

# HB1752



## 101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB1752

by Rep. Jim Durkin

### SYNOPSIS AS INTRODUCED:

105 ILCS 5/1A-1

from Ch. 122, par. 1A-1

Amends the School Code. Makes a technical change in a Section concerning the members of the State Board of Education.

LRB101 05645 AXK 50661 b

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 School Code is amended by changing Section  
5 1A-1 as follows:

6 (105 ILCS 5/1A-1) (from Ch. 122, par. 1A-1)

7 Sec. 1A-1. Members and terms.

8 (a) (Blank).

9 (b) The ~~The~~ State Board of Education shall consist of 8  
10 members and a chairperson, who shall be appointed by the  
11 Governor with the advice and consent of the Senate from a  
12 pattern of regional representation as follows: 2 appointees  
13 shall be selected from among those counties of the State other  
14 than Cook County and the 5 counties contiguous to Cook County,  
15 one of whom must represent the educator community; 2 appointees  
16 shall be selected from Cook County, one of whom shall be a  
17 resident of the City of Chicago and one of whom shall be a  
18 resident of that part of Cook County which lies outside the  
19 city limits of Chicago and of whom one must represent the  
20 educator community; 2 appointees shall be selected from among  
21 the 5 counties of the State that are contiguous to Cook County,  
22 one of whom must represent the educator community; and 3  
23 members shall be selected as members-at-large (one of which

1 shall be the chairperson). With respect to the educator  
2 community appointments, no more than one member may be employed  
3 as a district superintendent, principal, school business  
4 official, or teacher and no more than one may be employed by  
5 the same school district or school. The changes made to this  
6 Section by this amendatory Act of the 100th General Assembly  
7 apply to appointments made after the effective date of this  
8 amendatory Act of the 100th General Assembly. The Governor who  
9 takes office on the second Monday of January after his or her  
10 election shall be the person who nominates members to fill  
11 vacancies whose terms begin after that date and before the term  
12 of the next Governor begins.

13 The term of each member of the State Board of Education  
14 whose term expires on January 12, 2005 shall instead terminate  
15 on the effective date of this amendatory Act of the 93rd  
16 General Assembly. Of these 3 seats, (i) the member initially  
17 appointed pursuant to this amendatory Act of the 93rd General  
18 Assembly whose seat was vacant on April 27, 2004 shall serve  
19 until the second Wednesday of January, 2009 and (ii) the other  
20 2 members initially appointed pursuant to this amendatory Act  
21 of the 93rd General Assembly shall serve until the second  
22 Wednesday of January, 2007.

23 The term of the member of the State Board of Education  
24 whose seat was vacant on April 27, 2004 and whose term expires  
25 on January 10, 2007 shall instead terminate on the effective  
26 date of this amendatory Act of the 93rd General Assembly. The

1 member initially appointed pursuant to this amendatory Act of  
2 the 93rd General Assembly to fill this seat shall be the  
3 chairperson and shall serve until the second Wednesday of  
4 January, 2007.

5 The term of the member of the State Board of Education  
6 whose seat was vacant on May 28, 2004 but after April 27, 2004  
7 and whose term expires on January 10, 2007 shall instead  
8 terminate on the effective date of this amendatory Act of the  
9 93rd General Assembly. The member initially appointed pursuant  
10 to this amendatory Act of the 93rd General Assembly to fill  
11 this seat shall serve until the second Wednesday of January,  
12 2007.

13 The term of the other member of the State Board of  
14 Education whose term expires on January 10, 2007 shall instead  
15 terminate on the effective date of this amendatory Act of the  
16 93rd General Assembly. The member initially appointed pursuant  
17 to this amendatory Act of the 93rd General Assembly to fill  
18 this seat shall serve until the second Wednesday of January,  
19 2007.

20 The term of the member of the State Board of Education  
21 whose term expires on January 14, 2009 and who was selected  
22 from among the 5 counties of the State that are contiguous to  
23 Cook County and is a resident of Lake County shall instead  
24 terminate on the effective date of this amendatory Act of the  
25 93rd General Assembly. The member initially appointed pursuant  
26 to this amendatory Act of the 93rd General Assembly to fill

1 this seat shall serve until the second Wednesday of January,  
2 2009.

3 Upon expiration of the terms of the members initially  
4 appointed under this amendatory Act of the 93rd General  
5 Assembly and members whose terms were not terminated by this  
6 amendatory Act of the 93rd General Assembly, their respective  
7 successors shall be appointed for terms of 4 years, from the  
8 second Wednesday in January of each odd numbered year and until  
9 their respective successors are appointed and qualified.

10 (c) Of the 4 members, excluding the chairperson, whose  
11 terms expire on the second Wednesday of January, 2007 and every  
12 4 years thereafter, one of those members must be an at-large  
13 member and at no time may more than 2 of those members be from  
14 one political party. Of the 4 members whose terms expire on the  
15 second Wednesday of January, 2009 and every 4 years thereafter,  
16 one of those members must be an at-large member and at no time  
17 may more than 2 of those members be from one political party.  
18 Party membership is defined as having voted in the primary of  
19 the party in the last primary before appointment.

20 (d) Vacancies in terms shall be filled by appointment by  
21 the Governor with the advice and consent of the Senate for the  
22 extent of the unexpired term. If a vacancy in membership occurs  
23 at a time when the Senate is not in session, the Governor shall  
24 make a temporary appointment until the next meeting of the  
25 Senate, when the Governor shall appoint a person to fill that  
26 membership for the remainder of its term. If the Senate is not

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

3 (Source: P.A. 100-1135, eff. 11-28-18.)