

1 AN ACT concerning clerks of courts.

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
5 Sections 25-10 and 25-11 as follows:

6 (10 ILCS 5/25-10) (from Ch. 46, par. 25-10)

7 Sec. 25-10. This Section applies only to counties of
8 3,000,000 or more population. When a vacancy occurs in the
9 office of Clerk of the Circuit Court of any of the counties
10 in this State, it shall be the duty of the Circuit Judges of
11 the respective judicial circuit in which such vacancy may
12 occur, to make an appointment to fill the vacancy for the
13 remainder of the unexpired term. However, if more than 28
14 months remain in the term, the appointment shall be until the
15 next general election, at which time a clerk of the circuit
16 court shall be elected for the balance of the unexpired term.
17 The appointee shall be a member of the same political party
18 as the person he or she succeeds was at the time of his or
19 her election and shall be otherwise eligible to serve as
20 Clerk of the Circuit Court. The Circuit Judges may appoint a
21 Clerk Pro Tempore for whatever period is necessary while
22 reviewing the qualifications of candidates for appointment to
23 the office.

24 (Source: P.A. 90-672, eff. 7-31-98.)

25 (10 ILCS 5/25-11) (from Ch. 46, par. 25-11)

26 Sec. 25-11. When a vacancy occurs in any elective county
27 office, or in a county of less than 3,000,000 population in
28 the office of clerk of the circuit court, in a county which
29 is not a home rule unit, the county board shall declare that
30 such vacancy exists and notification thereof shall be given

1 to the county central committee or the appropriate county
2 board district committee of each established political party
3 within 3 days of the occurrence of the vacancy. The vacancy
4 shall be filled within 60 days by appointment of the chairman
5 of the county board with the advice and consent of the county
6 board. The appointee shall be a member of the same political
7 party as the person he or she succeeds was at the time of his
8 election and shall be otherwise eligible to serve. The
9 appointee shall serve the remainder of the unexpired term.
10 However, if more than 28 months remain in the term, the
11 appointment shall be until the next general election at which
12 time the vacated office shall be filled by election for the
13 remainder of the term. In the case of a vacancy in a seat on
14 a county board which has been divided into districts under
15 "An Act relating to the composition of an election of county
16 boards in certain counties", approved October 2, 1969, as
17 amended, the appointee must also be a resident of the county
18 board district.

19 Except as otherwise provided by county ordinance or by
20 law, in any county which is a home rule unit, vacancies in
21 elective county offices, other than the office of chief
22 executive officer, and vacancies in the office of clerk of
23 the circuit court in a county of less than 3,000,000
24 population, shall be filled by the county board.

25 (Source: P.A. 90-672, eff. 7-31-98.)

26 Section 99. Effective date. This Act takes effect upon
27 becoming law.