



## 102ND GENERAL ASSEMBLY

### State of Illinois

2021 and 2022

**HB5699**

Introduced 2/18/2022, by Rep. Martin McLaughlin

#### SYNOPSIS AS INTRODUCED:

New Act

Creates the School Board Member Recall Act. Establishes procedures under which school board members that were elected during a consolidated election may be recalled. Provides for petition requirements for recall elections. Provides for requirements for recall ballots, including requirements for replacement candidates wishing to be listed on the recall ballot.

LRB102 26172 NLB 35781 b

1 AN ACT concerning elections.

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

4 Section 1. Short title. This Act may be cited as the School  
5 Board Member Recall Act.

6 Section 5. School board member recall elections.

7 (a) Notwithstanding any other provision of law to the  
8 contrary, school board members that were elected during a  
9 consolidated election may be recalled under this Act.

10 (b) In order to recall a school board member under this  
11 Act, the organizer of the petitions of the recall must reside  
12 within the jurisdiction that the school board member  
13 represents and file with the local election authority  
14 petitions meeting the following signature requirements of  
15 voters registered in that jurisdiction supporting the recall:

16 (i) signatures representing 25% of the votes cast in that  
17 jurisdiction in the last election for Governor or (ii) 10,000  
18 signatures of residents of the jurisdiction, whichever is  
19 less.

20 Before circulating petitions for a recall election, the  
21 petitioner must file an intent to recall with the appropriate  
22 local election authority. Such filing shall contain the name  
23 of the petitioner requesting the recall, the school board

1 member to be recalled, and the reason for the recall.  
2 Circulation of petitions may only begin after the filing of  
3 the intent to recall. The recall petitions shall follow the  
4 same general format as petitions for running for office, but  
5 shall include the words "RECALL PETITION" on the top of each  
6 form, with the reason for the recall also printed on the form.

7 An intent to recall may be filed any time after a school  
8 board member has been in office for more than one year. Recall  
9 petitions may be circulated only from 120 to 180 days before a  
10 consolidated election and after the intent to recall has been  
11 filed. Petitions may be filed anytime from 120 to 180 days  
12 before a consolidated election.

13 (c) All recall elections under this Act shall be conducted  
14 during consolidated elections. The ballot question on the  
15 recall shall read as follows:

16 Shall (name of school board member) be recalled from  
17 (his or her) position as (title of position)? (YES/NO)

18 If (name of school board member) is recalled, whom do  
19 you vote for to replace (him or her)?

20 (Name of school board member).

21 (Name of candidate).

22 (Name of candidate).

23 (d) Replacement candidates wishing to be listed on the  
24 recall ballot shall be certified under the same procedures as  
25 if they were running for the school board in a standard  
26 consolidated election, except that the petition circulation

1 and filing of petitions shall be only from the time the intent  
2 to recall is filed to 90 days before the election. Candidates  
3 running to replace the recalled school board member shall  
4 state clearly on their petitions which school board member the  
5 candidates are seeking to replace.

6 (e) There shall be no primary or runoff election after a  
7 recall election. The person with the most votes in the recall  
8 election shall replace the school board member that was  
9 recalled.

10 (f) The procedure to be certified to run in the recall  
11 election shall be the same as being nominated and certified in  
12 the standard consolidated election for the office to be  
13 filled. Challenges to recall petitions shall follow the same  
14 procedures as challenges to petitions under the Election Code.

15 (g) If multiple school board members from the same school  
16 district are being recalled, each recall question must be  
17 asked separately. All candidates running as replacements for  
18 that office and the current school board members shall be on  
19 the ballot beneath the recall question.