



Sen. Thomas Cullerton

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1 AMENDMENT TO SENATE BILL 442

2 AMENDMENT NO. _____. Amend Senate Bill 442 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Election Code is amended by changing
5 Section 2A-1.2 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;

1 (4) State Senator and State Representative;

2 (5) County elected officers, including State's
3 Attorney, County Board member, County Commissioners, and
4 elected President of the County Board or County Chief
5 Executive;

6 (6) Circuit Court Clerk;

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

10 (8) Judges of the Supreme, Appellate and Circuit
11 Courts, on the question of retention, to fill vacancies and
12 newly created judicial offices;

13 (9) (Blank);

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

16 (11) Special District elected officers, not otherwise
17 designated in this Section, where the statute creating or
18 authorizing the creation of the district requires an annual
19 election and permits or requires election of candidates of
20 political parties.

21 (b) At the general primary election:

22 (1) in each even-numbered year candidates of political
23 parties shall be nominated for those offices to be filled
24 at the general election in that year, except where pursuant
25 to law nomination of candidates of political parties is
26 made by caucus.

1 (2) in the appropriate even-numbered years the
2 political party offices of State central committeeman,
3 township committeeman, ward committeeman, and precinct
4 committeeman shall be filled and delegates and alternate
5 delegates to the National nominating conventions shall be
6 elected as may be required pursuant to this Code. In the
7 even-numbered years in which a Presidential election is to
8 be held, candidates in the Presidential preference primary
9 shall also be on the ballot.

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

23 (4) in each school district which has adopted the
24 provisions of Article 33 of the School Code, successors to
25 the members of the board of education whose terms expire in
26 the year in which the general primary is held shall be

1 elected.

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

4 (1) Municipal officers, provided that in
5 municipalities in which candidates for alderman or other
6 municipal office are not permitted by law to be candidates
7 of political parties, the runoff election where required by
8 law, or the nonpartisan election where required by law,
9 shall be held on the date of the consolidated election; and
10 provided further, in the case of municipal officers
11 provided for by an ordinance providing the form of
12 government of the municipality pursuant to Section 7 of
13 Article VII of the Constitution, such offices shall be
14 filled by election or by runoff election as may be provided
15 by such ordinance;

16 (2) Village and incorporated town library directors;

17 (3) City boards of stadium commissioners;

18 (4) Commissioners of park districts;

19 (5) Trustees of public library districts;

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

24 (7) Township officers, including township park
25 commissioners, township library directors, and boards of
26 managers of community buildings, and Multi-Township

1 Assessors;

2 (8) Highway commissioners and road district clerks;

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

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

7 (11) Forest preserve district commissioners elected
8 under Section 3.5 of the Downstate Forest Preserve District
9 Act;

10 (12) Elected members of school boards, school
11 trustees, directors of boards of school directors,
12 ~~trustees of county boards of school trustees (except in~~
13 ~~counties or educational service regions having a~~
14 ~~population of 2,000,000 or more inhabitants)~~ and members of
15 boards of school inspectors, except school boards in school
16 districts that adopt Article 33 of the School Code;

17 (13) Members of Community College district boards;

18 (14) Trustees of Fire Protection Districts;

19 (15) Commissioners of the Springfield Metropolitan
20 Exposition and Auditorium Authority;

21 (16) Elected Trustees of Tuberculosis Sanitarium
22 Districts;

23 (17) Elected Officers of special districts not
24 otherwise designated in this Section for which the law
25 governing those districts does not permit candidates of
26 political parties.

1 (d) At the consolidated primary election in each
2 odd-numbered year, candidates of political parties shall be
3 nominated for those offices to be filled at the consolidated
4 election in that year, except where pursuant to law nomination
5 of candidates of political parties is made by caucus, and
6 except those offices listed in paragraphs (12) through (17) of
7 subsection (c).

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

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

23 (e) (Blank).

24 (f) At any election established in Section 2A-1.1, public
25 questions may be submitted to voters pursuant to this Code and
26 any special election otherwise required or authorized by law or

1 by court order may be conducted pursuant to this Code.

2 Notwithstanding the regular dates for election of officers
3 established in this Article, whenever a referendum is held for
4 the establishment of a political subdivision whose officers are
5 to be elected, the initial officers shall be elected at the
6 election at which such referendum is held if otherwise so
7 provided by law. In such cases, the election of the initial
8 officers shall be subject to the referendum.

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

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

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

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

24 (10 ILCS 5/2A-50 rep.)

25 Section 10. The Election Code is amended by repealing

1 Section 2A-50.

2 Section 15. The School Code is amended by changing the
3 heading of Article 6 and Sections 6-2 and 7-04 as follows:

4 (105 ILCS 5/Art. 6 heading)

5 ARTICLE 6. ABOLITION OF REGIONAL BOARD OF SCHOOL TRUSTEES

6 (105 ILCS 5/6-2) (from Ch. 122, par. 6-2)

7 Sec. 6-2. Regional board; ~~creation; membership;~~ abolition
8 and transfer of duties.

9 (a) On August 28, 1992 (the effective date of Public Act
10 87-969), ~~There is created a regional board of school trustees~~
11 ~~for that territory in each educational service region exclusive~~
12 ~~of any school district organized under Article 34 and exclusive~~
13 ~~of any school district whose school board has been given the~~
14 ~~powers of school trustees; provided that on the effective date~~
15 ~~of this amendatory Act of 1992~~ the regional board of school
16 trustees theretofore created and existing for any territory in
17 an educational service region containing 2,000,000 or more
18 inhabitants is abolished, the terms of office of all members of
19 the regional board of school trustees so abolished are
20 terminated on that effective date, and from and after that
21 effective date all rights, powers, duties, and
22 responsibilities that were vested in or required by law to be
23 exercised and performed by the former regional board of school

1 trustees shall be vested in and exercised and performed by the
2 successors to the former regional board of school trustees as
3 provided in subsection (b) of this Section ~~6-2~~. On the
4 effective date of this amendatory Act of the 100th General
5 Assembly, the regional board of school trustees theretofore
6 created and existing for any territory in any other educational
7 service region is abolished; the terms of office of all members
8 of the regional board of school trustees so abolished are
9 terminated on that effective date; and, from and after that
10 effective date, all rights, powers, duties, and
11 responsibilities that were vested in or required by law to be
12 exercised and performed by the former regional board of school
13 trustees shall be vested in and exercised and performed by the
14 successors to the former regional board of school trustees as
15 provided in subsection (b) of this Section. Any school district
16 whose board of education acts as a board of school trustees
17 shall have within its district the powers and duties of a
18 former regional board of school trustees.

19 ~~Unless abolished as provided in this Section, the regional~~
20 ~~board of school trustees, in both single county and~~
21 ~~multi-county educational service regions, shall consist of 7~~
22 ~~members. In single county regions not more than one trustee may~~
23 ~~be a resident of any one congressional township; however, in~~
24 ~~case there are fewer than 7 congressional townships in the~~
25 ~~region then not more than two of such trustees may be residents~~
26 ~~of the same congressional township. Notwithstanding the~~

1 ~~foregoing residency provision, in a single county region with a~~
2 ~~population of greater than 750,000 inhabitants, but less than~~
3 ~~1,200,000 inhabitants, 2 trustees may be residents of the same~~
4 ~~congressional township if and only if such trustees were~~
5 ~~elected at the April 9, 2013 consolidated election. In 2 county~~
6 ~~regions at least 2 trustees shall be residents of each county.~~
7 ~~In 3 or more county regions at least one trustee shall be a~~
8 ~~resident of each county. If more than 7 counties constitute the~~
9 ~~educational service region, the regional board of school~~
10 ~~trustees shall consist of one resident of each county.~~

11 ~~The regional board of school trustees shall be a body~~
12 ~~politic and corporate by the name of "Regional Board of School~~
13 ~~Trustees of.... County (or Counties), Illinois." Such~~
14 ~~corporation shall have perpetual existence with power to sue~~
15 ~~and be sued and to plead and be impleaded in all courts and~~
16 ~~places where judicial proceedings are had.~~

17 (b) Upon the abolition of the regional board of school
18 trustees and the termination of the terms of office of the
19 members of that former regional board of school trustees in an
20 educational service region ~~containing 2,000,000 or more~~
21 ~~inhabitants~~ as provided in subsection (a), the trustees of
22 schools of each township included within the territory of that
23 educational service region that was served by the former
24 regional board of school trustees, or if any such township is a
25 township referred to in subsection (b) of Section 5-1 and there
26 are no trustees of schools acting in that township then the

1 school board of each school district located in that township,
2 shall be the successors to the former regional board of school
3 trustees. As successors to the former regional board of school
4 trustees, the trustees of schools of each such township and the
5 school board of each such school district, with respect to all
6 territory included within the school township or school
7 district served by the trustees of schools of the township or
8 school board, shall be vested with and shall exercise and
9 perform all rights, powers, duties, and responsibilities
10 formerly held, exercised, and performed with respect to that
11 territory by the regional board of school trustees abolished
12 under subsection (a) of this Section.

13 Upon abolition of the regional board of school trustees in
14 an educational service region ~~having 2,000,000 or more~~
15 ~~inhabitants~~ as provided in subsection (a) of this Section, all
16 books, records, maps, papers, documents, equipment, supplies,
17 accounts, deposits, and other personal property belonging to or
18 subject to the control or disposition of the former regional
19 board of school trustees (excepting only such items as may have
20 been provided by the county board) shall be transferred and
21 delivered to the trustees of schools of the townships and the
22 school boards that are the successors to the former regional
23 board of school trustees for the territory included within
24 their respective school townships or school districts.

25 From and after August 28, 1992 (the effective date of
26 Public Act 87-969) ~~the effective date of this amendatory Act of~~

1 ~~1992~~, any reference in the School Code or any other law of this
2 State to the regional board of school trustees or county board
3 of school trustees shall mean, with respect to all territory
4 within an educational service region containing 2,000,000 or
5 more inhabitants that formerly was served by a regional board
6 of school trustees abolished under subsection (a) of this
7 Section, the trustees of schools of the township or the school
8 board of the school district that is the successor to the
9 former regional board of school trustees with respect to the
10 territory included within that school township or school
11 district. From and after the effective date of this amendatory
12 Act of the 100th General Assembly, any reference in this Code
13 or any other law of this State to the regional board of school
14 trustees or county board of school trustees shall mean, with
15 respect to all territory within any other educational service
16 region that formerly was served by a regional board of school
17 trustees abolished under subsection (a) of this Section, the
18 trustees of schools of the township or the school board of the
19 school district that is the successor to the former regional
20 board of school trustees with respect to the territory included
21 within that school township or school district.

22 (Source: P.A. 98-115, eff. 7-29-13.)

23 (105 ILCS 5/7-04) (from Ch. 122, par. 7-04)

24 Sec. 7-04. Districts in educational service regions;
25 regional board of school trustees abolished of 2,000,000 or

1 ~~more inhabitants.~~

2 (a) In all proceedings under this Article to change by
3 detachment, annexation, division, dissolution, or any
4 combination of those methods the boundaries of any school
5 district (other than a school district organized under Article
6 34) located in an educational service region ~~of 2,000,000 or~~
7 ~~more inhabitants~~ in which the regional board of school trustees
8 is abolished as provided in subsection (a) of Section 6-2, the
9 trustees of schools of the township in which that school
10 district is located, as the successor under subsection (b) of
11 Section 6-2 to the former regional board of school trustees
12 with respect to all territory located in that school township,
13 shall have, exercise, and perform all powers, duties, and
14 responsibilities required under this Article to be exercised
15 and performed in those proceedings by a regional board of
16 school trustees; provided that if any school district affected
17 by those proceedings is located in a school township referred
18 to in subsection (b) of Section 5-1 and there are no trustees
19 of schools acting in that township then the school board of any
20 such district, as the successor under subsection (b) of Section
21 6-2 to the former regional board of school trustees with
22 respect to the territory comprising that school district, shall
23 have, exercise, and perform all powers, duties, and
24 responsibilities required under this Article to be exercised
25 and performed in those proceedings with respect to the
26 territory of that school district by a regional board of school

1 trustees; and provided further that: ~~(i)~~ when any school
2 district affected by those proceedings is located not only in
3 an educational service region ~~of 2,000,000 or more inhabitants~~
4 but also in 2 or more school townships in that region that each
5 have trustees of schools of the township, then the boundaries
6 of that school district may be changed under this Article by
7 detachment, annexation, division, dissolution, or any
8 combination of those methods only by the concurrent action of,
9 taken following a joint hearing before, the trustees of schools
10 of those townships (in that educational service region) in
11 which that school district is located; ~~and (ii) if any part of~~
12 ~~the school district referred to in item (i) of this subsection~~
13 ~~also lies within an educational service region that has a~~
14 ~~regional board of school trustees, the boundaries of that~~
15 ~~district may be changed under this Article only by the~~
16 ~~concurrent action of, taken following a joint hearing before~~
17 ~~the trustees of schools of the townships referred to in item~~
18 ~~(i) of this subsection and the regional board of school~~
19 ~~trustees of the educational service region referred to in this~~
20 ~~item (ii) of this subsection.~~ Whenever concurrent action and
21 joint hearings are required under this subsection, the original
22 petition shall be filed with the trustees of schools of the
23 township in which the territory or greatest portion of the
24 territory being detached is located, ~~or if the territory is~~
25 ~~being detached from more than one educational service region~~
26 ~~then with the regional board of school trustees of the region~~

1 ~~or the trustees of schools of the township in which the~~
2 ~~territory or greatest portion of the territory being detached~~
3 ~~is located.~~

4 (b) ~~Any~~ Except as otherwise provided in this Section, all
5 other provisions of this Article shall apply to any proceedings
6 under this Article to change the boundaries of any school
7 district located in an educational service region having
8 2,000,000 or more inhabitants in the same manner that those
9 provisions apply to any proceedings to change the boundaries of
10 any school district located in any other educational service
11 region; provided, that any reference in those other provisions
12 of this Article to the regional board of school trustees shall
13 mean, with respect to all territory within an educational
14 service region ~~containing 2,000,000 or more inhabitants~~ that
15 formerly was served by a regional board of school trustees
16 abolished under subsection (a) of Section 6-2, the trustees of
17 schools of the township or the school board of the school
18 district that is the successor under subsection (b) of Section
19 6-2 to the former regional board of school trustees with
20 respect to the territory included within that school township
21 or school district.

22 (Source: P.A. 87-969.)

23 (105 ILCS 5/6-1 rep.)

24 (105 ILCS 5/6-2.1 rep.)

25 (105 ILCS 5/6-3 rep.)

1 (105 ILCS 5/6-4 rep.)

2 (105 ILCS 5/6-5 rep.)

3 (105 ILCS 5/6-10 rep.)

4 (105 ILCS 5/6-12 rep.)

5 (105 ILCS 5/6-17 rep.)

6 (105 ILCS 5/6-18 rep.)

7 (105 ILCS 5/6-19 rep.)

8 (105 ILCS 5/6-20 rep.)

9 (105 ILCS 5/6-21 rep.)

10 Section 20. The School Code is amended by repealing
11 Sections 6-1, 6-2.1, 6-3, 6-4, 6-5, 6-10, 6-12, 6-17, 6-18,
12 6-19, 6-20, and 6-21."