



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

SB3808

Introduced 2/14/2020, by Sen. Robert F. Martwick

SYNOPSIS AS INTRODUCED:

110 ILCS 805/7-1	from Ch. 122, par. 107-1
110 ILCS 805/7-2	from Ch. 122, par. 107-2
110 ILCS 805/7-2.1 new	
110 ILCS 805/7-2.2 new	
110 ILCS 805/7-2.3 new	
110 ILCS 805/7-3	from Ch. 122, par. 107-3

Amends the Public Community College Act. Provides for a new board of trustees of the City Colleges of Chicago beginning with the 2023 consolidated election. Sets forth provisions concerning nominating petitions and ballots. Provides that the City of Chicago shall be subdivided into 20 trustee districts by the General Assembly for seats on the board of trustees, in addition to one at-large trustee. Provides that the City of Chicago trustee districts must be drawn on or before May 31, 2022. Provides that in the year following each decennial census, the General Assembly shall redistrict the trustee districts to reflect the results of each decennial census. Makes other changes. Effective immediately.

LRB101 19606 CMG 69084 b

FISCAL NOTE ACT
MAY APPLY

STATE MANDATES
ACT MAY REQUIRE
REIMBURSEMENT

A BILL FOR

1 AN ACT concerning higher education.

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

4 Section 5. The Public Community College Act is amended by
5 changing Sections 7-1, 7-2, and 7-3 and by adding Sections
6 7-2.1, 7-2.2, and 7-2.3 as follows:

7 (110 ILCS 805/7-1) (from Ch. 122, par. 107-1)

8 Sec. 7-1. This Article applies only to community college
9 districts in cities having a population of 500,000 or more
10 inhabitants. Each such community college district shall
11 maintain a system of community colleges under the charge of a
12 board, ~~which is appointed~~ as provided in Section 7-2. Except as
13 otherwise provided in this Article, such a community college
14 district and its board have all the rights, duties, powers and
15 responsibilities and are subject to the same limitations as are
16 provided for other community college districts in this Act, as
17 now or hereafter amended.

18 (Source: P.A. 78-669.)

19 (110 ILCS 805/7-2) (from Ch. 122, par. 107-2)

20 Sec. 7-2. (a) This subsection (a) applies until May 9,
21 2023. The board shall consist of 7 members, appointed by the
22 mayor with the approval of the city council. Prior to the

1 expiration of the term of any member his successor shall be
2 appointed in like manner and shall hold office for a term of 3
3 years from July 1 of the year in which he is appointed and
4 until his successor is appointed and qualified. Any vacancy in
5 the membership of the board shall be filled through appointment
6 by the mayor, with the approval of the city council, for the
7 unexpired term. If any appointee fails to qualify within 30
8 days after his appointment, the office shall be filled by a new
9 appointment for the unexpired term. To be eligible for
10 appointment to a board under this Section, a person must
11 possess the same qualifications and meet the same requirements
12 as are prescribed by this Act for members of an elected board
13 of a community college district.

14 (b) Notwithstanding the provisions of Section 3-7 of this
15 Act, the terms of all members of the board appointed under
16 subsection (a) are abolished when the new board, consisting of
17 21 members, is elected by the electors of the community college
18 district as provided in this subsection (b) and takes office.

19 Beginning with the 2023 consolidated election, each member
20 shall be elected for a term of 4 years and until the member's
21 successor is elected and has qualified. After the 2023
22 consolidated election, each member shall be elected for a term
23 of 4 years, commencing on the second Tuesday in May of the year
24 in which the member is elected, and until the member's
25 successor is elected and has qualified. For purposes of
26 elections conducted pursuant to this subsection (b), the City

1 of Chicago shall be subdivided into 20 trustee districts by the
2 General Assembly for seats on the board, as provided under
3 Section 7-2.3 of this Act. Each district shall be represented
4 by a member, and one member shall be elected at large and serve
5 as the president of the board. To be eligible for election or
6 appointment to a board under this Section, a person must
7 possess the same qualifications and meet the same requirements
8 as are prescribed by this Act for members of an elected board
9 of a community college district. A person is ineligible for
10 election or appointment to a board under this Section if that
11 person is an employee of a community college district within
12 the city.

13 (c) No member shall have or be an employee or owner of a
14 company that has a contract with a community college within the
15 city. No former officer, member, or employee of the board
16 shall, within a period of one year immediately after
17 termination of service on the board, knowingly accept
18 employment or receive compensation or fees for services from a
19 person or entity if the officer, member, or employee, during
20 the year immediately preceding termination of service on the
21 board, participated personally and substantially in the award
22 of contracts with the board, community college district, or
23 community colleges within the city, or the issuance of contract
24 change orders with the board or the community college district,
25 or community college within the city, with a cumulative value
26 of \$25,000 or more to the person, the entity, or the entity's

1 parent or subsidiary.

2 (d) Whenever a vacancy occurs, the remaining members shall
3 fill the vacancy, and the person so appointed shall serve until
4 a successor is elected at the next regular election for board
5 members and is certified in accordance with Sections 22-17 and
6 22-18 of the Election Code. If the remaining members fail to
7 fill the vacancy within 60 days after the vacancy occurs, the
8 chairman of the State Board shall fill that vacancy, and the
9 person so appointed shall serve until a successor is elected at
10 the next regular election for board members and is certified in
11 accordance with Sections 22-17 and 22-18 of the Election Code.
12 The person appointed to fill a vacancy shall have the same
13 residential qualifications as his or her predecessor in office
14 was required to have. However, in either instance, if the
15 vacancy occurs with more than 28 months remaining until the
16 term expires, the appointed member shall serve only until a
17 successor is elected and qualified at the next scheduled
18 election.

19 (Source: P.A. 78-669.)

20 (110 ILCS 805/7-2.1 new)

21 Sec. 7-2.1. Nomination petitions. Notwithstanding Section
22 3-7.10 of this Act, in addition to the requirements of the
23 general election law, the form of petitions under this Section
24 shall be substantially as follows:

25 NOMINATING PETITIONS

1 (LEAVE OUT THE INAPPLICABLE PART.)

2 To the Board of Election Commissioners for the City of
3 Chicago:

4 We the undersigned, being (.... or more) of the voters
5 residing within said district, hereby petition that who
6 resides at in the City of Chicago shall be a candidate for
7 the office of of the Board of Trustees of the City
8 Colleges of Chicago, Illinois Community College District No.
9 508, (full term) (vacancy) to be voted for at the election to
10 be held on (insert date).

11 Name: Address:

12 In the designation of the name of a candidate on a petition
13 for nomination, the candidate's given name or names, initial or
14 initials, a nickname by which the candidate is commonly known,
15 or a combination thereof may be used in addition to the
16 candidate's surname. If a candidate has changed his or her
17 name, whether by a statutory or common law procedure in
18 Illinois or any other jurisdiction, within 3 years before the
19 last day for filing the petition, then (i) the candidate's name
20 on the petition must be followed by "formerly known as (list
21 all prior names during the 3-year period) until name changed on
22 (list date of each such name change)" and (ii) the petition
23 must be accompanied by the candidate's affidavit stating the
24 candidate's previous names during the period specified in
25 clause (i) and the date or dates each of those names was
26 changed; failure to meet these requirements shall be grounds

1 for denying certification of the candidate's name for the
2 ballot, but these requirements do not apply to name changes
3 resulting from adoption to assume an adoptive parent's or
4 parents' surname, marriage to assume a spouse's surname, or
5 dissolution of marriage or declaration of invalidity of
6 marriage to assume a former surname. No other designation, such
7 as a political slogan, as defined by Section 7-17 of the
8 Election Code, title or degree, or nickname suggesting or
9 implying possession of a title, degree or professional status,
10 or similar information may be used in connection with the
11 candidate's surname.

12 All petitions for the nomination of members of the board
13 shall be filed with the board of election commissioners of the
14 jurisdiction in which the principal office of the community
15 college district is located within the time provided for by the
16 general election law. The board of election commissioners shall
17 receive and file only those petitions that include a statement
18 of candidacy, the required number of voter signatures, the
19 notarized signature of the petition circulator, and a receipt
20 from the County Clerk showing that the candidate has filed a
21 statement of economic interest on or before the last day to
22 file as required by the Illinois Governmental Ethics Act. The
23 board of election commissioners may have petition forms
24 available for issuance to potential candidates and may give
25 notice of the petition filing period by publication in a
26 newspaper of general circulation within the community college

1 district not less than 10 days prior to the first day of
2 filing. The board of election commissioners shall make
3 certification to the proper election authorities in accordance
4 with the general election law.

5 The board of election commissioners of the jurisdiction in
6 which the principal office of the community college district is
7 located shall notify the candidates for whom a petition for
8 nomination is filed or the appropriate committee of the
9 obligations under the Campaign Financing Act as provided in the
10 general election law. Such notice shall be given on a form
11 prescribed by the State Board of Elections and in accordance
12 with the requirements of the general election law. The board of
13 election commissioners shall within 7 days of filing or on the
14 last day for filing, whichever is earlier, acknowledge to the
15 petitioner in writing the office's acceptance of the petition.

16 A candidate for membership on the board who has petitioned
17 for nomination to fill a full term and to fill a vacant term to
18 be voted upon at the same election must withdraw his or her
19 petition for nomination from either the full term or the vacant
20 term by written declaration.

21 Nomination petitions are not valid unless the candidate
22 named therein files with the board of election commissioners a
23 receipt from the county clerk showing that the candidate has
24 filed a statement of economic interests as required by the
25 Illinois Governmental Ethics Act. Such receipt shall be so
26 filed either previously during the calendar year in which his

1 or her nomination papers were filed or within the period for
2 the filing of nomination papers in accordance with the general
3 election law.

4 (110 ILCS 805/7-2.2 new)

5 Sec. 7-2.2. Ballots. The board of election commissioners of
6 the jurisdiction in which the principal office of the community
7 college district is located shall conduct a lottery to
8 determine the ballot order of candidates for full terms in the
9 event of any simultaneous petition filings. Such candidate
10 lottery shall be conducted as follows:

11 All petitions filed by persons waiting in line as of 8:00
12 a.m. on the first day for filing, or as of the normal opening
13 hour of the office involved on such day, shall be deemed
14 simultaneously filed as of 8:00 a.m. or the normal opening
15 hour, as the case may be. Petitions filed by mail and received
16 after midnight of the first day for filing and in the first
17 mail delivery or pickup of that day shall be deemed
18 simultaneously filed as of 8:00 a.m. of that day or as of the
19 normal opening hour of such day, as the case may be. All
20 petitions received thereafter shall be deemed filed in the
21 order of actual receipt. However, 2 or more petitions filed
22 within the last hour of the filing deadline shall be deemed
23 filed simultaneously.

24 Where 2 or more petitions are received simultaneously for
25 the same office as of 8:00 a.m. on the first day for petition

1 filing or as of the normal opening hour of the office of the
2 board of election commissioners with whom such petitions are
3 filed, the board of election commissioners shall break ties and
4 determine the order of filing by means of a lottery or other
5 fair and impartial method of random selection. Such lottery
6 shall be conducted within 9 days following the last day for
7 petition filing and shall be open to the public. Seven days
8 written notice of the time and place of conducting such random
9 selection shall be given by the board of election commissioners
10 to all candidates who filed their petitions simultaneously and
11 to each organization of citizens within the election
12 jurisdiction that was entitled, under the general election law,
13 at the next preceding election, to have poll watchers present
14 on the day of election. The board of election commissioners
15 shall post in a conspicuous, open, and public place, at the
16 entrance of his or her office, notice of the time and place of
17 such lottery.

18 All candidates shall be certified in the order in which
19 their petitions have been filed and in the manner prescribed by
20 Section 10-15 of the Election Code. Where candidates have filed
21 simultaneously, they shall be certified in the order prescribed
22 by this Section and prior to candidates who filed for the same
23 office at a later time.

24 Where elections are conducted for unexpired terms, a second
25 lottery to determine ballot order shall be conducted for
26 candidates who simultaneously file petitions for such

1 unexpired terms. Such lottery shall be conducted in the same
2 manner as prescribed by this Section for full term candidates.

3 Ballots for the election of board members shall be in the
4 following form:

5 (BALLOT FORMAT

6 Ballot position for candidates shall be determined by the
7 order of petition filing or lottery held pursuant to this
8 Section.

9 The community college district is divided into 20 trustee
10 districts, each of which elects one member to the board and
11 votes on one member to serve at-large.)

12 OFFICIAL BALLOT

13 DISTRICT (1 through 20)

14 FOR MEMBERS OF THE BOARD OF TRUSTEES OF THE CITY COLLEGES OF

15 CHICAGO TO SERVE

16 A FULL 4-YEAR TERM

17 VOTE FOR ONE

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21 OFFICIAL BALLOT

22 AT LARGE

23 FOR MEMBERS OF THE BOARD OF TRUSTEES OF THE CITY COLLEGES OF

24 CHICAGO TO SERVE

25 A FULL 4-YEAR TERM

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VOTE FOR ONE

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REVERSE SIDE:

OFFICIAL BALLOT

DISTRICT (1 through 20)

(Precinct name or number)

Community College District No., County,

Illinois

Election Tuesday (insert date)

(facsimile signature of Election Authority)

(County)

(110 ILCS 805/7-2.3 new)

Sec. 7-2.3. Creation of trustee districts; reapportionment of districts.

(a) For purposes of elections conducted pursuant to subsection (b) of Section 7-2 of this Act, the City of Chicago shall be subdivided into 20 trustee districts after the effective date of this amendatory Act of the 101st General Assembly by the General Assembly for seats on the board. The trustee districts must be drawn on or before May 31, 2022. Each trustee district must be compact, contiguous, and substantially equal in population.

(b) In the year following each decennial census, the

1 General Assembly shall redistrict the trustee districts to
2 reflect the results of the decennial census consistent with the
3 requirements in subsection (a). The reapportionment plan shall
4 be completed and formally approved by the General Assembly not
5 less than 90 days before the last date established by law for
6 the filing of nominating petitions for the second board
7 election after the decennial census year. If by reapportionment
8 a board member no longer resides within the trustee district
9 from which the member was elected, the member shall continue to
10 serve in office until the expiration of the member's regular
11 term. All new members shall be elected from the trustee
12 districts as reapportioned.

13 (110 ILCS 805/7-3) (from Ch. 122, par. 107-3)

14 Sec. 7-3. The organization of the board and election of
15 officers for the a board ~~appointed under Section 7-2~~ shall be
16 conducted in accordance with the general election law and this
17 Act.

18 (Source: P.A. 81-1489.)

19 Section 99. Effective date. This Act takes effect upon
20 becoming law.