2 days thereafter, transmit to the State Board of
2 Elections of this State a certificate setting forth the names
3 and addresses of all persons nominated by such State convention
4 for electors of President and Vice President of the United
5 States and for trustees of the University of Illinois, and of
6 any persons selected by the State convention for delegates and
7 alternate delegates at large to national nominating
8 conventions; and the names of such candidates so chosen by such
9 State convention for electors of President and Vice President
10 of the United States and for trustees of the University of
11 Illinois, shall be caused by the State Board of Elections to be
12 printed upon the official ballot at the general election, in
13 the manner required by law, and shall be certified to the
14 various county clerks of the proper counties in the manner as
15 provided in Section 7-60 of this Article 7 for the certifying
16 of the names of persons nominated by any party for State
17 offices. If and as long as this Act prescribes that the names
18 of such electors be not printed on the ballot, then the names
19 of such electors shall be certified in such manner as may be
20 prescribed by the parts of this Act applicable thereto.

21 (d) Each convention may perform all other functions
22 inherent to such political organization and not inconsistent
23 with this Article.

24 (e) At least 33 days before the date of a State convention,
25 the chairman of the State central committee of each political
26 party shall file in the principal office of the State Board of

1 Elections a call for the State convention. Such call shall
2 state, among other things, the time and place (designating the
3 building or hall) for holding the State convention. Such call
4 shall be signed by the chairman and attested by the secretary
5 of the committee. In such convention each county shall be
6 entitled to one delegate for each 500 ballots voted by the
7 primary electors of the party in such county at the primary to
8 be held next after the issuance of such call; and if in such
9 county, less than 500 ballots are so voted or if the number of
10 ballots so voted is not exactly a multiple of 500, there shall
11 be one delegate for such group which is less than 500, or for
12 such group representing the number of votes over the multiple
13 of 500, which delegate shall have $1/500$ of one vote for each
14 primary vote so represented by him. The call for such
15 convention shall set forth this paragraph (e) of Section 7-9 in
16 full and shall direct that the number of delegates to be chosen
17 be calculated in compliance herewith and that such number of
18 delegates be chosen.

19 (f) All precinct, township and ward committeemen when
20 elected as provided in this Section shall serve as though
21 elected at large irrespective of any changes that may be made
22 in precinct, township or ward boundaries and the voting
23 strength of each committeeman shall remain as provided in this
24 Section for the entire time for which he is elected.

25 (g) The officers elected at any convention provided for in
26 this Section shall serve until their successors are elected as

1 provided in this Act.

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

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

19 (j) If the number of Congressional Districts in the State
20 of Illinois is reduced as a result of reapportionment of
21 Congressional Districts following a federal decennial census,
22 the State Central Committeemen and Committeewomen of a
23 political party which elects its State Central Committee by
24 either Alternative A or by Alternative B under paragraph (a) of
25 Section 7-8 who were previously elected shall continue to serve
26 as if no reapportionment had occurred until the expiration of

1 their terms.

2 (Source: P.A. 93-847, eff. 7-30-04.)

3 (10 ILCS 5/22-1) (from Ch. 46, par. 22-1)

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

10 A. For Governor and Lieutenant Governor;

11 B. For State officers;

12 C. For presidential electors;

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

15 E. For judges of the Supreme Court;

16 F. For judges of the Appellate Court;

17 G. For judges of the circuit court;

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

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

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

24 K. For county officers and for propositions submitted
25 to the electors of the county only;

- 1 L. For Regional Superintendent of Schools;
- 2 M. For trustees of Sanitary Districts; ~~and~~
- 3 N. For Trustee of a Regional Board of School Trustees;
- 4 and-
- 5 O. For trustees of the University of Illinois.

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

7 Multiple originals of each of the sheets shall be prepared

8 and one of each shall be turned over to the chairman of the

9 county central committee of each of the then existing

10 established political parties, as defined in Section 10-2, or

11 his duly authorized representative immediately after the

12 completion of the entries on the sheets and before the totals

13 have been compiled.

14 The foregoing abstracts shall be preserved by the election

15 authority in its office.

16 Whenever any county clerk is unable to canvass the vote,

17 the deputy county clerk or a designee of the county clerk shall

18 serve in his or her place.

19 The powers and duties of the election authority canvassing

20 the votes are limited to those specified in this Section.

21 No person who is shown by the election authority's

22 proclamation to have been elected at the consolidated election

23 or general election as a write-in candidate shall take office

24 unless that person has first filed with the certifying office

25 or board a statement of candidacy pursuant to Section 7-10 or

26 Section 10-5, a statement pursuant to Section 7-10.1, and a

1 receipt for filing a statement of economic interests in
2 relation to the unit of government to which he or she has been
3 elected. For officers elected at the consolidated election, the
4 certifying officer shall notify the election authority of the
5 receipt of those documents, and the county clerk shall issue
6 the certification of election under the provisions of Section
7 22-18.

8 (Source: P.A. 94-645, eff. 8-22-05; 94-647, eff. 1-1-06;
9 95-331, eff. 8-21-07.)

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

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

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

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

1 22-18.

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

3 (10 ILCS 5/23-1.1a) (from Ch. 46, par. 23-1.1a)

4 Sec. 23-1.1a. Election contest - Statewide - Jurisdiction.

5 The Supreme Court shall have jurisdiction over contests of the
6 results of any election, including a primary, for an elected
7 officer provided for in Article V of the Constitution and for
8 trustee of the University of Illinois, and shall retain
9 jurisdiction throughout the course of such election contests.

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

11 (10 ILCS 5/23-1.2a) (from Ch. 46, par. 23-1.2a)

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

1 being contested.

2 Any person, including a candidate, qualified pursuant to
3 this Section and desiring to contest the results of an election
4 for such an office shall, within 15 days of the date of the
5 official proclamation of results of such election, file a
6 Petition of State Election Contest with the clerk of the
7 Supreme Court together with a filing fee in the amount of
8 \$10,000.

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

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

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

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

1 Section 15. The University of Illinois Act is amended by
2 changing Section 11 as follows:

3 (110 ILCS 305/11) (from Ch. 144, par. 32)

4 Sec. 11. No elected or selected member of the Board of
5 Trustees shall receive any compensation for attending on the
6 meetings of the Board, but they shall be reimbursed for their
7 actual and necessary expenses while engaged in the performance
8 of their duties. Expenses necessarily incurred by any
9 non-voting student member may, at the discretion of the
10 President of the Board, be provided for by advance payment to
11 such member, who shall account therefor to the Board
12 immediately after each meeting. At all the stated and other
13 meetings of the Board of Trustees, called by the regent or
14 corresponding secretary, or any 4 ~~5~~ members of the Board, a
15 majority of the members shall constitute a quorum, provided all
16 the members have been duly notified.

17 At each regular and special meeting that is open to the
18 public, members of the public and employees of the University
19 shall be afforded time, subject to reasonable constraints, to
20 make comments to or ask questions of the Board.

21 (Source: P.A. 91-715, eff. 1-1-01.)

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

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

2 Sec. 1. Membership.

3 (a) Until all of the new members initially to be elected
4 under this amendatory Act of the 96th General Assembly have
5 taken office, the ~~The~~ Board of Trustees of the University of
6 Illinois shall consist of the Governor, as a non-voting member
7 except in the case of a tie, and at least 12 trustees, with 9-
8 ~~Nine~~ trustees ~~shall be~~ appointed by the Governor, by and with
9 the advice and consent of the Senate. The term of each
10 appointed member of the Board of Trustees shall terminate when
11 all of the new members initially to be elected under this
12 amendatory Act of the 96th General Assembly have taken office.

13 Beginning on the date when all of the new members initially
14 to be elected under this amendatory Act of the 96th General
15 Assembly have taken office, the Board of Trustees shall consist
16 of the Governor and at least 14 voting members. Seven of these
17 members shall be elected in the manner provided by law, with 3
18 members elected from the First Judicial District and one member
19 elected from each of the 4 other judicial districts. These 7
20 trustees shall initially be elected at the election in 2011.
21 Beginning with the general election in 2012, a trustee shall be
22 elected at each general election to succeed each incumbent
23 trustee whose term expires in January of the year next
24 following that general election. A petition for nomination of a
25 candidate for member of the Board of Trustees shall be signed
26 by at least 0.5% of the total number of registered voters in

1 the judicial district in which the person is a candidate for
2 nomination. Six voting members of the Board of Trustees shall
3 be appointed by the University of Illinois Alumni Association.
4 Upon appointment, these 6 members shall draw lots to determine
5 the length of their respective initial terms. The initial terms
6 shall be 2 members for a 2-year term, 2 members for a 4-year
7 term, and 2 members for a 6-year term. Upon the expiration of
8 each member's term, the University of Illinois Alumni
9 Association shall appoint a replacement. The other trustees
10 shall be students, of whom one student shall be selected from
11 each University campus.

12 (b) Each student trustee shall serve a term of one year,
13 beginning on July 1 or on the date of his or her selection,
14 whichever is later, and expiring on the next succeeding June
15 30.

16 (c) Each trustee shall have all of the privileges of
17 membership, except that only one student trustee shall have the
18 right to cast a legally binding vote. One member of the student
19 trustees shall ~~The Governor shall designate which one of the~~
20 ~~student trustees shall~~ possess, for his or her entire term, the
21 right to cast a legally binding vote. The voting member of the
22 student trustees shall initially be selected by random lot by
23 the student trustees to serve for his or her term. Each year,
24 the voting member of the student trustees must be from a
25 different campus. The rotation of the campus with the voting
26 member shall rotate each year based on an order chosen by

1 random lot. Each student trustee who does not possess the right
2 to cast a legally binding vote shall have the right to cast an
3 advisory vote and the right to make and second motions and to
4 attend executive sessions.

5 (c-5) The 2 non-voting student trustees and the Governor
6 may cast advisory votes. The Governor may only cast a vote if
7 there is a tie in voting by all the voting trustees.

8 (d) Each trustee shall be governed by the same conflict of
9 interest standards. Pursuant to those standards, it shall not
10 be a conflict of interest for a student trustee to vote on
11 matters pertaining to students generally, such as tuition and
12 fees. However, it shall be a conflict of interest for a student
13 trustee to vote on faculty member tenure or promotion.

14 (e) Student trustees shall be chosen by campus-wide student
15 election, ~~and the student trustee designated by the Governor to~~
16 ~~possess a legally binding vote shall be one of the students~~
17 ~~selected by this method.~~ A student trustee who does not possess
18 a legally binding vote on a measure at a meeting of the Board
19 or any of its committees shall not be considered a trustee for
20 the purpose of determining whether a quorum is present at the
21 time that measure is voted upon. To be eligible for selection
22 as a student trustee and to be eligible to remain as a voting
23 or nonvoting student trustee, a student trustee must be a
24 resident of this State, must have and maintain a grade point
25 average that is equivalent to at least 2.5 on a 4.0 scale, and
26 must be a full time student enrolled at all times during his or

1 her term of office except for that part of the term which
2 follows the completion of the last full regular semester of an
3 academic year and precedes the first full regular semester of
4 the succeeding academic year at the University (sometimes
5 commonly referred to as the summer session or summer school).
6 If a voting or nonvoting student trustee fails to continue to
7 meet or maintain the residency, minimum grade point average, or
8 enrollment requirement established by this Section, his or her
9 membership on the Board shall be deemed to have terminated by
10 operation of law.

11 If a voting student trustee resigns or otherwise ceases to
12 serve on the Board, ~~the Governor shall, within 30 days,~~
13 ~~designate one of~~ the remaining student trustees shall determine
14 which one of them shall ~~to~~ possess the right to cast a legally
15 binding vote for the remainder of his or her term. However, if
16 a student trustee has served more than one term and during one
17 of those terms, he or she was selected to possess a legally
18 binding vote, then he or she is ineligible to be selected again
19 to possess a legally binding vote. If the remaining student
20 trustees fail to come to an agreement on which student trustee
21 shall possess a legally binding vote, none of the remaining
22 student trustees may possess a legally binding vote for the
23 remainder of their term. If a nonvoting student trustee resigns
24 or otherwise ceases to serve on the Board, the chief executive
25 of the student government from that campus shall, within 30
26 days, select a new nonvoting student trustee to serve for the

1 remainder of the term.

2 (f) Until those members elected at the election in 2011
3 have taken office, no more than 5 of the 9 appointed trustees
4 shall be affiliated with the same political party. ~~Each trustee~~
5 ~~appointed by the Governor must be a resident of this State. A~~
6 ~~failure to meet or maintain this residency requirement~~
7 ~~constitutes a resignation from and creates a vacancy in the~~
8 ~~Board.~~ The term of office of each of these appointed trustees
9 ~~trustee~~ shall be 6 years from the third Monday in January of
10 each odd numbered year. The regular terms of office of these
11 ~~the~~ appointed trustees shall be staggered so that 3 terms
12 expire in each odd-numbered year. Vacancies for these appointed
13 trustees shall be filled for the unexpired term in the same
14 manner as original appointments. If these vacancies ~~a vacancy~~
15 in membership occur ~~occurs~~ at a time when the Senate is not in
16 session, the Governor shall make temporary appointments until
17 the next meeting of the Senate, when he shall appoint persons
18 to fill such memberships for the remainder of their respective
19 terms. ~~If the Senate is not in session when appointments for a~~
20 ~~full term are made, appointments shall be made as in the case~~
21 ~~of vacancies.~~

22 The term of office of each elected trustee shall be 6 years
23 from the third Monday in January next succeeding his or her
24 election and until his or her successor is elected and
25 qualified. However, the 3 members from the First Judicial
26 District initially elected pursuant to this amendatory Act of

1 the 96th General Assembly shall draw lots to determine one of
2 their number to serve a one-year term, one of their number to
3 serve a 3-year term, and one of their number to serve a 5-year
4 term. The other 4 members initially elected pursuant to this
5 amendatory Act of the 96th General Assembly shall draw lots to
6 determine 2 of their number to serve a one-year term, one of
7 their number to serve a 3-year term, and one of their number to
8 serve a 5-year term. In case of a vacancy in an elected
9 trustee's seat, the vacancy shall be filled by appointment by
10 the Governor (i) for the unexpired term if 28 or fewer months
11 remain in the term or (ii) if more than 28 months remain in the
12 term, until a trustee is elected at the next general election
13 to serve for the unexpired term and is qualified.

14 (g) Each elected or appointed trustee must be a resident of
15 this State. To be an elected member, a person must also be a
16 resident of the judicial district from which he or she was
17 elected, and a person selected to fill a vacancy left by an
18 elected member must be a resident of the judicial district from
19 which the elected member was elected. A failure to meet or
20 maintain these residency requirements constitutes a
21 resignation from and creates a vacancy in the board.

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

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

1 Section 99. Effective date. This Act takes effect upon
2 becoming law.

1		INDEX
2		Statutes amended in order of appearance
3	5 ILCS 420/4A-101	from Ch. 127, par. 604A-101
4	10 ILCS 5/2A-1.2	from Ch. 46, par. 2A-1.2
5	10 ILCS 5/2A-53.5 new	
6	10 ILCS 5/7-1	from Ch. 46, par. 7-1
7	10 ILCS 5/7-9	from Ch. 46, par. 7-9
8	10 ILCS 5/22-1	from Ch. 46, par. 22-1
9	10 ILCS 5/22-7	from Ch. 46, par. 22-7
10	10 ILCS 5/23-1.1a	from Ch. 46, par. 23-1.1a
11	10 ILCS 5/23-1.2a	from Ch. 46, par. 23-1.2a
12	10 ILCS 5/23-1.13a	from Ch. 46, par. 23-1.13a
13	110 ILCS 305/11	from Ch. 144, par. 32
14	110 ILCS 310/1	from Ch. 144, par. 41