



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

HB1223

Introduced 02/08/11, by Rep. William Davis

SYNOPSIS AS INTRODUCED:

10 ILCS 5/10-9

from Ch. 46, par. 10-9

Amends the Election Code. Provides that the county officers electoral board shall also hear objector's petitions for candidates for municipal offices and for candidates for offices in school or community college districts.

LRB097 06398 HLH 46480 b

1 AN ACT concerning elections.

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

4 Section 5. The Election Code is amended by changing Section
5 10-9 as follows:

6 (10 ILCS 5/10-9) (from Ch. 46, par. 10-9)

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

10 1. The State Board of Elections will hear and pass upon
11 objections to the nominations of candidates for State
12 offices, nominations of candidates for congressional,
13 legislative and judicial offices of districts,
14 subcircuits, or circuits situated in more than one county,
15 nominations of candidates for the offices of State's
16 attorney or regional superintendent of schools to be
17 elected from more than one county, and petitions for
18 proposed amendments to the Constitution of the State of
19 Illinois as provided for in Section 3 of Article XIV of the
20 Constitution.

21 2. The county officers electoral board to hear and pass
22 upon objections to the nominations of candidates for county
23 offices, for congressional, legislative and judicial

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

18 3. (Blank). ~~The municipal officers electoral board to~~
19 ~~hear and pass upon objections to the nominations of~~
20 ~~candidates for officers of municipalities shall be~~
21 ~~composed of the mayor or president of the board of trustees~~
22 ~~of the city, village or incorporated town, and the city,~~
23 ~~village or incorporated town clerk, and one member of the~~
24 ~~city council or board of trustees, that member being~~
25 ~~designated who is eligible to serve on the electoral board~~
26 ~~and has served the greatest number of years as a member of~~

1 ~~the city council or board of trustees, of whom the mayor or~~
2 ~~president of the board of trustees shall be the chairman.~~

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

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

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

1 ~~commissioners, the board of election commissioners shall~~
2 ~~ex officio constitute the electoral board.~~

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

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

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

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

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

25 d. (Blank). ~~In the education officers electoral board~~
26 ~~by the eligible elected school or community college~~

1 ~~district board member who has had the second longest term~~
2 ~~of continuous service as a board member.~~

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

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

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

1 Judge.

2 (Source: P.A. 96-1008, eff. 7-6-10.)