



## 102ND GENERAL ASSEMBLY

### State of Illinois

2021 and 2022

HB0256

Introduced 1/29/2021, by Rep. Kambium Buckner

#### 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 the election (rather than appointment) of the board of trustees of the City Colleges of Chicago beginning with the 2023 consolidated election. 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. Makes related changes. Effective immediately.

LRB102 02588 CMG 12591 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  
13 as otherwise provided in this Article, such a community  
14 college district and its board have all the rights, duties,  
15 powers and responsibilities and are subject to the same  
16 limitations as are provided for other community college  
17 districts in this Act, as 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  
6 appointment by the mayor, with the approval of the city  
7 council, for the unexpired term. If any appointee fails to  
8 qualify within 30 days after his appointment, the office shall  
9 be filled by a new appointment for the unexpired term. To be  
10 eligible for appointment to a board under this Section, a  
11 person must possess the same qualifications and meet the same  
12 requirements as are prescribed by this Act for members of an  
13 elected board 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  
18 college district as provided in this subsection (b) and takes  
19 office.

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

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

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

1 cumulative value of \$25,000 or more to the person, the entity,  
2 or the entity's parent or subsidiary.

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

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

21 (110 ILCS 805/7-2.1 new)

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

NOMINATING PETITIONS

(LEAVE OUT THE INAPPLICABLE PART.)

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

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

Name: ..... Address: .....

In the designation of the name of a candidate on a petition for nomination, the candidate's given name or names, initial or initials, a nickname by which the candidate is commonly known, or a combination thereof may be used in addition to the candidate's surname. If a candidate has changed his or her name, whether by a statutory or common law procedure in Illinois or any other jurisdiction, within 3 years before the last day for filing the petition, then (i) the candidate's name on the petition must be followed by "formerly known as (list all prior names during the 3-year period) until name changed on (list date of each such name change)" and (ii) the petition must be accompanied by the candidate's affidavit stating the candidate's previous names during the period specified in clause (i) and the date or dates each of those

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

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

1 by publication in a newspaper of general circulation within  
2 the community college district not less than 10 days prior to  
3 the first day of filing. The board of election commissioners  
4 shall make certification to the proper election authorities in  
5 accordance with the general election law.

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

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

23 Nomination petitions are not valid unless the candidate  
24 named therein files with the board of election commissioners a  
25 receipt from the county clerk showing that the candidate has  
26 filed a statement of economic interests as required by the



1 Illinois Governmental Ethics Act. Such receipt shall be so  
2 filed either previously during the calendar year in which his  
3 or her nomination papers were filed or within the period for  
4 the filing of nomination papers in accordance with the general  
5 election law.

6 (110 ILCS 805/7-2.2 new)

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

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

1       Where 2 or more petitions are received simultaneously for  
2 the same office as of 8:00 a.m. on the first day for petition  
3 filing or as of the normal opening hour of the office of the  
4 board of election commissioners with whom such petitions are  
5 filed, the board of election commissioners shall break ties  
6 and determine the order of filing by means of a lottery or  
7 other fair and impartial method of random selection. Such  
8 lottery shall be conducted within 9 days following the last  
9 day for petition filing and shall be open to the public. Seven  
10 days written notice of the time and place of conducting such  
11 random selection shall be given by the board of election  
12 commissioners to all candidates who filed their petitions  
13 simultaneously and to each organization of citizens within the  
14 election jurisdiction that was entitled, under the general  
15 election law, at the next preceding election, to have poll  
16 watchers present on the day of election. The board of election  
17 commissioners shall post in a conspicuous, open, and public  
18 place, at the entrance of his or her office, notice of the time  
19 and place of such lottery.

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

26       Where elections are conducted for unexpired terms, a

1 second lottery to determine ballot order shall be conducted  
2 for candidates who simultaneously file petitions for such  
3 unexpired terms. Such lottery shall be conducted in the same  
4 manner as prescribed by this Section for full term candidates.

5 Ballots for the election of board members shall be in the  
6 following form:

7 (BALLOT FORMAT

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

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

14 OFFICIAL BALLOT

15 DISTRICT ..... (1 through 20)

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

17 CHICAGO TO SERVE

18 A FULL 4-YEAR TERM

19 VOTE FOR ONE

20 ( ) .....

21 ( ) .....

22 ( ) .....

23 OFFICIAL BALLOT

24 AT LARGE

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

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CHICAGO TO SERVE

A FULL 4-YEAR TERM

VOTE FOR ONE

( ) .....  
( ) .....  
( ) .....

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

1 substantially equal in population.

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

15 (110 ILCS 805/7-3) (from Ch. 122, par. 107-3)

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

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

21 Section 99. Effective date. This Act takes effect upon  
22 becoming law.