

1 AMENDMENT TO HOUSE BILL 320

2 AMENDMENT NO. _____. Amend House Bill 320 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Election Code is amended by changing
5 Sections 7-7 and 7-8 as follows:

6 (10 ILCS 5/7-7) (from Ch. 46, par. 7-7)

7 Sec. 7-7. For the purpose of making nominations in
8 certain instances as provided in this Article and this Act,
9 the following committees are authorized and shall constitute
10 the central or managing committees of each political party,
11 viz: A State central committee, a congressional committee for
12 each congressional district, a county central committee for
13 each county, a municipal central committee for each city,
14 incorporated town or village, a ward committeeman for each
15 ward in cities containing a population of 500,000 or more; a
16 township committeeman for each township or part of a township
17 that lies outside of cities having a population of 200,000 or
18 more, in counties having a population of 2,000,000 or more; a
19 precinct committeeman for each precinct in counties having a
20 population of less than 2,000,000; a county board district
21 committee for each county board district created under
22 Division 2-3 of the Counties Code; a State's Attorney

1 committee for each group of 2 or more counties which jointly
 2 elect a State's Attorney; a Superintendent of Multi-County
 3 Educational Service Region committee for each group of 2 or
 4 more counties which jointly elect a Superintendent of a
 5 Multi-County Educational Service Region; and a judicial
 6 subcircuit committee in a judicial circuit divided into
 7 subcircuits Cook-County for each judicial subcircuit in that
 8 circuit Cook-County.

9 (Source: P.A. 87-1052.)

10 (10 ILCS 5/7-8) (from Ch. 46, par. 7-8)

11 Sec. 7-8. The State central committee shall be composed
 12 of one or two members from each congressional district in the
 13 State and shall be elected as follows:

14 State Central Committee

15 (a) Within 30 days after the effective date of this
 16 amendatory Act of 1983 the State central committee of each
 17 political party shall certify to the State Board of Elections
 18 which of the following alternatives it wishes to apply to the
 19 State central committee of that party.

20 Alternative A. At the primary held on the third Tuesday
 21 in March 1970, and at the primary held every 4 years
 22 thereafter, each primary elector may vote for one candidate
 23 of his party for member of the State central committee for
 24 the congressional district in which he resides. The
 25 candidate receiving the highest number of votes shall be
 26 declared elected State central committeeman from the
 27 district. A political party may, in lieu of the foregoing, by
 28 a majority vote of delegates at any State convention of such
 29 party, determine to thereafter elect the State central
 30 committeemen in the manner following:

31 At the county convention held by such political party
 32 State central committeemen shall be elected in the same
 33 manner as provided in this Article for the election of

1 officers of the county central committee, and such election
2 shall follow the election of officers of the county central
3 committee. Each elected ward, township or precinct
4 committeeman shall cast as his vote one vote for each ballot
5 voted in his ward, township, part of a township or precinct
6 in the last preceding primary election of his political
7 party. In the case of a county lying partially within one
8 congressional district and partially within another
9 congressional district, each ward, township or precinct
10 committeeman shall vote only with respect to the
11 congressional district in which his ward, township, part of a
12 township or precinct is located. In the case of a
13 congressional district which encompasses more than one
14 county, each ward, township or precinct committeeman residing
15 within the congressional district shall cast as his vote one
16 vote for each ballot voted in his ward, township, part of a
17 township or precinct in the last preceding primary election
18 of his political party for one candidate of his party for
19 member of the State central committee for the congressional
20 district in which he resides and the Chairman of the county
21 central committee shall report the results of the election to
22 the State Board of Elections. The State Board of Elections
23 shall certify the candidate receiving the highest number of
24 votes elected State central committeeman for that
25 congressional district.

26 The State central committee shall adopt rules to provide
27 for and govern the procedures to be followed in the election
28 of members of the State central committee.

29 After the effective date of this amendatory Act of the
30 91st General Assembly, whenever a vacancy occurs in the
31 office of Chairman of a State central committee, or at the
32 end of the term of office of Chairman, the State central
33 committee of each political party that has selected
34 Alternative A shall elect a Chairman who shall not be

1 required to be a member of the State Central Committee. The
2 Chairman shall be a registered voter in this State and of the
3 same political party as the State central committee.

4 Alternative B. Each congressional committee shall,
5 within 30 days after the adoption of this alternative,
6 appoint a person of the sex opposite that of the incumbent
7 member for that congressional district to serve as an
8 additional member of the State central committee until his or
9 her successor is elected at the general primary election in
10 1986. Each congressional committee shall make this
11 appointment by voting on the basis set forth in paragraph (e)
12 of this Section. In each congressional district at the
13 general primary election held in 1986 and every 4 years
14 thereafter, the male candidate receiving the highest number
15 of votes of the party's male candidates for State central
16 committeeman, and the female candidate receiving the highest
17 number of votes of the party's female candidates for State
18 central committeewoman, shall be declared elected State
19 central committeeman and State central committeewoman from
20 the district. At the general primary election held in 1986
21 and every 4 years thereafter, if all a party's candidates for
22 State central committeemen or State central committeewomen
23 from a congressional district are of the same sex, the
24 candidate receiving the highest number of votes shall be
25 declared elected a State central committeeman or State
26 central committeewoman from the district, and, because of a
27 failure to elect one male and one female to the committee, a
28 vacancy shall be declared to exist in the office of the
29 second member of the State central committee from the
30 district. This vacancy shall be filled by appointment by the
31 congressional committee of the political party, and the
32 person appointed to fill the vacancy shall be a resident of
33 the congressional district and of the sex opposite that of
34 the committeeman or committeewoman elected at the general

1 primary election. Each congressional committee shall make
2 this appointment by voting on the basis set forth in
3 paragraph (e) of this Section.

4 The Chairman of a State central committee composed as
5 provided in this Alternative B must be selected from the
6 committee's members.

7 Except as provided for in Alternative A with respect to
8 the selection of the Chairman of the State central committee,
9 under both of the foregoing alternatives, the State central
10 committee of each political party shall be composed of
11 members elected or appointed from the several congressional
12 districts of the State, and of no other person or persons
13 whomsoever. The members of the State central committee
14 shall, within 30 days after each quadrennial election of the
15 full committee, meet in the city of Springfield and organize
16 by electing a chairman, and may at such time elect such
17 officers from among their own number (or otherwise), as they
18 may deem necessary or expedient. The outgoing chairman of the
19 State central committee of the party shall, 10 days before
20 the meeting, notify each member of the State central
21 committee elected at the primary of the time and place of
22 such meeting. In the organization and proceedings of the
23 State central committee, each State central committeeman and
24 State central committeewoman shall have one vote for each
25 ballot voted in his or her congressional district by the
26 primary electors of his or her party at the primary election
27 immediately preceding the meeting of the State central
28 committee. Whenever a vacancy occurs in the State central
29 committee of any political party, the vacancy shall be filled
30 by appointment of the chairmen of the county central
31 committees of the political party of the counties located
32 within the congressional district in which the vacancy occurs
33 and, if applicable, the ward and township committeemen of the
34 political party in counties of 2,000,000 or more inhabitants

1 located within the congressional district. If the
2 congressional district in which the vacancy occurs lies
3 wholly within a county of 2,000,000 or more inhabitants, the
4 ward and township committeemen of the political party in that
5 congressional district shall vote to fill the vacancy. In
6 voting to fill the vacancy, each chairman of a county central
7 committee and each ward and township committeeman in counties
8 of 2,000,000 or more inhabitants shall have one vote for each
9 ballot voted in each precinct of the congressional district
10 in which the vacancy exists of his or her county, township,
11 or ward cast by the primary electors of his or her party at
12 the primary election immediately preceding the meeting to
13 fill the vacancy in the State central committee. The person
14 appointed to fill the vacancy shall be a resident of the
15 congressional district in which the vacancy occurs, shall be
16 a qualified voter, and, in a committee composed as provided
17 in Alternative B, shall be of the same sex as his or her
18 predecessor. A political party may, by a majority vote of the
19 delegates of any State convention of such party, determine to
20 return to the election of State central committeeman and
21 State central committeewoman by the vote of primary electors.
22 Any action taken by a political party at a State convention
23 in accordance with this Section shall be reported to the
24 State Board of Elections by the chairman and secretary of
25 such convention within 10 days after such action.

26 Ward, Township and Precinct Committeemen

27 (b) At the primary held on the third Tuesday in March,
28 1972, and every 4 years thereafter, each primary elector in
29 cities having a population of 200,000 or over may vote for
30 one candidate of his party in his ward for ward committeeman.
31 Each candidate for ward committeeman must be a resident of
32 and in the ward where he seeks to be elected ward
33 committeeman. The one having the highest number of votes
34 shall be such ward committeeman of such party for such ward.

1 At the primary election held on the third Tuesday in March,
2 1970, and every 4 years thereafter, each primary elector in
3 counties containing a population of 2,000,000 or more,
4 outside of cities containing a population of 200,000 or more,
5 may vote for one candidate of his party for township
6 committeeman. Each candidate for township committeeman must
7 be a resident of and in the township or part of a township
8 (which lies outside of a city having a population of 200,000
9 or more, in counties containing a population of 2,000,000 or
10 more), and in which township or part of a township he seeks
11 to be elected township committeeman. The one having the
12 highest number of votes shall be such township committeeman
13 of such party for such township or part of a township. At the
14 primary held on the third Tuesday in March, 1970 and every 2
15 years thereafter, each primary elector, except in counties
16 having a population of 2,000,000 or over, may vote for one
17 candidate of his party in his precinct for precinct
18 committeeman. Each candidate for precinct committeeman must
19 be a bona fide resident of the precinct where he seeks to be
20 elected precinct committeeman. The one having the highest
21 number of votes shall be such precinct committeeman of such
22 party for such precinct. The official returns of the primary
23 shall show the name of the committeeman of each political
24 party.

25 Terms of Committeemen. All precinct committeemen elected
26 under the provisions of this Article shall continue as such
27 committeemen until the date of the primary to be held in the
28 second year after their election. Except as otherwise
29 provided in this Section for certain State central
30 committeemen who have 2 year terms, all State central
31 committeemen, township committeemen and ward committeemen
32 shall continue as such committeemen until the date of primary
33 to be held in the fourth year after their election. However,
34 a vacancy exists in the office of precinct committeeman when

1 a precinct committeeman ceases to reside in the precinct in
2 which he was elected and such precinct committeeman shall
3 thereafter neither have nor exercise any rights, powers or
4 duties as committeeman in that precinct, even if a successor
5 has not been elected or appointed.

6 (c) The Multi-Township Central Committee shall consist
7 of the precinct committeemen of such party, in the
8 multi-township assessing district formed pursuant to Section
9 2-10 of the Property Tax Code and shall be organized for the
10 purposes set forth in Section 45-25 of the Township Code. In
11 the organization and proceedings of the Multi-Township
12 Central Committee each precinct committeeman shall have one
13 vote for each ballot voted in his precinct by the primary
14 electors of his party at the primary at which he was elected.

15 County Central Committee

16 (d) The county central committee of each political party
17 in each county shall consist of the various township
18 committeemen, precinct committeemen and ward committeemen, if
19 any, of such party in the county. In the organization and
20 proceedings of the county central committee, each precinct
21 committeeman shall have one vote for each ballot voted in his
22 precinct by the primary electors of his party at the primary
23 at which he was elected; each township committeeman shall
24 have one vote for each ballot voted in his township or part
25 of a township as the case may be by the primary electors of
26 his party at the primary election for the nomination of
27 candidates for election to the General Assembly immediately
28 preceding the meeting of the county central committee; and in
29 the organization and proceedings of the county central
30 committee, each ward committeeman shall have one vote for
31 each ballot voted in his ward by the primary electors of his
32 party at the primary election for the nomination of
33 candidates for election to the General Assembly immediately
34 preceding the meeting of the county central committee.

Congressional Committee

1
2 (e) The congressional committee of each party in each
3 congressional district shall be composed of the chairmen of
4 the county central committees of the counties composing the
5 congressional district, except that in congressional
6 districts wholly within the territorial limits of one county,
7 or partly within 2 or more counties, but not coterminous with
8 the county lines of all of such counties, the precinct
9 committeemen, township committeemen and ward committeemen, if
10 any, of the party representing the precincts within the
11 limits of the congressional district, shall compose the
12 congressional committee. A State central committeeman in each
13 district shall be a member and the chairman or, when a
14 district has 2 State central committeemen, a co-chairman of
15 the congressional committee, but shall not have the right to
16 vote except in case of a tie.

17 In the organization and proceedings of congressional
18 committees composed of precinct committeemen or township
19 committeemen or ward committeemen, or any combination
20 thereof, each precinct committeeman shall have one vote for
21 each ballot voted in his precinct by the primary electors of
22 his party at the primary at which he was elected, each
23 township committeeman shall have one vote for each ballot
24 voted in his township or part of a township as the case may
25 be by the primary electors of his party at the primary
26 election immediately preceding the meeting of the
27 congressional committee, and each ward committeeman shall
28 have one vote for each ballot voted in each precinct of his
29 ward located in such congressional district by the primary
30 electors of his party at the primary election immediately
31 preceding the meeting of the congressional committee; and in
32 the organization and proceedings of congressional committees
33 composed of the chairmen of the county central committees of
34 the counties within such district, each chairman of such

1 county central committee shall have one vote for each ballot
 2 voted in his county by the primary electors of his party at
 3 the primary election immediately preceding the meeting of the
 4 congressional committee.

5 Judicial District Committee

6 (f) The judicial district committee of each political
 7 party in each judicial district shall be composed of the
 8 chairman of the county central committees of the counties
 9 composing the judicial district.

10 In the organization and proceedings of judicial district
 11 committees composed of the chairmen of the county central
 12 committees of the counties within such district, each
 13 chairman of such county central committee shall have one vote
 14 for each ballot voted in his county by the primary electors
 15 of his party at the primary election immediately preceding
 16 the meeting of the judicial district committee.

17 Circuit Court Committee

18 (g) The circuit court committee of each political party
 19 in each judicial circuit outside Cook County shall be
 20 composed of the chairmen of the county central committees of
 21 the counties composing the judicial circuit.

22 In the organization and proceedings of circuit court
 23 committees, each chairman of a county central committee shall
 24 have one vote for each ballot voted in his county by the
 25 primary electors of his party at the primary election
 26 immediately preceding the meeting of the circuit court
 27 committee.

28 Judicial Subcircuit Committee

29 (g-1) The judicial subcircuit committee of each
 30 political party in each judicial subcircuit in a judicial
 31 circuit divided into subcircuits Cook--County shall be
 32 composed of (i) the ward and township committeemen of the
 33 townships and wards composing the judicial subcircuit in Cook
 34 County and (ii) the precinct committeemen of the precincts

1 composing the judicial subcircuit in any county other than
2 Cook County.

3 In the organization and proceedings of each judicial
4 subcircuit committee, each township committeeman shall have
5 one vote for each ballot voted in his township or part of a
6 township, as the case may be, in the judicial subcircuit by
7 the primary electors of his party at the primary election
8 immediately preceding the meeting of the judicial subcircuit
9 committee; and each ward committeeman shall have one vote for
10 each ballot voted in his ward or part of a ward, as the case
11 may be, in the judicial subcircuit by the primary electors of
12 his party at the primary election immediately preceding the
13 meeting of the judicial subcircuit committee.

14 Municipal Central Committee

15 (h) The municipal central committee of each political
16 party shall be composed of the precinct, township or ward
17 committeemen, as the case may be, of such party representing
18 the precincts or wards, embraced in such city, incorporated
19 town or village. The voting strength of each precinct,
20 township or ward committeeman on the municipal central
21 committee shall be the same as his voting strength on the
22 county central committee.

23 For political parties, other than a statewide political
24 party, established only within a municipality or township,
25 the municipal or township managing committee shall be
26 composed of the party officers of the local established
27 party. The party officers of a local established party shall
28 be as follows: the chairman and secretary of the caucus for
29 those municipalities and townships authorized by statute to
30 nominate candidates by caucus shall serve as party officers
31 for the purpose of filling vacancies in nomination under
32 Section 7-61; for municipalities and townships authorized by
33 statute or ordinance to nominate candidates by petition and
34 primary election, the party officers shall be the party's

1 candidates who are nominated at the primary. If no party
2 primary was held because of the provisions of Section 7-5,
3 vacancies in nomination shall be filled by the party's
4 remaining candidates who shall serve as the party's officers.

5 Powers

6 (i) Each committee and its officers shall have the
7 powers usually exercised by such committees and by the
8 officers thereof, not inconsistent with the provisions of
9 this Article. The several committees herein provided for
10 shall not have power to delegate any of their powers, or
11 functions to any other person, officer or committee, but this
12 shall not be construed to prevent a committee from appointing
13 from its own membership proper and necessary subcommittees.

14 (j) The State central committee of a political party
15 which elects its members by Alternative B under paragraph (a)
16 of this Section shall adopt a plan to give effect to the
17 delegate selection rules of the national political party and
18 file a copy of such plan with the State Board of Elections
19 when approved by a national political party.

20 (k) For the purpose of the designation of a proxy by a
21 Congressional Committee to vote in place of an absent State
22 central committeeman or committeewoman at meetings of the
23 State central committee of a political party which elects its
24 members by Alternative B under paragraph (a) of this Section,
25 the proxy shall be appointed by the vote of the ward and
26 township committeemen, if any, of the wards and townships
27 which lie entirely or partially within the Congressional
28 District from which the absent State central committeeman or
29 committeewoman was elected and the vote of the chairmen of
30 the county central committees of those counties which lie
31 entirely or partially within that Congressional District and
32 in which there are no ward or township committeemen. When
33 voting for such proxy the county chairman, ward committeeman
34 or township committeeman, as the case may be shall have one

1 vote for each ballot voted in his county, ward or township,
 2 or portion thereof within the Congressional District, by the
 3 primary electors of his party at the primary at which he was
 4 elected. However, the absent State central committeeman or
 5 committeewoman may designate a proxy when permitted by the
 6 rules of a political party which elects its members by
 7 Alternative B under paragraph (a) of this Section.

8 (Source: P.A. 90-627, eff. 7-10-98; 91-426, eff. 8-6-99.)

9 Section 10. The Circuit Courts Act is amended by adding
 10 Sections 2f-1, 2f-2, and 2f-3 as follows:

11 (705 ILCS 35/2f-1 new)

12 Sec. 2f-1. Twelfth circuit; subcircuits; additional
 13 resident judgeships.

14 (a) The twelfth circuit shall be divided into 5
 15 subcircuits. The subcircuits shall be compact, contiguous,
 16 and substantially equal in population. The General Assembly
 17 shall create the subcircuits by law on or before January 1,
 18 2005, using population data as determined by the 2000 federal
 19 census.

20 (b) The twelfth circuit shall have 3 additional resident
 21 judgeships for a total of 5 resident judgeships. The 3
 22 additional resident judgeships created by this amendatory Act
 23 of the 93rd General Assembly shall each be filled by election
 24 beginning at the general election first occurring after the
 25 corresponding reduction in associate judgeships in the
 26 twelfth circuit provided in Section 2 of the Associate Judges
 27 Act. The 3 additional resident judgeships created by this
 28 amendatory Act of the 93rd General Assembly shall not be
 29 filled by appointment before they are first filled by
 30 election.

31 (c) The Supreme Court shall allot (i) the additional 3
 32 resident judgeships created by this amendatory Act of the

1 93rd General Assembly as the corresponding number of
2 associate judgeships in the twelfth circuit is reduced as
3 provided in Section 2 of the Associate Judges Act, (ii) all
4 vacancies in resident judgeships existing on or occurring on
5 or after the effective date of this amendatory Act of the
6 93rd General Assembly and not filled at the 2004 general
7 election, with respect to the other resident judgeships of
8 the twelfth circuit, and (iii) the resident judgeships of the
9 twelfth circuit filled at the 2004 general election as those
10 judgeships thereafter become vacant, for election from the
11 various subcircuits until there is one resident judge to be
12 elected from each of the 5 subcircuits.

13 (d) As soon as possible after the subcircuits are
14 created by law, the Supreme Court shall determine by lot a
15 numerical order for the 5 subcircuits. That numerical order
16 shall be the basis for the order in which resident judgeships
17 are assigned to the subcircuits. Once a resident judgeship is
18 assigned to a subcircuit, it shall continue to be assigned to
19 that subcircuit for all purposes.

20 (e) A resident judge of a subcircuit must reside in the
21 subcircuit and must continue to reside in that subcircuit as
22 long as he or she holds that office.

23 (f) Vacancies in resident judgeships of the twelfth
24 circuit shall be filled in the manner provided in Article VI
25 of the Illinois Constitution.

26 (705 ILCS 35/2f-2 new)

27 Sec. 2f-2. Eighteenth circuit; subcircuits; additional
28 resident judgeships.

29 (a) The eighteenth circuit shall be divided into 9
30 subcircuits. The subcircuits shall be compact, contiguous,
31 and substantially equal in population. The General Assembly
32 shall create the subcircuits by law on or before January 1,
33 2005, using population data as determined by the 2000 federal

1 census.

2 (b) The eighteenth circuit shall have 7 additional
3 resident judgeships for a total of 9 resident judgeships.
4 The 7 additional resident judgeships created by this
5 amendatory Act of the 93rd General Assembly shall each be
6 filled by election beginning at the general election first
7 occurring after the corresponding reduction in associate
8 judgeships in the eighteenth circuit provided in Section 2 of
9 the Associate Judges Act. The 7 additional resident
10 judgeships created by this amendatory Act of the 93rd General
11 Assembly shall not be filled by appointment before they are
12 first filled by election.

13 (c) The Supreme Court shall allot (i) the additional 7
14 resident judgeships created by this amendatory Act of the
15 93rd General Assembly as the corresponding number of
16 associate judgeships in the eighteenth circuit is reduced as
17 provided in Section 2 of the Associate Judges Act, (ii) all
18 vacancies in resident judgeships existing on or occurring on
19 or after the effective date of this amendatory Act of the
20 93rd General Assembly and not filled at the 2004 general
21 election, with respect to the other resident judgeships of
22 the eighteenth circuit, and (iii) the resident judgeships of
23 the eighteenth circuit filled at the 2004 general election as
24 those judgeships thereafter become vacant, for election from
25 the various subcircuits until there is one resident judge to
26 be elected from each of 9 subcircuits.

27 (d) As soon as possible after the subcircuits are
28 created by law, the Supreme Court shall determine by lot a
29 numerical order for the 9 subcircuits. That numerical order
30 shall be the basis for the order in which resident judgeships
31 are assigned to the subcircuits. Once a resident judgeship is
32 assigned to a subcircuit, it shall continue to be assigned to
33 that subcircuit for all purposes.

34 (e) A resident judge of a subcircuit must reside in the

1 subcircuit and must continue to reside in that subcircuit as
2 long as he or she holds that office.

3 (f) Vacancies in resident judgeships of the eighteenth
4 circuit shall be filled in the manner provided in Article VI
5 of the Illinois Constitution.

6 (705 ILCS 35/2f-3 new)

7 Sec. 2f-3. Nineteenth circuit; subcircuits.

8 (a) The nineteenth circuit shall be divided into 9
9 subcircuits. The subcircuits shall be compact, contiguous,
10 and substantially equal in population. The General Assembly
11 shall create the subcircuits by law on or before January 1,
12 2005, using population data as determined by the 2000 federal
13 census.

14 (b) The nineteenth circuit shall have a total of 9
15 resident judgeships.

16 (c) The Supreme Court shall allot (i) all vacancies in
17 resident judgeships of the nineteenth circuit existing on or
18 occurring on or after the effective date of this amendatory
19 Act of the 93rd General Assembly and not filled at the 2004
20 general election and (ii) the resident judgeships of the
21 nineteenth circuit filled at the 2004 general election as
22 those judgeships thereafter become vacant, for election from
23 the various subcircuits until there is one resident judge to
24 be elected from each subcircuit.

25 (d) As soon as possible after the subcircuits are
26 created by law, the Supreme Court shall determine by lot a
27 numerical order for the 9 subcircuits. That numerical order
28 shall be the basis for the order in which resident judgeships
29 are assigned to the subcircuits. Once a resident judgeship is
30 assigned to a subcircuit, it shall continue to be assigned to
31 that subcircuit for all purposes.

32 (e) A resident judge of a subcircuit must reside in the
33 subcircuit and must continue to reside in that subcircuit as

1 long as he or she holds that office.

2 (f) Vacancies in resident judgeships of the nineteenth
3 circuit shall be filled in the manner provided in Article VI
4 of the Illinois Constitution.

5 Section 15. The Judicial Vacancies Act is amended by
6 changing Section 2 as follows:

7 (705 ILCS 40/2) (from Ch. 37, par. 72.42)

8 Sec. 2. (a) Except as provided in paragraphs (1), (2),
9 (3), and (4), and (5) of this subsection (a), vacancies in
10 the office of a resident circuit judge in any county or in
11 any unit or subcircuit of any circuit shall not be filled.

12 (1) If in any county of less than 45,000
13 inhabitants there remains in office no other resident
14 judge following the occurrence of a vacancy, such vacancy
15 shall be filled.

16 (2) If in any county of 45,000 or more but less
17 than 60,000 inhabitants there remains in office only one
18 resident judge following the occurrence of a vacancy,
19 such vacancy shall be filled.

20 (3) If in any county of 60,000 or more inhabitants,
21 other than the County of Cook or as provided in paragraph
22 (5), there remain in office no more than 2 resident
23 judges following the occurrence of a vacancy, such
24 vacancy shall be filled.

25 (4) The County of Cook shall have 165 resident
26 judges on and after the effective date of this amendatory
27 Act of 1990. Of those resident judgeships, (i) 56 shall
28 be those authorized before the effective date of this
29 amendatory Act of 1990 from the unit of the Circuit of
30 Cook County within Chicago, (ii) 27 shall be those
31 authorized before the effective date of this amendatory
32 Act of 1990 from the unit of the Circuit of Cook County

1 outside Chicago, (iii) 12 shall be additional resident
2 judgeships first elected at the general election in
3 November of 1992, (iv) 10 shall be additional resident
4 judgeships first elected at the general election in
5 November of 1994, and (v) 60 shall be additional resident
6 judgeships to be authorized one each for each reduction
7 upon vacancy in the office of associate judge in the
8 Circuit of Cook County as those vacancies exist or occur
9 on and after the effective date of this amendatory Act of
10 1990 and as those vacancies are determined under
11 subsection (b) of Section 2 of the Associate Judges Act
12 until the total resident judgeships authorized under this
13 item (v) is 60. Seven of the 12 additional resident
14 judgeships provided in item (iii) may be filled by
15 appointment by the Supreme Court during the period
16 beginning on the effective date of this amendatory Act of
17 1990 and ending 60 days before the primary election in
18 March of 1992; those judicial appointees shall serve
19 until the first Monday in December of 1992. Five of the
20 12 additional resident judgeships provided in item (iii)
21 may be filled by appointment by the Supreme Court during
22 the period beginning July 1, 1991 and ending 60 days
23 before the primary election in March of 1992; those
24 judicial appointees shall serve until the first Monday in
25 December of 1992. Five of the 10 additional resident
26 judgeships provided in item (iv) may be filled by
27 appointment by the Supreme Court during the period
28 beginning July 1, 1992 and ending 60 days before the
29 primary election in March of 1994; those judicial
30 appointees shall serve until the first Monday in December
31 of 1994. The remaining 5 of the 10 additional resident
32 judgeships provided in item (iv) may be filled by
33 appointment by the Supreme Court during the period
34 beginning July 1, 1993 and ending 60 days before the

1 primary election in March of 1994; those judicial
2 appointees shall serve until the first Monday in December
3 1994. The additional resident judgeships created upon
4 vacancy in the office of associate judge provided in item
5 (v) may be filled by appointment by the Supreme Court
6 beginning on the effective date of this amendatory Act of
7 1990; but no additional resident judgeships created upon
8 vacancy in the office of associate judge provided in item
9 (v) shall be filled during the 59 day period before the
10 next primary election to nominate judges. The Circuit of
11 Cook County shall be divided into units to be known as
12 subcircuits as provided in Section 2f of the Circuit
13 Courts Act. A vacancy in the office of resident judge of
14 the Circuit of Cook County existing on or occurring on or
15 after the effective date of this amendatory Act of 1990,
16 but before the date the subcircuits are created by law,
17 shall be filled by appointment by the Supreme Court from
18 the unit within Chicago or the unit outside Chicago, as
19 the case may be, in which the vacancy occurs and filled
20 by election from the subcircuit to which it is allotted
21 under Section 2f of the Circuit Courts Act. A vacancy in
22 the office of resident judge of the Circuit of Cook
23 County existing on or occurring on or after the date the
24 subcircuits are created by law shall be filled by
25 appointment by the Supreme Court and by election from the
26 subcircuit to which it is allotted under Section 2f of
27 the Circuit Courts Act.

28 (5) Resident judges in the twelfth, eighteenth, and
29 nineteenth judicial circuits are as provided in Sections
30 2f-1, 2f-2, and 2f-3 of the Circuit Courts Act.

31 (b) Nothing in paragraphs (2) or (3) of subsection (a)
32 of this Section shall be construed to require or permit in
33 any county a greater number of resident judges than there
34 were resident associate judges on January 1, 1967.

1 (c) Vacancies authorized to be filled by this Section 2
2 shall be filled in the manner provided in Article VI of the
3 Constitution.

4 (d) A person appointed to fill a vacancy in the office
5 of circuit judge shall be, at the time of appointment, a
6 resident of the subcircuit from which the person whose
7 vacancy is being filled was elected if the vacancy occurred
8 in a circuit divided into subcircuits Cook--County. If a
9 vacancy in the office of circuit judge occurred in a circuit
10 not divided into subcircuits other-than-Cook-County, a person
11 appointed to fill the vacancy shall be, at the time of
12 appointment, a resident of the circuit from which the person
13 whose vacancy is being filled was elected. Except as
14 provided in Sections 2f-1, 2f-2, and 2f-3 of the Circuit
15 Courts Act, if a vacancy occurred in the office of a resident
16 circuit judge, a person appointed to fill the vacancy shall
17 be, at the time of appointment, a resident of the county from
18 which the person whose vacancy is being filled was elected.
19 (Source: P.A. 90-342, eff. 8-8-97.)

20 Section 20. The Associate Judges Act is amended by
21 changing Section 2 as follows:

22 (705 ILCS 45/2) (from Ch. 37, par. 160.2)

23 Sec. 2. (a) The maximum number of associate judges
24 authorized for each circuit is the greater of the applicable
25 minimum number specified in this Section or one for each
26 35,000 or fraction thereof in population as determined by the
27 last preceding Federal census, except for circuits with a
28 population of more than 3,000,000 where the maximum number of
29 associate judges is one for each 29,000 or fraction thereof
30 in population as determined by the last preceding federal
31 census, reduced in circuits of less than 200,000 inhabitants
32 by the number of resident circuit judges elected in the

1 circuit in excess of one per county. In addition, in
2 circuits of 1,000,000 or more inhabitants, there shall be one
3 additional associate judge authorized for each municipal
4 district of the circuit court. The number of associate judges
5 to be appointed in each circuit, not to exceed the maximum
6 authorized, shall be determined from time to time by the
7 Circuit Court. The minimum number of associate judges
8 authorized for any circuit consisting of a single county
9 shall be 14. The minimum number of associate judges
10 authorized for any circuit consisting of 2 counties with a
11 combined population of at least 275,000 but less than 300,000
12 shall be 10. The minimum number of associate judges
13 authorized for any circuit with a population of at least
14 303,000 but not more than 309,000 shall be 10. The minimum
15 number of associate judges authorized for any circuit with a
16 population of at least 329,000, but not more than 335,000
17 shall be 11. The minimum number of associate judges
18 authorized for any circuit with a population of at least
19 173,000 shall be 5. As used in this Section, the term
20 "resident circuit judge" has the meaning given it in the
21 Judicial Vacancies Act.

22 (b) The maximum number of associate judges authorized
23 under subsection (a) for a circuit with a population of more
24 than 3,000,000 shall be reduced as provided in this
25 subsection (b). For each vacancy that exists on or occurs on
26 or after the effective date of this amendatory Act of 1990,
27 that maximum number shall be reduced by one until the total
28 number of associate judges authorized under subsection (a) is
29 reduced by 60. A vacancy exists or occurs when an associate
30 judge dies, resigns, retires, is removed, or is not
31 reappointed upon expiration of his or her term; a vacancy
32 does not exist or occur at the expiration of a term if the
33 associate judge is reappointed.

34 (c) The maximum number of associate judges authorized

1 under subsection (a) for the twelfth circuit shall be reduced
2 as provided in this subsection (c). For each vacancy that
3 exists on or occurs on or after the effective date of this
4 amendatory Act of the 93rd General Assembly, the maximum
5 number shall be reduced by one until the total number of
6 associate judges authorized under subsection (a) is reduced
7 by 3. A vacancy exists or occurs when an associate judge
8 dies, resigns, retires, is removed, or is not reappointed
9 upon expiration of his or her term; a vacancy does not exist
10 or occur at the expiration of a term if the associate judge
11 is reappointed.

12 (d) The maximum number of associate judges authorized
13 under subsection (a) for the eighteenth circuit shall be
14 reduced as provided in this subsection (d). For each vacancy
15 that exists on or occurs on or after the effective date of
16 this amendatory Act of the 93rd General Assembly, that
17 maximum number shall be reduced by one until the total number
18 of associate judges authorized under subsection (a) is
19 reduced by 7. A vacancy exists or occurs when an associate
20 judge dies, resigns, retires, is removed, or is not
21 reappointed upon expiration of his or her term; a vacancy
22 does not exist or occur at the expiration of a term if the
23 associate judge is reappointed.

24 (Source: P.A. 92-17, eff. 6-28-01.)"