

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 5. The Election Code is amended by changing
5 Sections 2A-1.1, 2A-1.2, 2A-26, 2A-28, 7-4, 7-8, 7-10, 7-10.2,
6 7-12, 7-13, 7-14, 7-16, 7-17, 7-43, 7-59, 7-60, 7-61, 8-5,
7 8-8, 8-8.1, 8-10, 8-17, 9-8.10, 9-13, 10-3, 10-4, 10-5.1,
8 10-6, 10-7, 10-8, 10-14, 16-3, 16-5.01, 17-13, 17-16.1,
9 18-9.1, 19-2, 19-3, 19A-15, 19A-20, 23-6.1, 25-6, and 29-15
10 and by adding Sections 1-18, 1A-60, 1A-65, 2A-1.1b, 2A-1.1c,
11 11-8, 17-13.5, 19-2.4, and 19-2.5 as follows:

12 (10 ILCS 5/1-18 new)

13 Sec. 1-18. Cybersecurity.

14 (a) Each election authority maintaining a website shall
15 begin utilizing a ".gov" website address and a ".gov"
16 electronic mail address for each employee within one year of
17 the effective date of this amendatory Act of the 102nd General
18 Assembly. The integrity of election authorities' websites and
19 electronic mail addresses shall be protected using electronic
20 mail security products provided by the Illinois Department of
21 Innovation and Technology or a third-party vendor.

22 (b) Each election authority shall perform an
23 organizational risk assessment through the Cyber Navigator

1 Program on a biennial basis.

2 (c) Each election authority shall begin performing monthly
3 vulnerability scans to defend against cyber breaches within 6
4 months after the effective date of this amendatory Act of the
5 102nd General Assembly.

6 (d) Each election authority shall begin using endpoint
7 detection and response security tools on all computers
8 utilized by employees within one year of the effective date of
9 this amendatory Act of the 102nd General Assembly.

10 (10 ILCS 5/1A-60 new)

11 Sec. 1A-60. High school voter registration.

12 (a) The State Board of Elections shall prepare a one page
13 document explaining the process to register to vote to be
14 disseminated to high school age students. Every high school
15 must provide students with that document, which may be
16 disseminated electronically.

17 (b) No high school may prohibit nonpartisan voter
18 registration activities on its premises. A high school may
19 adopt reasonable regulations restricting nonpartisan voter
20 registration activities.

21 (10 ILCS 5/1A-65 new)

22 Sec. 1A-65. Election authority guidance. 90 days before
23 any election, the State Board of Elections shall provide
24 written guidance to election authorities on: (1) ballot

1 tracking procedures and the proper terminology to be used as
2 part of those procedures; and (2) summarizing requirements for
3 voting, curbside voting, early voting, and vote by mail.

4 (10 ILCS 5/2A-1.1) (from Ch. 46, par. 2A-1.1)

5 Sec. 2A-1.1. All Elections - Consolidated Schedule.

6 (a) Except as otherwise provided in this Code, in ~~in~~
7 even-numbered years, the general election shall be held on the
8 first Tuesday after the first Monday of November; and an
9 election to be known as the general primary election shall be
10 held on the third Tuesday in March;

11 (b) In odd-numbered years, an election to be known as the
12 consolidated election shall be held on the first Tuesday in
13 April except as provided in Section 2A-1.1a of this Act; and an
14 election to be known as the consolidated primary election
15 shall be held on the last Tuesday in February.

16 (Source: P.A. 95-6, eff. 6-20-07; 96-886, eff. 1-1-11.)

17 (10 ILCS 5/2A-1.1bnew)

18 Sec. 2A-1.1b. 2022 general primary election and general
19 election dates.

20 (a) In addition to the provisions of this Code and
21 notwithstanding any other law to the contrary, the provisions
22 in this Section shall govern the dates for the conduct of the
23 2022 general primary election and for preparing for the 2022
24 general election. The provisions of this Code shall control

1 any aspect of the administration or conduct of the 2022
2 general primary election and 2022 general election that is not
3 provided for in this Section, provided that in the event of
4 conflict between this Section and any other provision of this
5 Code or any other law, the provisions of this Section shall
6 control. The provisions of this Section shall apply to all
7 election authorities, including, but not limited to, those
8 under the jurisdiction of a Board of Election Commissioners.
9 The provisions of this Section shall apply for the dates for
10 the 2022 general primary election and the 2022 general
11 election only and the provisions of this amendatory Act of the
12 102nd General Assembly shall be in effect through December 31,
13 2022.

14 (b) Petitions for nomination for the general primary
15 election may begin circulation on January 13, 2022. All
16 petitions for nomination of an established party candidate for
17 statewide office shall be signed by at least 3,250 but not more
18 than 6,500 of the qualified primary electors of the
19 candidate's party. All petitions for nomination of an
20 established party candidate for the office of Representative
21 in the General Assembly shall be signed by at least 400 but not
22 more than 1,000 of the qualified primary electors of the
23 candidate's party in the candidate's representative district.
24 All petitions for nomination of an established party candidate
25 for the office of State Senator shall be signed by at least 650
26 but not more than 2,000 of the qualified primary electors of

1 the candidate's party in the candidate's legislative district.
2 The signature requirement for an established party candidate
3 for all other offices shall be reduced by one-third and any
4 provision of this Code limiting the maximum number of
5 signatures that may be submitted for those offices shall be
6 reduced by one-third.

7 (c) Petitions for nomination for congressional, or
8 judicial office, or for any office a nomination for which is
9 made for a territorial division or district which comprises
10 more than one county or is partly in one county and partly in
11 another county or counties (including the Fox Metro Water
12 Reclamation District) for the general primary election may be
13 filed in the principal office of the State Board of Elections
14 beginning on March 7, 2022 but no later than March 14, 2022; a
15 petition for nomination to fill a vacancy by special election
16 in the office of representative in Congress from this State
17 (for vacancies occurring between February 21, 2022 and March
18 14, 2022) for the general primary election may be filed in the
19 principal office of the State Board of Elections beginning
20 March 28, 2022 but no later than April 4, 2022.

21 (d) Objections to certificates of nomination and
22 nomination papers and petitions to submit public questions to
23 a referendum for the general primary election shall be filed
24 no later than March 21, 2022.

25 (e) Electors may request vote by mail ballots for the
26 general primary election beginning on March 30, 2022 but no

1 later than June 23, 2022.

2 (f) Petitions for nomination for independent candidates
3 and new political party candidates for the general election
4 may begin circulation on April 13, 2022.

5 (g) The State Board of Elections shall certify the names
6 of candidates who filed nomination papers or certificates of
7 nomination for the general primary election with the Board no
8 later than April 21, 2022.

9 (h) A notarized declaration of intent to be a write-in
10 candidate for the general primary election shall be filed with
11 the proper election authority or authorities no later than
12 April 28, 2022.

13 (i) Each election authority shall mail ballots to each
14 person who has filed an application for a ballot for the
15 general primary election under Article 20 no later than May
16 14, 2022, and any application received after May 12, 2022
17 shall be mailed within 2 business days after receipt of the
18 application.

19 (j) The period for early voting by personal appearance for
20 the general primary election shall begin on May 19, 2022.

21 (k) The general primary election shall be held on June 28,
22 2022.

23 (l) The last day for an established party managing
24 committee to appoint someone to fill a vacancy for the general
25 election when no candidate was nominated at the general
26 primary election and for the appointee to file the required

1 documentation is August 13, 2022.

2 (m) Certificates of nomination and nomination papers for
3 the nomination of new political parties and independent
4 candidates for offices to be filled by electors of the entire
5 State, or any district not entirely within a county, or for
6 congressional, State legislative or judicial offices shall be
7 presented to the principal office of the State Board of
8 Elections beginning July 5, 2022 but no later than July 11,
9 2022.

10 (n) Objections to certificates of nomination and
11 nomination papers for new political parties and independent
12 candidates for the general election shall be filed no later
13 than July 18, 2022.

14 (o) A person for whom a petition for nomination has been
15 filed for the general election may withdraw his or her
16 petition with the appropriate election authority no later than
17 August 13, 2022.

18 (p) The State Board of Elections shall certify to the
19 county clerks the names of each of the candidates to appear on
20 the ballot for the general election no later than September 6,
21 2022.

22 (q) This Section is repealed on January 1, 2023.

23 (10 ILCS 5/2A-1.1c new)

24 Sec. 2A-1.1c. 2022 Election Day State holiday.
25 Notwithstanding any other provision of State law to the

1 contrary, November 8, 2022 shall be a State holiday known as
2 2022 General Election Day and shall be observed throughout the
3 State. November 8, 2022 shall be deemed a legal school holiday
4 for purposes of the School Code and State Universities Civil
5 Service Act. Any school closed under this amendatory Act of
6 the 102nd General Assembly and Section 24-2 of the School Code
7 shall be made available to an election authority as a polling
8 place for 2022 General Election Day.

9 This Section is repealed on January 1, 2023.

10 (10 ILCS 5/2A-1.2) (from Ch. 46, par. 2A-1.2)

11 Sec. 2A-1.2. Consolidated schedule of elections; offices
12 ~~elections—offices~~ designated.

13 (a) At the general election in the appropriate
14 even-numbered years, the following offices shall be filled or
15 shall be on the ballot as otherwise required by this Code:

16 (1) Elector of President and Vice President of the
17 United States;

18 (2) United States Senator and United States
19 Representative;

20 (3) State Executive Branch elected officers;

21 (4) State Senator and State Representative;

22 (5) County elected officers, including State's
23 Attorney, County Board member, County Commissioners, and
24 elected President of the County Board or County Chief
25 Executive;

1 (6) Circuit Court Clerk;

2 (7) Regional Superintendent of Schools, except in
3 counties or educational service regions in which that
4 office has been abolished;

5 (8) Judges of the Supreme, Appellate and Circuit
6 Courts, on the question of retention, to fill vacancies
7 and newly created judicial offices;

8 (9) (Blank);

9 (10) Trustee of the Metropolitan Water Reclamation
10 ~~Sanitary~~ District of Greater Chicago, and elected Trustee
11 of other Sanitary Districts;

12 (11) Special District elected officers, not otherwise
13 designated in this Section, where the statute creating or
14 authorizing the creation of the district requires an
15 annual election and permits or requires election of
16 candidates of political parties.

17 (b) At the general primary election:

18 (1) in each even-numbered year candidates of political
19 parties shall be nominated for those offices to be filled
20 at the general election in that year, except where
21 pursuant to law nomination of candidates of political
22 parties is made by caucus.

23 (2) in the appropriate even-numbered years the
24 political party offices of State central committeeperson,
25 township committeeperson, ward committeeperson, and
26 precinct committeeperson shall be filled and delegates and

1 alternate delegates to the National nominating conventions
2 shall be elected as may be required pursuant to this Code.
3 In the even-numbered years in which a Presidential
4 election is to be held, candidates in the Presidential
5 preference primary shall also be on the ballot.

6 (3) in each even-numbered year, where the municipality
7 has provided for annual elections to elect municipal
8 officers pursuant to Section 6(f) or Section 7 of Article
9 VII of the Constitution, pursuant to the Illinois
10 Municipal Code or pursuant to the municipal charter, the
11 offices of such municipal officers shall be filled at an
12 election held on the date of the general primary election,
13 provided that the municipal election shall be a
14 nonpartisan election where required by the Illinois
15 Municipal Code. For partisan municipal elections in
16 even-numbered years, a primary to nominate candidates for
17 municipal office to be elected at the general primary
18 election shall be held on the Tuesday 6 weeks preceding
19 that election.

20 (4) in each school district which has adopted the
21 provisions of Article 33 of the School Code, successors to
22 the members of the board of education whose terms expire
23 in the year in which the general primary is held shall be
24 elected.

25 (c) At the consolidated election in the appropriate
26 odd-numbered years, the following offices shall be filled:

1 (1) Municipal officers, provided that in
2 municipalities in which candidates for alderperson
3 ~~alderman~~ or other municipal office are not permitted by
4 law to be candidates of political parties, the runoff
5 election where required by law, or the nonpartisan
6 election where required by law, shall be held on the date
7 of the consolidated election; and provided further, in the
8 case of municipal officers provided for by an ordinance
9 providing the form of government of the municipality
10 pursuant to Section 7 of Article VII of the Constitution,
11 such offices shall be filled by election or by runoff
12 election as may be provided by such ordinance;

13 (2) Village and incorporated town library directors;

14 (3) City boards of stadium commissioners;

15 (4) Commissioners of park districts;

16 (5) Trustees of public library districts;

17 (6) Special District elected officers, not otherwise
18 designated in this Section, where the statute creating or
19 authorizing the creation of the district permits or
20 requires election of candidates of political parties;

21 (7) Township officers, including township park
22 commissioners, township library directors, and boards of
23 managers of community buildings, and Multi-Township
24 Assessors;

25 (8) Highway commissioners and road district clerks;

26 (9) Members of school boards in school districts which

1 adopt Article 33 of the School Code;

2 (10) The directors and chair of the Chain O Lakes - Fox
3 River Waterway Management Agency;

4 (11) Forest preserve district commissioners elected
5 under Section 3.5 of the Downstate Forest Preserve
6 District Act;

7 (12) Elected members of school boards, school
8 trustees, directors of boards of school directors,
9 trustees of county boards of school trustees (except in
10 counties or educational service regions having a
11 population of 2,000,000 or more inhabitants) and members
12 of boards of school inspectors, except school boards in
13 school districts that adopt Article 33 of the School Code;

14 (13) Members of Community College district boards;

15 (14) Trustees of Fire Protection Districts;

16 (15) Commissioners of the Springfield Metropolitan
17 Exposition and Auditorium Authority;

18 (16) Elected Trustees of Tuberculosis Sanitarium
19 Districts;

20 (17) Elected Officers of special districts not
21 otherwise designated in this Section for which the law
22 governing those districts does not permit candidates of
23 political parties.

24 (d) At the consolidated primary election in each
25 odd-numbered year, candidates of political parties shall be
26 nominated for those offices to be filled at the consolidated

1 election in that year, except where pursuant to law nomination
2 of candidates of political parties is made by caucus, and
3 except those offices listed in paragraphs (12) through (17) of
4 subsection (c).

5 At the consolidated primary election in the appropriate
6 odd-numbered years, the mayor, clerk, treasurer, and
7 alderpersons ~~aldermen~~ shall be elected in municipalities in
8 which candidates for mayor, clerk, treasurer, or alderperson
9 ~~alderman~~ are not permitted by law to be candidates of
10 political parties, subject to runoff elections to be held at
11 the consolidated election as may be required by law, and
12 municipal officers shall be nominated in a nonpartisan
13 election in municipalities in which pursuant to law candidates
14 for such office are not permitted to be candidates of
15 political parties.

16 At the consolidated primary election in the appropriate
17 odd-numbered years, municipal officers shall be nominated or
18 elected, or elected subject to a runoff, as may be provided by
19 an ordinance providing a form of government of the
20 municipality pursuant to Section 7 of Article VII of the
21 Constitution.

22 (e) (Blank).

23 (f) At any election established in Section 2A-1.1, public
24 questions may be submitted to voters pursuant to this Code and
25 any special election otherwise required or authorized by law
26 or by court order may be conducted pursuant to this Code.

1 Notwithstanding the regular dates for election of officers
2 established in this Article, whenever a referendum is held for
3 the establishment of a political subdivision whose officers
4 are to be elected, the initial officers shall be elected at the
5 election at which such referendum is held if otherwise so
6 provided by law. In such cases, the election of the initial
7 officers shall be subject to the referendum.

8 Notwithstanding the regular dates for election of
9 officials established in this Article, any community college
10 district which becomes effective by operation of law pursuant
11 to Section 6-6.1 of the Public Community College Act, as now or
12 hereafter amended, shall elect the initial district board
13 members at the next regularly scheduled election following the
14 effective date of the new district.

15 (g) At any election established in Section 2A-1.1, if in
16 any precinct there are no offices or public questions required
17 to be on the ballot under this Code then no election shall be
18 held in the precinct on that date.

19 (h) There may be conducted a referendum in accordance with
20 the provisions of Division 6-4 of the Counties Code.

21 (Source: P.A. 100-1027, eff. 1-1-19; revised 12-14-20.)

22 (10 ILCS 5/2A-26) (from Ch. 46, par. 2A-26)

23 Sec. 2A-26. Chicago Alderpersons ~~Aldermen~~. Alderpersons
24 ~~Aldermen~~ of the City of Chicago shall be elected at the
25 consolidated primary election in 1979 and at the consolidated

1 primary election every 4 years thereafter. The runoff election
2 where necessary, pursuant to law, for Chicago alderpersons
3 ~~aldermen~~ shall be held at the consolidated election in 1979,
4 and every 4 years thereafter.

5 (Source: P.A. 80-936.)

6 (10 ILCS 5/2A-28) (from Ch. 46, par. 2A-28)

7 Sec. 2A-28. Cities Generally - Alderspersons ~~Aldermen~~ -
8 Time of Election. An alderperson ~~alderman~~ of a city other than
9 the City of Chicago shall be elected at the consolidated or
10 general primary election in each year to succeed each
11 incumbent alderperson ~~alderman~~ whose term ends before the
12 following consolidated or general election.

13 (Source: P.A. 81-1433.)

14 (10 ILCS 5/7-4) (from Ch. 46, par. 7-4)

15 Sec. 7-4. The following words and phrases in this Article
16 7 shall, unless the same be inconsistent with the context, be
17 construed as follows:

18 1. The word "primary" the primary elections provided for
19 in this Article, which are the general primary, the
20 consolidated primary, and for those municipalities which have
21 annual partisan elections for any officer, the municipal
22 primary held 6 weeks prior to the general primary election
23 date in even numbered years.

24 2. The definition of terms in Section 1-3 of this Act shall

1 apply to this Article.

2 3. The word "precinct" a voting district heretofore or
3 hereafter established by law within which all qualified
4 electors vote at one polling place.

5 4. The words "state office" or "state officer", an office
6 to be filled, or an officer to be voted for, by qualified
7 electors of the entire state, including United States Senator
8 and Congressperson ~~Congressman~~ at large.

9 5. The words "congressional office" or "congressional
10 officer", representatives in Congress.

11 6. The words "county office" or "county officer," include
12 an office to be filled or an officer to be voted for, by the
13 qualified electors of the entire county. "County office" or
14 "county officer" also include the assessor and board of
15 appeals and county commissioners and president of county board
16 of Cook County, and county board members and the chair of the
17 county board in counties subject to "An Act relating to the
18 composition and election of county boards in certain
19 counties", enacted by the 76th General Assembly.

20 7. The words "city office" and "village office," and
21 "incorporated town office" or "city officer" and "village
22 officer", and "incorporated town officer" an office to be
23 filled or an officer to be voted for by the qualified electors
24 of the entire municipality, including alderpersons ~~aldermen~~.

25 8. The words "town office" or "town officer", an office to
26 be filled or an officer to be voted for by the qualified

1 electors of an entire town.

2 9. The words "town" and "incorporated town" shall
3 respectively be defined as in Section 1-3 of this Act.

4 10. The words "delegates and alternate delegates to
5 National nominating conventions" include all delegates and
6 alternate delegates to National nominating conventions whether
7 they be elected from the state at large or from congressional
8 districts or selected by State convention unless contrary and
9 non-inclusive language specifically limits the term to one
10 class.

11 11. "Judicial office" means a post held by a judge of the
12 Supreme, Appellate or Circuit Court.

13 (Source: P.A. 100-1027, eff. 1-1-19.)

14 (10 ILCS 5/7-8) (from Ch. 46, par. 7-8)

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

18 State Central Committee

19 (a) Within 30 days after January 1, 1984 (the effective
20 date of Public Act 83-33), the State central committee of each
21 political party shall certify to the State Board of Elections
22 which of the following alternatives it wishes to apply to the
23 State central committee of that party.

24 Alternative A. At the primary in 1970 and at the general
25 primary election held every 4 years thereafter, each primary

1 elector may vote for one candidate of his party for member of
2 the State central committee for the congressional district in
3 which he resides. The candidate receiving the highest number
4 of votes shall be declared elected State central
5 committeeperson from the district. A political party may, in
6 lieu of the foregoing, by a majority vote of delegates at any
7 State convention of such party, determine to thereafter elect
8 the State central committeepersons in the manner following:

9 At the county convention held by such political party,
10 State central committeepersons shall be elected in the same
11 manner as provided in this Article for the election of
12 officers of the county central committee, and such election
13 shall follow the election of officers of the county central
14 committee. Each elected ward, township or precinct
15 committeeperson shall cast as his vote one vote for each
16 ballot voted in his ward, township, part of a township or
17 precinct in the last preceding primary election of his
18 political party. In the case of a county lying partially
19 within one congressional district and partially within another
20 congressional district, each ward, township or precinct
21 committeeperson shall vote only with respect to the
22 congressional district in which his ward, township, part of a
23 township or precinct is located. In the case of a
24 congressional district which encompasses more than one county,
25 each ward, township or precinct committeeperson residing
26 within the congressional district shall cast as his vote one

1 vote for each ballot voted in his ward, township, part of a
2 township or precinct in the last preceding primary election of
3 his political party for one candidate of his party for member
4 of the State central committee for the congressional district
5 in which he resides and the Chair of the county central
6 committee shall report the results of the election to the
7 State Board of Elections. The State Board of Elections shall
8 certify the candidate receiving the highest number of votes
9 elected State central committee person for that congressional
10 district.

11 The State central committee shall adopt rules to provide
12 for and govern the procedures to be followed in the election of
13 members of the State central committee.

14 After August 6, 1999 (the effective date of Public Act
15 91-426), whenever a vacancy occurs in the office of Chair of a
16 State central committee, or at the end of the term of office of
17 Chair, the State central committee of each political party
18 that has selected Alternative A shall elect a Chair who shall
19 not be required to be a member of the State Central Committee.
20 The Chair shall be a registered voter in this State and of the
21 same political party as the State central committee.

22 Alternative B. Each congressional committee shall, within
23 30 days after the adoption of this alternative, appoint a
24 person of a different gender than ~~the sex opposite~~ that of the
25 incumbent member for that congressional district to serve as
26 an additional member of the State central committee until the

1 member's ~~his or her~~ successor is elected at the general
2 primary election in 1986. Each congressional committee shall
3 make this appointment by voting on the basis set forth in
4 paragraph (e) of this Section. In each congressional district
5 at the general primary election held in 1986 and every 4 years
6 thereafter, the person ~~male candidate~~ receiving the highest
7 number of votes ~~of the party's male candidates~~ for State
8 central committeeperson ~~committeeman~~, and the person of a
9 different gender ~~female candidate~~ receiving the highest number
10 of votes ~~of the party's female candidates for State central~~
11 ~~committeewoman~~, shall be declared elected State central
12 committeepersons ~~committeeman and State central committeewoman~~
13 from the district. At the general primary election held in
14 1986 and every 4 years thereafter, if all a party's candidates
15 for State central committeeperson ~~committeemen or State~~
16 ~~central committeewomen~~ from a congressional district are of
17 the same gender ~~are of the same sex~~, the candidate receiving
18 the highest number of votes shall be declared elected a State
19 central committeeperson ~~committeeman or State central~~
20 ~~committeewoman~~ from the district, and, because of a failure to
21 elect 2 persons from different genders ~~one male and one female~~
22 to the committee, a vacancy shall be declared to exist in the
23 office of the second member of the State central committee
24 from the district. This vacancy shall be filled by appointment
25 by the congressional committee of the political party, and the
26 person appointed to fill the vacancy shall be a resident of the

1 congressional district and of a different gender than the
2 committeeperson ~~the sex opposite that of the committeeman or~~
3 ~~committeewoman~~ elected at the general primary election. Each
4 congressional committee shall make this appointment by voting
5 on the basis set forth in paragraph (e) of this Section.

6 The Chair of a State central committee composed as
7 provided in this Alternative B must be selected from the
8 committee's members.

9 Except as provided for in Alternative A with respect to
10 the selection of the Chair of the State central committee,
11 under both of the foregoing alternatives, the State central
12 committee of each political party shall be composed of members
13 elected or appointed from the several congressional districts
14 of the State, and of no other person or persons whomsoever. The
15 members of the State central committee shall, within 41 days
16 after each quadrennial election of the full committee, meet in
17 the city of Springfield and organize by electing a Chair, and
18 may at such time elect such officers from among their own
19 number (or otherwise), as they may deem necessary or
20 expedient. The outgoing chair of the State central committee
21 of the party shall, 10 days before the meeting, notify each
22 member of the State central committee elected at the primary
23 of the time and place of such meeting. In the organization and
24 proceedings of the State central committee, the 2
25 committeepersons ~~each State central committeeman and State~~
26 ~~central committeewoman~~ shall each have one vote for each

1 ballot voted in their ~~his or her~~ congressional district by the
2 primary electors of the committeepersons' ~~his or her~~ party at
3 the primary election immediately preceding the meeting of the
4 State central committee. Whenever a vacancy occurs in the
5 State central committee of any political party, the vacancy
6 shall be filled by appointment of the chairmen of the county
7 central committees of the political party of the counties
8 located within the congressional district in which the vacancy
9 occurs and, if applicable, the ward and township
10 committeepersons of the political party in counties of
11 2,000,000 or more inhabitants located within the congressional
12 district. If the congressional district in which the vacancy
13 occurs lies wholly within a county of 2,000,000 or more
14 inhabitants, the ward and township committeepersons of the
15 political party in that congressional district shall vote to
16 fill the vacancy. In voting to fill the vacancy, each chair of
17 a county central committee and each ward and township
18 committeeperson in counties of 2,000,000 or more inhabitants
19 shall have one vote for each ballot voted in each precinct of
20 the congressional district in which the vacancy exists of the
21 chair's or committeeperson's ~~his or her~~ county, township, or
22 ward cast by the primary electors of the chair's or
23 committeeperson's ~~his or her~~ party at the primary election
24 immediately preceding the meeting to fill the vacancy in the
25 State central committee. The person appointed to fill the
26 vacancy shall be a resident of the congressional district in

1 which the vacancy occurs, shall be a qualified voter, and, in a
2 committee composed as provided in Alternative B, shall be of
3 the same gender ~~be of the same sex~~ as the appointee's ~~his or~~
4 ~~her~~ predecessor. A political party may, by a majority vote of
5 the delegates of any State convention of such party, determine
6 to return to the election of State central committeepersons
7 ~~committeeman and State central committeewoman~~ by the vote of
8 primary electors. Any action taken by a political party at a
9 State convention in accordance with this Section shall be
10 reported to the State Board of Elections by the chair and
11 secretary of such convention within 10 days after such action.

12 Ward, Township and Precinct Committeepersons

13 (b) At the primary in 1972 and at the general primary
14 election every 4 years thereafter, each primary elector in
15 cities having a population of 200,000 or over may vote for one
16 candidate of his party in his ward for ward committeeperson.
17 Each candidate for ward committeeperson must be a resident of
18 and in the ward where he seeks to be elected ward
19 committeeperson. The one having the highest number of votes
20 shall be such ward committeeperson of such party for such
21 ward. At the primary election in 1970 and at the general
22 primary election every 4 years thereafter, each primary
23 elector in counties containing a population of 2,000,000 or
24 more, outside of cities containing a population of 200,000 or
25 more, may vote for one candidate of his party for township
26 committeeperson. Each candidate for township committeeperson

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

19 Terms of Committeepersons. All precinct committeepersons
20 elected under the provisions of this Article shall continue as
21 such committeepersons until the date of the primary to be held
22 in the second year after their election. Except as otherwise
23 provided in this Section for certain State central
24 committeepersons who have 2 year terms, all State central
25 committeepersons, township committeepersons and ward
26 committeepersons shall continue as such committeepersons until

1 the date of primary to be held in the fourth year after their
2 election. However, a vacancy exists in the office of precinct
3 committeeperson when a precinct committeeperson ceases to
4 reside in the precinct in which he was elected and such
5 precinct committeeperson shall thereafter neither have nor
6 exercise any rights, powers or duties as committeeperson in
7 that precinct, even if a successor has not been elected or
8 appointed.

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

18 County Central Committee

19 (d) The county central committee of each political party
20 in each county shall consist of the various township
21 committeepersons, precinct committeepersons and ward
22 committeepersons, if any, of such party in the county. In the
23 organization and proceedings of the county central committee,
24 each precinct committeeperson shall have one vote for each
25 ballot voted in his precinct by the primary electors of his
26 party at the primary at which he was elected; each township

1 committeeperson shall have one vote for each ballot voted in
2 his township or part of a township as the case may be by the
3 primary electors of his party at the primary election for the
4 nomination of candidates for election to the General Assembly
5 immediately preceding the meeting of the county central
6 committee; and in the organization and proceedings of the
7 county central committee, each ward committeeperson shall have
8 one vote for each ballot voted in his ward by the primary
9 electors of his party at the primary election for the
10 nomination of candidates for election to the General Assembly
11 immediately preceding the meeting of the county central
12 committee.

13 Cook County Board of Review Election District Committee

14 (d-1) Each board of review election district committee of
15 each political party in Cook County shall consist of the
16 various township committeepersons and ward committeepersons,
17 if any, of that party in the portions of the county composing
18 the board of review election district. In the organization and
19 proceedings of each of the 3 election district committees,
20 each township committeeperson shall have one vote for each
21 ballot voted in the committeeperson's ~~his or her~~ township or
22 part of a township, as the case may be, by the primary electors
23 of the committeeperson's ~~his or her~~ party at the primary
24 election immediately preceding the meeting of the board of
25 review election district committee; and in the organization
26 and proceedings of each of the 3 election district committees,

1 each ward committeeperson shall have one vote for each ballot
2 voted in the committeeperson's ~~his or her~~ ward or part of that
3 ward, as the case may be, by the primary electors of the
4 committeeperson's ~~his or her~~ party at the primary election
5 immediately preceding the meeting of the board of review
6 election district committee.

7 Congressional Committee

8 (e) The congressional committee of each party in each
9 congressional district shall be composed of the chairmen of
10 the county central committees of the counties composing the
11 congressional district, except that in congressional districts
12 wholly within the territorial limits of one county, the
13 precinct committeepersons, township committeepersons and ward
14 committeepersons, if any, of the party representing the
15 precincts within the limits of the congressional district,
16 shall compose the congressional committee. A State central
17 committeeperson in each district shall be a member and the
18 chair or, when a district has 2 State central
19 committeepersons, a co-chairperson of the congressional
20 committee, but shall not have the right to vote except in case
21 of a tie.

22 In the organization and proceedings of congressional
23 committees composed of precinct committeepersons or township
24 committeepersons or ward committeepersons, or any combination
25 thereof, each precinct committeeperson shall have one vote for
26 each ballot voted in his precinct by the primary electors of

1 his party at the primary at which he was elected, each township
2 committeeperson shall have one vote for each ballot voted in
3 his township or part of a township as the case may be by the
4 primary electors of his party at the primary election
5 immediately preceding the meeting of the congressional
6 committee, and each ward committeeperson shall have one vote
7 for each ballot voted in each precinct of his ward located in
8 such congressional district by the primary electors of his
9 party at the primary election immediately preceding the
10 meeting of the congressional committee; and in the
11 organization and proceedings of congressional committees
12 composed of the chairmen of the county central committees of
13 the counties within such district, each chair of such county
14 central committee shall have one vote for each ballot voted in
15 his county by the primary electors of his party at the primary
16 election immediately preceding the meeting of the
17 congressional committee.

18 Judicial District Committee

19 (f) The judicial district committee of each political
20 party in each judicial district shall be composed of the chair
21 of the county central committees of the counties composing the
22 judicial district.

23 In the organization and proceedings of judicial district
24 committees composed of the chairmen of the county central
25 committees of the counties within such district, each chair of
26 such county central committee shall have one vote for each

1 ballot voted in his county by the primary electors of his party
2 at the primary election immediately preceding the meeting of
3 the judicial district committee.

4 Circuit Court Committee

5 (g) The circuit court committee of each political party in
6 each judicial circuit outside Cook County shall be composed of
7 the chairmen of the county central committees of the counties
8 composing the judicial circuit.

9 In the organization and proceedings of circuit court
10 committees, each chair of a county central committee shall
11 have one vote for each ballot voted in his county by the
12 primary electors of his party at the primary election
13 immediately preceding the meeting of the circuit court
14 committee.

15 Judicial Subcircuit Committee

16 (g-1) The judicial subcircuit committee of each political
17 party in each judicial subcircuit in a judicial circuit
18 divided into subcircuits shall be composed of (i) the ward and
19 township committeepersons of the townships and wards composing
20 the judicial subcircuit in Cook County and (ii) the precinct
21 committeepersons of the precincts composing the judicial
22 subcircuit in any county other than Cook County.

23 In the organization and proceedings of each judicial
24 subcircuit committee, each township committeeperson shall have
25 one vote for each ballot voted in his township or part of a
26 township, as the case may be, in the judicial subcircuit by the

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

13 Municipal Central Committee

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

22 For political parties, other than a statewide political
23 party, established only within a municipality or township, the
24 municipal or township managing committee shall be composed of
25 the party officers of the local established party. The party
26 officers of a local established party shall be as follows: the

1 chair and secretary of the caucus for those municipalities and
2 townships authorized by statute to nominate candidates by
3 caucus shall serve as party officers for the purpose of
4 filling vacancies in nomination under Section 7-61; for
5 municipalities and townships authorized by statute or
6 ordinance to nominate candidates by petition and primary
7 election, the party officers shall be the party's candidates
8 who are nominated at the primary. If no party primary was held
9 because of the provisions of Section 7-5, vacancies in
10 nomination shall be filled by the party's remaining candidates
11 who shall serve as the party's officers.

12 Powers

13 (i) Each committee and its officers shall have the powers
14 usually exercised by such committees and by the officers
15 thereof, not inconsistent with the provisions of this Article.
16 The several committees herein provided for shall not have
17 power to delegate any of their powers, or functions to any
18 other person, officer or committee, but this shall not be
19 construed to prevent a committee from appointing from its own
20 membership proper and necessary subcommittees.

21 (j) The State central committee of a political party which
22 elects its members by Alternative B under paragraph (a) of
23 this Section shall adopt a plan to give effect to the delegate
24 selection rules of the national political party and file a
25 copy of such plan with the State Board of Elections when
26 approved by a national political party.

1 (k) For the purpose of the designation of a proxy by a
2 Congressional Committee to vote in place of an absent State
3 central committeeperson ~~committeeman or committeewoman~~ at
4 meetings of the State central committee of a political party
5 which elects its members by Alternative B under paragraph (a)
6 of this Section, the proxy shall be appointed by the vote of
7 the ward and township committeepersons, if any, of the wards
8 and townships which lie entirely or partially within the
9 Congressional District from which the absent State central
10 committeeperson ~~committeeman or committeewoman~~ was elected and
11 the vote of the chairmen of the county central committees of
12 those counties which lie entirely or partially within that
13 Congressional District and in which there are no ward or
14 township committeepersons. When voting for such proxy, the
15 county chair, ward committeeperson or township
16 committeeperson, as the case may be, shall have one vote for
17 each ballot voted in his county, ward or township, or portion
18 thereof within the Congressional District, by the primary
19 electors of his party at the primary at which he was elected.
20 However, the absent State central committeeperson ~~committeeman~~
21 ~~or committeewoman~~ may designate a proxy when permitted by the
22 rules of a political party which elects its members by
23 Alternative B under paragraph (a) of this Section.

24 Notwithstanding any law to the contrary, a person is
25 ineligible to hold the position of committeeperson in any
26 committee established pursuant to this Section if he or she is

1 statutorily ineligible to vote in a general election because
2 of conviction of a felony. When a committeeperson is convicted
3 of a felony, the position occupied by that committeeperson
4 shall automatically become vacant.

5 (Source: P.A. 100-201, eff. 8-18-17; 100-1027, eff. 1-1-19.)

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

7 Sec. 7-10. Form of petition for nomination. The name of no
8 candidate for nomination, or State central committeeperson, or
9 township committeeperson, or precinct committeeperson, or ward
10 committeeperson or candidate for delegate or alternate
11 delegate to national nominating conventions, shall be printed
12 upon the primary ballot unless a petition for nomination has
13 been filed in his behalf as provided in this Article in
14 substantially the following form:

15 We, the undersigned, members of and affiliated with the
16 party and qualified primary electors of the party,
17 in the of, in the county of and State of
18 Illinois, do hereby petition that the following named person
19 or persons shall be a candidate or candidates of the party
20 for the nomination for (or in case of committeepersons for
21 election to) the office or offices hereinafter specified, to
22 be voted for at the primary election to be held on (insert
23 date).

24	Name	Office	Address
25	John Jones	Governor	Belvidere, Ill.

1 Jane James Lieutenant Governor Peoria, Ill.

2 Thomas Smith Attorney General Oakland, Ill.

3 Name..... Address.....

4 State of Illinois)

5) ss.

6 County of.....)

7 I,, do hereby certify that I reside at No.
8 street, in the of, county of, and State of
9, that I am 18 years of age or older, that I am a citizen
10 of the United States, and that the signatures on this sheet
11 were signed in my presence, and are genuine, and that to the
12 best of my knowledge and belief the persons so signing were at
13 the time of signing the petitions qualified voters of the
14 party, and that their respective residences are correctly
15 stated, as above set forth.

16

17 Subscribed and sworn to before me on (insert date).

18

19 Each sheet of the petition other than the statement of
20 candidacy and candidate's statement shall be of uniform size
21 and shall contain above the space for signatures an
22 appropriate heading giving the information as to name of
23 candidate or candidates, in whose behalf such petition is

1 signed; the office, the political party represented and place
2 of residence; and the heading of each sheet shall be the same.

3 Such petition shall be signed by qualified primary
4 electors residing in the political division for which the
5 nomination is sought in their own proper persons only and
6 opposite the signature of each signer, his residence address
7 shall be written or printed. The residence address required to
8 be written or printed opposite each qualified primary
9 elector's name shall include the street address or rural route
10 number of the signer, as the case may be, as well as the
11 signer's county, and city, village or town, and state. However
12 the county or city, village or town, and state of residence of
13 the electors may be printed on the petition forms where all of
14 the electors signing the petition reside in the same county or
15 city, village or town, and state. Standard abbreviations may
16 be used in writing the residence address, including street
17 number, if any. At the bottom of each sheet of such petition
18 shall be added a circulator statement signed by a person 18
19 years of age or older who is a citizen of the United States,
20 stating the street address or rural route number, as the case
21 may be, as well as the county, city, village or town, and
22 state; and certifying that the signatures on that sheet of the
23 petition were signed in his or her presence and certifying
24 that the signatures are genuine; and either (1) indicating the
25 dates on which that sheet was circulated, or (2) indicating
26 the first and last dates on which the sheet was circulated, or

1 (3) certifying that none of the signatures on the sheet were
2 signed more than 90 days preceding the last day for the filing
3 of the petition and certifying that to the best of his or her
4 knowledge and belief the persons so signing were at the time of
5 signing the petitions qualified voters of the political party
6 for which a nomination is sought. Such statement shall be
7 sworn to before some officer authorized to administer oaths in
8 this State.

9 Except as otherwise provided in this Code, no ~~no~~ petition
10 sheet shall be circulated more than 90 days preceding the last
11 day provided in Section 7-12 for the filing of such petition.

12 The person circulating the petition, or the candidate on
13 whose behalf the petition is circulated, may strike any
14 signature from the petition, provided that:

15 (1) the person striking the signature shall initial
16 the petition at the place where the signature is struck;
17 and

18 (2) the person striking the signature shall sign a
19 certification listing the page number and line number of
20 each signature struck from the petition. Such
21 certification shall be filed as a part of the petition.

22 Such sheets before being filed shall be neatly fastened
23 together in book form, by placing the sheets in a pile and
24 fastening them together at one edge in a secure and suitable
25 manner, and the sheets shall then be numbered consecutively.
26 The sheets shall not be fastened by pasting them together end

1 to end, so as to form a continuous strip or roll. All petition
2 sheets which are filed with the proper local election
3 officials, election authorities or the State Board of
4 Elections shall be the original sheets which have been signed
5 by the voters and by the circulator thereof, and not
6 photocopies or duplicates of such sheets. Each petition must
7 include as a part thereof, a statement of candidacy for each of
8 the candidates filing, or in whose behalf the petition is
9 filed. This statement shall set out the address of such
10 candidate, the office for which he is a candidate, shall state
11 that the candidate is a qualified primary voter of the party to
12 which the petition relates and is qualified for the office
13 specified (in the case of a candidate for State's Attorney it
14 shall state that the candidate is at the time of filing such
15 statement a licensed attorney-at-law of this State), shall
16 state that he has filed (or will file before the close of the
17 petition filing period) a statement of economic interests as
18 required by the Illinois Governmental Ethics Act, shall
19 request that the candidate's name be placed upon the official
20 ballot, and shall be subscribed and sworn to by such candidate
21 before some officer authorized to take acknowledgment of deeds
22 in the State and shall be in substantially the following form:

23 Statement of Candidacy

24	Name	Address	Office	District	Party
25	John Jones	102 Main St.	Governor	Statewide	Republican
26		Belvidere,			

1 Illinois

2 State of Illinois)

3) ss.

4 County of)

5 I,, being first duly sworn, say that I reside at
6 Street in the city (or village) of, in the county of,
7 State of Illinois; that I am a qualified voter therein and am a
8 qualified primary voter of the party; that I am a
9 candidate for nomination (for election in the case of
10 committeeperson and delegates and alternate delegates) to the
11 office of to be voted upon at the primary election to be
12 held on (insert date); that I am legally qualified (including
13 being the holder of any license that may be an eligibility
14 requirement for the office I seek the nomination for) to hold
15 such office and that I have filed (or I will file before the
16 close of the petition filing period) a statement of economic
17 interests as required by the Illinois Governmental Ethics Act
18 and I hereby request that my name be printed upon the official
19 primary ballot for nomination for (or election to in the case
20 of committeepersons and delegates and alternate delegates)
21 such office.

22 Signed

23 Subscribed and sworn to (or affirmed) before me by,
24 who is to me personally known, on (insert date).

25 Signed

1 (Official Character)

2 (Seal, if officer has one.)

3 The petitions, when filed, shall not be withdrawn or added
4 to, and no signatures shall be revoked except by revocation
5 filed in writing with the State Board of Elections, election
6 authority or local election official with whom the petition is
7 required to be filed, and before the filing of such petition.
8 Whoever forges the name of a signer upon any petition required
9 by this Article is deemed guilty of a forgery and on conviction
10 thereof shall be punished accordingly.

11 A candidate for the offices listed in this Section must
12 obtain the number of signatures specified in this Section on
13 his or her petition for nomination.

14 (a) Statewide office or delegate to a national nominating
15 convention. Except as otherwise provided in this Code, if ~~if~~ a
16 candidate seeks to run for statewide office or as a delegate or
17 alternate delegate to a national nominating convention elected
18 from the State at-large, then the candidate's petition for
19 nomination must contain at least 5,000 but not more than
20 10,000 signatures.

21 (b) Congressional office or congressional delegate to a
22 national nominating convention. Except as otherwise provided
23 in this Code, if ~~if~~ a candidate seeks to run for United States
24 Congress or as a congressional delegate or alternate
25 congressional delegate to a national nominating convention

1 elected from a congressional district, then the candidate's
2 petition for nomination must contain at least the number of
3 signatures equal to 0.5% of the qualified primary electors of
4 his or her party in his or her congressional district. In the
5 first primary election following a redistricting of
6 congressional districts, a candidate's petition for nomination
7 must contain at least 600 signatures of qualified primary
8 electors of the candidate's political party in his or her
9 congressional district.

10 (c) County office. Except as otherwise provided in this
11 Code, if ~~if~~ a candidate seeks to run for any countywide office,
12 including but not limited to county board chairperson or
13 county board member, elected on an at-large basis, in a county
14 other than Cook County, then the candidate's petition for
15 nomination must contain at least the number of signatures
16 equal to 0.5% of the qualified electors of his or her party who
17 cast votes at the last preceding general election in his or her
18 county. If a candidate seeks to run for county board member
19 elected from a county board district, then the candidate's
20 petition for nomination must contain at least the number of
21 signatures equal to 0.5% of the qualified primary electors of
22 his or her party in the county board district. In the first
23 primary election following a redistricting of county board
24 districts or the initial establishment of county board
25 districts, a candidate's petition for nomination must contain
26 at least the number of signatures equal to 0.5% of the

1 qualified electors of his or her party in the entire county who
2 cast votes at the last preceding general election divided by
3 the total number of county board districts comprising the
4 county board; provided that in no event shall the number of
5 signatures be less than 25.

6 (d) County office; Cook County only.

7 (1) If a candidate seeks to run for countywide office
8 in Cook County, then the candidate's petition for
9 nomination must contain at least the number of signatures
10 equal to 0.5% of the qualified electors of his or her party
11 who cast votes at the last preceding general election in
12 Cook County.

13 (2) If a candidate seeks to run for Cook County Board
14 Commissioner, then the candidate's petition for nomination
15 must contain at least the number of signatures equal to
16 0.5% of the qualified primary electors of his or her party
17 in his or her county board district. In the first primary
18 election following a redistricting of Cook County Board of
19 Commissioners districts, a candidate's petition for
20 nomination must contain at least the number of signatures
21 equal to 0.5% of the qualified electors of his or her party
22 in the entire county who cast votes at the last preceding
23 general election divided by the total number of county
24 board districts comprising the county board; provided that
25 in no event shall the number of signatures be less than 25.

26 (3) Except as otherwise provided in this Code, if ~~if~~ a

1 candidate seeks to run for Cook County Board of Review
2 Commissioner, which is elected from a district pursuant to
3 subsection (c) of Section 5-5 of the Property Tax Code,
4 then the candidate's petition for nomination must contain
5 at least the number of signatures equal to 0.5% of the
6 total number of registered voters in his or her board of
7 review district in the last general election at which a
8 commissioner was regularly scheduled to be elected from
9 that board of review district. In no event shall the
10 number of signatures required be greater than the
11 requisite number for a candidate who seeks countywide
12 office in Cook County under subsection (d)(1) of this
13 Section. In the first primary election following a
14 redistricting of Cook County Board of Review districts, a
15 candidate's petition for nomination must contain at least
16 4,000 signatures or at least the number of signatures
17 required for a countywide candidate in Cook County,
18 whichever is less, of the qualified electors of his or her
19 party in the district.

20 (e) Municipal or township office. If a candidate seeks to
21 run for municipal or township office, then the candidate's
22 petition for nomination must contain at least the number of
23 signatures equal to 0.5% of the qualified primary electors of
24 his or her party in the municipality or township. If a
25 candidate seeks to run for alderperson ~~alderman~~ of a
26 municipality, then the candidate's petition for nomination

1 must contain at least the number of signatures equal to 0.5% of
2 the qualified primary electors of his or her party of the ward.
3 In the first primary election following redistricting of
4 ~~aldermanic~~ wards or trustee districts of a municipality or the
5 initial establishment of wards or districts, a candidate's
6 petition for nomination must contain the number of signatures
7 equal to at least 0.5% of the total number of votes cast for
8 the candidate of that political party who received the highest
9 number of votes in the entire municipality at the last regular
10 election at which an officer was regularly scheduled to be
11 elected from the entire municipality, divided by the number of
12 wards or districts. In no event shall the number of signatures
13 be less than 25.

14 (f) State central committeeperson. If a candidate seeks to
15 run for State central committeeperson, then the candidate's
16 petition for nomination must contain at least 100 signatures
17 of the primary electors of his or her party of his or her
18 congressional district.

19 (g) Sanitary district trustee. Except as otherwise
20 provided in this Code, if ~~if~~ a candidate seeks to run for
21 trustee of a sanitary district in which trustees are not
22 elected from wards, then the candidate's petition for
23 nomination must contain at least the number of signatures
24 equal to 0.5% of the primary electors of his or her party from
25 the sanitary district. If a candidate seeks to run for trustee
26 of a sanitary district in which trustees are elected from

1 wards, then the candidate's petition for nomination must
2 contain at least the number of signatures equal to 0.5% of the
3 primary electors of his or her party in the ward of that
4 sanitary district. In the first primary election following
5 redistricting of sanitary districts elected from wards, a
6 candidate's petition for nomination must contain at least the
7 signatures of 150 qualified primary electors of his or her
8 ward of that sanitary district.

9 (h) Judicial office. Except as otherwise provided in this
10 Code, if ~~if~~ a candidate seeks to run for judicial office in a
11 district, then the candidate's petition for nomination must
12 contain the number of signatures equal to 0.4% of the number of
13 votes cast in that district for the candidate for his or her
14 political party for the office of Governor at the last general
15 election at which a Governor was elected, but in no event less
16 than 500 signatures. If a candidate seeks to run for judicial
17 office in a circuit or subcircuit, then the candidate's
18 petition for nomination must contain the number of signatures
19 equal to 0.25% of the number of votes cast for the judicial
20 candidate of his or her political party who received the
21 highest number of votes at the last general election at which a
22 judicial officer from the same circuit or subcircuit was
23 regularly scheduled to be elected, but in no event less than
24 1,000 signatures in circuits and subcircuits located in the
25 First Judicial District or 500 signatures in every other
26 Judicial District.

1 (i) Precinct, ward, and township committeeperson. Except
2 as otherwise provided in this Code, if ~~if~~ a candidate seeks to
3 run for precinct committeeperson, then the candidate's
4 petition for nomination must contain at least 10 signatures of
5 the primary electors of his or her party for the precinct. If a
6 candidate seeks to run for ward committeeperson, then the
7 candidate's petition for nomination must contain no less than
8 the number of signatures equal to 10% of the primary electors
9 of his or her party of the ward, but no more than 16% of those
10 same electors; provided that the maximum number of signatures
11 may be 50 more than the minimum number, whichever is greater.
12 If a candidate seeks to run for township committeeperson, then
13 the candidate's petition for nomination must contain no less
14 than the number of signatures equal to 5% of the primary
15 electors of his or her party of the township, but no more than
16 8% of those same electors; provided that the maximum number of
17 signatures may be 50 more than the minimum number, whichever
18 is greater.

19 (j) State's attorney or regional superintendent of schools
20 for multiple counties. If a candidate seeks to run for State's
21 attorney or regional Superintendent of Schools who serves more
22 than one county, then the candidate's petition for nomination
23 must contain at least the number of signatures equal to 0.5% of
24 the primary electors of his or her party in the territory
25 comprising the counties.

26 (k) Any other office. If a candidate seeks any other

1 office, then the candidate's petition for nomination must
2 contain at least the number of signatures equal to 0.5% of the
3 registered voters of the political subdivision, district, or
4 division for which the nomination is made or 25 signatures,
5 whichever is greater.

6 For purposes of this Section the number of primary
7 electors shall be determined by taking the total vote cast, in
8 the applicable district, for the candidate for that political
9 party who received the highest number of votes, statewide, at
10 the last general election in the State at which electors for
11 President of the United States were elected. For political
12 subdivisions, the number of primary electors shall be
13 determined by taking the total vote cast for the candidate for
14 that political party who received the highest number of votes
15 in the political subdivision at the last regular election at
16 which an officer was regularly scheduled to be elected from
17 that subdivision. For wards or districts of political
18 subdivisions, the number of primary electors shall be
19 determined by taking the total vote cast for the candidate for
20 that political party who received the highest number of votes
21 in the ward or district at the last regular election at which
22 an officer was regularly scheduled to be elected from that
23 ward or district.

24 A "qualified primary elector" of a party may not sign
25 petitions for or be a candidate in the primary of more than one
26 party.

1 The changes made to this Section of this amendatory Act of
2 the 93rd General Assembly are declarative of existing law,
3 except for item (3) of subsection (d).

4 Petitions of candidates for nomination for offices herein
5 specified, to be filed with the same officer, may contain the
6 names of 2 or more candidates of the same political party for
7 the same or different offices. In the case of the offices of
8 Governor and Lieutenant Governor, a joint petition including
9 one candidate for each of those offices must be filed.

10 (Source: P.A. 100-1027, eff. 1-1-19.)

11 (10 ILCS 5/7-10.2) (from Ch. 46, par. 7-10.2)

12 Sec. 7-10.2. In the designation of the name of a candidate
13 on a petition for nomination or certificate of nomination the
14 candidate's given name or names, initial or initials, a
15 nickname by which the candidate is commonly known, or a
16 combination thereof, may be used in addition to the
17 candidate's surname. If a candidate has changed his or her
18 name, whether by a statutory or common law procedure in
19 Illinois or any other jurisdiction, within 3 years before the
20 last day for filing the petition or certificate for that
21 office, whichever is applicable, then (i) the candidate's name
22 on the petition or certificate must be followed by "formerly
23 known as (list all prior names during the 3-year period) until
24 name changed on (list date of each such name change)" and (ii)
25 the petition or certificate must be accompanied by the

1 candidate's affidavit stating the candidate's previous names
2 during the period specified in (i) and the date or dates each
3 of those names was changed; failure to meet these requirements
4 shall be grounds for denying certification of the candidate's
5 name for the ballot or removing the candidate's name from the
6 ballot, as appropriate, but these requirements do not apply to
7 name changes resulting from adoption to assume an adoptive
8 parent's or parents' surname, marriage or civil union to
9 assume a spouse's surname, or dissolution of marriage or civil
10 union or declaration of invalidity of marriage or civil union
11 to assume a former surname or a name change that conforms the
12 candidate's name to his or her gender identity. No other
13 designation such as a political slogan, as defined by Section
14 7-17, title or degree, or nickname suggesting or implying
15 possession of a title, degree or professional status, or
16 similar information may be used in connection with the
17 candidate's surname.

18 (Source: P.A. 93-574, eff. 8-21-03; 94-1090, eff. 6-1-07.)

19 (10 ILCS 5/7-12) (from Ch. 46, par. 7-12)

20 Sec. 7-12. All petitions for nomination shall be filed by
21 mail or in person as follows:

22 (1) Except as otherwise provided in this Code, where
23 ~~where~~ the nomination is to be made for a State,
24 congressional, or judicial office, or for any office a
25 nomination for which is made for a territorial division or

1 district which comprises more than one county or is partly
2 in one county and partly in another county or counties
3 (including the Fox Metro Water Reclamation District),
4 then, except as otherwise provided in this Section, such
5 petition for nomination shall be filed in the principal
6 office of the State Board of Elections not more than 113
7 and not less than 106 days prior to the date of the
8 primary, but, in the case of petitions for nomination to
9 fill a vacancy by special election in the office of
10 representative in Congress from this State, such petition
11 for nomination shall be filed in the principal office of
12 the State Board of Elections not more than 85 days and not
13 less than 82 days prior to the date of the primary.

14 Where a vacancy occurs in the office of Supreme,
15 Appellate or Circuit Court Judge within the 3-week period
16 preceding the 106th day before a general primary election,
17 petitions for nomination for the office in which the
18 vacancy has occurred shall be filed in the principal
19 office of the State Board of Elections not more than 92 nor
20 less than 85 days prior to the date of the general primary
21 election.

22 Where the nomination is to be made for delegates or
23 alternate delegates to a national nominating convention,
24 then such petition for nomination shall be filed in the
25 principal office of the State Board of Elections not more
26 than 113 and not less than 106 days prior to the date of

1 the primary; provided, however, that if the rules or
2 policies of a national political party conflict with such
3 requirements for filing petitions for nomination for
4 delegates or alternate delegates to a national nominating
5 convention, the chair of the State central committee of
6 such national political party shall notify the Board in
7 writing, citing by reference the rules or policies of the
8 national political party in conflict, and in such case the
9 Board shall direct such petitions to be filed in
10 accordance with the delegate selection plan adopted by the
11 state central committee of such national political party.

12 (2) Where the nomination is to be made for a county
13 office or trustee of a sanitary district then such
14 petition shall be filed in the office of the county clerk
15 not more than 113 nor less than 106 days prior to the date
16 of the primary.

17 (3) Where the nomination is to be made for a municipal
18 or township office, such petitions for nomination shall be
19 filed in the office of the local election official, not
20 more than 99 nor less than 92 days prior to the date of the
21 primary; provided, where a municipality's or township's
22 boundaries are coextensive with or are entirely within the
23 jurisdiction of a municipal board of election
24 commissioners, the petitions shall be filed in the office
25 of such board; and provided, that petitions for the office
26 of multi-township assessor shall be filed with the

1 election authority.

2 (4) The petitions of candidates for State central
3 committeeperson shall be filed in the principal office of
4 the State Board of Elections not more than 113 nor less
5 than 106 days prior to the date of the primary.

6 (5) Petitions of candidates for precinct, township or
7 ward committeepersons shall be filed in the office of the
8 county clerk not more than 113 nor less than 106 days prior
9 to the date of the primary.

10 (6) The State Board of Elections and the various
11 election authorities and local election officials with
12 whom such petitions for nominations are filed shall
13 specify the place where filings shall be made and upon
14 receipt shall endorse thereon the day and hour on which
15 each petition was filed. All petitions filed by persons
16 waiting in line as of 8:00 a.m. on the first day for
17 filing, or as of the normal opening hour of the office
18 involved on such day, shall be deemed filed as of 8:00 a.m.
19 or the normal opening hour, as the case may be. Petitions
20 filed by mail and received after midnight of the first day
21 for filing and in the first mail delivery or pickup of that
22 day shall be deemed as filed as of 8:00 a.m. of that day or
23 as of the normal opening hour of such day, as the case may
24 be. All petitions received thereafter shall be deemed as
25 filed in the order of actual receipt. However, 2 or more
26 petitions filed within the last hour of the filing

1 deadline shall be deemed filed simultaneously. Where 2 or
2 more petitions are received simultaneously, the State
3 Board of Elections or the various election authorities or
4 local election officials with whom such petitions are
5 filed shall break ties and determine the order of filing,
6 by means of a lottery or other fair and impartial method of
7 random selection approved by the State Board of Elections.
8 Such lottery shall be conducted within 9 days following
9 the last day for petition filing and shall be open to the
10 public. Seven days written notice of the time and place of
11 conducting such random selection shall be given by the
12 State Board of Elections to the chair of the State central
13 committee of each established political party, and by each
14 election authority or local election official, to the
15 County Chair of each established political party, and to
16 each organization of citizens within the election
17 jurisdiction which was entitled, under this Article, at
18 the next preceding election, to have pollwatchers present
19 on the day of election. The State Board of Elections,
20 election authority or local election official shall post
21 in a conspicuous, open and public place, at the entrance
22 of the office, notice of the time and place of such
23 lottery. The State Board of Elections shall adopt rules
24 and regulations governing the procedures for the conduct
25 of such lottery. All candidates shall be certified in the
26 order in which their petitions have been filed. Where

1 candidates have filed simultaneously, they shall be
2 certified in the order determined by lot and prior to
3 candidates who filed for the same office at a later time.

4 (7) The State Board of Elections or the appropriate
5 election authority or local election official with whom
6 such a petition for nomination is filed shall notify the
7 person for whom a petition for nomination has been filed
8 of the obligation to file statements of organization,
9 reports of campaign contributions, and annual reports of
10 campaign contributions and expenditures under Article 9 of
11 this Act. Such notice shall be given in the manner
12 prescribed by paragraph (7) of Section 9-16 of this Code.

13 (8) Nomination papers filed under this Section are not
14 valid if the candidate named therein fails to file a
15 statement of economic interests as required by the
16 Illinois Governmental Ethics Act in relation to his
17 candidacy with the appropriate officer by the end of the
18 period for the filing of nomination papers unless he has
19 filed a statement of economic interests in relation to the
20 same governmental unit with that officer within a year
21 preceding the date on which such nomination papers were
22 filed. If the nomination papers of any candidate and the
23 statement of economic interest of that candidate are not
24 required to be filed with the same officer, the candidate
25 must file with the officer with whom the nomination papers
26 are filed a receipt from the officer with whom the

1 statement of economic interests is filed showing the date
2 on which such statement was filed. Such receipt shall be
3 so filed not later than the last day on which nomination
4 papers may be filed.

5 (9) Except as otherwise provided in this Code, any ~~Any~~
6 person for whom a petition for nomination, or for
7 committeeperson or for delegate or alternate delegate to a
8 national nominating convention has been filed may cause
9 his name to be withdrawn by request in writing, signed by
10 him and duly acknowledged before an officer qualified to
11 take acknowledgments of deeds, and filed in the principal
12 or permanent branch office of the State Board of Elections
13 or with the appropriate election authority or local
14 election official, not later than the date of
15 certification of candidates for the consolidated primary
16 or general primary ballot. No names so withdrawn shall be
17 certified or printed on the primary ballot. If petitions
18 for nomination have been filed for the same person with
19 respect to more than one political party, his name shall
20 not be certified nor printed on the primary ballot of any
21 party. If petitions for nomination have been filed for the
22 same person for 2 or more offices which are incompatible
23 so that the same person could not serve in more than one of
24 such offices if elected, that person must withdraw as a
25 candidate for all but one of such offices within the 5
26 business days following the last day for petition filing.

1 A candidate in a judicial election may file petitions for
2 nomination for only one vacancy in a subcircuit and only
3 one vacancy in a circuit in any one filing period, and if
4 petitions for nomination have been filed for the same
5 person for 2 or more vacancies in the same circuit or
6 subcircuit in the same filing period, his or her name
7 shall be certified only for the first vacancy for which
8 the petitions for nomination were filed. If he fails to
9 withdraw as a candidate for all but one of such offices
10 within such time his name shall not be certified, nor
11 printed on the primary ballot, for any office. For the
12 purpose of the foregoing provisions, an office in a
13 political party is not incompatible with any other office.

14 (10)(a) Notwithstanding the provisions of any other
15 statute, no primary shall be held for an established
16 political party in any township, municipality, or ward
17 thereof, where the nomination of such party for every
18 office to be voted upon by the electors of such township,
19 municipality, or ward thereof, is uncontested. Whenever a
20 political party's nomination of candidates is uncontested
21 as to one or more, but not all, of the offices to be voted
22 upon by the electors of a township, municipality, or ward
23 thereof, then a primary shall be held for that party in
24 such township, municipality, or ward thereof; provided
25 that the primary ballot shall not include those offices
26 within such township, municipality, or ward thereof, for

1 which the nomination is uncontested. For purposes of this
2 Article, the nomination of an established political party
3 of a candidate for election to an office shall be deemed to
4 be uncontested where not more than the number of persons
5 to be nominated have timely filed valid nomination papers
6 seeking the nomination of such party for election to such
7 office.

8 (b) Notwithstanding the provisions of any other
9 statute, no primary election shall be held for an
10 established political party for any special primary
11 election called for the purpose of filling a vacancy in
12 the office of representative in the United States Congress
13 where the nomination of such political party for said
14 office is uncontested. For the purposes of this Article,
15 the nomination of an established political party of a
16 candidate for election to said office shall be deemed to
17 be uncontested where not more than the number of persons
18 to be nominated have timely filed valid nomination papers
19 seeking the nomination of such established party for
20 election to said office. This subsection (b) shall not
21 apply if such primary election is conducted on a regularly
22 scheduled election day.

23 (c) Notwithstanding the provisions in subparagraph (a)
24 and (b) of this paragraph (10), whenever a person who has
25 not timely filed valid nomination papers and who intends
26 to become a write-in candidate for a political party's

1 nomination for any office for which the nomination is
2 uncontested files a written statement or notice of that
3 intent with the State Board of Elections or the local
4 election official with whom nomination papers for such
5 office are filed, a primary ballot shall be prepared and a
6 primary shall be held for that office. Such statement or
7 notice shall be filed on or before the date established in
8 this Article for certifying candidates for the primary
9 ballot. Such statement or notice shall contain (i) the
10 name and address of the person intending to become a
11 write-in candidate, (ii) a statement that the person is a
12 qualified primary elector of the political party from whom
13 the nomination is sought, (iii) a statement that the
14 person intends to become a write-in candidate for the
15 party's nomination, and (iv) the office the person is
16 seeking as a write-in candidate. An election authority
17 shall have no duty to conduct a primary and prepare a
18 primary ballot for any office for which the nomination is
19 uncontested unless a statement or notice meeting the
20 requirements of this Section is filed in a timely manner.

21 (11) If multiple sets of nomination papers are filed
22 for a candidate to the same office, the State Board of
23 Elections, appropriate election authority or local
24 election official where the petitions are filed shall
25 within 2 business days notify the candidate of his or her
26 multiple petition filings and that the candidate has 3

1 business days after receipt of the notice to notify the
2 State Board of Elections, appropriate election authority
3 or local election official that he or she may cancel prior
4 sets of petitions. If the candidate notifies the State
5 Board of Elections, appropriate election authority or
6 local election official, the last set of petitions filed
7 shall be the only petitions to be considered valid by the
8 State Board of Elections, election authority or local
9 election official. If the candidate fails to notify the
10 State Board of Elections, election authority or local
11 election official then only the first set of petitions
12 filed shall be valid and all subsequent petitions shall be
13 void.

14 (12) All nominating petitions shall be available for
15 public inspection and shall be preserved for a period of
16 not less than 6 months.

17 (Source: P.A. 100-1027, eff. 1-1-19; 101-523, eff. 8-23-19.)

18 (10 ILCS 5/7-13) (from Ch. 46, par. 7-13)

19 Sec. 7-13. The board of election commissioners in cities
20 of 500,000 or more population having such board, shall
21 constitute an electoral board for the hearing and passing upon
22 objections to nomination petitions for ward committeepersons.

23 Except as otherwise provided in this Code, such ~~Such~~
24 objections shall be filed in the office of the county clerk
25 within 5 business days after the last day for filing

1 nomination papers. The objection shall state the name and
2 address of the objector, who may be any qualified elector in
3 the ward, the specific grounds of objection and the relief
4 requested of the electoral board. Upon the receipt of the
5 objection, the county clerk shall forthwith transmit such
6 objection and the petition of the candidate to the board of
7 election commissioners. The board of election commissioners
8 shall forthwith notify the objector and candidate objected to
9 of the time and place for hearing hereon. After a hearing upon
10 the validity of such objections, the board shall certify to
11 the county clerk its decision stating whether or not the name
12 of the candidate shall be printed on the ballot and the county
13 clerk in his or her certificate to the board of election
14 commissioners shall leave off of the certificate the name of
15 the candidate for ward committeeperson that the election
16 commissioners order not to be printed on the ballot. However,
17 the decision of the board of election commissioners is subject
18 to judicial review as provided in Section 10-10.1.

19 The county electoral board composed as provided in Section
20 10-9 shall constitute an electoral board for the hearing and
21 passing upon objections to nomination petitions for precinct
22 and township committeepersons. Such objections shall be filed
23 in the office of the county clerk within 5 business days after
24 the last day for filing nomination papers. The objection shall
25 state the name and address of the objector who may be any
26 qualified elector in the precinct or in the township or part of

1 a township that lies outside of a city having a population of
2 500,000 or more, the specific grounds of objection and the
3 relief requested of the electoral board. Upon the receipt of
4 the objection the county clerk shall forthwith transmit such
5 objection and the petition of the candidate to the chair of the
6 county electoral board. The chair of the county electoral
7 board shall forthwith notify the objector, the candidate whose
8 petition is objected to and the other members of the electoral
9 board of the time and place for hearing thereon. After hearing
10 upon the validity of such objections the board shall certify
11 its decision to the county clerk stating whether or not the
12 name of the candidate shall be printed on the ballot, and the
13 county clerk, in his or her certificate to the board of
14 election commissioners, shall leave off of the certificate the
15 name of the candidate ordered by the board not to be printed on
16 the ballot, and the county clerk shall also refrain from
17 printing on the official primary ballot, the name of any
18 candidate whose name has been ordered by the electoral board
19 not to be printed on the ballot. However, the decision of the
20 board is subject to judicial review as provided in Section
21 10-10.1.

22 In such proceedings the electoral boards have the same
23 powers as other electoral boards under the provisions of
24 Section 10-10 of this Act and their decisions are subject to
25 judicial review under Section 10-10.1.

26 (Source: P.A. 100-1027, eff. 1-1-19.)

1 (10 ILCS 5/7-14) (from Ch. 46, par. 7-14)

2 Sec. 7-14. Except as otherwise provided in this Code, not
3 ~~Not~~ less than 68 days before the date of the general primary
4 the State Board of Elections shall meet and shall examine all
5 petitions filed under this Article 7, in the office of the
6 State Board of Elections. The State Board of Elections shall
7 then certify to the county clerk of each county, the names of
8 all candidates whose nomination papers or certificates of
9 nomination have been filed with the Board and direct the
10 county clerk to place upon the official ballot for the general
11 primary election the names of such candidates in the same
12 manner and in the same order as shown upon the certification.

13 The State Board of Elections shall, in its certificate to
14 the county clerk, certify the names of the offices, and the
15 names of the candidates in the order in which the offices and
16 names shall appear upon the primary ballot; such names to
17 appear in the order in which petitions have been filed in the
18 office of the State Board of Elections except as otherwise
19 provided in this Article.

20 Not less than 62 days before the date of the general
21 primary, each county clerk shall certify the names of all
22 candidates whose nomination papers have been filed with such
23 clerk and declare that the names of such candidates for the
24 respective offices shall be placed upon the official ballot
25 for the general primary in the order in which such nomination

1 papers were filed with the clerk, or as determined by lot, or
2 as otherwise specified by statute. Each county clerk shall
3 place a copy of the certification on file in his or her office
4 and at the same time issue to the board of election
5 commissioners a copy of the certification that has been filed
6 in the county clerk's office, together with a copy of the
7 certification that has been issued to the clerk by the State
8 Board of Elections, with directions to the board of election
9 commissioners to place upon the official ballot for the
10 general primary in that election jurisdiction the names of all
11 candidates that are listed on such certification in the same
12 manner and in the same order as shown upon such
13 certifications.

14 The certification shall indicate, where applicable, the
15 following:

16 (1) The political party affiliation of the candidates
17 for the respective offices;

18 (2) If there is to be more than one candidate elected
19 or nominated to an office from the State, political
20 subdivision or district;

21 (3) If the voter has the right to vote for more than
22 one candidate for an office;

23 (4) The term of office, if a vacancy is to be filled
24 for less than a full term or if the offices to be filled in
25 a political subdivision or district are for different
26 terms.

1 The State Board of Elections or the county clerk, as the
2 case may be, shall issue an amended certification whenever it
3 is discovered that the original certification is in error.

4 Subject to appeal, the names of candidates whose
5 nomination papers have been held invalid by the appropriate
6 electoral board provided in Section 10-9 of this Code shall
7 not be certified.

8 (Source: P.A. 96-1008, eff. 7-6-10.)

9 (10 ILCS 5/7-16) (from Ch. 46, par. 7-16)

10 Sec. 7-16. Each election authority in each county shall
11 prepare and cause to be printed the primary ballot of each
12 political party for each precinct in his respective
13 jurisdiction.

14 Except as otherwise provided in this Code, the ~~The~~
15 election authority shall, at least 45 days prior to the date of
16 the primary election, have a sufficient number of ballots
17 printed so that such ballots will be available for mailing 45
18 days prior to the primary election to persons who have filed
19 application for a ballot under the provisions of Article 20 of
20 this Act.

21 (Source: P.A. 80-1469.)

22 (10 ILCS 5/7-17) (from Ch. 46, par. 7-17)

23 Sec. 7-17. Candidate ballot name procedures.

24 (a) Each election authority in each county shall cause to

1 be printed upon the general primary ballot of each party for
2 each precinct in his jurisdiction the name of each candidate
3 whose petition for nomination or for committeeperson has been
4 filed in the office of the county clerk, as herein provided;
5 and also the name of each candidate whose name has been
6 certified to his office by the State Board of Elections, and in
7 the order so certified, except as hereinafter provided.

8 It shall be the duty of the election authority to cause to
9 be printed upon the consolidated primary ballot of each
10 political party for each precinct in his jurisdiction the name
11 of each candidate whose name has been certified to him, as
12 herein provided and which is to be voted for in such precinct.

13 (b) In the designation of the name of a candidate on the
14 primary ballot the candidate's given name or names, initial or
15 initials, a nickname by which the candidate is commonly known,
16 or a combination thereof, may be used in addition to the
17 candidate's surname. If a candidate has changed his or her
18 name, whether by a statutory or common law procedure in
19 Illinois or any other jurisdiction, within 3 years before the
20 last day for filing the petition for nomination, nomination
21 papers, or certificate of nomination for that office,
22 whichever is applicable, then (i) the candidate's name on the
23 primary ballot must be followed by "formerly known as (list
24 all prior names during the 3-year period) until name changed
25 on (list date of each such name change)" and (ii) the petition,
26 papers, or certificate must be accompanied by the candidate's

1 affidavit stating the candidate's previous names during the
2 period specified in (i) and the date or dates each of those
3 names was changed; failure to meet these requirements shall be
4 grounds for denying certification of the candidate's name for
5 the ballot or removing the candidate's name from the ballot,
6 as appropriate, but these requirements do not apply to name
7 changes resulting from adoption to assume an adoptive parent's
8 or parents' surname, marriage or civil union to assume a
9 spouse's surname, or dissolution of marriage or civil union or
10 declaration of invalidity of marriage or civil union to assume
11 a former surname or a name change that conforms the
12 candidate's name to his or her gender identity. No other
13 designation such as a political slogan, title, or degree, or
14 nickname suggesting or implying possession of a title, degree
15 or professional status, or similar information may be used in
16 connection with the candidate's surname. For purposes of this
17 Section, a "political slogan" is defined as any word or words
18 expressing or connoting a position, opinion, or belief that
19 the candidate may espouse, including but not limited to, any
20 word or words conveying any meaning other than that of the
21 personal identity of the candidate. A candidate may not use a
22 political slogan as part of his or her name on the ballot,
23 notwithstanding that the political slogan may be part of the
24 candidate's name.

25 (c) The State Board of Elections, a local election
26 official, or an election authority shall remove any

1 candidate's name designation from a ballot that is
2 inconsistent with subsection (b) of this Section. In addition,
3 the State Board of Elections, a local election official, or an
4 election authority shall not certify to any election authority
5 any candidate name designation that is inconsistent with
6 subsection (b) of this Section.

7 (d) If the State Board of Elections, a local election
8 official, or an election authority removes a candidate's name
9 designation from a ballot under subsection (c) of this
10 Section, then the aggrieved candidate may seek appropriate
11 relief in circuit court.

12 (Source: P.A. 100-1027, eff. 1-1-19.)

13 (10 ILCS 5/7-43) (from Ch. 46, par. 7-43)

14 Sec. 7-43. Every person having resided in this State 6
15 months and in the precinct 30 days next preceding any primary
16 therein who shall be a citizen of the United States of the age
17 of 18 or more years shall be entitled to vote at such primary.

18 The following regulations shall be applicable to
19 primaries:

20 No person shall be entitled to vote at a primary:

21 (a) Unless he declares his party affiliations as
22 required by this Article.

23 (b) (Blank).

24 (c) (Blank).

25 (c.5) If that person has participated in the town

1 political party caucus, under Section 45-50 of the
2 Township Code, of another political party by signing
3 an affidavit of voters attending the caucus within 45
4 days before the first day of the calendar month in
5 which the primary is held.

6 (d) (Blank).

7 In cities, villages and incorporated towns having a
8 board of election commissioners only voters registered as
9 provided by Article 6 of this Act shall be entitled to vote
10 at such primary.

11 No person shall be entitled to vote at a primary
12 unless he is registered under the provisions of Articles
13 4, 5 or 6 of this Act, when his registration is required by
14 any of said Articles to entitle him to vote at the election
15 with reference to which the primary is held.

16 A person (i) who filed a statement of candidacy for a
17 partisan office as a qualified primary voter of an established
18 political party or (ii) who voted the ballot of an established
19 political party at a general primary election may not file a
20 statement of candidacy as a candidate of a different
21 established political party, a new political party, or as an
22 independent candidate for a partisan office to be filled at
23 the general election immediately following the general primary
24 for which the person filed the statement or voted the ballot. A
25 person may file a statement of candidacy for a partisan office
26 as a qualified primary voter of an established political party

1 regardless of any prior filing of candidacy for a partisan
2 office or voting the ballot of an established political party
3 at any prior election.

4 (Source: P.A. 97-681, eff. 3-30-12; 98-463, eff. 8-16-13.)

5 (10 ILCS 5/7-59) (from Ch. 46, par. 7-59)

6 Sec. 7-59. (a) The person receiving the highest number of
7 votes at a primary as a candidate of a party for the nomination
8 for an office shall be the candidate of that party for such
9 office, and his name as such candidate shall be placed on the
10 official ballot at the election then next ensuing; provided,
11 that where there are two or more persons to be nominated for
12 the same office or board, the requisite number of persons
13 receiving the highest number of votes shall be nominated and
14 their names shall be placed on the official ballot at the
15 following election.

16 Except as otherwise provided by Section 7-8 of this Act,
17 the person receiving the highest number of votes of his party
18 for State central committeeperson of his congressional
19 district shall be declared elected State central
20 committeeperson from said congressional district.

21 Unless a national political party specifies that delegates
22 and alternate delegates to a National nominating convention be
23 allocated by proportional selection representation according
24 to the results of a Presidential preference primary, the
25 requisite number of persons receiving the highest number of

1 votes of their party for delegates and alternate delegates to
2 National nominating conventions from the State at large, and
3 the requisite number of persons receiving the highest number
4 of votes of their party for delegates and alternate delegates
5 to National nominating conventions in their respective
6 congressional districts shall be declared elected delegates
7 and alternate delegates to the National nominating conventions
8 of their party.

9 A political party which elects the members to its State
10 Central Committee by Alternative B under paragraph (a) of
11 Section 7-8 shall select its congressional district delegates
12 and alternate delegates to its national nominating convention
13 by proportional selection representation according to the
14 results of a Presidential preference primary in each
15 congressional district in the manner provided by the rules of
16 the national political party and the State Central Committee,
17 when the rules and policies of the national political party so
18 require.

19 A political party which elects the members to its State
20 Central Committee by Alternative B under paragraph (a) of
21 Section 7-8 shall select its at large delegates and alternate
22 delegates to its national nominating convention by
23 proportional selection representation according to the results
24 of a Presidential preference primary in the whole State in the
25 manner provided by the rules of the national political party
26 and the State Central Committee, when the rules and policies

1 of the national political party so require.

2 The person receiving the highest number of votes of his
3 party for precinct committeeperson of his precinct shall be
4 declared elected precinct committeeperson from said precinct.

5 The person receiving the highest number of votes of his
6 party for township committeeperson of his township or part of
7 a township as the case may be, shall be declared elected
8 township committeeperson from said township or part of a
9 township as the case may be. In cities where ward
10 committeepersons are elected, the person receiving the highest
11 number of votes of his party for ward committeeperson of his
12 ward shall be declared elected ward committeeperson from said
13 ward.

14 When two or more persons receive an equal and the highest
15 number of votes for the nomination for the same office or for
16 committeeperson of the same political party, or where more
17 than one person of the same political party is to be nominated
18 as a candidate for office or committeeperson, if it appears
19 that more than the number of persons to be nominated for an
20 office or elected committeeperson have the highest and an
21 equal number of votes for the nomination for the same office or
22 for election as committeeperson, the election authority by
23 which the returns of the primary are canvassed shall decide by
24 lot which of said persons shall be nominated or elected, as the
25 case may be. In such case the election authority shall issue
26 notice in writing to such persons of such tie vote stating

1 therein the place, the day (which shall not be more than 5 days
2 thereafter) and the hour when such nomination or election
3 shall be so determined.

4 (b) Except as otherwise provided in this Code, write-in
5 ~~write-in~~ votes shall be counted only for persons who have
6 filed notarized declarations of intent to be write-in
7 candidates with the proper election authority or authorities
8 not later than 61 days prior to the primary. However, whenever
9 an objection to a candidate's nominating papers or petitions
10 for any office is sustained under Section 10-10 after the 61st
11 day before the election, then write-in votes shall be counted
12 for that candidate if he or she has filed a notarized
13 declaration of intent to be a write-in candidate for that
14 office with the proper election authority or authorities not
15 later than 7 days prior to the election.

16 Forms for the declaration of intent to be a write-in
17 candidate shall be supplied by the election authorities. Such
18 declaration shall specify the office for which the person
19 seeks nomination or election as a write-in candidate.

20 The election authority or authorities shall deliver a list
21 of all persons who have filed such declarations to the
22 election judges in the appropriate precincts prior to the
23 primary.

24 (c) (1) Notwithstanding any other provisions of this
25 Section, where the number of candidates whose names have been
26 printed on a party's ballot for nomination for or election to

1 an office at a primary is less than the number of persons the
2 party is entitled to nominate for or elect to the office at the
3 primary, a person whose name was not printed on the party's
4 primary ballot as a candidate for nomination for or election
5 to the office, is not nominated for or elected to that office
6 as a result of a write-in vote at the primary unless the number
7 of votes he received equals or exceeds the number of
8 signatures required on a petition for nomination for that
9 office; or unless the number of votes he receives exceeds the
10 number of votes received by at least one of the candidates
11 whose names were printed on the primary ballot for nomination
12 for or election to the same office.

13 (2) Paragraph (1) of this subsection does not apply where
14 the number of candidates whose names have been printed on the
15 party's ballot for nomination for or election to the office at
16 the primary equals or exceeds the number of persons the party
17 is entitled to nominate for or elect to the office at the
18 primary.

19 (Source: P.A. 100-1027, eff. 1-1-19.)

20 (10 ILCS 5/7-60) (from Ch. 46, par. 7-60)

21 Sec. 7-60. Not less than 74 days before the date of the
22 general election, the State Board of Elections shall certify
23 to the county clerks the names of each of the candidates who
24 have been nominated as shown by the proclamation of the State
25 Board of Elections as a canvassing board or who have been

1 nominated to fill a vacancy in nomination and direct the
2 election authority to place upon the official ballot for the
3 general election the names of such candidates in the same
4 manner and in the same order as shown upon the certification,
5 except as otherwise provided in this Code Section.

6 Except as otherwise provided in this Code, not ~~Not~~ less
7 than 68 days before the date of the general election, each
8 county clerk shall certify the names of each of the candidates
9 for county offices who have been nominated as shown by the
10 proclamation of the county election authority or who have been
11 nominated to fill a vacancy in nomination and declare that the
12 names of such candidates for the respective offices shall be
13 placed upon the official ballot for the general election in
14 the same manner and in the same order as shown upon the
15 certification, except as otherwise provided by this Section.
16 Each county clerk shall place a copy of the certification on
17 file in his or her office and at the same time issue to the
18 State Board of Elections a copy of such certification. In
19 addition, each county clerk in whose county there is a board of
20 election commissioners shall, not less than 68 days before the
21 date of the general election, issue to such board a copy of the
22 certification that has been filed in the county clerk's
23 office, together with a copy of the certification that has
24 been issued to the clerk by the State Board of Elections, with
25 directions to the board of election commissioners to place
26 upon the official ballot for the general election in that

1 election jurisdiction the names of all candidates that are
2 listed on such certifications, in the same manner and in the
3 same order as shown upon such certifications, except as
4 otherwise provided in this Section.

5 Whenever there are two or more persons nominated by the
6 same political party for multiple offices for any board, the
7 name of the candidate of such party receiving the highest
8 number of votes in the primary election as a candidate for such
9 office, as shown by the official election returns of the
10 primary, shall be certified first under the name of such
11 offices, and the names of the remaining candidates of such
12 party for such offices shall follow in the order of the number
13 of votes received by them respectively at the primary election
14 as shown by the official election results.

15 No person who is shown by the final proclamation to have
16 been nominated or elected at the primary as a write-in
17 candidate shall have his or her name certified unless such
18 person shall have filed with the certifying office or board
19 within 10 days after the election authority's proclamation a
20 statement of candidacy pursuant to Section 7-10, a statement
21 pursuant to Section 7-10.1, and a receipt for the filing of a
22 statement of economic interests in relation to the unit of
23 government to which he or she has been elected or nominated.

24 Each county clerk and board of election commissioners
25 shall determine by a fair and impartial method of random
26 selection the order of placement of established political

1 party candidates for the general election ballot. Such
2 determination shall be made within 30 days following the
3 canvass and proclamation of the results of the general primary
4 in the office of the county clerk or board of election
5 commissioners and shall be open to the public. Seven days
6 written notice of the time and place of conducting such random
7 selection shall be given, by each such election authority, to
8 the County Chair of each established political party, and to
9 each organization of citizens within the election jurisdiction
10 which was entitled, under this Article, at the next preceding
11 election, to have pollwatchers present on the day of election.
12 Each election authority shall post in a conspicuous, open and
13 public place, at the entrance of the election authority
14 office, notice of the time and place of such lottery. However,
15 a board of election commissioners may elect to place
16 established political party candidates on the general election
17 ballot in the same order determined by the county clerk of the
18 county in which the city under the jurisdiction of such board
19 is located.

20 Each certification shall indicate, where applicable, the
21 following:

22 (1) The political party affiliation of the candidates
23 for the respective offices;

24 (2) If there is to be more than one candidate elected
25 to an office from the State, political subdivision or
26 district;

1 (3) If the voter has the right to vote for more than
2 one candidate for an office;

3 (4) The term of office, if a vacancy is to be filled
4 for less than a full term or if the offices to be filled in
5 a political subdivision are for different terms.

6 The State Board of Elections or the county clerk, as the
7 case may be, shall issue an amended certification whenever it
8 is discovered that the original certification is in error.

9 (Source: P.A. 100-1027, eff. 1-1-19.)

10 (10 ILCS 5/7-61) (from Ch. 46, par. 7-61)

11 Sec. 7-61. Whenever a special election is necessary the
12 provisions of this Article are applicable to the nomination of
13 candidates to be voted for at such special election.

14 In cases where a primary election is required the officer
15 or board or commission whose duty it is under the provisions of
16 this Act relating to general elections to call an election,
17 shall fix a date for the primary for the nomination of
18 candidates to be voted for at such special election. Notice of
19 such primary shall be given at least 15 days prior to the
20 maximum time provided for the filing of petitions for such a
21 primary as provided in Section 7-12.

22 Any vacancy in nomination under the provisions of this
23 Article 7 occurring on or after the primary and prior to
24 certification of candidates by the certifying board or
25 officer, must be filled prior to the date of certification.

1 Any vacancy in nomination occurring after certification but
2 prior to 15 days before the general election shall be filled
3 within 8 days after the event creating the vacancy. The
4 resolution filling the vacancy shall be sent by U. S. mail or
5 personal delivery to the certifying officer or board within 3
6 days of the action by which the vacancy was filled; provided,
7 if such resolution is sent by mail and the U. S. postmark on
8 the envelope containing such resolution is dated prior to the
9 expiration of such 3 day limit, the resolution shall be deemed
10 filed within such 3 day limit. Failure to so transmit the
11 resolution within the time specified in this Section shall
12 authorize the certifying officer or board to certify the
13 original candidate. Vacancies shall be filled by the officers
14 of a local municipal or township political party as specified
15 in subsection (h) of Section 7-8, other than a statewide
16 political party, that is established only within a
17 municipality or township and the managing committee (or
18 legislative committee in case of a candidate for State Senator
19 or representative committee in the case of a candidate for
20 State Representative in the General Assembly or State central
21 committee in the case of a candidate for statewide office,
22 including but not limited to the office of United States
23 Senator) of the respective political party for the territorial
24 area in which such vacancy occurs.

25 The resolution to fill a vacancy in nomination shall be
26 duly acknowledged before an officer qualified to take

1 acknowledgements of deeds and shall include, upon its face,
2 the following information:

3 (a) the name of the original nominee and the office
4 vacated;

5 (b) the date on which the vacancy occurred;

6 (c) the name and address of the nominee selected to fill
7 the vacancy and the date of selection.

8 The resolution to fill a vacancy in nomination shall be
9 accompanied by a Statement of Candidacy, as prescribed in
10 Section 7-10, completed by the selected nominee and a receipt
11 indicating that such nominee has filed a statement of economic
12 interests as required by the Illinois Governmental Ethics Act.

13 The provisions of Section 10-8 through 10-10.1 relating to
14 objections to certificates of nomination and nomination
15 papers, hearings on objections, and judicial review, shall
16 apply to and govern objections to resolutions for filling a
17 vacancy in nomination.

18 Any vacancy in nomination occurring 15 days or less before
19 the consolidated election or the general election shall not be
20 filled. In this event, the certification of the original
21 candidate shall stand and his name shall appear on the
22 official ballot to be voted at the general election.

23 A vacancy in nomination occurs when a candidate who has
24 been nominated under the provisions of this Article 7 dies
25 before the election (whether death occurs prior to, on or
26 after the day of the primary), or declines the nomination;

1 provided that nominations may become vacant for other reasons.

2 If the name of no established political party candidate
3 was printed on the consolidated primary ballot for a
4 particular office and if no person was nominated as a write-in
5 candidate for such office, a vacancy in nomination shall be
6 created which may be filled in accordance with the
7 requirements of this Section. Except as otherwise provided in
8 this Code, if ~~If~~ the name of no established political party
9 candidate was printed on the general primary ballot for a
10 particular office and if no person was nominated as a write-in
11 candidate for such office, a vacancy in nomination shall be
12 filled only by a person designated by the appropriate
13 committee of the political party and only if that designated
14 person files nominating petitions with the number of
15 signatures required for an established party candidate for
16 that office within 75 days after the day of the general
17 primary. The circulation period for those petitions begins on
18 the day the appropriate committee designates that person. The
19 person shall file his or her nominating petitions, statements
20 of candidacy, notice of appointment by the appropriate
21 committee, and receipt of filing his or her statement of
22 economic interests together. These documents shall be filed at
23 the same location as provided in Section 7-12. The electoral
24 boards having jurisdiction under Section 10-9 to hear and pass
25 upon objections to nominating petitions also shall hear and
26 pass upon objections to nomination petitions filed by

1 candidates under this paragraph.

2 A candidate for whom a nomination paper has been filed as a
3 partisan candidate at a primary election, and who is defeated
4 for his or her nomination at such primary election, is
5 ineligible to be listed on the ballot at that general or
6 consolidated election as a candidate of another political
7 party.

8 A candidate seeking election to an office for which
9 candidates of political parties are nominated by caucus who is
10 a participant in the caucus and who is defeated for his or her
11 nomination at such caucus, is ineligible to be listed on the
12 ballot at that general or consolidated election as a candidate
13 of another political party.

14 In the proceedings to nominate a candidate to fill a
15 vacancy or to fill a vacancy in the nomination, each precinct,
16 township, ward, county or congressional district, as the case
17 may be, shall through its representative on such central or
18 managing committee, be entitled to one vote for each ballot
19 voted in such precinct, township, ward, county or
20 congressional district, as the case may be, by the primary
21 electors of its party at the primary election immediately
22 preceding the meeting at which such vacancy is to be filled.

23 For purposes of this Section, the words "certify" and
24 "certification" shall refer to the act of officially declaring
25 the names of candidates entitled to be printed upon the
26 official ballot at an election and directing election

1 authorities to place the names of such candidates upon the
2 official ballot. "Certifying officers or board" shall refer to
3 the local election official, election authority or the State
4 Board of Elections, as the case may be, with whom nomination
5 papers, including certificates of nomination and resolutions
6 to fill vacancies in nomination, are filed and whose duty it is
7 to "certify" candidates.

8 (Source: P.A. 96-809, eff. 1-1-10; 96-848, eff. 1-1-10.)

9 (10 ILCS 5/8-5) (from Ch. 46, par. 8-5)

10 Sec. 8-5. Legislative committees; representative
11 committees. There shall be constituted one legislative
12 committee for each political party in each legislative
13 district and one representative committee for each political
14 party in each representative district. Legislative and
15 representative committees shall be composed as follows:

16 In legislative or representative districts within or
17 including a portion of any county containing 2,000,000 or more
18 inhabitants, the legislative or representative committee of a
19 political party shall consist of the committeepersons of such
20 party representing each township or ward of such county any
21 portion of which township or ward is included within such
22 legislative or representative district and the chair of each
23 county central committee of such party of any county
24 containing less than 2,000,000 inhabitants any portion of
25 which county is included within such legislative or

1 representative district.

2 In the remainder of the State, the legislative or
3 representative committee of a political party shall consist of
4 the chair of each county central committee of such party, any
5 portion of which county is included within such legislative or
6 representative district; but if a legislative or
7 representative district comprises only one county, or part of
8 a county, its legislative or representative committee shall
9 consist of the chair of the county central committee and 2
10 members of the county central committee appointed ~~who reside~~
11 ~~in the legislative or representative district, as the case may~~
12 ~~be, elected~~ by the chair of the county central committee.

13 Within 180 days after the primary of the even-numbered
14 year immediately following the decennial redistricting
15 required by Section 3 of Article IV of the Illinois
16 Constitution of 1970, the ward committeepersons, township
17 committeepersons or chairmen of county central committees
18 within each of the redistricted legislative and representative
19 districts shall meet and proceed to organize by electing from
20 among their own number a chair and, either from among their own
21 number or otherwise, such other officers as they may deem
22 necessary or expedient. The ward committeepersons, township
23 committeepersons or chairmen of county central committees
24 shall determine the time and place (which shall be in the
25 limits of such district) of such meeting. Immediately upon
26 completion of organization, the chair shall forward to the

1 State Board of Elections the names and addresses of the chair
2 and secretary of the committee. A vacancy shall occur when a
3 member dies, resigns or ceases to reside in the county,
4 township or ward which he represented.

5 Within 180 days after the primary of each other
6 even-numbered year, each legislative committee and
7 representative committee shall meet and proceed to organize by
8 electing from among its own number a chair, and either from its
9 own number or otherwise, such other officers as each committee
10 may deem necessary or expedient. Immediately upon completion
11 of organization, the chair shall forward to the State Board of
12 Elections, the names and addresses of the chair and secretary
13 of the committee. The outgoing chair of such committee shall
14 notify the members of the time and place (which shall be in the
15 limits of such district) of such meeting. A vacancy shall
16 occur when a member dies, resigns, or ceases to reside in the
17 county, township or ward, which he represented.

18 If any change is made in the boundaries of any precinct,
19 township or ward, the committeeperson previously elected
20 therefrom shall continue to serve, as if no boundary change
21 had occurred, for the purpose of acting as a member of a
22 legislative or representative committee until his successor is
23 elected or appointed.

24 (Source: P.A. 100-1027, eff. 1-1-19.)

25 (10 ILCS 5/8-8) (from Ch. 46, par. 8-8)

1 qualified to hold such office and that I have filed a statement
2 of economic interests as required by the Illinois Governmental
3 Ethics Act and I hereby request that my name be printed upon
4 the official primary ballot for nomination for such office.

5 Signed

6 Subscribed and sworn to (or affirmed) before me by,
7 who is to me personally known, on (insert date).

8 Signed (Official Character)

9 (Seal if officer has one.)

10 The receipt issued by the Secretary of State indicating
11 that the candidate has filed the statement of economic
12 interests required by the Illinois Governmental Ethics Act
13 must be filed with the petitions for nomination as provided in
14 subsection (8) of Section 7-12 of this Code.

15 Except as otherwise provided in this Code, all ~~All~~
16 petitions for nomination for the office of State Senator shall
17 be signed by at least 1,000 but not more than 3,000 of the
18 qualified primary electors of the candidate's party in his
19 legislative district.

20 Except as otherwise provided in this Code, all ~~All~~
21 petitions for nomination for the office of Representative in
22 the General Assembly shall be signed by at least 500 but not
23 more than 1,500 of the qualified primary electors of the
24 candidate's party in his or her representative district.

25 Opposite the signature of each qualified primary elector
26 who signs a petition for nomination for the office of State

1 Representative or State Senator such elector's residence
2 address shall be written or printed. The residence address
3 required to be written or printed opposite each qualified
4 primary elector's name shall include the street address or
5 rural route number of the signer, as the case may be, as well
6 as the signer's county and city, village or town.

7 For the purposes of this Section, the number of primary
8 electors shall be determined by taking the total vote cast, in
9 the applicable district, for the candidate for such political
10 party who received the highest number of votes, state-wide, at
11 the last general election in the State at which electors for
12 President of the United States were elected.

13 A "qualified primary elector" of a party may not sign
14 petitions for or be a candidate in the primary of more than one
15 party.

16 In the affidavit at the bottom of each sheet, the petition
17 circulator, who shall be a person 18 years of age or older who
18 is a citizen of the United States, shall state his or her
19 street address or rural route number, as the case may be, as
20 well as his or her county, city, village or town, and state;
21 and shall certify that the signatures on that sheet of the
22 petition were signed in his or her presence; and shall certify
23 that the signatures are genuine; and shall certify that to the
24 best of his or her knowledge and belief the persons so signing
25 were at the time of signing the petition qualified primary
26 voters for which the nomination is sought.

1 In the affidavit at the bottom of each petition sheet, the
2 petition circulator shall either (1) indicate the dates on
3 which he or she circulated that sheet, or (2) indicate the
4 first and last dates on which the sheet was circulated, or (3)
5 certify that none of the signatures on the sheet were signed
6 more than 90 days preceding the last day for the filing of the
7 petition. No petition sheet shall be circulated more than 90
8 days preceding the last day provided in Section 8-9 for the
9 filing of such petition.

10 All petition sheets which are filed with the State Board
11 of Elections shall be the original sheets which have been
12 signed by the voters and by the circulator, and not
13 photocopies or duplicates of such sheets.

14 The person circulating the petition, or the candidate on
15 whose behalf the petition is circulated, may strike any
16 signature from the petition, provided that:

17 (1) the person striking the signature shall initial
18 the petition at the place where the signature is struck;
19 and

20 (2) the person striking the signature shall sign a
21 certification listing the page number and line number of
22 each signature struck from the petition. Such
23 certification shall be filed as a part of the petition.

24 (Source: P.A. 97-81, eff. 7-5-11.)

25 (10 ILCS 5/8-8.1) (from Ch. 46, par. 8-8.1)

1 Sec. 8-8.1. In the designation of the name of a candidate
2 on a petition for nomination, the candidate's given name or
3 names, initial or initials, a nickname by which the candidate
4 is commonly known, or a combination thereof, may be used in
5 addition to the candidate's surname. If a candidate has
6 changed his or her name, whether by a statutory or common law
7 procedure in Illinois or any other jurisdiction, within 3
8 years before the last day for filing the petition for that
9 office, then (i) the candidate's name on the petition must be
10 followed by "formerly known as (list all prior names during
11 the 3-year period) until name changed on (list date of each
12 such name change)" and (ii) the petition must be accompanied
13 by the candidate's affidavit stating the candidate's previous
14 names during the period specified in (i) and the date or dates
15 each of those names was changed; failure to meet these
16 requirements shall be grounds for denying certification of the
17 candidate's name for the ballot or removing the candidate's
18 name from the ballot, as appropriate, but these requirements
19 do not apply to name changes resulting from adoption to assume
20 an adoptive parent's or parents' surname, marriage or civil
21 union to assume a spouse's surname, or dissolution of marriage
22 or civil union or declaration of invalidity of marriage or
23 civil union to assume a former surname or a name change that
24 conforms the candidate's name to his or her gender identity.
25 No other designation such as a political slogan, title, or
26 degree, or nickname suggesting or implying possession of a

1 title, degree or professional status, or similar information
2 may be used in connection with the candidate's surname.

3 (Source: P.A. 93-574, eff. 8-21-03; 94-1090, eff. 6-1-07.)

4 (10 ILCS 5/8-10) (from Ch. 46, par. 8-10)

5 Sec. 8-10. Except as otherwise provided in this Code, not
6 ~~Not~~ less than 68 days prior to the date of the primary, the
7 State Board of Elections shall certify to the county clerk for
8 each county, the names of all candidates for legislative
9 offices, as specified in the petitions for nominations on file
10 in its office, which are to be voted for in such county,
11 stating in such certificates the political affiliation of each
12 candidate for nomination, as specified in the petitions. The
13 State Board of Elections shall, in its certificate to the
14 county clerk, certify to the county clerk the names of the
15 candidates in the order in which the names shall appear upon
16 the primary ballot, the names to appear in the order in which
17 petitions have been filed.

18 Not less than 62 days prior to the date of the primary, the
19 county clerk shall certify to the board of election
20 commissioners if there be any such board in his county, the
21 names of all candidates so certified to him by the State Board
22 of Elections in the districts wholly or partly within the
23 jurisdiction of said board and in the order in which such names
24 are certified to him.

25 (Source: P.A. 97-81, eff. 7-5-11.)

1 (10 ILCS 5/8-17) (from Ch. 46, par. 8-17)

2 Sec. 8-17. The death of any candidate prior to, or on, the
3 date of the primary shall not affect the canvass of the
4 ballots. If the result of such canvass discloses that such
5 candidate, if he had lived, would have been nominated, such
6 candidate shall be declared nominated.

7 In the event that a candidate of a party who has been
8 nominated under the provisions of this Article shall die
9 before election (whether death occurs prior to, or on, or
10 after, the date of the primary) or decline the nomination or
11 should the nomination for any other reason become vacant, the
12 legislative or representative committee of such party for such
13 district shall nominate a candidate of such party to fill such
14 vacancy. However, if there was no candidate for the nomination
15 of the party in the primary, except as otherwise provided in
16 this Code, no candidate of that party for that office may be
17 listed on the ballot at the general election, unless the
18 legislative or representative committee of the party nominates
19 a candidate to fill the vacancy in nomination within 75 days
20 after the date of the general primary election. Vacancies in
21 nomination occurring under this Article shall be filled by the
22 appropriate legislative or representative committee in
23 accordance with the provisions of Section 7-61 of this Code.
24 In proceedings to fill the vacancy in nomination, the voting
25 strength of the members of the legislative or representative

1 committee shall be as provided in Section 8-6.

2 (Source: P.A. 96-1008, eff. 7-6-10.)

3 (10 ILCS 5/9-8.10)

4 Sec. 9-8.10. Use of political committee and other
5 reporting organization funds.

6 (a) A political committee shall not make expenditures:

7 (1) In violation of any law of the United States or of
8 this State.

9 (2) Clearly in excess of the fair market value of the
10 services, materials, facilities, or other things of value
11 received in exchange.

12 (3) For satisfaction or repayment of any debts other
13 than loans made to the committee or to the public official
14 or candidate on behalf of the committee or repayment of
15 goods and services purchased by the committee under a
16 credit agreement. Nothing in this Section authorizes the
17 use of campaign funds to repay personal loans. The
18 repayments shall be made by check written to the person
19 who made the loan or credit agreement. The terms and
20 conditions of any loan or credit agreement to a committee
21 shall be set forth in a written agreement, including but
22 not limited to the method and amount of repayment, that
23 shall be executed by the chair or treasurer of the
24 committee at the time of the loan or credit agreement. The
25 loan or agreement shall also set forth the rate of

1 interest for the loan, if any, which may not substantially
2 exceed the prevailing market interest rate at the time the
3 agreement is executed.

4 (4) For the satisfaction or repayment of any debts or
5 for the payment of any expenses relating to a personal
6 residence. Campaign funds may not be used as collateral
7 for home mortgages.

8 (5) For clothing or personal laundry expenses, except
9 clothing items rented by the public official or candidate
10 for his or her own use exclusively for a specific
11 campaign-related event, provided that committees may
12 purchase costumes, novelty items, or other accessories
13 worn primarily to advertise the candidacy.

14 (6) For the travel expenses of any person unless the
15 travel is necessary for fulfillment of political,
16 governmental, or public policy duties, activities, or
17 purposes.

18 (7) For membership or club dues charged by
19 organizations, clubs, or facilities that are primarily
20 engaged in providing health, exercise, or recreational
21 services; provided, however, that funds received under
22 this Article may be used to rent the clubs or facilities
23 for a specific campaign-related event.

24 (8) In payment for anything of value or for
25 reimbursement of any expenditure for which any person has
26 been reimbursed by the State or any person. For purposes

1 of this item (8), a per diem allowance is not a
2 reimbursement.

3 (9) For the lease or purchase of or installment
4 payment for a motor vehicle unless the political committee
5 can demonstrate ~~that purchase of a motor vehicle is more~~
6 ~~cost effective than leasing a motor vehicle as permitted~~
7 ~~under this item (9). A political committee may lease or~~
8 ~~purchase and insure, maintain, and repair a motor vehicle~~
9 ~~if~~ the vehicle will be used primarily for campaign
10 purposes or for the performance of governmental duties.
11 Nothing in this paragraph prohibits a political committee
12 from using political funds to make expenditures related to
13 vehicles not purchased or leased by a political committee,
14 provided the expenditure relates to the use of the vehicle
15 for primarily campaign purposes or the performance of
16 governmental duties. ~~A committee shall not make~~
17 ~~expenditures for use of the vehicle for non campaign or~~
18 ~~non governmental purposes.~~ Persons using vehicles not
19 purchased or leased by a political committee may be
20 reimbursed for actual mileage for the use of the vehicle
21 for campaign purposes or for the performance of
22 governmental duties. The mileage reimbursements shall be
23 made at a rate not to exceed the standard mileage rate
24 method for computation of business expenses under the
25 Internal Revenue Code.

26 (10) Directly for an individual's tuition or other

1 educational expenses, except for governmental or political
2 purposes directly related to a candidate's or public
3 official's duties and responsibilities.

4 (11) For payments to a public official or candidate or
5 his or her family member unless for compensation for
6 services actually rendered by that person. The provisions
7 of this item (11) do not apply to expenditures by a
8 political committee for expenses related to providing
9 childcare for a minor child or care for a dependent family
10 member if the care is reasonably necessary for the public
11 official or candidate to fulfill political or governmental
12 duties. The provisions of this item (11) do not apply to
13 expenditures by a political committee in an aggregate
14 amount not exceeding the amount of funds reported to and
15 certified by the State Board or county clerk as available
16 as of June 30, 1998, in the semi-annual report of
17 contributions and expenditures filed by the political
18 committee for the period concluding June 30, 1998.

19 (b) The Board shall have the authority to investigate,
20 upon receipt of a verified complaint, violations of the
21 provisions of this Section. The Board may levy a fine on any
22 person who knowingly makes expenditures in violation of this
23 Section and on any person who knowingly makes a malicious and
24 false accusation of a violation of this Section. The Board may
25 act under this subsection only upon the affirmative vote of at
26 least 5 of its members. The fine shall not exceed \$500 for each

1 expenditure of \$500 or less and shall not exceed the amount of
2 the expenditure plus \$500 for each expenditure greater than
3 \$500. The Board shall also have the authority to render
4 rulings and issue opinions relating to compliance with this
5 Section.

6 (c) Nothing in this Section prohibits the expenditure of
7 funds of a political committee controlled by an officeholder
8 or by a candidate to defray the customary and reasonable
9 expenses of an officeholder in connection with the performance
10 of governmental and public service functions.

11 (d) Nothing in this Section prohibits the funds of a
12 political committee which is controlled by a person convicted
13 of a violation of any of the offenses listed in subsection (a)
14 of Section 10 of the Public Corruption Profit Forfeiture Act
15 from being forfeited to the State under Section 15 of the
16 Public Corruption Profit Forfeiture Act.

17 (Source: P.A. 100-1027, eff. 1-1-19.)

18 (10 ILCS 5/9-13) (from Ch. 46, par. 9-13)

19 Sec. 9-13. Audits of political committees.

20 (a) The Board shall have the authority to order a
21 political committee to conduct an audit of the financial
22 records required to be maintained by the committee to ensure
23 compliance with Sections 9-8.5 and 9-10. Audits ordered by the
24 Board shall be conducted as provided in this Section and as
25 provided by Board rule.

1 (b) The Board may order a political committee to conduct
2 an audit of its financial records for any of the following
3 reasons: (i) a discrepancy between the ending balance of a
4 reporting period and the beginning balance of the next
5 reporting period, (ii) failure to account for previously
6 reported investments or loans, or (iii) a discrepancy between
7 reporting contributions received by or expenditures made for a
8 political committee that are reported by another political
9 committee, except the Board shall not order an audit pursuant
10 to this item (iii) unless there is a willful pattern of
11 inaccurate reporting or there is a pattern of similar
12 inaccurate reporting involving similar contributions by the
13 same contributor. Prior to ordering an audit, the Board shall
14 afford the political committee due notice and an opportunity
15 for a closed preliminary hearing. A political committee shall
16 hire an entity qualified to perform an audit; except, a
17 political committee shall not hire a person that has
18 contributed to the political committee during the previous 4
19 years.

20 (c) In each calendar year, the Board shall randomly select
21 ~~order~~ no more than 3% of registered political committees to
22 conduct an audit. The Board shall establish a standard,
23 scientific method of selecting the political committees that
24 are to be audited so that every political committee has an
25 equal mathematical chance of being selected. A political
26 committee selected to conduct an audit through the random

1 selection process shall only be required to conduct the audit
2 if it was required to file at least one quarterly report during
3 the period to be covered by the audit and has: (i) a fund
4 balance of \$10,000 or more as of the close of the most recent
5 reporting period; (ii) an average closing fund balance of
6 \$10,000 or more on quarterly reports occurring during the
7 2-year period to be covered by the audit; or (iii) average
8 total receipts of \$10,000 or more on quarterly reports
9 occurring during the 2-year period to be covered by the audit.
10 Notwithstanding any other provision of this subsection, a
11 political committee owing unpaid fines at the time of its
12 random selection shall be ordered to conduct an audit. The
13 Board shall not select additional registered political
14 committees to conduct an audit to replace any of the
15 originally selected political committees.

16 (d) Upon receipt of notification from the Board ordering
17 an audit, a political committee shall conduct an audit of the
18 financial records required to be maintained by the committee
19 to ensure compliance with the contribution limitations
20 established in Section 9-8.5 and the reporting requirements
21 established in Section 9-3 and Section 9-10 for a period of 2
22 years from the close of the most recent reporting period or the
23 period since the committee was previously ordered to conduct
24 an audit, whichever is shorter. The entity performing the
25 audit shall review the amount of funds and investments
26 maintained by the political committee and ensure the financial

1 records accurately account for any contributions and
2 expenditures made by the political committee. A certified copy
3 of the audit shall be delivered to the Board within 60 calendar
4 days after receipt of notice from the Board, unless the Board
5 grants an extension to complete the audit. A political
6 committee ordered to conduct an audit through the random
7 selection process shall not be required to conduct another
8 audit for a minimum of 5 years unless the Board has reason to
9 believe the political committee is in violation of Section
10 9-3, 9-8.5, or 9-10.

11 (e) The Board shall not disclose the name of any political
12 committee ordered to conduct an audit or any documents in
13 possession of the Board related to an audit unless, after
14 review of the audit findings, the Board has reason to believe
15 the political committee is in violation of Section 9-3, 9-8.5,
16 or 9-10 and the Board imposed a fine.

17 (f) Failure to deliver a certified audit in a timely
18 manner is a business offense punishable by a fine of \$250 per
19 day that the audit is late, up to a maximum of \$5,000.

20 (Source: P.A. 100-784, eff. 8-10-18.)

21 (10 ILCS 5/10-3) (from Ch. 46, par. 10-3)

22 Sec. 10-3. Nomination of independent candidates (not
23 candidates of any political party), for any office to be
24 filled by the voters of the State at large may also be made by
25 nomination papers signed in the aggregate for each candidate

1 by 1% of the number of voters who voted in the next preceding
2 Statewide general election or 25,000 qualified voters of the
3 State, whichever is less. Nominations of independent
4 candidates for public office within any district or political
5 subdivision less than the State, may be made by nomination
6 papers signed in the aggregate for each candidate by qualified
7 voters of such district, or political subdivision, equaling
8 not less than 5%, nor more than 8% (or 50 more than the
9 minimum, whichever is greater) of the number of persons, who
10 voted at the next preceding regular election in such district
11 or political subdivision in which such district or political
12 subdivision voted as a unit for the election of officers to
13 serve its respective territorial area. However, whenever the
14 minimum signature requirement for an independent candidate
15 petition for a district or political subdivision office shall
16 exceed the minimum number of signatures for an independent
17 candidate petition for an office to be filled by the voters of
18 the State at large at the next preceding State-wide general
19 election, such State-wide petition signature requirement shall
20 be the minimum for an independent candidate petition for such
21 district or political subdivision office. For the first
22 election following a redistricting of congressional districts,
23 nomination papers for an independent candidate for
24 congressperson ~~congressman~~ shall be signed by at least 5,000
25 qualified voters of the congressional district. For the first
26 election following a redistricting of legislative districts,

1 nomination papers for an independent candidate for State
2 Senator in the General Assembly shall be signed by at least
3 3,000 qualified voters of the legislative district. For the
4 first election following a redistricting of representative
5 districts, nomination papers for an independent candidate for
6 State Representative in the General Assembly shall be signed
7 by at least 1,500 qualified voters of the representative
8 district. For the first election following redistricting of
9 county board districts, or of municipal wards or districts, or
10 for the first election following the initial establishment of
11 such districts or wards in a county or municipality,
12 nomination papers for an independent candidate for county
13 board member, or for alderperson ~~alderman~~ or trustee of such
14 municipality, shall be signed by qualified voters of the
15 district or ward equal to not less than 5% nor more than 8% (or
16 50 more than the minimum, whichever is greater) of the total
17 number of votes cast at the preceding general or general
18 municipal election, as the case may be, for the county or
19 municipal office voted on throughout such county or
20 municipality for which the greatest total number of votes were
21 cast for all candidates, divided by the number of districts or
22 wards, but in any event not less than 25 qualified voters of
23 the district or ward. Each voter signing a nomination paper
24 shall add to his signature his place of residence, and each
25 voter may subscribe to one nomination for such office to be
26 filled, and no more: Provided that the name of any candidate

1 whose name may appear in any other place upon the ballot shall
2 not be so added by petition for the same office.

3 The person circulating the petition, or the candidate on
4 whose behalf the petition is circulated, may strike any
5 signature from the petition, provided that;

6 (1) the person striking the signature shall initial
7 the petition at the place where the signature is struck;
8 and

9 (2) the person striking the signature shall sign a
10 certification listing the page number and line number of
11 each signature struck from the petition. Such
12 certification shall be filed as a part of the petition.

13 (3) the persons striking signatures from the petition
14 shall each sign an additional certificate specifying the
15 number of certification pages listing stricken signatures
16 which are attached to the petition and the page numbers
17 indicated on such certifications. The certificate shall be
18 filed as a part of the petition, shall be numbered, and
19 shall be attached immediately following the last page of
20 voters' signatures and before the certifications of
21 stricken signatures.

22 (4) all of the foregoing requirements shall be
23 necessary to effect a valid striking of any signature. The
24 provisions of this Section authorizing the striking of
25 signatures shall not impose any criminal liability on any
26 person so authorized for signatures which may be

1 fraudulent.

2 In the case of the offices of Governor and Lieutenant
3 Governor a joint petition including one candidate for each of
4 those offices must be filed.

5 A candidate for whom a nomination paper has been filed as a
6 partisan candidate at a primary election, and who is defeated
7 for his or her nomination at the primary election, is
8 ineligible to be placed on the ballot as an independent
9 candidate for election in that general or consolidated
10 election.

11 A candidate seeking election to an office for which
12 candidates of political parties are nominated by caucus who is
13 a participant in the caucus and who is defeated for his or her
14 nomination at such caucus, is ineligible to be listed on the
15 ballot at that general or consolidated election as an
16 independent candidate.

17 (Source: P.A. 95-699, eff. 11-9-07.)

18 (10 ILCS 5/10-4) (from Ch. 46, par. 10-4)

19 Sec. 10-4. Form of petition for nomination. All petitions
20 for nomination under this Article 10 for candidates for public
21 office in this State, shall in addition to other requirements
22 provided by law, be as follows: Such petitions shall consist
23 of sheets of uniform size and each sheet shall contain, above
24 the space for signature, an appropriate heading, giving the
25 information as to name of candidate or candidates in whose

1 behalf such petition is signed; the office; the party; place
2 of residence; and such other information or wording as
3 required to make same valid, and the heading of each sheet
4 shall be the same. Such petition shall be signed by the
5 qualified voters in their own proper persons only, and
6 opposite the signature of each signer his residence address
7 shall be written or printed. The residence address required to
8 be written or printed opposite each qualified primary
9 elector's name shall include the street address or rural route
10 number of the signer, as the case may be, as well as the
11 signer's county, and city, village or town, and state.
12 However, the county or city, village or town, and state of
13 residence of such electors may be printed on the petition
14 forms where all of the electors signing the petition reside in
15 the same county or city, village or town, and state. Standard
16 abbreviations may be used in writing the residence address,
17 including street number, if any. Except as otherwise provided
18 in this Code, no ~~No~~ signature shall be valid or be counted in
19 considering the validity or sufficiency of such petition
20 unless the requirements of this Section are complied with. At
21 the bottom of each sheet of such petition shall be added a
22 circulator's statement, signed by a person 18 years of age or
23 older who is a citizen of the United States; stating the street
24 address or rural route number, as the case may be, as well as
25 the county, city, village or town, and state; certifying that
26 the signatures on that sheet of the petition were signed in his

1 or her presence; certifying that the signatures are genuine;
2 and either (1) indicating the dates on which that sheet was
3 circulated, or (2) indicating the first and last dates on
4 which the sheet was circulated, or (3) certifying that none of
5 the signatures on the sheet were signed more than 90 days
6 preceding the last day for the filing of the petition; and
7 certifying that to the best of his knowledge and belief the
8 persons so signing were at the time of signing the petition
9 duly registered voters under Articles 4, 5 or 6 of the Code of
10 the political subdivision or district for which the candidate
11 or candidates shall be nominated, and certifying that their
12 respective residences are correctly stated therein. Such
13 statement shall be sworn to before some officer authorized to
14 administer oaths in this State. Except as otherwise provided
15 in this Code, no ~~No~~ petition sheet shall be circulated more
16 than 90 days preceding the last day provided in Section 10-6
17 for the filing of such petition. Such sheets, before being
18 presented to the electoral board or filed with the proper
19 officer of the electoral district or division of the state or
20 municipality, as the case may be, shall be neatly fastened
21 together in book form, by placing the sheets in a pile and
22 fastening them together at one edge in a secure and suitable
23 manner, and the sheets shall then be numbered consecutively.
24 The sheets shall not be fastened by pasting them together end
25 to end, so as to form a continuous strip or roll. All petition
26 sheets which are filed with the proper local election

1 officials, election authorities or the State Board of
2 Elections shall be the original sheets which have been signed
3 by the voters and by the circulator, and not photocopies or
4 duplicates of such sheets. A petition, when presented or
5 filed, shall not be withdrawn, altered, or added to, and no
6 signature shall be revoked except by revocation in writing
7 presented or filed with the officers or officer with whom the
8 petition is required to be presented or filed, and before the
9 presentment or filing of such petition. Whoever forges any
10 name of a signer upon any petition shall be deemed guilty of a
11 forgery, and on conviction thereof, shall be punished
12 accordingly. The word "petition" or "petition for nomination",
13 as used herein, shall mean what is sometimes known as
14 nomination papers, in distinction to what is known as a
15 certificate of nomination. The words "political division for
16 which the candidate is nominated", or its equivalent, shall
17 mean the largest political division in which all qualified
18 voters may vote upon such candidate or candidates, as the
19 state in the case of state officers; the township in the case
20 of township officers et cetera. Provided, further, that no
21 person shall circulate or certify petitions for candidates of
22 more than one political party, or for an independent candidate
23 or candidates in addition to one political party, to be voted
24 upon at the next primary or general election, or for such
25 candidates and parties with respect to the same political
26 subdivision at the next consolidated election.

1 (Source: P.A. 98-756, eff. 7-16-14.)

2 (10 ILCS 5/10-5.1) (from Ch. 46, par. 10-5.1)

3 Sec. 10-5.1. In the designation of the name of a candidate
4 on a certificate of nomination or nomination papers the
5 candidate's given name or names, initial or initials, a
6 nickname by which the candidate is commonly known, or a
7 combination thereof, may be used in addition to the
8 candidate's surname. If a candidate has changed his or her
9 name, whether by a statutory or common law procedure in
10 Illinois or any other jurisdiction, within 3 years before the
11 last day for filing the certificate of nomination or
12 nomination papers for that office, whichever is applicable,
13 then (i) the candidate's name on the certificate or papers
14 must be followed by "formerly known as (list all prior names
15 during the 3-year period) until name changed on (list date of
16 each such name change)" and (ii) the certificate or paper must
17 be accompanied by the candidate's affidavit stating the
18 candidate's previous names during the period specified in (i)
19 and the date or dates each of those names was changed; failure
20 to meet these requirements shall be grounds for denying
21 certification of the candidate's name for the ballot or
22 removing the candidate's name from the ballot, as appropriate,
23 but these requirements do not apply to name changes resulting
24 from adoption to assume an adoptive parent's or parents'
25 surname, marriage or civil union to assume a spouse's surname,

1 or dissolution of marriage or civil union or declaration of
2 invalidity of marriage or civil union to assume a former
3 surname or a name change that conforms the candidate's name to
4 his or her gender identity. No other designation such as a
5 political slogan, title, or degree, or nickname suggesting or
6 implying possession of a title, degree or professional status,
7 or similar information may be used in connection with the
8 candidate's surname.

9 (Source: P.A. 93-574, eff. 8-21-03; 94-1090, eff. 6-1-07.)

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

11 Sec. 10-6. Time and manner of filing. Except as otherwise
12 provided in this Code, certificates ~~Certificates~~ of nomination
13 and nomination papers for the nomination of candidates for
14 offices to be filled by electors of the entire State, or any
15 district not entirely within a county, or for congressional,
16 state legislative or judicial offices, shall be presented to
17 the principal office of the State Board of Elections not more
18 than 141 nor less than 134 days previous to the day of election
19 for which the candidates are nominated. The State Board of
20 Elections shall endorse the certificates of nomination or
21 nomination papers, as the case may be, and the date and hour of
22 presentment to it. Except as otherwise provided in this Code
23 ~~section~~, all other certificates for the nomination of
24 candidates shall be filed with the county clerk of the
25 respective counties not more than 141 but at least 134 days

1 previous to the day of such election. Certificates of
2 nomination and nomination papers for the nomination of
3 candidates for school district offices to be filled at
4 consolidated elections shall be filed with the county clerk or
5 county board of election commissioners of the county in which
6 the principal office of the school district is located not
7 more than 113 nor less than 106 days before the consolidated
8 election. Except as otherwise provided in this Code,
9 certificates ~~Certificates~~ of nomination and nomination papers
10 for the nomination of candidates for the other offices of
11 political subdivisions to be filled at regular elections other
12 than the general election shall be filed with the local
13 election official of such subdivision:

14 (1) (Blank);

15 (2) not more than 113 nor less than 106 days prior to
16 the consolidated election; or

17 (3) not more than 113 nor less than 106 days prior to
18 the general primary in the case of municipal offices to be
19 filled at the general primary election; or

20 (4) not more than 99 nor less than 92 days before the
21 consolidated primary in the case of municipal offices to
22 be elected on a nonpartisan basis pursuant to law
23 (including without limitation, those municipal offices
24 subject to Articles 4 and 5 of the Municipal Code); or

25 (5) not more than 113 nor less than 106 days before the
26 municipal primary in even numbered years for such

1 nonpartisan municipal offices where annual elections are
2 provided; or

3 (6) in the case of petitions for the office of
4 multi-township assessor, such petitions shall be filed
5 with the election authority not more than 113 nor less
6 than 106 days before the consolidated election.

7 However, where a political subdivision's boundaries are
8 co-extensive with or are entirely within the jurisdiction of a
9 municipal board of election commissioners, the certificates of
10 nomination and nomination papers for candidates for such
11 political subdivision offices shall be filed in the office of
12 such Board.

13 (Source: P.A. 98-691, eff. 7-1-14; 99-522, eff. 6-30-16.)

14 (10 ILCS 5/10-7) (from Ch. 46, par. 10-7)

15 Sec. 10-7. Except as otherwise provided in this Code, any
16 ~~Any~~ person whose name has been presented as a candidate,
17 including nonpartisan and independent candidates, may cause
18 his name to be withdrawn from any such nomination by his
19 request in writing, signed by him and duly acknowledged before
20 an officer qualified to take acknowledgment of deeds, and
21 presented to the principal office or permanent branch office
22 of the Board, the election authority, or the local election
23 official, as the case may be, not later than the date for
24 certification of candidates for the ballot. No name so
25 withdrawn shall be printed upon the ballots under the party

1 appellation or title from which the candidate has withdrawn
2 his name. If such a request for withdrawal is received after
3 the date for certification of the candidates for the ballot,
4 then the votes cast for the withdrawn candidate are invalid
5 and shall not be reported by the election authority. If the
6 name of the same person has been presented as a candidate for 2
7 or more offices which are incompatible so that the same person
8 could not serve in more than one of such offices if elected,
9 that person must withdraw as a candidate for all but one of
10 such offices within the 5 business days following the last day
11 for petition filing. If he fails to withdraw as a candidate for
12 all but one of such offices within such time, his name shall
13 not be certified, nor printed on the ballot, for any office.
14 However, nothing in this section shall be construed as
15 precluding a judge who is seeking retention in office from
16 also being a candidate for another judicial office. Except as
17 otherwise herein provided, in case the certificate of
18 nomination or petition as provided for in this Article shall
19 contain or exhibit the name of any candidate for any office
20 upon more than one of said certificates or petitions (for the
21 same office), then and in that case the Board or election
22 authority or local election official, as the case may be,
23 shall immediately notify said candidate of said fact and that
24 his name appears unlawfully upon more than one of said
25 certificates or petitions and that within 3 days from the
26 receipt of said notification, said candidate must elect as to

1 which of said political party appellations or groups he
2 desires his name to appear and remain under upon said ballot,
3 and if said candidate refuses, fails or neglects to make such
4 election, then and in that case the Board or election
5 authority or local election official, as the case may be,
6 shall permit the name of said candidate to appear or be printed
7 or placed upon said ballot only under the political party
8 appellation or group appearing on the certificate of
9 nomination or petition, as the case may be, first filed, and
10 shall strike or cause to be stricken the name of said candidate
11 from all certificates of nomination and petitions filed after
12 the first such certificate of nomination or petition.

13 Whenever the name of a candidate for an office is
14 withdrawn from a new political party petition, it shall
15 constitute a vacancy in nomination for that office which may
16 be filled in accordance with Section 10-11 of this Article;
17 provided, that if the names of all candidates for all offices
18 on a new political party petition are withdrawn or such
19 petition is declared invalid by an electoral board or upon
20 judicial review, no vacancies in nomination for those offices
21 shall exist and the filing of any notice or resolution
22 purporting to fill vacancies in nomination shall have no legal
23 effect.

24 Whenever the name of an independent candidate for an
25 office is withdrawn or an independent candidate's petition is
26 declared invalid by an electoral board or upon judicial

1 review, no vacancy in nomination for that office shall exist
2 and the filing of any notice or resolution purporting to fill a
3 vacancy in nomination shall have no legal effect.

4 All certificates of nomination and nomination papers when
5 presented or filed shall be open, under proper regulation, to
6 public inspection, and the State Board of Elections and the
7 several election authorities and local election officials
8 having charge of nomination papers shall preserve the same in
9 their respective offices not less than 6 months.

10 (Source: P.A. 98-115, eff. 7-29-13; 98-1171, eff. 6-1-15.)

11 (10 ILCS 5/10-8) (from Ch. 46, par. 10-8)

12 Sec. 10-8. Except as otherwise provided in this Code,
13 certificates ~~Certificates~~ of nomination and nomination papers,
14 and petitions to submit public questions to a referendum,
15 being filed as required by this Code, and being in apparent
16 conformity with the provisions of this Act, shall be deemed to
17 be valid unless objection thereto is duly made in writing
18 within 5 business days after the last day for filing the
19 certificate of nomination or nomination papers or petition for
20 a public question, with the following exceptions:

21 A. In the case of petitions to amend Article IV of the
22 Constitution of the State of Illinois, there shall be a
23 period of 35 business days after the last day for the
24 filing of such petitions in which objections can be filed.

25 B. In the case of petitions for advisory questions of

1 public policy to be submitted to the voters of the entire
2 State, there shall be a period of 35 business days after
3 the last day for the filing of such petitions in which
4 objections can be filed.

5 Any legal voter of the political subdivision or district
6 in which the candidate or public question is to be voted on, or
7 any legal voter in the State in the case of a proposed
8 amendment to Article IV of the Constitution or an advisory
9 public question to be submitted to the voters of the entire
10 State, having objections to any certificate of nomination or
11 nomination papers or petitions filed, shall file an objector's
12 petition together with 2 copies thereof in the principal
13 office or the permanent branch office of the State Board of
14 Elections, or in the office of the election authority or local
15 election official with whom the certificate of nomination,
16 nomination papers or petitions are on file. Objection
17 petitions that do not include 2 copies thereof, shall not be
18 accepted. In the case of nomination papers or certificates of
19 nomination, the State Board of Elections, election authority
20 or local election official shall note the day and hour upon
21 which such objector's petition is filed, and shall, not later
22 than 12:00 noon on the second business day after receipt of the
23 petition, transmit by registered mail or receipted personal
24 delivery the certificate of nomination or nomination papers
25 and the original objector's petition to the chair of the
26 proper electoral board designated in Section 10-9 hereof, or

1 his authorized agent, and shall transmit a copy by registered
2 mail or receipted personal delivery of the objector's
3 petition, to the candidate whose certificate of nomination or
4 nomination papers are objected to, addressed to the place of
5 residence designated in said certificate of nomination or
6 nomination papers. In the case of objections to a petition for
7 a proposed amendment to Article IV of the Constitution or for
8 an advisory public question to be submitted to the voters of
9 the entire State, the State Board of Elections shall note the
10 day and hour upon which such objector's petition is filed and
11 shall transmit a copy of the objector's petition by registered
12 mail or receipted personal delivery to the person designated
13 on a certificate attached to the petition as the principal
14 proponent of such proposed amendment or public question, or as
15 the proponents' attorney, for the purpose of receiving notice
16 of objections. In the case of objections to a petition for a
17 public question, to be submitted to the voters of a political
18 subdivision, or district thereof, the election authority or
19 local election official with whom such petition is filed shall
20 note the day and hour upon which such objector's petition was
21 filed, and shall, not later than 12:00 noon on the second
22 business day after receipt of the petition, transmit by
23 registered mail or receipted personal delivery the petition
24 for the public question and the original objector's petition
25 to the chair of the proper electoral board designated in
26 Section 10-9 hereof, or his authorized agent, and shall

1 transmit a copy by registered mail or receipted personal
2 delivery, of the objector's petition to the person designated
3 on a certificate attached to the petition as the principal
4 proponent of the public question, or as the proponent's
5 attorney, for the purposes of receiving notice of objections.

6 The objector's petition shall give the objector's name and
7 residence address, and shall state fully the nature of the
8 objections to the certificate of nomination or nomination
9 papers or petitions in question, and shall state the interest
10 of the objector and shall state what relief is requested of the
11 electoral board.

12 The provisions of this Section and of Sections 10-9, 10-10
13 and 10-10.1 shall also apply to and govern objections to
14 petitions for nomination filed under Article 7 or Article 8,
15 except as otherwise provided in Section 7-13 for cases to
16 which it is applicable, and also apply to and govern petitions
17 for the submission of public questions under Article 28.

18 (Source: P.A. 100-1027, eff. 1-1-19.)

19 (10 ILCS 5/10-14) (from Ch. 46, par. 10-14)

20 Sec. 10-14. Except as otherwise provided in this Code, not
21 ~~Not~~ less than 74 days before the date of the general election
22 the State Board of Elections shall certify to the county clerk
23 of each county the name of each candidate whose nomination
24 papers, certificate of nomination or resolution to fill a
25 vacancy in nomination has been filed with the State Board of

1 Elections and direct the county clerk to place upon the
2 official ballot for the general election the names of such
3 candidates in the same manner and in the same order as shown
4 upon the certification. The name of no candidate for an office
5 to be filled by the electors of the entire state shall be
6 placed upon the official ballot unless his name is duly
7 certified to the county clerk upon a certificate signed by the
8 members of the State Board of Elections. The names of group
9 candidates on petitions shall be certified to the several
10 county clerks in the order in which such names appear on such
11 petitions filed with the State Board of Elections.

12 Except as otherwise provided in this Code, not ~~Not~~ less
13 than 68 days before the date of the general election, each
14 county clerk shall certify the names of each of the candidates
15 for county offices whose nomination papers, certificates of
16 nomination or resolutions to fill a vacancy in nomination have
17 been filed with such clerk and declare that the names of such
18 candidates for the respective offices shall be placed upon the
19 official ballot for the general election in the same manner
20 and in the same order as shown upon the certification. Each
21 county clerk shall place a copy of the certification on file in
22 his or her office and at the same time issue to the State Board
23 of Elections a copy of such certification. In addition, each
24 county clerk in whose county there is a board of election
25 commissioners shall, not less than 69 days before the
26 election, certify to the board of election commissioners the

1 name of the person or persons nominated for such office as
2 shown by the certificate of the State Board of Elections,
3 together with the names of all other candidates as shown by the
4 certification of county officers on file in the clerk's
5 office, and in the order so certified. The county clerk or
6 board of election commissioners shall print the names of the
7 nominees on the ballot for each office in the order in which
8 they are certified to or filed with the county clerk;
9 provided, that in printing the name of nominees for any
10 office, if any of such nominees have also been nominated by one
11 or more political parties pursuant to this Act, the location
12 of the name of such candidate on the ballot for nominations
13 made under this Article shall be precisely in the same order in
14 which it appears on the certification of the State Board of
15 Elections to the county clerk.

16 For the general election, the candidates of new political
17 parties shall be placed on the ballot for said election after
18 the established political party candidates and in the order of
19 new political party petition filings.

20 Each certification shall indicate, where applicable, the
21 following:

22 (1) The political party affiliation if any, of the
23 candidates for the respective offices;

24 (2) If there is to be more than one candidate elected
25 to an office from the State, political subdivision or
26 district;

1 (3) If the voter has the right to vote for more than
2 one candidate for an office;

3 (4) The term of office, if a vacancy is to be filled
4 for less than a full term or if the offices to be filled in
5 a political subdivision are for different terms.

6 The State Board of Elections or the county clerk, as the
7 case may be, shall issue an amended certification whenever it
8 is discovered that the original certification is in error.

9 (Source: P.A. 96-1008, eff. 7-6-10.)

10 (10 ILCS 5/11-8 new)

11 Sec. 11-8. Vote centers.

12 (a) Notwithstanding any law to the contrary, election
13 authorities shall establish one location to be located at an
14 office of the election authority or in the largest
15 municipality within its jurisdiction where all voters in its
16 jurisdiction are allowed to vote on election day during
17 polling place hours, regardless of the precinct in which they
18 are registered. An election authority establishing such a
19 location under this Section shall identify the location, hours
20 of operation, and health and safety requirements by the 40th
21 day preceding the 2022 general primary election and certify
22 such to the State Board of Elections.

23 (b) This Section is repealed on January 1, 2023.

24 (10 ILCS 5/16-3) (from Ch. 46, par. 16-3)

1 Sec. 16-3. (a) The names of all candidates to be voted for
2 in each election district or precinct shall be printed on one
3 ballot, except as is provided in Sections 16-6.1 and 21-1.01
4 of this Act and except as otherwise provided in this Act with
5 respect to the odd year regular elections and the emergency
6 referenda; all nominations of any political party being placed
7 under the party appellation or title of such party as
8 designated in the certificates of nomination or petitions. The
9 names of all independent candidates shall be printed upon the
10 ballot in a column or columns under the heading "independent"
11 arranged under the names or titles of the respective offices
12 for which such independent candidates shall have been
13 nominated and so far as practicable, the name or names of any
14 independent candidate or candidates for any office shall be
15 printed upon the ballot opposite the name or names of any
16 candidate or candidates for the same office contained in any
17 party column or columns upon said ballot. The ballot shall
18 contain no other names, except that in cases of electors for
19 President and Vice-President of the United States, the names
20 of the candidates for President and Vice-President may be
21 added to the party designation and words calculated to aid the
22 voter in his choice of candidates may be added, such as "Vote
23 for one," "Vote for not more than three." If no candidate or
24 candidates file for an office and if no person or persons file
25 a declaration as a write-in candidate for that office, then
26 below the title of that office the election authority instead

1 shall print "No Candidate". When an electronic voting system
2 is used which utilizes a ballot label booklet, the candidates
3 and questions shall appear on the pages of such booklet in the
4 order provided by this Code; and, in any case where candidates
5 for an office appear on a page which does not contain the name
6 of any candidate for another office, and where less than 50% of
7 the page is utilized, the name of no candidate shall be printed
8 on the lowest 25% of such page. On the back or outside of the
9 ballot, so as to appear when folded, shall be printed the words
10 "Official Ballot", followed by the designation of the polling
11 place for which the ballot is prepared, the date of the
12 election and a facsimile of the signature of the election
13 authority who has caused the ballots to be printed. The
14 ballots shall be of plain white paper, through which the
15 printing or writing cannot be read. However, ballots for use
16 at the nonpartisan and consolidated elections may be printed
17 on different color paper, except blue paper, whenever
18 necessary or desirable to facilitate distinguishing between
19 ballots for different political subdivisions. In the case of
20 nonpartisan elections for officers of a political subdivision,
21 unless the statute or an ordinance adopted pursuant to Article
22 VII of the Constitution providing the form of government
23 therefor requires otherwise, the column listing such
24 nonpartisan candidates shall be printed with no appellation or
25 circle at its head. The party appellation or title, or the word
26 "independent" at the head of any column provided for

1 independent candidates, shall be printed in letters not less
2 than one-fourth of an inch in height and a circle one-half inch
3 in diameter shall be printed at the beginning of the line in
4 which such appellation or title is printed, provided, however,
5 that no such circle shall be printed at the head of any column
6 or columns provided for such independent candidates. The names
7 of candidates shall be printed in letters not less than
8 one-eighth nor more than one-fourth of an inch in height, and
9 at the beginning of each line in which a name of a candidate is
10 printed a square shall be printed, the sides of which shall be
11 not less than one-fourth of an inch in length. However, the
12 names of the candidates for Governor and Lieutenant Governor
13 on the same ticket shall be printed within a bracket and a
14 single square shall be printed in front of the bracket. The
15 list of candidates of the several parties and any such list of
16 independent candidates shall be placed in separate columns on
17 the ballot in such order as the election authorities charged
18 with the printing of the ballots shall decide; provided, that
19 the names of the candidates of the several political parties,
20 certified by the State Board of Elections to the several
21 county clerks shall be printed by the county clerk of the
22 proper county on the official ballot in the order certified by
23 the State Board of Elections. Any county clerk refusing,
24 neglecting or failing to print on the official ballot the
25 names of candidates of the several political parties in the
26 order certified by the State Board of Elections, and any

1 county clerk who prints or causes to be printed upon the
2 official ballot the name of a candidate, for an office to be
3 filled by the Electors of the entire State, whose name has not
4 been duly certified to him upon a certificate signed by the
5 State Board of Elections shall be guilty of a Class C
6 misdemeanor.

7 (b) When an electronic voting system is used which
8 utilizes a ballot card, on the inside flap of each ballot card
9 envelope there shall be printed a form for write-in voting
10 which shall be substantially as follows:

11 WRITE-IN VOTES

12 (See card of instructions for specific information.
13 Duplicate form below by hand for additional write-in votes.)

14 _____
15 Title of Office

16 () _____

17 Name of Candidate

18 Write-in lines equal to the number of candidates for which
19 a voter may vote shall be printed for an office only if one or
20 more persons filed declarations of intent to be write-in
21 candidates or qualify to file declarations to be write-in
22 candidates under Sections 17-16.1 and 18-9.1 when the
23 certification of ballot contains the words "OBJECTION
24 PENDING".

25 (c) When an electronic voting system is used which uses a
26 ballot sheet, the instructions to voters on the ballot sheet

1 shall refer the voter to the card of instructions for specific
2 information on write-in voting. Below each office appearing on
3 such ballot sheet there shall be a provision for the casting of
4 a write-in vote. Write-in lines equal to the number of
5 candidates for which a voter may vote shall be printed for an
6 office only if one or more persons filed declarations of
7 intent to be write-in candidates or qualify to file
8 declarations to be write-in candidates under Sections 17-16.1
9 and 18-9.1 when the certification of ballot contains the words
10 "OBJECTION PENDING".

11 (d) When such electronic system is used, there shall be
12 printed on the back of each ballot card, each ballot card
13 envelope, and the first page of the ballot label when a ballot
14 label is used, the words "Official Ballot," followed by the
15 number of the precinct or other precinct identification, which
16 may be stamped, in lieu thereof and, as applicable, the number
17 and name of the township, ward or other election district for
18 which the ballot card, ballot card envelope, and ballot label
19 are prepared, the date of the election and a facsimile of the
20 signature of the election authority who has caused the ballots
21 to be printed. The back of the ballot card shall also include a
22 method of identifying the ballot configuration such as a
23 listing of the political subdivisions and districts for which
24 votes may be cast on that ballot, or a number code identifying
25 the ballot configuration or color coded ballots, except that
26 where there is only one ballot configuration in a precinct,

1 the precinct identification, and any applicable ward
2 identification, shall be sufficient. Ballot card envelopes
3 used in punch card systems shall be of paper through which no
4 writing or punches may be discerned and shall be of sufficient
5 length to enclose all voting positions. However, the election
6 authority may provide ballot card envelopes on which no
7 precinct number or township, ward or other election district
8 designation, or election date are preprinted, if space and a
9 preprinted form are provided below the space provided for the
10 names of write-in candidates where such information may be
11 entered by the judges of election. Whenever an election
12 authority utilizes ballot card envelopes on which the election
13 date and precinct is not preprinted, a judge of election shall
14 mark such information for the particular precinct and election
15 on the envelope in ink before tallying and counting any
16 write-in vote written thereon. If some method of insuring
17 ballot secrecy other than an envelope is used, such
18 information must be provided on the ballot itself.

19 (e) In the designation of the name of a candidate on the
20 ballot, the candidate's given name or names, initial or
21 initials, a nickname by which the candidate is commonly known,
22 or a combination thereof, may be used in addition to the
23 candidate's surname. If a candidate has changed his or her
24 name, whether by a statutory or common law procedure in
25 Illinois or any other jurisdiction, within 3 years before the
26 last day for filing the petition for nomination, nomination

1 papers, or certificate of nomination for that office,
2 whichever is applicable, then (i) the candidate's name on the
3 ballot must be followed by "formerly known as (list all prior
4 names during the 3-year period) until name changed on (list
5 date of each such name change)" and (ii) the petition, papers,
6 or certificate must be accompanied by the candidate's
7 affidavit stating the candidate's previous names during the
8 period specified in (i) and the date or dates each of those
9 names was changed; failure to meet these requirements shall be
10 grounds for denying certification of the candidate's name for
11 the ballot or removing the candidate's name from the ballot,
12 as appropriate, but these requirements do not apply to name
13 changes resulting from adoption to assume an adoptive parent's
14 or parents' surname, marriage or civil union to assume a
15 spouse's surname, or dissolution of marriage or civil union or
16 declaration of invalidity of marriage or civil union to assume
17 a former surname or a name change that conforms the
18 candidate's name to his or her gender identity. No other
19 designation such as a political slogan, title, or degree or
20 nickname suggesting or implying possession of a title, degree
21 or professional status, or similar information may be used in
22 connection with the candidate's surname. For purposes of this
23 Section, a "political slogan" is defined as any word or words
24 expressing or connoting a position, opinion, or belief that
25 the candidate may espouse, including but not limited to, any
26 word or words conveying any meaning other than that of the

1 personal identity of the candidate. A candidate may not use a
2 political slogan as part of his or her name on the ballot,
3 notwithstanding that the political slogan may be part of the
4 candidate's name.

5 (f) The State Board of Elections, a local election
6 official, or an election authority shall remove any
7 candidate's name designation from a ballot that is
8 inconsistent with subsection (e) of this Section. In addition,
9 the State Board of Elections, a local election official, or an
10 election authority shall not certify to any election authority
11 any candidate name designation that is inconsistent with
12 subsection (e) of this Section.

13 (g) If the State Board of Elections, a local election
14 official, or an election authority removes a candidate's name
15 designation from a ballot under subsection (f) of this
16 Section, then the aggrieved candidate may seek appropriate
17 relief in circuit court.

18 Where voting machines or electronic voting systems are
19 used, the provisions of this Section may be modified as
20 required or authorized by Article 24 or Article 24A, whichever
21 is applicable.

22 Nothing in this Section shall prohibit election
23 authorities from using or reusing ballot card envelopes which
24 were printed before the effective date of this amendatory Act
25 of 1985.

26 (Source: P.A. 94-1090, eff. 6-1-07; 95-699, eff. 11-9-07;

1 95-862, eff. 8-19-08.)

2 (10 ILCS 5/16-5.01) (from Ch. 46, par. 16-5.01)

3 Sec. 16-5.01. (a) Except as otherwise provided in this
4 Code, the ~~The~~ election authority shall, at least 46 days prior
5 to the date of any election at which federal officers are
6 elected and 45 days prior to any other regular election, have a
7 sufficient number of ballots printed so that such ballots will
8 be available for mailing 45 days prior to the date of the
9 election to persons who have filed application for a ballot
10 under the provisions of Article 20 of this Act.

11 (b) If at any election at which federal offices are
12 elected or nominated the election authority is unable to
13 comply with the provisions of subsection (a), the election
14 authority shall mail to each such person, in lieu of the
15 ballot, a Special Write-in Vote by Mail Voter's Blank Ballot.
16 The Special Write-in Vote by Mail Voter's Blank Ballot shall
17 be used at all elections at which federal officers are elected
18 or nominated and shall be prepared by the election authority
19 in substantially the following form:

20 Special Write-in Vote by Mail Voter's Blank Ballot

21 (To vote for a person, write the title of the office and
22 his or her name on the lines provided. Place to the left of and
23 opposite the title of office a square and place a cross (X) in
24 the square.)

25 Title of Office

Name of Candidate

1 ()

2 ()

3 ()

4 ()

5 ()

6 ()

7 The election authority shall send with the Special
8 Write-in Vote by Mail Voter's Blank Ballot a list of all
9 referenda for which the voter is qualified to vote and all
10 candidates for whom nomination papers have been filed and for
11 whom the voter is qualified to vote. The voter shall be
12 entitled to write in the name of any candidate seeking
13 election and any referenda for which he or she is entitled to
14 vote.

15 On the back or outside of the ballot, so as to appear when
16 folded, shall be printed the words "Official Ballot", the date
17 of the election and a facsimile of the signature of the
18 election authority who has caused the ballot to be printed.

19 The provisions of Article 20, insofar as they may be
20 applicable to the Special Write-in Vote by Mail Voter's Blank
21 Ballot, shall be applicable herein.

22 (c) Notwithstanding any provision of this Code or other
23 law to the contrary, the governing body of a municipality may
24 adopt, upon submission of a written statement by the
25 municipality's election authority attesting to the
26 administrative ability of the election authority to administer

1 an election using a ranked ballot to the municipality's
2 governing body, an ordinance requiring, and that
3 municipality's election authority shall prepare, a ranked vote
4 by mail ballot for municipal and township office candidates to
5 be voted on in the consolidated election. This ranked ballot
6 shall be for use only by a qualified voter who either is a
7 member of the United States military or will be outside of the
8 United States on the consolidated primary election day and the
9 consolidated election day. The ranked ballot shall contain a
10 list of the titles of all municipal and township offices
11 potentially contested at both the consolidated primary
12 election and the consolidated election and the candidates for
13 each office and shall permit the elector to vote in the
14 consolidated election by indicating his or her order of
15 preference for each candidate for each office. To indicate his
16 or her order of preference for each candidate for each office,
17 the voter shall put the number one next to the name of the
18 candidate who is the voter's first choice, the number 2 for his
19 or her second choice, and so forth so that, in consecutive
20 numerical order, a number indicating the voter's preference is
21 written by the voter next to each candidate's name on the
22 ranked ballot. The voter shall not be required to indicate his
23 or her preference for more than one candidate on the ranked
24 ballot. The voter may not cast a write-in vote using the ranked
25 ballot for the consolidated election. The election authority
26 shall, if using the ranked vote by mail ballot authorized by

1 this subsection, also prepare instructions for use of the
2 ranked ballot. The ranked ballot for the consolidated election
3 shall be mailed to the voter at the same time that the ballot
4 for the consolidated primary election is mailed to the voter
5 and the election authority shall accept the completed ranked
6 ballot for the consolidated election when the authority
7 accepts the completed ballot for the consolidated primary
8 election.

9 The voter shall also be sent a vote by mail ballot for the
10 consolidated election for those races that are not related to
11 the results of the consolidated primary election as soon as
12 the consolidated election ballot is certified.

13 The State Board of Elections shall adopt rules for
14 election authorities for the implementation of this
15 subsection, including but not limited to the application for
16 and counting of ranked ballots.

17 (Source: P.A. 97-81, eff. 7-5-11; 98-1171, eff. 6-1-15.)

18 (10 ILCS 5/17-13) (from Ch. 46, par. 17-13)

19 Sec. 17-13. (a) In the case of an emergency, as determined
20 by the State Board of Elections, or if the Board determines
21 that all potential polling places have been surveyed by the
22 election authority and that no accessible polling place, as
23 defined by rule of the State Board of Elections, is available
24 within a precinct nor is the election authority able to make a
25 polling place within the precinct temporarily accessible, the

1 Board, upon written application by the election authority, is
2 authorized to grant an exemption from the accessibility
3 requirements of the Federal Voting Accessibility for the
4 Elderly and Handicapped Act (Public Law 98-435). Such
5 exemption shall be valid for a period of 2 years.

6 (b) Any voter with a temporary or permanent disability
7 who, because of structural features of the building in which
8 the polling place is located, is unable to access or enter the
9 polling place, may request that 2 judges of election of
10 opposite party affiliation deliver a ballot to him or her at
11 the point where he or she is unable to continue forward motion
12 toward the polling place; but, in no case, shall a ballot be
13 delivered to the voter beyond 50 feet of the entrance to the
14 building in which the polling place is located. Such request
15 shall be made to the election authority not later than the
16 close of business at the election authority's office on the
17 day before the election and on a form prescribed by the State
18 Board of Elections. The election authority shall notify the
19 judges of election for the appropriate precinct polling places
20 of such requests.

21 Weather permitting, 2 judges of election shall deliver to
22 the voter with a disability the ballot which he or she is
23 entitled to vote, a portable voting booth or other enclosure
24 that will allow such voter to mark his or her ballot in
25 secrecy, and a marking device.

26 (c) The voter must complete the entire voting process,

1 including the application for ballot from which the judges of
2 election shall compare the voter's signature with the
3 signature on his or her registration record card in the
4 precinct binder.

5 ~~(d) Election authorities may establish curbside voting~~
6 ~~for individuals to cast a ballot during early voting or on~~
7 ~~election day. An election authority's curbside voting program~~
8 ~~shall designate at least 2 election judges from opposite~~
9 ~~parties per vehicle and the individual must have the option to~~
10 ~~mark the ballot without interference from the election judges.~~

11 After the voter has marked his or her ballot and placed it
12 in the ballot envelope (or folded it in the manner prescribed
13 for paper ballots), the 2 judges of election shall return the
14 ballot to the polling place and give it to the judge in charge
15 of the ballot box who shall deposit it therein.

16 Pollwatchers as provided in Sections 7-34 and 17-23 of
17 this Code shall be permitted to accompany the judges and
18 observe the above procedure.

19 No assistance may be given to such voter in marking his or
20 her ballot, unless the voter requests assistance and completes
21 the affidavit required by Section 17-14 of this Code.

22 (Source: P.A. 102-1, eff. 4-2-21.)

23 (10 ILCS 5/17-13.5 new)

24 Sec. 17-13.5. Curbside voting. Election authorities may
25 establish curbside voting for individuals to cast a ballot

1 during early voting or on election day. An election
2 authority's curbside voting program shall designate at least 2
3 election judges from opposite parties per vehicle, and the
4 individual shall have the opportunity to mark the ballot
5 without interference from the election judges.

6 (10 ILCS 5/17-16.1) (from Ch. 46, par. 17-16.1)

7 Sec. 17-16.1. Except as otherwise provided in this Code,
8 write-in ~~Write-in~~ votes shall be counted only for persons who
9 have filed notarized declarations of intent to be write-in
10 candidates with the proper election authority or authorities
11 not later than 61 days prior to the election. However,
12 whenever an objection to a candidate's nominating papers or
13 petitions for any office is sustained under Section 10-10
14 after the 61st day before the election, then write-in votes
15 shall be counted for that candidate if he or she has filed a
16 notarized declaration of intent to be a write-in candidate for
17 that office with the proper election authority or authorities
18 not later than 7 days prior to the election.

19 Forms for the declaration of intent to be a write-in
20 candidate shall be supplied by the election authorities. Such
21 declaration shall specify the office for which the person
22 seeks election as a write-in candidate.

23 The election authority or authorities shall deliver a list
24 of all persons who have filed such declarations to the
25 election judges in the appropriate precincts prior to the

1 election.

2 A candidate for whom a nomination paper has been filed as a
3 partisan candidate at a primary election, and who is defeated
4 for his or her nomination at the primary election is
5 ineligible to file a declaration of intent to be a write-in
6 candidate for election in that general or consolidated
7 election.

8 A candidate seeking election to an office for which
9 candidates of political parties are nominated by caucus who is
10 a participant in the caucus and who is defeated for his or her
11 nomination at such caucus is ineligible to file a declaration
12 of intent to be a write-in candidate for election in that
13 general or consolidated election.

14 A candidate seeking election to an office for which
15 candidates are nominated at a primary election on a
16 nonpartisan basis and who is defeated for his or her
17 nomination at the primary election is ineligible to file a
18 declaration of intent to be a write-in candidate for election
19 in that general or consolidated election.

20 Nothing in this Section shall be construed to apply to
21 votes cast under the provisions of subsection (b) of Section
22 16-5.01.

23 (Source: P.A. 95-699, eff. 11-9-07.)

24 (10 ILCS 5/18-9.1) (from Ch. 46, par. 18-9.1)

25 Sec. 18-9.1. Except as otherwise provided in this Code,

1 write-in ~~Write-in~~ votes shall be counted only for persons who
2 have filed notarized declarations of intent to be write-in
3 candidates with the proper election authority or authorities
4 not later than 61 days prior to the election. However,
5 whenever an objection to a candidate's nominating papers or
6 petitions is sustained under Section 10-10 after the 61st day
7 before the election, then write-in votes shall be counted for
8 that candidate if he or she has filed a notarized declaration
9 of intent to be a write-in candidate for that office with the
10 proper election authority or authorities not later than 7 days
11 prior to the election.

12 Forms for the declaration of intent to be a write-in
13 candidate shall be supplied by the election authorities. Such
14 declaration shall specify the office for which the person
15 seeks election as a write-in candidate.

16 The election authority or authorities shall deliver a list
17 of all persons who have filed such declarations to the
18 election judges in the appropriate precincts prior to the
19 election.

20 A candidate for whom a nomination paper has been filed as a
21 partisan candidate at a primary election, and who is defeated
22 for his or her nomination at the primary election, is
23 ineligible to file a declaration of intent to be a write-in
24 candidate for election in that general or consolidated
25 election.

26 A candidate seeking election to an office for which

1 candidates of political parties are nominated by caucus who is
2 a participant in the caucus and who is defeated for his or her
3 nomination at such caucus is ineligible to file a declaration
4 of intent to be a write-in candidate for election in that
5 general or consolidated election.

6 A candidate seeking election to an office for which
7 candidates are nominated at a primary election on a
8 nonpartisan basis and who is defeated for his or her
9 nomination at the primary election is ineligible to file a
10 declaration of intent to be a write-in candidate for election
11 in that general or consolidated election.

12 Nothing in this Section shall be construed to apply to
13 votes cast under the provisions of subsection (b) of Section
14 16-5.01.

15 (Source: P.A. 95-699, eff. 11-9-07.)

16 (10 ILCS 5/19-2) (from Ch. 46, par. 19-2)

17 Sec. 19-2. Except as otherwise provided in this Code, any
18 ~~Any~~ elector as defined in Section 19-1 may by mail or
19 electronically on the website of the appropriate election
20 authority, not more than 90 nor less than 5 days prior to the
21 date of such election, or by personal delivery not more than 90
22 nor less than one day prior to the date of such election, make
23 application to the county clerk or to the Board of Election
24 Commissioners for an official ballot for the voter's precinct
25 to be voted at such election, or be added to a list of

1 permanent vote by mail status voters who receive an official
2 vote by mail ballot for subsequent elections. Voters who make
3 an application for permanent vote by mail ballot status shall
4 follow the procedures specified in Section 19-3. Voters whose
5 application for permanent vote by mail status is accepted by
6 the election authority shall remain on the permanent vote by
7 mail list until the voter requests to be removed from
8 permanent vote by mail status, the voter provides notice to
9 the election authority of a change in registration, or the
10 election authority receives confirmation that the voter has
11 subsequently registered to vote in another county. The URL
12 address at which voters may electronically request a vote by
13 mail ballot shall be fixed no later than 90 calendar days
14 before an election and shall not be changed until after the
15 election. Such a ballot shall be delivered to the elector only
16 upon separate application by the elector for each election.

17 (Source: P.A. 97-81, eff. 7-5-11; 98-115, eff. 7-29-13;
18 98-691, eff. 7-1-14; 98-1171, eff. 6-1-15.)

19 (10 ILCS 5/19-2.4 new)

20 Sec. 19-2.4. Vote by mail; accommodation for voters with a
21 disability. By December 31, 2021, the State Board of Elections
22 shall prepare and submit to the General Assembly proposed
23 legislation establishing a procedure to send vote by mail
24 ballots via electronic transmission and enable a voter with a
25 disability to independently and privately mark a ballot using

1 assistive technology in order for the voter to vote by mail.
2 Prior to submission, the State Board of Elections shall
3 solicit public commentary and conduct at least 2 public
4 hearings on its proposed legislation.

5 (10 ILCS 5/19-2.5 new)

6 Sec. 19-2.5. Notice for vote by mail ballot. An election
7 authority shall notify all qualified voters, not more than 90
8 days nor less than 45 days before a general election, of the
9 option for permanent vote by mail status using the following
10 notice and including the application for permanent vote by
11 mail status in subsection (b) of Section 19-3:

12 "You may apply to permanently be placed on vote by mail
13 status using the attached application."

14 (10 ILCS 5/19-3) (from Ch. 46, par. 19-3)

15 Sec. 19-3. Application for a vote by mail ballot.

16 (a) The application for a vote by mail ballot for a single
17 election shall be substantially in the following form:

18 APPLICATION FOR VOTE BY MAIL BALLOT

19 To be voted at the election in the County of and
20 State of Illinois, in the precinct of the (1) *township of
21 (2) *City of or (3) *.... ward in the City of

22 I state that I am a resident of the precinct of the
23 (1) *township of (2) *City of or (3) *.... ward in
24 the city of residing at in such city or town in the

1 county of and State of Illinois; that I have lived at such
 2 address for month(s) last past; that I am lawfully
 3 entitled to vote in such precinct at the election to be
 4 held therein on; and that I wish to vote by vote by mail
 5 ballot.

6 I hereby make application for an official ballot or
 7 ballots to be voted by me at such election, and I agree that I
 8 shall return such ballot or ballots to the official issuing
 9 the same prior to the closing of the polls on the date of the
 10 election or, if returned by mail, postmarked no later than
 11 election day, for counting no later than during the period for
 12 counting provisional ballots, the last day of which is the
 13 14th day following election day.

14 I understand that this application is made for an official
 15 vote by mail ballot or ballots to be voted by me at the
 16 election specified in this application and that I must submit
 17 a separate application for an official vote by mail ballot or
 18 ballots to be voted by me at any subsequent election.

19 Under penalties as provided by law pursuant to Section
 20 29-10 of the Election Code, the undersigned certifies that the
 21 statements set forth in this application are true and correct.

22

23 *fill in either (1), (2) or (3).

24 Post office address to which ballot is mailed:

25

26 (b) The application for permanent vote by mail status

1 shall be substantially in the following form:

2 APPLICATION FOR PERMANENT VOTE BY MAIL STATUS

3 I am currently a registered voter and wish to apply for
4 permanent vote by mail status.

5 I state that I am a resident of the City of residing
6 at in such city in the county of and State of
7 Illinois; that I have lived at such address for month(s)
8 last past; that I am lawfully entitled to vote in such precinct
9 at the election to be held therein on; and that I
10 wish to vote by vote by mail ballot in:

11 all subsequent elections that do not require a party
12 designation.

13 all subsequent elections, and I wish to receive a
14 Party vote by mail ballot in
15 elections that require a party designation.

16 I hereby make application for an official ballot or
17 ballots to be voted by me at such election, and I agree that I
18 shall return such ballot or ballots to the official issuing
19 the same prior to the closing of the polls on the date of the
20 election or, if returned by mail, postmarked no later than
21 election day, for counting no later than during the period for
22 counting provisional ballots, the last day of which is the
23 14th day following election day.

24 Under penalties as provided by law under Section 29-10 of
25 the Election Code, the undersigned certifies that the
26 statements set forth in this application are true and correct.

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....

Post office address to which ballot is mailed:

.....

(c) However, if application is made for a primary election ballot, such application shall require the applicant to designate the name of the political party with which the applicant is affiliated. The election authority shall allow any voter on permanent vote by mail status to change his or her party affiliation for a primary election ballot by a method and deadline published and selected by the election authority.

(d) If application is made electronically, the applicant shall mark the box associated with the above described statement included as part of the online application certifying that the statements set forth in the ~~this~~ application under subsection (a) or (b) are true and correct, and a signature is not required.

(e) Any person may produce, reproduce, distribute, or return to an election authority an ~~the~~ application under this Section ~~for vote by mail ballot.~~ If applications are sent to a post office box controlled by any individual or organization that is not an election authority, those applications shall (i) include a valid and current phone number for the individual or organization controlling the post office box and (ii) be turned over to the appropriate election authority within 7 days of receipt or, if received within 2 weeks of the election in which an applicant intends to vote, within 2 days

1 of receipt. Failure to turn over the applications in
2 compliance with this paragraph shall constitute a violation of
3 this Code and shall be punishable as a petty offense with a
4 fine of \$100 per application. Removing, tampering with, or
5 otherwise knowingly making the postmark on the application
6 unreadable by the election authority shall establish a
7 rebuttable presumption of a violation of this paragraph. Upon
8 receipt, the appropriate election authority shall accept and
9 promptly process any application under this Section ~~for vote~~
10 ~~by mail ballot~~ submitted in a form substantially similar to
11 that required by this Section, including any substantially
12 similar production or reproduction generated by the applicant.

13 (f) An election authority may combine the applications in
14 subsections (a) and (b) onto one form, but the distinction
15 between the applications must be clear and the form must
16 provide check boxes for an applicant to indicate whether he or
17 she is applying for a single election vote by mail ballot or
18 for permanent vote by mail status.

19 (Source: P.A. 99-522, eff. 6-30-16; 100-623, eff. 7-20-18.)

20 (10 ILCS 5/19A-15)

21 Sec. 19A-15. Period for early voting; hours.

22 (a) Except as otherwise provided in this Code, the ~~The~~
23 period for early voting by personal appearance begins the 40th
24 day preceding a general primary, consolidated primary,
25 consolidated, or general election and extends through the end

1 of the day before election day.

2 (b) Except as otherwise provided by this Section, a
3 permanent polling place for early voting must remain open
4 beginning the 15th day before an election through the end of
5 the day before election day during the hours of 8:30 a.m. to
6 4:30 p.m., or 9:00 a.m. to 5:00 p.m., on weekdays, except that
7 beginning 8 days before election day, a permanent polling
8 place for early voting must remain open during the hours of
9 8:30 a.m. to 7:00 p.m., or 9:00 a.m. to 7:00 p.m., and 9:00
10 a.m. to 12:00 p.m. on Saturdays and holidays, and 10:00 a.m. to
11 4 p.m. on Sundays; except that, in addition to the hours
12 required by this subsection, a permanent polling place
13 designated by an election authority under subsections (c),
14 (d), and (e) of Section 19A-10 must remain open for a total of
15 at least 8 hours on any holiday during the early voting period
16 and a total of at least 14 hours on the final weekend during
17 the early voting period.

18 (c) Notwithstanding subsection (b), an election authority
19 may close an early voting polling place if the building in
20 which the polling place is located has been closed by the State
21 or unit of local government in response to a severe weather
22 emergency or other force majeure. The election authority shall
23 notify the State Board of Elections of any closure and shall
24 make reasonable efforts to provide notice to the public of an
25 alternative location for early voting.

26 (d) (Blank).

1 (Source: P.A. 97-81, eff. 7-5-11; 97-766, eff. 7-6-12; 98-4,
2 eff. 3-12-13; 98-115, eff. 7-29-13; 98-691, eff. 7-1-14;
3 98-1171, eff. 6-1-15.)

4 (10 ILCS 5/19A-20)

5 Sec. 19A-20. Temporary branch polling places.

6 (a) In addition to permanent polling places for early
7 voting, the election authority may establish temporary branch
8 polling places for early voting.

9 (b) The provisions of subsection (b) of Section 19A-15 do
10 not apply to a temporary polling place. Voting at a temporary
11 branch polling place may be conducted on any one or more days
12 and during any hours within the period for early voting by
13 personal appearance that are determined by the election
14 authority.

15 (c) The schedules for conducting voting do not need to be
16 uniform among the temporary branch polling places.

17 (d) The legal rights and remedies which inure to the owner
18 or lessor of private property are not impaired or otherwise
19 affected by the leasing of the property for use as a temporary
20 branch polling place for early voting, except to the extent
21 necessary to conduct early voting at that location.

22 (e) In a county with a population of:

23 (1) 3,000,000 or more, the election authority in the
24 county shall establish a temporary branch polling place
25 under this Section in the county jail. Only a resident of a

1 county who is in custody at the county jail and who has not
2 been convicted of the offense for which the resident is in
3 custody is eligible to vote at a temporary branch polling
4 place established under this paragraph (1) subsection. The
5 temporary branch polling place established under this
6 paragraph (1) subsection shall allow a voter to vote in
7 the same elections that the voter would be entitled to
8 vote in where the voter resides. To the maximum extent
9 feasible, voting booths or screens shall be provided to
10 ensure the privacy of the voter.

11 (2) less than 3,000,000, the sheriff may establish a
12 temporary branch polling place at the county jail. Only a
13 resident of a county who is in custody at the county jail
14 and who has not been convicted of the offense for which the
15 resident is in custody is eligible to vote at a temporary
16 branch polling place established under this paragraph (2).
17 A temporary branch polling place established under this
18 paragraph (2) shall allow a voter to vote in the same
19 elections that the voter would be entitled to vote in
20 where the voter resides. To the maximum extent feasible,
21 voting booths or screens shall be provided to ensure the
22 privacy of the voter.

23 All provisions of this Code applicable to pollwatchers
24 shall apply to a temporary branch polling place under this
25 subsection (e), subject to approval from the election
26 authority and the county jail, except that nonpartisan

1 pollwatchers shall be limited to one per division within the
2 jail instead of one per precinct. A county that establishes a
3 temporary branch polling place inside a county jail in
4 accordance with this subsection (e) shall adhere to all
5 requirements of this subsection (e). All requirements of the
6 federal Voting Rights Act of 1965 and Sections 203 and 208 of
7 the federal Americans with Disabilities Act shall apply to
8 this subsection (e).

9 (Source: P.A. 101-442, eff. 1-1-20.)

10 (10 ILCS 5/23-6.1) (from Ch. 46, par. 23-6.1)

11 Sec. 23-6.1. Whenever an election contest for a municipal
12 trustee or alderperson ~~alderman~~ is brought involving ballots
13 from the same precincts which are subject to the jurisdiction
14 of the circuit court by virtue of the pendency of an election
15 contest for another office, the municipal council or board of
16 trustees having jurisdiction of the municipal election contest
17 shall have priority of access and possession of the ballots
18 and other election materials for the purpose of conducting a
19 recount or other related proceedings for a period of 30 days
20 following the commencement of the municipal election contest.
21 The election authority shall notify the court and the
22 municipal council or board of the pendency of all other
23 contests relating to the same precincts.

24 (Source: P.A. 90-655, eff. 7-30-98.)

1 (10 ILCS 5/25-6) (from Ch. 46, par. 25-6)

2 Sec. 25-6. General Assembly vacancies. (a) When a
3 vacancy occurs in the office of State Senator or
4 Representative in the General Assembly, the vacancy shall be
5 filled within 30 days by appointment of the legislative or
6 representative committee of that legislative or representative
7 district of the political party of which the incumbent was a
8 candidate at the time of his election. Prior to holding a
9 meeting to fill the vacancy, the committee shall make public
10 (i) the names of the committeeperson on the appropriate
11 legislative or representative committee, (ii) the date, time,
12 and location of the meeting to fill the vacancy, and (iii) any
13 information on how to apply or submit a name for consideration
14 as the appointee. A meeting to fill a vacancy in office shall
15 be held in the district or virtually, and any meeting shall be
16 accessible to the public. The appointee shall be a member of
17 the same political party as the person he succeeds was at the
18 time of his election, and shall be otherwise eligible to serve
19 as a member of the General Assembly.

20 (b) When a vacancy occurs in the office of a legislator
21 elected other than as a candidate of a political party, the
22 vacancy shall be filled within 30 days of such occurrence by
23 appointment of the Governor. The appointee shall not be a
24 member of a political party, and shall be otherwise eligible
25 to serve as a member of the General Assembly. Provided,
26 however, the appropriate body of the General Assembly may, by

1 resolution, allow a legislator elected other than as a
2 candidate of a political party to affiliate with a political
3 party for his term of office in the General Assembly. A vacancy
4 occurring in the office of any such legislator who affiliates
5 with a political party pursuant to resolution shall be filled
6 within 30 days of such occurrence by appointment of the
7 appropriate legislative or representative committee of that
8 legislative or representative district of the political party
9 with which the legislator so affiliates. The appointee shall
10 be a member of the political party with which the incumbent
11 affiliated.

12 (c) For purposes of this Section, a person is a member of a
13 political party for 23 months after (i) signing a candidate
14 petition, as to the political party whose nomination is
15 sought; (ii) signing a statement of candidacy, as to the
16 political party where nomination or election is sought; (iii)
17 signing a Petition of Political Party Formation, as to the
18 proposed political party; (iv) applying for and receiving a
19 primary ballot, as to the political party whose ballot is
20 received; or (v) becoming a candidate for election to or
21 accepting appointment to the office of ward, township,
22 precinct or state central committeeperson.

23 (d) In making appointments under this Section, each
24 committeeperson of the appropriate legislative or
25 representative committee shall be entitled to one vote for
26 each vote that was received, in that portion of the

1 legislative or representative district which he represents on
2 the committee, by the Senator or Representative whose seat is
3 vacant at the general election at which that legislator was
4 elected to the seat which has been vacated and a majority of
5 the total number of votes received in such election by the
6 Senator or Representative whose seat is vacant is required for
7 the appointment of his successor; provided, however, that in
8 making appointments in legislative or representative districts
9 comprising only one county or part of a county other than a
10 county containing 2,000,000 or more inhabitants, each
11 committeeperson shall be entitled to cast only one vote.

12 (e) Appointments made under this Section shall be in
13 writing and shall be signed by members of the legislative or
14 representative committee whose total votes are sufficient to
15 make the appointments or by the Governor, as the case may be.
16 Such appointments shall be filed with the Secretary of State
17 and with the Clerk of the House of Representatives or the
18 Secretary of the Senate, whichever is appropriate.

19 (f) An appointment made under this Section shall be for
20 the remainder of the term, except that, if the appointment is
21 to fill a vacancy in the office of State Senator and the
22 vacancy occurs with more than 28 months remaining in the term,
23 the term of the appointment shall expire at the time of the
24 next general election at which time a Senator shall be elected
25 for a new term commencing on the determination of the results
26 of the election and ending on the second Wednesday of January

1 in the second odd-numbered year next occurring. Whenever a
2 Senator has been appointed to fill a vacancy and was
3 thereafter elected to that office, the term of service under
4 the authority of the election shall be considered a new term of
5 service, separate from the term of service rendered under the
6 authority of the appointment.

7 (Source: P.A. 100-1027, eff. 1-1-19.)

8 (10 ILCS 5/29-15) (from Ch. 46, par. 29-15)

9 Sec. 29-15. Conviction deemed infamous. Any person
10 convicted of an infamous crime as such term is defined in
11 Section 124-1 of the Code of Criminal Procedure of 1963, as
12 amended, shall thereafter be prohibited from holding any
13 office of honor, trust, or profit, unless such person is again
14 restored to such rights by the terms of a pardon for the
15 offense, has received a restoration of rights by the Governor,
16 or otherwise according to law. Any time after a judgment of
17 conviction is rendered, a person convicted of an infamous
18 crime may petition the Governor for a restoration of rights.

19 The changes made to this Section by this amendatory Act of
20 the 102nd General Assembly are declarative of existing law.

21 (Source: P.A. 83-1097.)

22 Section 10. The Illinois Pension Code is amended by
23 changing Sections 6-230, 7-109, 8-113, 8-232, 8-243, and
24 8-243.2 as follows:

1 (40 ILCS 5/6-230)

2 Sec. 6-230. Participation by an alderperson ~~alderman~~ or
3 member of city council.

4 (a) A person shall be a member under this Article if he or
5 she (1) is or was employed and receiving a salary as a fireman
6 under item (a) of Section 6-106, (2) has at least 5 years of
7 service under this Article, (3) is employed in a position
8 covered under Section 8-243, (4) made an election under
9 Article 8 to not receive service credit or be a participant
10 under that Article, and (5) made an election to participate
11 under this Article.

12 (b) For the purposes of determining employee and employer
13 contributions under this Article, the employee and employer
14 shall be responsible for any and all contributions otherwise
15 required if the person was employed and receiving salary as a
16 fireman under item (a) of Section 6-106.

17 (Source: P.A. 100-1144, eff. 11-28-18.)

18 (40 ILCS 5/7-109) (from Ch. 108 1/2, par. 7-109)

19 Sec. 7-109. Employee.

20 (1) "Employee" means any person who:

21 (a) 1. Receives earnings as payment for the
22 performance of personal services or official duties out of
23 the general fund of a municipality, or out of any special
24 fund or funds controlled by a municipality, or by an

1 instrumentality thereof, or a participating
2 instrumentality, including, in counties, the fees or
3 earnings of any county fee office; and

4 2. Under the usual common law rules applicable in
5 determining the employer-employee relationship, has the
6 status of an employee with a municipality, or any
7 instrumentality thereof, or a participating
8 instrumentality, including alderpersons ~~aldermen~~, county
9 supervisors and other persons (excepting those employed as
10 independent contractors) who are paid compensation, fees,
11 allowances or other emolument for official duties, and, in
12 counties, the several county fee offices.

13 (b) Serves as a township treasurer appointed under the
14 School Code, as heretofore or hereafter amended, and who
15 receives for such services regular compensation as
16 distinguished from per diem compensation, and any regular
17 employee in the office of any township treasurer whether
18 or not his earnings are paid from the income of the
19 permanent township fund or from funds subject to
20 distribution to the several school districts and parts of
21 school districts as provided in the School Code, or from
22 both such sources; or is the chief executive officer,
23 chief educational officer, chief fiscal officer, or other
24 employee of a Financial Oversight Panel established
25 pursuant to Article 1H of the School Code, other than a
26 superintendent or certified school business official,

1 except that such person shall not be treated as an
2 employee under this Section if that person has negotiated
3 with the Financial Oversight Panel, in conjunction with
4 the school district, a contractual agreement for exclusion
5 from this Section.

6 (c) Holds an elective office in a municipality,
7 instrumentality thereof or participating instrumentality.

8 (2) "Employee" does not include persons who:

9 (a) Are eligible for inclusion under any of the
10 following laws:

11 1. "An Act in relation to an Illinois State
12 Teachers' Pension and Retirement Fund", approved May
13 27, 1915, as amended;

14 2. Articles 15 and 16 of this Code.

15 However, such persons shall be included as employees
16 to the extent of earnings that are not eligible for
17 inclusion under the foregoing laws for services not of an
18 instructional nature of any kind.

19 However, any member of the armed forces who is
20 employed as a teacher of subjects in the Reserve Officers
21 Training Corps of any school and who is not certified
22 under the law governing the certification of teachers
23 shall be included as an employee.

24 (b) Are designated by the governing body of a
25 municipality in which a pension fund is required by law to
26 be established for policemen or firemen, respectively, as

1 performing police or fire protection duties, except that
2 when such persons are the heads of the police or fire
3 department and are not eligible to be included within any
4 such pension fund, they shall be included within this
5 Article; provided, that such persons shall not be excluded
6 to the extent of concurrent service and earnings not
7 designated as being for police or fire protection duties.
8 However, (i) any head of a police department who was a
9 participant under this Article immediately before October
10 1, 1977 and did not elect, under Section 3-109 of this Act,
11 to participate in a police pension fund shall be an
12 "employee", and (ii) any chief of police who became a
13 participating employee under this Article before January
14 1, 2019 and who elects to participate in this Fund under
15 Section 3-109.1 of this Code, regardless of whether such
16 person continues to be employed as chief of police or is
17 employed in some other rank or capacity within the police
18 department, shall be an employee under this Article for so
19 long as such person is employed to perform police duties
20 by a participating municipality and has not lawfully
21 rescinded that election.

22 (b-5) Were not participating employees under this
23 Article before the effective date of this amendatory Act
24 of the 100th General Assembly and participated as a chief
25 of police in a fund under Article 3 and return to work in
26 any capacity with the police department, with any

1 oversight of the police department, or in an advisory
2 capacity for the police department with the same
3 municipality with which that pension was earned,
4 regardless of whether they are considered an employee of
5 the police department or are eligible for inclusion in the
6 municipality's Article 3 fund.

7 (c) Are contributors to or eligible to contribute to a
8 Taft-Hartley pension plan to which the participating
9 municipality is required to contribute as the person's
10 employer based on earnings from the municipality. Nothing
11 in this paragraph shall affect service credit or
12 creditable service for any period of service prior to the
13 effective date of this amendatory Act of the 98th General
14 Assembly, and this paragraph shall not apply to
15 individuals who are participating in the Fund prior to the
16 effective date of this amendatory Act of the 98th General
17 Assembly.

18 (d) Become an employee of any of the following
19 participating instrumentalities on or after the effective
20 date of this amendatory Act of the 99th General Assembly:
21 the Illinois Municipal League; the Illinois Association of
22 Park Districts; the Illinois Supervisors, County
23 Commissioners and Superintendents of Highways Association;
24 an association, or not-for-profit corporation, membership
25 in which is authorized under Section 85-15 of the Township
26 Code; the United Counties Council; or the Will County

1 Governmental League.

2 (3) All persons, including, without limitation, public
3 defenders and probation officers, who receive earnings from
4 general or special funds of a county for performance of
5 personal services or official duties within the territorial
6 limits of the county, are employees of the county (unless
7 excluded by subsection (2) of this Section) notwithstanding
8 that they may be appointed by and are subject to the direction
9 of a person or persons other than a county board or a county
10 officer. It is hereby established that an employer-employee
11 relationship under the usual common law rules exists between
12 such employees and the county paying their salaries by reason
13 of the fact that the county boards fix their rates of
14 compensation, appropriate funds for payment of their earnings
15 and otherwise exercise control over them. This finding and
16 this amendatory Act shall apply to all such employees from the
17 date of appointment whether such date is prior to or after the
18 effective date of this amendatory Act and is intended to
19 clarify existing law pertaining to their status as
20 participating employees in the Fund.

21 (Source: P.A. 99-830, eff. 1-1-17; 100-281, eff. 8-24-17;
22 100-1097, eff. 8-26-18.)

23 (40 ILCS 5/8-113) (from Ch. 108 1/2, par. 8-113)

24 Sec. 8-113. Municipal employee, employee, contributor, or
25 participant. "Municipal employee", "employee", "contributor",

1 or "participant":

2 (a) Any employee of an employer employed in the classified
3 civil service thereof other than by temporary appointment or
4 in a position excluded or exempt from the classified service
5 by the Civil Service Act, or in the case of a city operating
6 under a personnel ordinance, any employee of an employer
7 employed in the classified or career service under the
8 provisions of a personnel ordinance, other than in a
9 provisional or exempt position as specified in such ordinance
10 or in rules and regulations formulated thereunder.

11 (b) Any employee in the service of an employer before the
12 Civil Service Act came in effect for the employer.

13 (c) Any person employed by the board.

14 (d) Any person employed after December 31, 1949, but prior
15 to January 1, 1984, in the service of the employer by temporary
16 appointment or in a position exempt from the classified
17 service as set forth in the Civil Service Act, or in a
18 provisional or exempt position as specified in the personnel
19 ordinance, who meets the following qualifications:

20 (1) has rendered service during not less than 12
21 calendar months to an employer as an employee, officer, or
22 official, 4 months of which must have been consecutive
23 full normal working months of service rendered immediately
24 prior to filing application to be included; and

25 (2) files written application with the board, while in
26 the service, to be included hereunder.

1 (e) After December 31, 1949, any alderperson ~~alderman~~ or
2 other officer or official of the employer, who files, while in
3 office, written application with the board to be included
4 hereunder.

5 (f) Beginning January 1, 1984, any person employed by an
6 employer other than the Chicago Housing Authority or the
7 Public Building Commission of the city, whether or not such
8 person is serving by temporary appointment or in a position
9 exempt from the classified service as set forth in the Civil
10 Service Act, or in a provisional or exempt position as
11 specified in the personnel ordinance, provided that such
12 person is neither (1) an alderperson ~~alderman~~ or other officer
13 or official of the employer, nor (2) participating, on the
14 basis of such employment, in any other pension fund or
15 retirement system established under this Act.

16 (g) After December 31, 1959, any person employed in the
17 law department of the city, or municipal court or Board of
18 Election Commissioners of the city, who was a contributor and
19 participant, on December 31, 1959, in the annuity and benefit
20 fund in operation in the city on said date, by virtue of the
21 Court and Law Department Employees' Annuity Act or the Board
22 of Election Commissioners Employees' Annuity Act.

23 After December 31, 1959, the foregoing definition includes
24 any other person employed or to be employed in the law
25 department, or municipal court (other than as a judge), or
26 Board of Election Commissioners (if his salary is provided by

1 appropriation of the city council of the city and his salary
2 paid by the city) -- subject, however, in the case of such
3 persons not participants on December 31, 1959, to compliance
4 with the same qualifications and restrictions otherwise set
5 forth in this Section and made generally applicable to
6 employees or officers of the city concerning eligibility for
7 participation or membership.

8 Notwithstanding any other provision in this Section, any
9 person who first becomes employed in the law department of the
10 city on or after the effective date of this amendatory Act of
11 the 100th General Assembly shall be included within the
12 foregoing definition, effective upon the date the person first
13 becomes so employed, regardless of the nature of the
14 appointment the person holds under the provisions of a
15 personnel ordinance.

16 (h) After December 31, 1965, any person employed in the
17 public library of the city -- and any other person -- who was a
18 contributor and participant, on December 31, 1965, in the
19 pension fund in operation in the city on said date, by virtue
20 of the Public Library Employees' Pension Act.

21 (i) After December 31, 1968, any person employed in the
22 house of correction of the city, who was a contributor and
23 participant, on December 31, 1968, in the pension fund in
24 operation in the city on said date, by virtue of the House of
25 Correction Employees' Pension Act.

26 (j) Any person employed full-time on or after the

1 effective date of this amendatory Act of the 92nd General
2 Assembly by the Chicago Housing Authority who has elected to
3 participate in this Fund as provided in subsection (a) of
4 Section 8-230.9.

5 (k) Any person employed full-time by the Public Building
6 Commission of the city who has elected to participate in this
7 Fund as provided in subsection (d) of Section 8-230.7.

8 (Source: P.A. 100-23, eff. 7-6-17.)

9 (40 ILCS 5/8-232) (from Ch. 108 1/2, par. 8-232)

10 Sec. 8-232. Basis of service credit.

11 (a) In computing the period of service of any employee for
12 the minimum annuity under Section 8-138, the following
13 provisions shall govern:

14 (1) All periods prior to the effective date shall be
15 computed in accordance with the provisions of Section
16 8-226, except for a re-entrant or future entrant who was
17 not in service on the day before the effective date.

18 (2) Service subsequent to the day before the effective
19 date, shall include: the actual period of time the
20 employee performs the duties of his position and makes
21 required contributions or performs such duties and is
22 given a city contribution for age and service annuity
23 purposes; leaves of absence from duty, or vacation, for
24 which an employee receives all or part of his salary;
25 periods included under item (c) of Section 8-226; periods

1 during which the employee is temporarily assigned to
2 another position in the service and permitted to make
3 contributions to the fund; periods during which the
4 employee has had contributions for annuity purposes made
5 for him in accordance with law while on military leave of
6 absence during World War II; periods during which the
7 employee receives disability benefit under this Article,
8 or a temporary total disability benefit under the Workers'
9 Compensation Act if the disability results from a
10 condition commonly termed heart attack or stroke or any
11 other condition falling within the broad field of coronary
12 involvement or heart disease;

13 (3) Service during 6 or more months in any year shall
14 constitute a year of service, and service of less than 6
15 months but at least 1 month in any year shall constitute a
16 half year of service. However the right to have certain
17 periods of time considered as service as stated in
18 paragraph 2 of Section 8-168 or in Section 8-243 relating
19 to service as Aldersperson ~~Alderman~~ shall not apply for
20 minimum annuity purposes under Section 8-138 of this
21 Article.

22 (b) For all other purposes of this Article, the following
23 schedule shall govern the computation of service of an
24 employee whose salary or wages is on the basis stated, and any
25 fractional part of a year of service shall be determined
26 according to said schedule:

1 Annual or Monthly basis: Service during 4 months in any 1
2 calendar year shall constitute a year of service.

3 Weekly basis: Service during any week shall constitute a
4 week of service and service during any 17 weeks in any 1
5 calendar year shall constitute a year of service.

6 Daily basis: Service during any day shall constitute a day
7 of service and service during 100 days in any 1 calendar year
8 shall constitute a year of service.

9 Hourly basis: Service during any hour shall constitute an
10 hour of service and service during 700 hours in any 1 calendar
11 year shall constitute a year of service.

12 (Source: P.A. 85-964; 86-1488.)

13 (40 ILCS 5/8-243) (from Ch. 108 1/2, par. 8-243)

14 Sec. 8-243. Service as alderperson ~~alderman~~ or member of
15 city council. Whenever any person has served or hereafter
16 serves as a duly elected alderperson ~~alderman~~ or member of the
17 city council of any city of more than 500,000 inhabitants and
18 is or hereafter becomes a contributing participant in any
19 pension fund or any annuity and benefit fund in existence in
20 such city by operation of law, the period of service as such
21 alderperson ~~alderman~~ or member of the city council shall be
22 counted as a period of service in computing any annuity or
23 pension which such person may become entitled to receive from
24 such fund upon separation from the service, except as ruled
25 out for minimum annuity purposes in Section 8-232(a)(3).

1 (Source: Laws 1963, p. 161.)

2 (40 ILCS 5/8-243.2) (from Ch. 108 1/2, par. 8-243.2)

3 Sec. 8-243.2. Alternative annuity for city officers.

4 (a) For the purposes of this Section and Sections 8-243.1
5 and 8-243.3, "city officer" means the city clerk, the city
6 treasurer, or an alderperson ~~alderman~~ of the city elected by
7 vote of the people, while serving in that capacity or as
8 provided in subsection (f), who has elected to participate in
9 the Fund.

10 (b) Any elected city officer, while serving in that
11 capacity or as provided in subsection (f), may elect to
12 establish alternative credits for an alternative annuity by
13 electing in writing to make additional optional contributions
14 in accordance with this Section and the procedures established
15 by the board. Such elected city officer may discontinue making
16 the additional optional contributions by notifying the Fund in
17 writing in accordance with this Section and procedures
18 established by the board.

19 Additional optional contributions for the alternative
20 annuity shall be as follows:

21 (1) For service after the option is elected, an
22 additional contribution of 3% of salary shall be
23 contributed to the Fund on the same basis and under the
24 same conditions as contributions required under Sections
25 8-174 and 8-182.

1 (2) For service before the option is elected, an
2 additional contribution of 3% of the salary for the
3 applicable period of service, plus interest at the
4 effective rate from the date of service to the date of
5 payment. All payments for past service must be paid in
6 full before credit is given. No additional optional
7 contributions may be made for any period of service for
8 which credit has been previously forfeited by acceptance
9 of a refund, unless the refund is repaid in full with
10 interest at the effective rate from the date of refund to
11 the date of repayment.

12 (c) In lieu of the retirement annuity otherwise payable
13 under this Article, any city officer elected by vote of the
14 people who (1) has elected to participate in the Fund and make
15 additional optional contributions in accordance with this
16 Section, and (2) has attained age 55 with at least 10 years of
17 service credit, or has attained age 60 with at least 8 years of
18 service credit, may elect to have his retirement annuity
19 computed as follows: 3% of the participant's salary at the
20 time of termination of service for each of the first 8 years of
21 service credit, plus 4% of such salary for each of the next 4
22 years of service credit, plus 5% of such salary for each year
23 of service credit in excess of 12 years, subject to a maximum
24 of 80% of such salary. To the extent such elected city officer
25 has made additional optional contributions with respect to
26 only a portion of his years of service credit, his retirement

1 annuity will first be determined in accordance with this
2 Section to the extent such additional optional contributions
3 were made, and then in accordance with the remaining Sections
4 of this Article to the extent of years of service credit with
5 respect to which additional optional contributions were not
6 made.

7 (d) In lieu of the disability benefits otherwise payable
8 under this Article, any city officer elected by vote of the
9 people who (1) has elected to participate in the Fund, and (2)
10 has become permanently disabled and as a consequence is unable
11 to perform the duties of his office, and (3) was making
12 optional contributions in accordance with this Section at the
13 time the disability was incurred, may elect to receive a
14 disability annuity calculated in accordance with the formula
15 in subsection (c). For the purposes of this subsection, such
16 elected city officer shall be considered permanently disabled
17 only if: (i) disability occurs while in service as an elected
18 city officer and is of such a nature as to prevent him from
19 reasonably performing the duties of his office at the time;
20 and (ii) the board has received a written certification by at
21 least 2 licensed physicians appointed by it stating that such
22 officer is disabled and that the disability is likely to be
23 permanent.

24 (e) Refunds of additional optional contributions shall be
25 made on the same basis and under the same conditions as
26 provided under Sections 8-168, 8-170 and 8-171. Interest shall

1 be credited at the effective rate on the same basis and under
2 the same conditions as for other contributions. Optional
3 contributions shall be accounted for in a separate Elected
4 City Officer Optional Contribution Reserve. Optional
5 contributions under this Section shall be included in the
6 amount of employee contributions used to compute the tax levy
7 under Section 8-173.

8 (f) The effective date of this plan of optional
9 alternative benefits and contributions shall be July 1, 1990,
10 or the date upon which approval is received from the U.S.
11 Internal Revenue Service, whichever is later.

12 The plan of optional alternative benefits and
13 contributions shall not be available to any former city
14 officer or employee receiving an annuity from the Fund on the
15 effective date of the plan, unless he re-enters service as an
16 elected city officer and renders at least 3 years of
17 additional service after the date of re-entry. However, a
18 person who holds office as a city officer on June 1, 1995 may
19 elect to participate in the plan, to transfer credits into the
20 Fund from other Articles of this Code, and to make the
21 contributions required for prior service, until 30 days after
22 the effective date of this amendatory Act of the 92nd General
23 Assembly, notwithstanding the ending of his term of office
24 prior to that effective date; in the event that the person is
25 already receiving an annuity from this Fund or any other
26 Article of this Code at the time of making this election, the

1 annuity shall be recalculated to include any increase
2 resulting from participation in the plan, with such increase
3 taking effect on the effective date of the election.

4 (g) Notwithstanding any other provision in this Section or
5 in this Code to the contrary, any person who first becomes a
6 city officer, as defined in this Section, on or after the
7 effective date of this amendatory Act of the 100th General
8 Assembly, shall not be eligible for the alternative annuity or
9 alternative disability benefits as provided in subsections
10 (a), (b), (c), and (d) of this Section or for the alternative
11 survivor's benefits as provided in Section 8-243.3. Such
12 person shall not be eligible, or be required, to make any
13 additional contributions beyond those required of other
14 participants under Sections 8-137, 8-174, and 8-182. The
15 retirement annuity, disability benefits, and survivor's
16 benefits for a person who first becomes a city officer on or
17 after the effective date of this amendatory Act of the 100th
18 General Assembly shall be determined pursuant to the
19 provisions otherwise provided in this Article.

20 (Source: P.A. 100-23, eff. 7-6-17.)

21 Section 15. The Public Officer Prohibited Activities Act
22 is amended by changing Sections 1, 1.3, 2, and 4 as follows:

23 (50 ILCS 105/1) (from Ch. 102, par. 1)

24 Sec. 1. County board. No member of a county board, during

1 the term of office for which he or she is elected, may be
2 appointed to, accept, or hold any office other than (i)
3 chairman of the county board or member of the regional
4 planning commission by appointment or election of the board of
5 which he or she is a member, (ii) alderperson ~~alderman~~ of a
6 city or member of the board of trustees of a village or
7 incorporated town if the city, village, or incorporated town
8 has fewer than 1,000 inhabitants and is located in a county
9 having fewer than 50,000 inhabitants, or (iii) trustee of a
10 forest preserve district created under Section 18.5 of the
11 Conservation District Act, unless he or she first resigns from
12 the office of county board member or unless the holding of
13 another office is authorized by law. Any such prohibited
14 appointment or election is void. This Section shall not
15 preclude a member of the county board from being appointed or
16 selected to serve as (i) a member of a County Extension Board
17 as provided in Section 7 of the County Cooperative Extension
18 Law, (ii) a member of an Emergency Telephone System Board as
19 provided in Section 15.4 of the Emergency Telephone System
20 Act, (iii) a member of the board of review as provided in
21 Section 6-30 of the Property Tax Code, or (iv) a public
22 administrator or public guardian as provided in Section 13-1
23 of the Probate Act of 1975. Nothing in this Act shall be
24 construed to prohibit an elected county official from holding
25 elected office in another unit of local government so long as
26 there is no contractual relationship between the county and

1 the other unit of local government. This amendatory Act of
2 1995 is declarative of existing law and is not a new enactment.
3 (Source: P.A. 100-290, eff. 8-24-17.)

4 (50 ILCS 105/1.3)

5 Sec. 1.3. Municipal board member; education office. In a
6 city, village, or incorporated town with fewer than 2,500
7 inhabitants, an alderperson ~~alderman~~ of the city or a member
8 of the board of trustees of a village or incorporated town,
9 during the term of office for which he or she is elected, may
10 also hold the office of member of the board of education,
11 regional board of school trustees, board of school directors,
12 or board of school inspectors.

13 (Source: P.A. 91-161, eff. 7-16-99.)

14 (50 ILCS 105/2) (from Ch. 102, par. 2)

15 Sec. 2. No alderperson ~~alderman~~ of any city, or member of
16 the board of trustees of any village, during the term of office
17 for which he or she is elected, may accept, be appointed to, or
18 hold any office by the appointment of the mayor or president of
19 the board of trustees, unless the alderperson ~~alderman~~ or
20 board member is granted a leave of absence from such office, or
21 unless he or she first resigns from the office of alderperson
22 ~~alderman~~ or member of the board of trustees, or unless the
23 holding of another office is authorized by law. The
24 alderperson ~~alderman~~ or board member may, however, serve as a

1 volunteer fireman and receive compensation for that service.
2 The alderperson ~~alderman~~ may also serve as a commissioner of
3 the Beardstown Regional Flood Prevention District board. Any
4 appointment in violation of this Section is void. Nothing in
5 this Act shall be construed to prohibit an elected municipal
6 official from holding elected office in another unit of local
7 government as long as there is no contractual relationship
8 between the municipality and the other unit of local
9 government. This amendatory Act of 1995 is declarative of
10 existing law and is not a new enactment.
11 (Source: P.A. 97-309, eff. 8-11-11.)

12 (50 ILCS 105/4) (from Ch. 102, par. 4)

13 Sec. 4. Any alderperson ~~alderman~~, member of a board of
14 trustees, supervisor or county commissioner, or other person
15 holding any office, either by election or appointment under
16 the laws or constitution of this state, who violates any
17 provision of the preceding sections, is guilty of a Class 4
18 felony and in addition thereto, any office or official
19 position held by any person so convicted shall become vacant,
20 and shall be so declared as part of the judgment of court. This
21 Section does not apply to a violation of subsection (b) of
22 Section 2a.

23 (Source: P.A. 100-868, eff. 1-1-19.)

24 Section 20. The Public Officer Simultaneous Tenure Act is

1 amended by changing Section 1 and by adding Section 5 as
2 follows:

3 (50 ILCS 110/1) (from Ch. 102, par. 4.10)

4 Sec. 1. Legislative findings; purpose~~er~~. The General
5 Assembly finds and declares that questions raised regarding
6 the legality of simultaneously holding the office of county
7 board member and township supervisor are unwarranted, and in
8 counties of less than 100,000 population such questions
9 regarding the legality of simultaneously holding the office of
10 county board member and township trustee are unwarranted; that
11 the General Assembly viewed the office of township supervisor,
12 and in counties of less than 100,000 population the office of
13 township trustee, and the office of county board member as
14 compatible; and that to settle the question of legality and
15 avoid confusion among such counties and townships as may be
16 affected by such questions it is lawful to hold the office of
17 county board member simultaneously with the office of township
18 supervisor, and in counties of less than 100,000 population
19 with the office of township trustee, in accordance with
20 Sections 2 and 3 ~~this Act~~.

21 (Source: P.A. 82-554.)

22 (50 ILCS 110/5 new)

23 Sec. 5. Members of the General Assembly; elected officers
24 of units of local government. Notwithstanding any other

1 provision of law, a unit of local government may not adopt an
2 ordinance, referendum, or resolution that requires a member of
3 the General Assembly to resign his or her office in order to be
4 eligible to seek elected office in the unit of local
5 government. Any ordinance, referendum, or resolution that
6 contains such a provision is void.

7 A home rule unit may not regulate the eligibility
8 requirements for those seeking elected office in the unit of
9 local government in a manner inconsistent with this Section.
10 This Section is a limitation under subsection (i) of Section 6
11 of Article VII of the Illinois Constitution on the concurrent
12 exercise by home rule units of powers and functions exercised
13 by the State.

14 This Section applies to ordinances, referenda, or
15 resolutions adopted on or after November 8, 2016.

16 Section 25. The Counties Code is amended by changing
17 Sections 2-3001, 2-3002, 2-3003, 2-3004, 3-6002, and 3-14036
18 as follows:

19 (55 ILCS 5/2-3001) (from Ch. 34, par. 2-3001)

20 Sec. 2-3001. Definitions. As used in this Division, unless
21 the context otherwise requires:

22 a. "District" means a county board district established as
23 provided in this Division.

24 b. "County apportionment commission" or "commission" means

1 the county clerk, the State's Attorney, the Attorney General
2 or his designated representative and the chairmen of the
3 county central committees of the first leading political party
4 and the second leading political party as defined in Section
5 1-3 of The Election Code.

6 c. "Population" means the number of inhabitants as
7 determined by the last preceding federal decennial census. For
8 the reapportionment of 2021, "population" means the number of
9 inhabitants as determined by the county board by any
10 reasonable method, including, but not limited to, the most
11 recent American Community Survey 5-year data.

12 d. "Member" or "board member" means a person elected to
13 serve on the county board.

14 (Source: P.A. 86-962.)

15 (55 ILCS 5/2-3002) (from Ch. 34, par. 2-3002)

16 Sec. 2-3002. Counties with population of less than
17 3,000,000 and with township form of government.

18 (a) Reapportionment required. By July 1, 1971, and each 10
19 years thereafter, the county board of each county having a
20 population of less than 3,000,000 inhabitants and the township
21 form of government shall reapportion its county so that each
22 member of the county board represents the same number of
23 inhabitants, except that, for the reapportionment of 2021, the
24 county board shall reapportion its county by December 31,
25 2021. In reapportioning its county, the county board shall

1 first determine the size of the county board to be elected,
2 which may consist of not less than 5 nor more than 29 members
3 and may not exceed the size of the county board in that county
4 on October 2, 1969. The county board shall also determine
5 whether board members shall be elected at large from the
6 county or by county board districts.

7 If the chairman of the county board is to be elected by the
8 voters in a county of less than 450,000 population as provided
9 in Section 2-3007, such chairman shall not be counted as a
10 member of the county board for the purpose of the limitations
11 on the size of a county board provided in this Section.

12 (b) Advisory referenda. The voters of a county may advise
13 the county board, through an advisory referendum, on questions
14 concerning (i) the number of members of the county board to be
15 elected, (ii) whether the board members should be elected from
16 single-member districts, multi-member districts, or at-large,
17 (iii) whether voters will have cumulative voting rights in the
18 election of county board members, or (iv) any combination of
19 the preceding 3 questions. The advisory referendum may be
20 initiated either by petition or by ordinance of the county
21 board. A written petition for an advisory referendum
22 authorized by this Section must contain the signatures of at
23 least 8% of the votes cast for candidates for Governor in the
24 preceding gubernatorial election by the registered voters of
25 the county and must be filed with the appropriate election
26 authority. An ordinance initiating an advisory referendum

1 authorized by this Section must be approved by a majority of
2 the members of the county board and must be filed with the
3 appropriate election authority. An advisory referendum
4 initiated under this Section shall be placed on the ballot at
5 the general election designated in the petition or ordinance.

6 (Source: P.A. 93-308, eff. 7-23-03.)

7 (55 ILCS 5/2-3003) (from Ch. 34, par. 2-3003)

8 Sec. 2-3003. Apportionment plan.

9 (1) If the county board determines that members shall be
10 elected by districts, it shall develop an apportionment plan
11 and specify the number of districts and the number of county
12 board members to be elected from each district and whether
13 voters will have cumulative voting rights in multi-member
14 districts. Each such district:

15 a. Shall be substantially equal in population to each
16 other district;

17 b. Shall be comprised of contiguous territory, as
18 nearly compact as practicable; and

19 c. May divide townships or municipalities only when
20 necessary to conform to the population requirement of
21 paragraph a. of this Section.

22 d. Shall be created in such a manner so that no
23 precinct shall be divided between 2 or more districts,
24 insofar as is practicable.

25 (2) The county board of each county having a population of

1 less than 3,000,000 inhabitants may, if it should so decide,
2 provide within that county for single member districts outside
3 the corporate limits and multi-member districts within the
4 corporate limits of any municipality with a population in
5 excess of 75,000. Paragraphs a, b, c and d of subsection (1) of
6 this Section shall apply to the apportionment of both single
7 and multi-member districts within a county to the extent that
8 compliance with paragraphs a, b, c and d still permit the
9 establishment of such districts, except that the population of
10 any multi-member district shall be equal to the population of
11 any single member district, times the number of members found
12 within that multi-member district.

13 (3) In a county where the Chairman of the County Board is
14 elected by the voters of the county as provided in Section
15 2-3007, the Chairman of the County Board may develop and
16 present to the Board by the third Wednesday in May in the year
17 after a federal decennial census year an apportionment plan in
18 accordance with the provisions of subsection (1) of this
19 Section. If the Chairman presents a plan to the Board by the
20 third Wednesday in May, the Board shall conduct at least one
21 public hearing to receive comments and to discuss the
22 apportionment plan, the hearing shall be held at least 6 days
23 but not more than 21 days after the Chairman's plan was
24 presented to the Board, and the public shall be given notice of
25 the hearing at least 6 days in advance. If the Chairman
26 presents a plan by the third Wednesday in May, the Board is

1 prohibited from enacting an apportionment plan until after a
2 hearing on the plan presented by the Chairman. The Chairman
3 shall have access to the federal decennial census available to
4 the Board.

5 (4) In a county where a County Executive is elected by the
6 voters of the county as provided in Section 2-5007 of the
7 Counties Code, the County Executive may develop and present to
8 the Board by the third Wednesday in May in the year after a
9 federal decennial census year an apportionment plan in
10 accordance with the provisions of subsection (1) of this
11 Section. If the Executive presents a plan to the Board by the
12 third Wednesday in May, the Board shall conduct at least one
13 public hearing to receive comments and to discuss the
14 apportionment plan, the hearing shall be held at least 6 days
15 but not more than 21 days after the Executive's plan was
16 presented to the Board, and the public shall be given notice of
17 the hearing at least 6 days in advance. If the Executive
18 presents a plan by the third Wednesday in May, the Board is
19 prohibited from enacting an apportionment plan until after a
20 hearing on the plan presented by the Executive. The Executive
21 shall have access to the federal decennial census available to
22 the Board.

23 (5) For the reapportionment of 2021, the Chairman of the
24 County Board or County Executive may develop and present (or
25 redevelop and represent) to the Board by the third Wednesday
26 in November in the year after a federal decennial census year

1 an apportionment plan and the Board shall conduct its public
2 hearing as provided in paragraphs (3) and (4) following
3 receipt of the apportionment plan.

4 (Source: P.A. 96-1540, eff. 3-7-11; 97-986, eff. 8-17-12.)

5 (55 ILCS 5/2-3004) (from Ch. 34, par. 2-3004)

6 Sec. 2-3004. Failure to complete reapportionment. If any
7 county board fails to complete the reapportionment of its
8 county by July 1 in 2011 or any 10 years thereafter or by the
9 day after the county board's regularly scheduled July meeting
10 in 2011 or any 10 years thereafter, or for the reapportionment
11 of 2021, by the third Wednesday in November in the year after a
12 federal decennial census year, whichever is later, the county
13 clerk of that county shall convene the county apportionment
14 commission. Three members of the commission shall constitute a
15 quorum, but a majority of all the members must vote
16 affirmatively on any determination made by the commission. The
17 commission shall adopt rules for its procedure.

18 The commission shall develop an apportionment plan for the
19 county in the manner provided by Section 2-3003, dividing the
20 county into the same number of districts as determined by the
21 county board. If the county board has failed to determine the
22 size of the county board to be elected, then the number of
23 districts and the number of members to be elected shall be the
24 largest number to which the county is entitled under Section
25 2-3002.

1 The commission shall submit its apportionment plan by
2 October 1 in the year that it is convened, except that the
3 circuit court, for good cause shown, may grant an extension of
4 time, not exceeding a total of 60 days, within which such a
5 plan may be submitted.

6 (Source: P.A. 96-1540, eff. 3-7-11.)

7 (55 ILCS 5/3-6002) (from Ch. 34, par. 3-6002)

8 Sec. 3-6002. Commencement of duties. The sheriff shall
9 enter upon the duties of his or her office on the ~~first day in~~
10 ~~the month of~~ December 1 following his or her election ~~on which~~
11 ~~the office of the sheriff is required, by statute or by action~~
12 ~~of the county board, to be open.~~

13 (Source: P.A. 86-962.)

14 (55 ILCS 5/3-14036) (from Ch. 34, par. 3-14036)

15 Sec. 3-14036. Payments of political contributions to
16 public officers prohibited. No officer or employee in the
17 classified civil service of said county, or named in Section
18 3-14022, shall directly or indirectly, give or hand over to
19 any officer or employee, or to any senator or representative
20 or alderperson ~~alderman~~, councilman, or commissioner, any
21 money or other valuable thing on account of or to be applied to
22 the promotion of any party or political object whatever.

23 (Source: P.A. 86-976.)

1 Section 30. The Township Code is amended by changing
2 Section 45-10 as follows:

3 (60 ILCS 1/45-10)

4 Sec. 45-10. Political party caucus in township; notice.

5 (a) On the first Tuesday in December preceding the date of
6 the regular township election, a caucus shall be held by the
7 voters of each established political party in a township to
8 nominate its candidates for the various offices to be filled
9 at the election. Notice of the caucus shall be given at least
10 10 days before it is held by publication in some newspaper
11 having a general circulation in the township. Not less than 30
12 days before the caucus, the township clerk shall notify the
13 chairman or membership of each township central committee by
14 first-class mail of the chairman's or membership's obligation
15 to report the time and location of the political party's
16 caucus. Not less than 20 days before the caucus, each chairman
17 of the township central committee shall notify the township
18 clerk by first-class mail of the time and location of the
19 political party's caucus. If the time and location of 2 or more
20 political party caucuses conflict, the township clerk shall
21 establish, by a fair and impartial public lottery, the time
22 and location for each caucus.

23 If the chairperson of the township central committee fails
24 to meet within the township or to meet any of the other
25 requirements of this Section, the chairperson's political

1 party shall not be permitted to nominate a candidate, either
2 by caucus as provided for in this Section or as otherwise
3 authorized by the Election Code, in the next upcoming
4 consolidated election for any office for which a nomination
5 could have been made at the caucus should the chairperson of
6 the township central committee have met the requirements of
7 this Section.

8 (b) Except as provided in this Section, the township board
9 shall cause notices of the caucuses to be published. The
10 notice shall state the time and place where the caucus for each
11 political party will be held. The board shall fix a place
12 within the township for holding the caucus for each
13 established political party. When a new township has been
14 established under Section 10-25, the county board shall cause
15 notice of the caucuses to be published as required by this
16 Section and shall fix the place within the new township for
17 holding the caucuses.

18 (Source: P.A. 97-81, eff. 7-5-11; 98-443, eff. 8-16-13.)

19 Section 35. The Illinois Municipal Code is amended by
20 changing Sections 1-1-2, 2-2-9, 3.1-10-5, 3.1-10-30,
21 3.1-10-50, 3.1-10-51, 3.1-10-60, 3.1-10-65, 3.1-10-75,
22 3.1-15-5, 3.1-15-15, 3.1-15-25, 3.1-15-30, 3.1-15-35,
23 3.1-15-40, 3.1-20-10, 3.1-20-15, 3.1-20-20, 3.1-20-22,
24 3.1-20-25, 3.1-20-30, 3.1-20-35, 3.1-20-40, 3.1-20-45,
25 3.1-25-70, 3.1-25-75, 3.1-35-35, 3.1-40-5, 3.1-40-10,

1 3.1-40-15, 3.1-40-25, 3.1-40-30, 3.1-40-35, 3.1-40-40,
2 3.1-40-50, 3.1-40-55, 3.1-45-5, 3.1-45-15, 3.1-55-5, 4-1-2,
3 4-10-1, 5-1-4, 5-2-1, 5-2-2, 5-2-3, 5-2-3.1, 5-2-4, 5-2-5,
4 5-2-7, 5-2-8, 5-2-11, 5-2-12, 5-2-17, 5-2-18, 5-2-18.1,
5 5-2-18.2, 5-2-18.7, 5-2-19, 5-3-1, 5-3-3, 5-3-4, 5-3-5, 5-3-7,
6 5-3-8, 5-4-1, 5-4-3, 5-5-1, 5-5-5, 6-3-2, 6-3-3, 6-3-4, 6-3-5,
7 6-3-6, 6-3-7, 6-3-8, 6-3-9, 6-3-10, 6-4-3, 6-4-4, 6-5-1,
8 7-1-15, 7-1-39, 7-1-42, 7-2-1, 7-2-19, 7-2-28, 8-9-1, 10-1-30,
9 10-3-5, 11-13-1.1, 11-13-10, 11-13-14, 11-13-14.1, 11-80-5,
10 11-91-1, and 11-101-2 as follows:

11 (65 ILCS 5/1-1-2) (from Ch. 24, par. 1-1-2)

12 Sec. 1-1-2. Definitions. In this Code:

13 (1) "Municipal" or "municipality" means a city, village,
14 or incorporated town in the State of Illinois, but, unless the
15 context otherwise provides, "municipal" or "municipality" does
16 not include a township, town when used as the equivalent of a
17 township, incorporated town that has superseded a civil
18 township, county, school district, park district, sanitary
19 district, or any other similar governmental district. If
20 "municipal" or "municipality" is given a different definition
21 in any particular Division or Section of this Act, that
22 definition shall control in that division or Section only.

23 (2) "Corporate authorities" means (a) the mayor and
24 alderpersons ~~aldermen~~ or similar body when the reference is to
25 cities, (b) the president and trustees or similar body when

1 the reference is to villages or incorporated towns, and (c)
2 the council when the reference is to municipalities under the
3 commission form of municipal government.

4 (3) "Electors" means persons qualified to vote for
5 elective officers at municipal elections.

6 (4) "Person" means any individual, partnership,
7 corporation, joint stock association, or the State of Illinois
8 or any subdivision of the State; and includes any trustee,
9 receiver, assignee, or personal representative of any of those
10 entities.

11 (5) Except as otherwise provided by ordinance, "fiscal
12 year" in all municipalities with fewer than 500,000
13 inhabitants, and "municipal year" in all municipalities, means
14 the period elapsing (a) between general municipal elections in
15 succeeding calendar years, or (b) if general municipal
16 elections are held biennially, then between a general
17 municipal election and the same day of the same month of the
18 following calendar year, and between that day and the next
19 succeeding general municipal election, or (c) if general
20 municipal elections are held quadrennially, then between a
21 general municipal election and the same day of the same month
22 of the following calendar year, and between that day and the
23 same day of the same month of the next following calendar year,
24 and between the last mentioned day and the same day of the same
25 month of the next following calendar year, and between the
26 last mentioned day and the next succeeding general municipal

1 election. The fiscal year of each municipality with 500,000 or
2 more inhabitants shall commence on January 1.

3 (6) Where reference is made to a county within which a
4 municipality, district, area, or territory is situated, the
5 reference is to the county within which is situated the major
6 part of the area of that municipality, district, area, or
7 territory, in case the municipality, district, area, or
8 territory is situated in 2 or more counties.

9 (7) Where reference is made for any purpose to any other
10 Act, either specifically or generally, the reference shall be
11 to that Act and to all amendments to that Act now in force or
12 that may be hereafter enacted.

13 (8) Wherever the words "city council", "alderpersons
14 ~~aldermen~~", "commissioners", or "mayor" occur, the provisions
15 containing these words shall apply to the board of trustees,
16 trustees, and president, respectively, of villages and
17 incorporated towns and councilmen in cities, so far as those
18 provisions are applicable to them.

19 (9) The terms "special charter" and "special Act" are
20 synonymous.

21 (10) "General municipal election" means the biennial
22 regularly scheduled election for the election of officers of
23 cities, villages, and incorporated towns, as prescribed by the
24 general election law; in the case of municipalities that elect
25 officers annually, "general municipal election" means each
26 regularly scheduled election for the election of officers of

1 cities, villages, and incorporated towns.

2 (Source: P.A. 87-1119.)

3 (65 ILCS 5/2-2-9) (from Ch. 24, par. 2-2-9)

4 Sec. 2-2-9. The election for city officers in any
5 incorporated town or village which has voted to incorporate as
6 a city shall be held at the time of the next regularly
7 scheduled election for officers, in accordance with the
8 general election law. The corporate authorities of such
9 incorporated town or village shall cause the result to be
10 entered upon the records of the city. Alderpersons ~~Aldermen~~
11 may be elected on a general ticket at the election.

12 (Source: P.A. 81-1490.)

13 (65 ILCS 5/3.1-10-5) (from Ch. 24, par. 3.1-10-5)

14 Sec. 3.1-10-5. Qualifications; elective office.

15 (a) A person is not eligible for an elective municipal
16 office unless that person is a qualified elector of the
17 municipality and has resided in the municipality at least one
18 year next preceding the election or appointment, except as
19 provided in Section 3.1-20-25, subsection (b) of Section
20 3.1-25-75, Section 5-2-2, or Section 5-2-11.

21 (b) A person is not eligible to take the oath of office for
22 a municipal office if that person is, at the time required for
23 taking the oath of office, in arrears in the payment of a tax
24 or other indebtedness due to the municipality or has been

1 convicted in any court located in the United States of any
2 infamous crime, bribery, perjury, or other felony, unless such
3 person is again restored to his or her rights of citizenship
4 that may have been forfeited under Illinois law as a result of
5 a conviction, which includes eligibility to hold elected
6 municipal office, by the terms of a pardon for the offense, has
7 received a restoration of rights by the Governor, or otherwise
8 according to law. Any time after a judgment of conviction is
9 rendered, a person convicted of an infamous crime, bribery,
10 perjury, or other felony may petition the Governor for a
11 restoration of rights.

12 The changes made to this subsection by this amendatory Act
13 of the 102nd General Assembly are declarative of existing law
14 and apply to all persons elected at the April 4, 2017
15 consolidated election and to persons elected or appointed
16 thereafter.

17 (b-5) (Blank).

18 (c) A person is not eligible for the office of alderperson
19 ~~alderman~~ of a ward unless that person has resided in the ward
20 that the person seeks to represent, and a person is not
21 eligible for the office of trustee of a district unless that
22 person has resided in the municipality, at least one year next
23 preceding the election or appointment, except as provided in
24 Section 3.1-20-25, subsection (b) of Section 3.1-25-75,
25 Section 5-2-2, or Section 5-2-11.

26 (d) If a person (i) is a resident of a municipality

1 immediately prior to the active duty military service of that
2 person or that person's spouse, (ii) resides anywhere outside
3 of the municipality during that active duty military service,
4 and (iii) immediately upon completion of that active duty
5 military service is again a resident of the municipality, then
6 the time during which the person resides outside the
7 municipality during the active duty military service is deemed
8 to be time during which the person is a resident of the
9 municipality for purposes of determining the residency
10 requirement under subsection (a).

11 (Source: P.A. 98-115, eff. 7-29-13; 99-449, eff. 8-24-15.)

12 (65 ILCS 5/3.1-10-30) (from Ch. 24, par. 3.1-10-30)

13 Sec. 3.1-10-30. Bond. Before entering upon the duties of
14 their respective offices, all municipal officers, except
15 alderpersons ~~aldermen~~ and trustees, shall execute a bond with
16 security, to be approved by the corporate authorities. The
17 bond shall be payable to the municipality in the penal sum
18 directed by resolution or ordinance, conditioned upon the
19 faithful performance of the duties of the office and the
20 payment of all money received by the officer, according to law
21 and the ordinances of that municipality. The bond may provide
22 that the obligation of the sureties shall not extend to any
23 loss sustained by the insolvency, failure, or closing of any
24 bank or savings and loan association organized and operating
25 either under the laws of the State of Illinois or the United

1 States in which the officer has placed funds in the officer's
2 custody, if the bank or savings and loan association has been
3 approved by the corporate authorities as a depository for
4 those funds. In no case, however, shall the mayor's bond be
5 fixed at less than \$3,000. The treasurer's bond shall be an
6 amount of money that is not less than 3 times the latest
7 Federal census population or any subsequent census figure used
8 for Motor Fuel Tax purposes. Bonds shall be filed with the
9 municipal clerk, except the bond of the clerk, which shall be
10 filed with the municipal treasurer.

11 (Source: P.A. 87-1119.)

12 (65 ILCS 5/3.1-10-50)

13 Sec. 3.1-10-50. Events upon which an elective office
14 becomes vacant in municipality with population under 500,000.

15 (a) Vacancy by resignation. A resignation is not effective
16 unless it is in writing, signed by the person holding the
17 elective office, and notarized.

18 (1) Unconditional resignation. An unconditional
19 resignation by a person holding the elective office may
20 specify a future date, not later than 60 days after the
21 date the resignation is received by the officer authorized
22 to fill the vacancy, at which time it becomes operative,
23 but the resignation may not be withdrawn after it is
24 received by the officer authorized to fill the vacancy.
25 The effective date of a resignation that does not specify

1 a future date at which it becomes operative is the date the
2 resignation is received by the officer authorized to fill
3 the vacancy. The effective date of a resignation that has
4 a specified future effective date is that specified future
5 date or the date the resignation is received by the
6 officer authorized to fill the vacancy, whichever date
7 occurs later.

8 (2) Conditional resignation. A resignation that does
9 not become effective unless a specified event occurs can
10 be withdrawn at any time prior to the occurrence of the
11 specified event, but if not withdrawn, the effective date
12 of the resignation is the date of the occurrence of the
13 specified event or the date the resignation is received by
14 the officer authorized to fill the vacancy, whichever date
15 occurs later.

16 (3) Vacancy upon the effective date. For the purpose
17 of determining the time period that would require an
18 election to fill the vacancy by resignation or the
19 commencement of the 60-day time period referred to in
20 subsection (e), the resignation of an elected officer is
21 deemed to have created a vacancy as of the effective date
22 of the resignation.

23 (4) Duty of the clerk. If a resignation is delivered
24 to the clerk of the municipality, the clerk shall forward
25 a certified copy of the written resignation to the
26 official who is authorized to fill the vacancy within 7

1 business days after receipt of the resignation.

2 (b) Vacancy by death or disability. A vacancy occurs in an
3 office by reason of the death of the incumbent. The date of the
4 death may be established by the date shown on the death
5 certificate. A vacancy occurs in an office by permanent
6 physical or mental disability rendering the person incapable
7 of performing the duties of the office. The corporate
8 authorities have the authority to make the determination
9 whether an officer is incapable of performing the duties of
10 the office because of a permanent physical or mental
11 disability. A finding of mental disability shall not be made
12 prior to the appointment by a court of a guardian ad litem for
13 the officer or until a duly licensed doctor certifies, in
14 writing, that the officer is mentally impaired to the extent
15 that the officer is unable to effectively perform the duties
16 of the office. If the corporate authorities find that an
17 officer is incapable of performing the duties of the office
18 due to permanent physical or mental disability, that person is
19 removed from the office and the vacancy of the office occurs on
20 the date of the determination.

21 (c) Vacancy by other causes.

22 (1) Abandonment and other causes. A vacancy occurs in
23 an office by reason of abandonment of office; removal from
24 office; or failure to qualify; or more than temporary
25 removal of residence from the municipality; or in the case
26 of an alderperson ~~alderman~~ of a ward or councilman or

1 trustee of a district, more than temporary removal of
2 residence from the ward or district, as the case may be.
3 The corporate authorities have the authority to determine
4 whether a vacancy under this subsection has occurred. If
5 the corporate authorities determine that a vacancy exists,
6 the office is deemed vacant as of the date of that
7 determination for all purposes including the calculation
8 under subsections (e), (f), and (g).

9 (2) Guilty of a criminal offense. An admission of
10 guilt of a criminal offense that upon conviction would
11 disqualify the municipal officer from holding the office,
12 in the form of a written agreement with State or federal
13 prosecutors to plead guilty to a felony, bribery, perjury,
14 or other infamous crime under State or federal law,
15 constitutes a resignation from that office, effective on
16 the date the plea agreement is made. For purposes of this
17 Section, a conviction for an offense that disqualifies a
18 municipal officer from holding that office occurs on the
19 date of the return of a guilty verdict or, in the case of a
20 trial by the court, on the entry of a finding of guilt.

21 (3) Election declared void. A vacancy occurs on the
22 date of the decision of a competent tribunal declaring the
23 election of the officer void.

24 (4) Owing a debt to the municipality. A vacancy occurs
25 if a municipal official fails to pay a debt to a
26 municipality in which the official has been elected or

1 appointed to an elected position subject to the following:

2 (A) Before a vacancy may occur under this
3 paragraph (4), the municipal clerk shall deliver, by
4 personal service, a written notice to the municipal
5 official that (i) the municipal official is in arrears
6 of a debt to the municipality, (ii) that municipal
7 official must either pay or contest the debt within 30
8 days after receipt of the notice or the municipal
9 official will be disqualified and his or her office
10 vacated, and (iii) if the municipal official chooses
11 to contest the debt, the municipal official must
12 provide written notice to the municipal clerk of the
13 contesting of the debt. A copy of the notice, and the
14 notice to contest, shall also be mailed by the
15 municipal clerk to the appointed municipal attorney by
16 certified mail. If the municipal clerk is the
17 municipal official indebted to the municipality, the
18 mayor or president of the municipality shall assume
19 the duties of the municipal clerk required under this
20 paragraph (4).

21 (B) In the event that the municipal official
22 chooses to contest the debt, a hearing shall be held
23 within 30 days of the municipal clerk's receipt of the
24 written notice of contest from the municipal official.
25 An appointed municipal hearing officer shall preside
26 over the hearing, and shall hear testimony and accept

1 evidence relevant to the existence of the debt owed by
2 the municipal officer to the municipality.

3 (C) Upon the conclusion of the hearing, the
4 hearing officer shall make a determination on the
5 basis of the evidence presented as to whether or not
6 the municipal official is in arrears of a debt to the
7 municipality. The determination shall be in writing
8 and shall be designated as findings, decision, and
9 order. The findings, decision, and order shall
10 include: (i) the hearing officer's findings of fact;
11 (ii) a decision of whether or not the municipal
12 official is in arrears of a debt to the municipality
13 based upon the findings of fact; and (iii) an order
14 that either directs the municipal official to pay the
15 debt within 30 days or be disqualified and his or her
16 office vacated or dismisses the matter if a debt owed
17 to the municipality is not proved. A copy of the
18 hearing officer's written determination shall be
19 served upon the municipal official in open proceedings
20 before the hearing officer. If the municipal official
21 does not appear for receipt of the written
22 determination, the written determination shall be
23 deemed to have been served on the municipal official
24 on the date when a copy of the written determination is
25 personally served on the municipal official or on the
26 date when a copy of the written determination is

1 deposited in the United States mail, postage prepaid,
2 addressed to the municipal official at the address on
3 record with the municipality.

4 (D) A municipal official aggrieved by the
5 determination of a hearing officer may secure judicial
6 review of such determination in the circuit court of
7 the county in which the hearing was held. The
8 municipal official seeking judicial review must file a
9 petition with the clerk of the court and must serve a
10 copy of the petition upon the municipality by
11 registered or certified mail within 5 days after
12 service of the determination of the hearing officer.
13 The petition shall contain a brief statement of the
14 reasons why the determination of the hearing officer
15 should be reversed. The municipal official shall file
16 proof of service with the clerk of the court. No answer
17 to the petition need be filed, but the municipality
18 shall cause the record of proceedings before the
19 hearing officer to be filed with the clerk of the court
20 on or before the date of the hearing on the petition or
21 as ordered by the court. The court shall set the matter
22 for hearing to be held within 30 days after the filing
23 of the petition and shall make its decision promptly
24 after such hearing.

25 (E) If a municipal official chooses to pay the
26 debt, or is ordered to pay the debt after the hearing,

1 the municipal official must present proof of payment
2 to the municipal clerk that the debt was paid in full,
3 and, if applicable, within the required time period as
4 ordered by a hearing officer or circuit court judge.

5 (F) A municipal official will be disqualified and
6 his or her office vacated pursuant to this paragraph
7 (4) on the later of the following times if the
8 municipal official: (i) fails to pay or contest the
9 debt within 30 days of the municipal official's
10 receipt of the notice of the debt; (ii) fails to pay
11 the debt within 30 days after being served with a
12 written determination under subparagraph (C) ordering
13 the municipal official to pay the debt; or (iii) fails
14 to pay the debt within 30 days after being served with
15 a decision pursuant to subparagraph (D) upholding a
16 hearing officer's determination that the municipal
17 officer has failed to pay a debt owed to a
18 municipality.

19 (G) For purposes of this paragraph, a "debt" shall
20 mean an arrearage in a definitely ascertainable and
21 quantifiable amount after service of written notice
22 thereof, in the payment of any indebtedness due to the
23 municipality, which has been adjudicated before a
24 tribunal with jurisdiction over the matter. A
25 municipal official is considered in arrears of a debt
26 to a municipality if a debt is more than 30 days

1 overdue from the date the debt was due.

2 (d) Election of an acting mayor or acting president. The
3 election of an acting mayor or acting president pursuant to
4 subsection (f) or (g) does not create a vacancy in the original
5 office of the person on the city council or as a trustee, as
6 the case may be, unless the person resigns from the original
7 office following election as acting mayor or acting president.
8 If the person resigns from the original office following
9 election as acting mayor or acting president, then the
10 original office must be filled pursuant to the terms of this
11 Section and the acting mayor or acting president shall
12 exercise the powers of the mayor or president and shall vote
13 and have veto power in the manner provided by law for a mayor
14 or president. If the person does not resign from the original
15 office following election as acting mayor or acting president,
16 then the acting mayor or acting president shall exercise the
17 powers of the mayor or president but shall be entitled to vote
18 only in the manner provided for as the holder of the original
19 office and shall not have the power to veto. If the person does
20 not resign from the original office following election as
21 acting mayor or acting president, and if that person's
22 original term of office has not expired when a mayor or
23 president is elected and has qualified for office, the acting
24 mayor or acting-president shall return to the original office
25 for the remainder of the term thereof.

26 (e) Appointment to fill alderperson ~~alderman~~ or trustee

1 vacancy. An appointment by the mayor or president or acting
2 mayor or acting president, as the case may be, of a qualified
3 person as described in Section 3.1-10-5 of this Code to fill a
4 vacancy in the office of alderperson ~~alderman~~ or trustee must
5 be made within 60 days after the vacancy occurs. Once the
6 appointment of the qualified person has been forwarded to the
7 corporate authorities, the corporate authorities shall act
8 upon the appointment within 30 days. If the appointment fails
9 to receive the advice and consent of the corporate authorities
10 within 30 days, the mayor or president or acting mayor or
11 acting president shall appoint and forward to the corporate
12 authorities a second qualified person as described in Section
13 3.1-10-5. Once the appointment of the second qualified person
14 has been forwarded to the corporate authorities, the corporate
15 authorities shall act upon the appointment within 30 days. If
16 the appointment of the second qualified person also fails to
17 receive the advice and consent of the corporate authorities,
18 then the mayor or president or acting mayor or acting
19 president, without the advice and consent of the corporate
20 authorities, may make a temporary appointment from those
21 persons who were appointed but whose appointments failed to
22 receive the advice and consent of the corporate authorities.
23 The person receiving the temporary appointment shall serve
24 until an appointment has received the advice and consent and
25 the appointee has qualified or until a person has been elected
26 and has qualified, whichever first occurs.

1 (f) Election to fill vacancies in municipal offices with
2 4-year terms. If a vacancy occurs in an elective municipal
3 office with a 4-year term and there remains an unexpired
4 portion of the term of at least 28 months, and the vacancy
5 occurs at least 130 days before the general municipal election
6 next scheduled under the general election law, then the
7 vacancy shall be filled for the remainder of the term at that
8 general municipal election. Whenever an election is held for
9 this purpose, the municipal clerk shall certify the office to
10 be filled and the candidates for the office to the proper
11 election authorities as provided in the general election law.
12 If a vacancy occurs with less than 28 months remaining in the
13 unexpired portion of the term or less than 130 days before the
14 general municipal election, then:

15 (1) Mayor or president. If the vacancy is in the
16 office of mayor or president, the vacancy must be filled
17 by the corporate authorities electing one of their members
18 as acting mayor or acting president. Except as set forth
19 in subsection (d), the acting mayor or acting president
20 shall perform the duties and possess all the rights and
21 powers of the mayor or president until a mayor or
22 president is elected at the next general municipal
23 election and has qualified. However, in villages with a
24 population of less than 5,000, if each of the trustees
25 either declines the election as acting president or is not
26 elected by a majority vote of the trustees presently

1 holding office, then the trustees may elect, as acting
2 president, any other village resident who is qualified to
3 hold municipal office, and the acting president shall
4 exercise the powers of the president and shall vote and
5 have veto power in the manner provided by law for a
6 president.

7 (2) Aldersperson ~~Alderman~~ or trustee. If the vacancy is
8 in the office of aldersperson ~~alderman~~ or trustee, the
9 vacancy must be filled by the mayor or president or acting
10 mayor or acting president, as the case may be, in
11 accordance with subsection (e).

12 (3) Other elective office. If the vacancy is in any
13 elective municipal office other than mayor or president or
14 aldersperson ~~alderman~~ or trustee, the mayor or president or
15 acting mayor or acting president, as the case may be, must
16 appoint a qualified person to hold the office until the
17 office is filled by election, subject to the advice and
18 consent of the city council or the board of trustees, as
19 the case may be.

20 (g) Vacancies in municipal offices with 2-year terms. In
21 the case of an elective municipal office with a 2-year term, if
22 the vacancy occurs at least 130 days before the general
23 municipal election next scheduled under the general election
24 law, the vacancy shall be filled for the remainder of the term
25 at that general municipal election. If the vacancy occurs less
26 than 130 days before the general municipal election, then:

1 (1) Mayor or president. If the vacancy is in the
2 office of mayor or president, the vacancy must be filled
3 by the corporate authorities electing one of their members
4 as acting mayor or acting president. Except as set forth
5 in subsection (d), the acting mayor or acting president
6 shall perform the duties and possess all the rights and
7 powers of the mayor or president until a mayor or
8 president is elected at the next general municipal
9 election and has qualified. However, in villages with a
10 population of less than 5,000, if each of the trustees
11 either declines the election as acting president or is not
12 elected by a majority vote of the trustees presently
13 holding office, then the trustees may elect, as acting
14 president, any other village resident who is qualified to
15 hold municipal office, and the acting president shall
16 exercise the powers of the president and shall vote and
17 have veto power in the manner provided by law for a
18 president.

19 (2) Aldersperson ~~Alderman~~ or trustee. If the vacancy is
20 in the office of alderperson ~~alderman~~ or trustee, the
21 vacancy must be filled by the mayor or president or acting
22 mayor or acting president, as the case may be, in
23 accordance with subsection (e).

24 (3) Other elective office. If the vacancy is in any
25 elective municipal office other than mayor or president or
26 alderperson ~~alderman~~ or trustee, the mayor or president or

1 acting mayor or acting president, as the case may be, must
2 appoint a qualified person to hold the office until the
3 office is filled by election, subject to the advice and
4 consent of the city council or the board of trustees, as
5 the case may be.

6 (h) In cases of vacancies arising by reason of an election
7 being declared void pursuant to paragraph (3) of subsection
8 (c), persons holding elective office prior thereto shall hold
9 office until their successors are elected and qualified or
10 appointed and confirmed by advice and consent, as the case may
11 be.

12 (i) This Section applies only to municipalities with
13 populations under 500,000.

14 (Source: P.A. 99-449, eff. 8-24-15.)

15 (65 ILCS 5/3.1-10-51)

16 Sec. 3.1-10-51. Vacancies in municipalities with a
17 population of 500,000 or more.

18 (a) Events upon which an elective office in a municipality
19 of 500,000 or more shall become vacant:

20 (1) A municipal officer may resign from office. A
21 vacancy occurs in an office by reason of resignation,
22 failure to elect or qualify (in which case the incumbent
23 shall remain in office until the vacancy is filled),
24 death, permanent physical or mental disability rendering
25 the person incapable of performing the duties of his or

1 her office, conviction of a disqualifying crime,
2 abandonment of office, removal from office, or removal of
3 residence from the municipality or, in the case of an
4 alderperson ~~alderman~~ of a ward, removal of residence from
5 the ward.

6 (2) An admission of guilt of a criminal offense that
7 would, upon conviction, disqualify the municipal officer
8 from holding that office, in the form of a written
9 agreement with State or federal prosecutors to plead
10 guilty to a felony, bribery, perjury, or other infamous
11 crime under State or federal law, shall constitute a
12 resignation from that office, effective at the time the
13 plea agreement is made. For purposes of this Section, a
14 conviction for an offense that disqualifies the municipal
15 officer from holding that office occurs on the date of the
16 return of a guilty verdict or, in the case of a trial by
17 the court, the entry of a finding of guilt.

18 (3) Owing a debt to the municipality. A vacancy occurs
19 if a municipal official fails to pay a debt to a
20 municipality in which the official has been elected or
21 appointed to an elected position subject to the following:

22 (A) Before a vacancy may occur under this
23 paragraph (3), the municipal clerk shall deliver, by
24 personal service, a written notice to the municipal
25 official that (i) the municipal official is in arrears
26 of a debt to the municipality, (ii) that municipal

1 official must either pay or contest the debt within 30
2 days after receipt of the notice or the municipal
3 official will be disqualified and his or her office
4 vacated, and (iii) if the municipal official chooses
5 to contest the debt, the municipal official must
6 provide written notice to the municipal clerk of the
7 contesting of the debt. A copy of the notice, and the
8 notice to contest, shall also be mailed by the
9 municipal clerk to the appointed municipal attorney by
10 certified mail. If the municipal clerk is the
11 municipal official indebted to the municipality, the
12 mayor or president of the municipality shall assume
13 the duties of the municipal clerk required under this
14 paragraph (3).

15 (B) In the event that the municipal official
16 chooses to contest the debt, a hearing shall be held
17 within 30 days of the municipal clerk's receipt of the
18 written notice of contest from the municipal official.
19 An appointed municipal hearing officer shall preside
20 over the hearing, and shall hear testimony and accept
21 evidence relevant to the existence of the debt owed by
22 the municipal officer to the municipality.

23 (C) Upon the conclusion of the hearing, the
24 hearing officer shall make a determination on the
25 basis of the evidence presented as to whether or not
26 the municipal official is in arrears of a debt to the

1 municipality. The determination shall be in writing
2 and shall be designated as findings, decision, and
3 order. The findings, decision, and order shall
4 include: (i) the hearing officer's findings of fact;
5 (ii) a decision of whether or not the municipal
6 official is in arrears of a debt to the municipality
7 based upon the findings of fact; and (iii) an order
8 that either directs the municipal official to pay the
9 debt within 30 days or be disqualified and his or her
10 office vacated or dismisses the matter if a debt owed
11 to the municipality is not proved. A copy of the
12 hearing officer's written determination shall be
13 served upon the municipal official in open proceedings
14 before the hearing officer. If the municipal official
15 does not appear for receipt of the written
16 determination, the written determination shall be
17 deemed to have been served on the municipal official
18 on the date when a copy of the written determination is
19 personally served on the municipal official or on the
20 date when a copy of the written determination is
21 deposited in the United States mail, postage prepaid,
22 addressed to the municipal official at the address on
23 record in the files of the municipality.

24 (D) A municipal official aggrieved by the
25 determination of a hearing officer may secure judicial
26 review of such determination in the circuit court of

1 the county in which the hearing was held. The
2 municipal official seeking judicial review must file a
3 petition with the clerk of the court and must serve a
4 copy of the petition upon the municipality by
5 registered or certified mail within 5 days after
6 service of the determination of the hearing officer.
7 The petition shall contain a brief statement of the
8 reasons why the determination of the hearing officer
9 should be reversed. The municipal official shall file
10 proof of service with the clerk of the court. No answer
11 to the petition need be filed, but the municipality
12 shall cause the record of proceedings before the
13 hearing officer to be filed with the clerk of the court
14 on or before the date of the hearing on the petition or
15 as ordered by the court. The court shall set the matter
16 for hearing to be held within 30 days after the filing
17 of the petition and shall make its decision promptly
18 after such hearing.

19 (E) If a municipal official chooses to pay the
20 debt, or is ordered to pay the debt after the hearing,
21 the municipal official must present proof of payment
22 to the municipal clerk that the debt was paid in full,
23 and, if applicable, within the required time period as
24 ordered by a hearing officer.

25 (F) A municipal official will be disqualified and
26 his or her office vacated pursuant to this paragraph

1 (3) on the later of the following times the municipal
2 official: (i) fails to pay or contest the debt within
3 30 days of the municipal official's receipt of the
4 notice of the debt; (ii) fails to pay the debt within
5 30 days after being served with a written
6 determination under subparagraph (C) ordering the
7 municipal official to pay the debt; or (iii) fails to
8 pay the debt within 30 days after being served with a
9 decision pursuant to subparagraph (D) upholding a
10 hearing officer's determination that the municipal
11 officer has failed to pay a debt owed to a
12 municipality.

13 (G) For purposes of this paragraph, a "debt" shall
14 mean an arrearage in a definitely ascertainable and
15 quantifiable amount after service of written notice
16 thereof, in the payment of any indebtedness due to the
17 municipality, which has been adjudicated before a
18 tribunal with jurisdiction over the matter. A
19 municipal official is considered in arrears of a debt
20 to a municipality if a debt is more than 30 days
21 overdue from the date the debt was due.

22 (b) If a vacancy occurs in an elective municipal office
23 with a 4-year term and there remains an unexpired portion of
24 the term of at least 28 months, and the vacancy occurs at least
25 130 days before the general municipal election next scheduled
26 under the general election law, then the vacancy shall be

1 filled for the remainder of the term at that general municipal
2 election. Whenever an election is held for this purpose, the
3 municipal clerk shall certify the office to be filled and the
4 candidates for the office to the proper election authorities
5 as provided in the general election law. If the vacancy is in
6 the office of mayor, the city council shall elect one of their
7 members acting mayor. The acting mayor shall perform the
8 duties and possess all the rights and powers of the mayor until
9 a successor to fill the vacancy has been elected and has
10 qualified. If the vacancy is in any other elective municipal
11 office, then until the office is filled by election, the mayor
12 shall appoint a qualified person to the office subject to the
13 advice and consent of the city council.

14 (c) If a vacancy occurs later than the time provided in
15 subsection (b) in a 4-year term, a vacancy in the office of
16 mayor shall be filled by the corporate authorities electing
17 one of their members acting mayor. The acting mayor shall
18 perform the duties and possess all the rights and powers of the
19 mayor until a mayor is elected at the next general municipal
20 election and has qualified. A vacancy occurring later than the
21 time provided in subsection (b) in a 4-year term in any
22 elective office other than mayor shall be filled by
23 appointment by the mayor, with the advice and consent of the
24 corporate authorities.

25 (d) A municipal officer appointed or elected under this
26 Section shall hold office until the officer's successor is

1 elected and has qualified.

2 (e) An appointment to fill a vacancy in the office of
3 alderperson ~~alderman~~ shall be made within 60 days after the
4 vacancy occurs. The requirement that an appointment be made
5 within 60 days is an exclusive power and function of the State
6 and is a denial and limitation under Article VII, Section 6,
7 subsection (h) of the Illinois Constitution of the power of a
8 home rule municipality to require that an appointment be made
9 within a different period after the vacancy occurs.

10 (f) This Section applies only to municipalities with a
11 population of 500,000 or more.

12 (Source: P.A. 99-449, eff. 8-24-15.)

13 (65 ILCS 5/3.1-10-60) (from Ch. 24, par. 3.1-10-60)

14 Sec. 3.1-10-60. Interim appointments to vacancies. If a
15 municipality has no mayor or president, no clerk, and no
16 alderpersons ~~aldermen~~ or trustees, the circuit court may, upon
17 petition signed by at least 100 electors or 10% of the electors
18 of the municipality, whichever is less, make interim
19 appointments to fill all vacancies in the elective offices of
20 the municipality from among persons whose names are submitted
21 by the petition or petitions. The interim appointees shall
22 serve until the next regularly scheduled election under the
23 general election law occurring not less than 120 days after
24 all the offices have become vacant.

25 (Source: P.A. 87-1119.)

1 (65 ILCS 5/3.1-10-65) (from Ch. 24, par. 3.1-10-65)

2 Sec. 3.1-10-65. Referendum to reduce terms.

3 (a) In any municipality of less than 500,000 inhabitants,
4 a proposition to reduce the terms of the elective officers of
5 the municipality from 4 years to 2 years may be submitted,
6 within the discretion of the corporate authorities, to the
7 electors of the municipality. The proposition shall also be
8 submitted if a petition requesting that action is signed by
9 electors of the municipality numbering not less than 10% of
10 the total vote cast at the last election for mayor or president
11 of the municipality and the petition is filed with the
12 municipal clerk and certified in accordance with the general
13 election law. The proposition shall be substantially in the
14 following form:

15 Shall the term of the elective officers of (name of
16 municipality) be reduced from 4 years to 2 years?

17 (b) If a majority of the electors voting on the
18 proposition vote against it, the terms of the officers shall
19 remain 4 years. If, however, a majority of those voting on the
20 proposition vote in favor of it, the officers elected at the
21 next regular election for officers in the municipality shall
22 hold their offices for a term of 2 years and until their
23 successors are elected and have qualified, except in the case
24 of trustees and alderpersons ~~aldermen~~. In the case of
25 alderpersons ~~aldermen~~ and trustees: (i) at the first election

1 of alderpersons ~~aldermen~~ or trustees that occurs in an odd
2 numbered year following the vote to reduce the length of
3 terms, successors to alderpersons ~~aldermen~~ or trustees whose
4 terms expire in that year shall be elected for a term of one
5 year and until their successors are elected and have qualified
6 and (ii) thereafter, one-half of the alderpersons ~~aldermen~~ or
7 trustees shall be elected each year for terms of 2 years and
8 until their successors are elected and have qualified.

9 (Source: P.A. 87-1119.)

10 (65 ILCS 5/3.1-10-75) (from Ch. 24, par. 3.1-10-75)

11 Sec. 3.1-10-75. Referendum to lengthen terms.

12 (a) In any municipality of less than 500,000 inhabitants
13 that, under Section 3.1-10-65, has voted to shorten the terms
14 of elective officers, a proposition to lengthen the terms of
15 the elective officers of the municipality from 2 years to 4
16 years may be submitted, within the discretion of the corporate
17 authorities, to the electors of the municipality. The
18 proposition shall be certified by the municipal clerk to the
19 appropriate election authorities, who shall submit the
20 proposition at an election in accordance with the general
21 election law. The proposition shall also be submitted at an
22 election if a petition requesting that action is signed by
23 electors of the municipality numbering not less than 10% of
24 the total vote cast at the last election for mayor or president
25 of the municipality and the petition is filed with the

1 municipal clerk. The proposition shall be substantially in the
2 following form:

3 Shall the term of the elective officers of (name of
4 municipality) be lengthened from 2 years to 4 years?

5 (b) If a majority of the electors voting on the
6 proposition vote against it, the terms of the officers shall
7 remain 2 years. If, however, a majority of those voting on the
8 proposition vote in favor of it, the officers elected at the
9 next regular election for officers in the municipality shall
10 hold their offices for a term of 4 years and until their
11 successors are elected and have qualified, except in the case
12 of trustees and alderpersons ~~aldermen~~. In the case of
13 alderpersons ~~aldermen~~ and trustees: (i) if the first election
14 for alderpersons ~~aldermen~~ or trustees, after approval of the
15 proposition, occurs in an even numbered year, the alderpersons
16 ~~aldermen~~ or trustees elected in that even numbered year shall
17 serve for terms of 3 years and until their successors are
18 elected and have qualified, the terms for successors to those
19 elected at the first even numbered year election shall be 4
20 years and until successors are elected and have qualified, the
21 alderpersons ~~aldermen~~ or trustees elected at the first odd
22 numbered year election next following the first even numbered
23 year election shall serve for terms of 4 years and until
24 successors are elected and have qualified, and successors
25 elected after the first odd numbered year shall also serve 4
26 year terms and until their successors are elected and have

1 qualified and (ii) if the first election for alderpersons
2 ~~aldermen~~ or trustees, after approval of the proposition,
3 occurs in an odd numbered year, the alderpersons ~~aldermen~~ or
4 trustees elected in that odd numbered year shall serve for
5 terms of 4 years and until their successors are elected and
6 have qualified, the terms for successors to those elected at
7 the first odd numbered year election shall be for 4 years and
8 until successors are elected and have qualified, the
9 alderpersons ~~aldermen~~ or trustees elected at the first even
10 numbered year election next following the first odd numbered
11 year election shall serve for terms of one year and until their
12 successors are elected and have qualified, and the terms for
13 successors to those elected at the first odd numbered year
14 election shall be 4 years and until their successors are
15 elected and have qualified.

16 (Source: P.A. 87-1119.)

17 (65 ILCS 5/3.1-15-5) (from Ch. 24, par. 3.1-15-5)

18 Sec. 3.1-15-5. Officers to be elected. In all cities
19 incorporated under this Code there shall be elected a mayor,
20 alderpersons ~~aldermen~~, a city clerk, and a city treasurer
21 (except in the case of a city of 10,000 or fewer inhabitants
22 that, by ordinance, allows for the appointment of a city
23 treasurer by the mayor, subject to the advice and consent of
24 the city council). In all villages and incorporated towns,
25 there shall be elected a president, trustees, and a clerk,

1 except as otherwise provided in this Code.

2 (Source: P.A. 87-1119; 88-572, eff. 8-11-94.)

3 (65 ILCS 5/3.1-15-15) (from Ch. 24, par. 3.1-15-15)

4 Sec. 3.1-15-15. Holding other offices. A mayor, president,
5 alderperson ~~alderman~~, trustee, clerk, or treasurer shall not
6 hold any other office under the municipal government during
7 the term of that office, except when the officer is granted a
8 leave of absence from that office or except as otherwise
9 provided in Sections 3.1-10-50, 3.1-35-135, and 8-2-9.1.
10 Moreover, an officer may serve as a volunteer fireman and
11 receive compensation for that service.

12 (Source: P.A. 99-386, eff. 8-17-15.)

13 (65 ILCS 5/3.1-15-25) (from Ch. 24, par. 3.1-15-25)

14 Sec. 3.1-15-25. Conservators of the peace; service of
15 warrants.

16 (a) After receiving a certificate attesting to the
17 successful completion of a training course administered by the
18 Illinois Law Enforcement Training Standards Board, the mayor,
19 alderpersons ~~aldermen~~, president, trustees, marshal, deputy
20 marshals, and policemen in municipalities shall be
21 conservators of the peace. Those persons and others authorized
22 by ordinance shall have power (i) to arrest or cause to be
23 arrested, with or without process, all persons who break the
24 peace or are found violating any municipal ordinance or any

1 criminal law of the State, (ii) to commit arrested persons for
2 examination, (iii) if necessary, to detain arrested persons in
3 custody over night or Sunday in any safe place or until they
4 can be brought before the proper court, and (iv) to exercise
5 all other powers as conservators of the peace prescribed by
6 the corporate authorities.

7 (b) All warrants for the violation of municipal ordinances
8 or the State criminal law, directed to any person, may be
9 served and executed within the limits of a municipality by any
10 policeman or marshal of the municipality. For that purpose,
11 policemen and marshals have all the common law and statutory
12 powers of sheriffs.

13 (Source: P.A. 90-540, eff. 12-1-97.)

14 (65 ILCS 5/3.1-15-30) (from Ch. 24, par. 3.1-15-30)

15 Sec. 3.1-15-30. Minority representation.

16 (a) Whenever the question of incorporation as a city under
17 this Code is submitted for adoption to the electors of any
18 territory, village, incorporated town, or city under special
19 charter, there may be submitted at the same time for adoption
20 or rejection the question of minority representation in the
21 city council. The proposition shall be in the following form:

22 Shall minority representation in the city council be
23 adopted?

24 (b) If a majority of the votes cast on the question at any
25 election are for minority representation in the city council,

1 the members of the city council, except as otherwise provided,
2 thereafter shall be elected as provided in Section 3.1-15-35.

3 (c) The city council, at least 30 days before the first day
4 fixed by law for the filing of candidate petitions for the next
5 general municipal election, shall apportion the city by
6 dividing its population, as ascertained by an official
7 publication of any national, state, school, or city census, by
8 any number not less than 2 nor more than 6. The quotient shall
9 be the ratio of representation in the city council. Districts
10 shall be formed of contiguous and compact territory and
11 contain, as near as practicable, an equal number of
12 inhabitants.

13 (d) If a majority of the votes cast on the question at any
14 election are against minority representation in the city
15 council, the members of the city council shall be elected as
16 otherwise provided in this Code.

17 (e) At any time after the incorporation of a city under
18 this Code, on petition of electors equal in number to
19 one-eighth the number of legal votes cast at the next
20 preceding general municipal election, the city clerk shall
21 certify the question of the adoption or retention of minority
22 representation to the proper election authority for submission
23 to the electors of that city. The proposition shall be in the
24 same form as provided in this Section, except that the word
25 "retained" shall be substituted for the word "adopted" when
26 appropriate. A question of minority representation, however,

1 shall not be submitted more than once within 32 months.

2 (f) If the city council of any city adopting minority
3 representation as provided in this Section has not fixed a
4 ratio of representation and formed the districts by the time
5 specified in this Section, those acts may be done by any later
6 city council. All official acts done and ordinances passed by
7 a city council elected at large by the electors of a city that
8 has adopted a minority representation plan shall be as valid
9 and binding as if the alderpersons ~~aldermen~~ had been elected
10 from districts.

11 (Source: P.A. 87-1119.)

12 (65 ILCS 5/3.1-15-35) (from Ch. 24, par. 3.1-15-35)

13 Sec. 3.1-15-35. Alderpersons ~~Aldermen~~ under minority
14 representation plan. Every district under a minority
15 representation plan shall be entitled to 3 alderpersons
16 ~~aldermen~~. Alderpersons ~~Aldermen~~ shall hold their offices for 4
17 years and until their successors have been elected and
18 qualified, except in cities that have adopted a 2 year term
19 under Section 3.1-10-65. There shall be elected in each
20 district as many alderpersons ~~aldermen~~ as the district is
21 entitled to. In all of these elections for alderpersons
22 ~~aldermen~~, each elector may cast as many votes as there are
23 alderpersons ~~aldermen~~ to be elected in the elector's district,
24 or may distribute his or her votes, or equal parts of the
25 votes, among the candidates as the elector sees fit. The

1 candidate highest in votes is elected if only one alderperson
2 ~~alderman~~ is elected; the candidates highest and next highest
3 in votes are elected if only 2 alderpersons ~~aldermen~~ are
4 elected; and the 3 highest candidates in votes are elected
5 when 3 alderpersons ~~aldermen~~ are elected. Vacancies shall be
6 filled as provided in Sections 3.1-10-50 and 3.1-10-55 by
7 either interim election or appointment. An appointment to fill
8 a vacancy shall be made within 60 days after the vacancy
9 occurs. The requirement that an appointment be made within 60
10 days is an exclusive power and function of the State and is a
11 denial and limitation under Article VII, Section 6, subsection
12 (h) of the Illinois Constitution of the power of a home rule
13 municipality to require that an appointment be made within a
14 different period after the vacancy occurs.

15 (Source: P.A. 87-1052; 87-1119; 88-45.)

16 (65 ILCS 5/3.1-15-40) (from Ch. 24, par. 3.1-15-40)

17 Sec. 3.1-15-40. Staggered elections under minority plans.
18 In all cities that adopt or have adopted the minority
19 representation plan for the election of alderpersons ~~aldermen~~
20 and have not already staggered the terms of their alderpersons
21 ~~aldermen~~, the city council may provide by ordinance that at
22 any ensuing general municipal election for city officers the
23 alderpersons ~~aldermen~~ in every alternate district shall be
24 elected for one term of 2 years and, at the expiration of that
25 term of 2 years, for regular terms of 4 years. This Section

1 does not prohibit a city from voting in favor of a 2 year term
2 for city officers as provided in Section 3.1-10-65. The
3 provisions of the general election law shall govern elections
4 under this Section.

5 (Source: P.A. 87-1119.)

6 (65 ILCS 5/3.1-20-10) (from Ch. 24, par. 3.1-20-10)

7 Sec. 3.1-20-10. Alderpersons ~~Aldermen~~; number.

8 (a) Except as otherwise provided in this Section, Section
9 3.1-20-20, or as otherwise provided in the case of
10 alderpersons-at-large ~~aldermen-at-large~~, the number of
11 alderpersons ~~aldermen~~, when not elected by the minority
12 representation plan, shall be determined using the most recent
13 federal decennial census results as follows:

14 (1) in cities not exceeding 3,000 inhabitants, 6
15 alderpersons ~~aldermen~~;

16 (2) in cities exceeding 3,000 but not exceeding
17 15,000, 8 alderpersons ~~aldermen~~;

18 (3) in cities exceeding 15,000 but not exceeding
19 20,000, 10 alderpersons ~~aldermen~~;

20 (4) in cities exceeding 20,000 but not exceeding
21 50,000, 14 alderpersons ~~aldermen~~;

22 (5) in cities exceeding 50,000 but not exceeding
23 70,000, 16 alderpersons ~~aldermen~~;

24 (6) in cities exceeding 70,000 but not exceeding
25 90,000, 18 alderpersons ~~aldermen~~; and

1 (7) in cities exceeding 90,000 but not exceeding
2 500,000, 20 alderpersons ~~aldermen~~.

3 (b) Instead of the number of alderpersons ~~aldermen~~ set
4 forth in subsection (a), a municipality with 15,000 or more
5 inhabitants may adopt, either by ordinance or by resolution,
6 not more than one year after the municipality's receipt of the
7 new federal decennial census results, the following number of
8 alderpersons ~~aldermen~~: in cities exceeding 15,000 but not
9 exceeding 20,000, 8 alderpersons ~~aldermen~~; exceeding 20,000
10 but not exceeding 50,000, 10 alderpersons ~~aldermen~~; exceeding
11 50,000 but not exceeding 70,000, 14 alderpersons ~~aldermen~~;
12 exceeding 70,000 but not exceeding 90,000, 16 alderpersons
13 ~~aldermen~~; and exceeding 90,000 but not exceeding 500,000, 18
14 alderpersons ~~aldermen~~.

15 (c) Instead of the number of alderpersons ~~aldermen~~ set
16 forth in subsection (a), a municipality with 40,000 or more
17 inhabitants may adopt, either by ordinance or by resolution,
18 not more than one year after the municipality's receipt of the
19 new federal decennial census results, the following number of
20 alderpersons ~~aldermen~~: in cities exceeding 40,000 but not
21 exceeding 50,000, 16 alderpersons ~~aldermen~~.

22 (d) If, according to the most recent federal decennial
23 census results, the population of a municipality increases or
24 decreases under this Section, then the municipality may adopt
25 an ordinance or resolution to retain the number of
26 alderpersons ~~aldermen~~ that existed before the most recent

1 federal decennial census results. The ordinance or resolution
2 may not be adopted more than one year after the municipality's
3 receipt of the most recent federal decennial census results.
4 (Source: P.A. 96-1156, eff. 7-21-10; 97-301, eff. 8-11-11;
5 97-1091, eff. 8-24-12.)

6 (65 ILCS 5/3.1-20-15) (from Ch. 24, par. 3.1-20-15)
7 Sec. 3.1-20-15. Division into wards. Except as otherwise
8 provided in Section 3.1-20-20, every city shall have one-half
9 as many wards as the total number of alderpersons ~~aldermen~~ to
10 which the city is entitled. The city council, from time to
11 time, shall divide the city into that number of wards.
12 (Source: P.A. 87-1119.)

13 (65 ILCS 5/3.1-20-20) (from Ch. 24, par. 3.1-20-20)
14 Sec. 3.1-20-20. Alderspersons ~~Aldermen~~; restrict or
15 reinstate number.

16 (a) In a city of less than 100,000 inhabitants, a
17 proposition to restrict the number of alderpersons ~~aldermen~~ to
18 one-half of the total authorized by Section 3.1-20-10, with
19 one alderperson ~~alderman~~ representing each ward, shall be
20 certified by the city clerk to the proper election
21 authorities, who shall submit the proposition at an election
22 in accordance with the general election law, if a petition
23 requesting that action is signed by electors of the city
24 numbering not less than 10% of the total vote cast at the last

1 election for mayor of the city and the petition is filed with
2 the city clerk.

3 The proposition shall be substantially in the following
4 form:

5 Shall (name of city) restrict the number of
6 alderpersons ~~aldermen~~ to (state number) (one-half of the
7 total authorized by Section 3.1-20-10 of the Illinois
8 Municipal Code), with one alderperson ~~alderman~~
9 representing each ward?

10 If a majority of those voting on the proposition vote in
11 favor of it, all existing ~~aldermanic~~ terms of alderpersons
12 shall expire as of the date of the next regular ~~aldermanic~~
13 election of alderpersons, at which time a full complement of
14 alderpersons ~~aldermen~~ shall be elected for the full term.

15 (b) In a city of less than 100,000 inhabitants, a
16 proposition to restrict the number of alderpersons ~~aldermen~~ to
17 one alderperson ~~alderman~~ per ward, with one alderperson
18 ~~alderman~~ representing each ward, plus an additional number of
19 alderpersons ~~aldermen~~ not to exceed the number of wards in the
20 city to be elected at large, shall be certified by the city
21 clerk to the proper election authorities, who shall submit the
22 proposition at an election in accordance with the general
23 election law, if a petition requesting that action is signed
24 by electors of the city numbering not less than 10% of the
25 total vote cast at the last election for mayor of the city and
26 the petition is filed with the city clerk.

1 The proposition shall be substantially in the following
2 form:

3 Shall (name of city) restrict the number of
4 alderpersons ~~aldermen~~ to (number), with one alderperson
5 ~~alderman~~ representing each ward, plus an additional
6 (number) alderperson ~~alderman~~ (alderpersons ~~aldermen~~) to
7 be elected at large?

8 If a majority of those voting on the proposition vote in
9 favor of it, all existing ~~aldermanic~~ terms of alderpersons
10 shall expire as of the date of the next regular ~~aldermanic~~
11 election of alderpersons, at which time a full complement of
12 alderpersons ~~aldermen~~ shall be elected for the full term.

13 (c) In a city of less than 100,000 inhabitants where a
14 proposition under subsection (a) or (b) has been successful, a
15 proposition to reinstate the number of alderpersons ~~aldermen~~
16 in accordance with Section 3.1-20-10 shall be certified by the
17 city clerk to the proper election authorities, who shall
18 submit the proposition at an election in accordance with the
19 general election law, if a petition requesting that action has
20 been signed by electors of the city numbering not less than 10%
21 of the total vote cast at the last election for mayor of the
22 city and the petition has been filed with the city clerk.

23 The election authority must submit the proposition in
24 substantially the following form:

25 Shall (name of city) reinstate the number of
26 alderpersons ~~aldermen~~ to (number of alderpersons ~~aldermen~~

1 allowed by Section 3.1-20-10)?

2 The election authority must record the votes as "Yes" or "No".

3 If a majority of the electors voting on the proposition
4 vote in the affirmative, then, if the restriction in the
5 number of alderpersons ~~aldermen~~ has taken effect, all existing
6 ~~aldermanic~~ terms of alderpersons shall expire as of the date
7 of the next regular ~~aldermanic~~ election of alderpersons, at
8 which time a full complement of alderpersons ~~aldermen~~ shall be
9 elected for the full term and thereafter terms shall be
10 determined in accordance with Section 3.1-20-35.

11 (Source: P.A. 92-727, eff. 7-25-02.)

12 (65 ILCS 5/3.1-20-22) (from Ch. 24, par. 3.1-20-22)

13 Sec. 3.1-20-22. Alderspersons ~~Aldermen~~; staggered terms. In
14 any city of less than 100,000 inhabitants, a proposition to
15 stagger the terms of alderpersons ~~aldermen~~, with as nearly as
16 possible one-half of the alderpersons ~~aldermen~~ elected every 2
17 years, shall be certified by the city clerk to the proper
18 election authority, who shall submit the proposition at an
19 election in accordance with the general election law, if a
20 petition requesting that action is signed by electors of the
21 city numbering at least 10% of the total vote cast at the last
22 election for mayor of the city and is filed with the city
23 clerk.

24 The ballot shall have printed on it, but not as a part of
25 the proposition submitted, the following information for

1 voters: one alderperson ~~alderman~~ elected from each
2 even-numbered ward shall serve a term of 2 years; one
3 alderperson ~~alderman~~ elected from each odd-numbered ward shall
4 serve a term of 4 years.

5 The proposition shall be substantially in the following
6 form:

7 Shall (name of city) adopt a system of staggered terms
8 for alderpersons ~~aldermen~~?

9 If a majority of those voting on the proposition vote in
10 favor of it, then at the next regular election for
11 alderpersons ~~aldermen~~ one alderperson ~~alderman~~ shall be
12 elected from each even-numbered ward for a term of 2 years and
13 one alderperson ~~alderman~~ shall be elected from each
14 odd-numbered ward for a term of 4 years. Thereafter, their
15 successors shall be elected for terms of 4 years.

16 (Source: P.A. 87-1119.)

17 (65 ILCS 5/3.1-20-25) (from Ch. 24, par. 3.1-20-25)

18 Sec. 3.1-20-25. Redistricting a city.

19 (a) In the formation of wards, the number of inhabitants
20 of the city immediately preceding the division of the city
21 into wards shall be as nearly equal in population, and the
22 wards shall be of as compact and contiguous territory, as
23 practicable. Wards shall be created in a manner so that, as far
24 as practicable, no precinct shall be divided between 2 or more
25 wards.

1 (b) Whenever an official decennial census shows that a
2 city contains more or fewer wards than it is entitled to, the
3 city council of the city, by ordinance, shall redistrict the
4 city into as many wards as the city is entitled. This
5 redistricting shall be completed not less than 30 days before
6 the first day set by the general election law for the filing of
7 candidate petitions for the next succeeding election for city
8 officers. At this election there shall be elected the number
9 of alderpersons ~~aldermen~~ to which the city is entitled, except
10 as provided in subsection (c).

11 (c) If it appears from any official decennial census that
12 it is necessary to redistrict under subsection (b) or for any
13 other reason, the city council shall immediately proceed to
14 redistrict the city and shall hold the next city election in
15 accordance with the new redistricting. At this election the
16 alderpersons ~~aldermen~~ whose terms of office are not expiring
17 shall be considered alderpersons ~~aldermen~~ for the new wards
18 respectively in which their residences are situated. At this
19 election, in a municipality that is not a newly incorporated
20 municipality, a candidate for alderperson ~~alderman~~ may be
21 elected from any ward that contains a part of the ward in which
22 he or she resided at least one year next preceding the election
23 that follows the redistricting, and, if elected, that person
24 may be reelected from the new ward he or she represents if he
25 or she resides in that ward for at least one year next
26 preceding reelection. If there are 2 or more alderpersons

1 ~~aldermen~~ with terms of office not expiring and residing in the
2 same ward under the new redistricting, the alderperson
3 ~~alderman~~ who holds over for that ward shall be determined by
4 lot in the presence of the city council, in the manner directed
5 by the council, and all other alderpersons ~~aldermen~~ shall fill
6 their unexpired terms as alderpersons-at-large
7 ~~aldermen-at-large~~. The alderpersons-at-large
8 ~~aldermen-at-large~~, if any, shall have the same powers and
9 duties as all other alderpersons ~~aldermen~~, but upon the
10 expiration of their terms the offices of alderpersons-at-large
11 ~~aldermen-at-large~~ shall be abolished.

12 (d) If the redistricting results in one or more wards in
13 which no alderpersons ~~aldermen~~ reside whose terms of office
14 have not expired, 2 alderpersons ~~aldermen~~ shall be elected in
15 accordance with Section 3.1-20-35, unless the city elected
16 only one alderperson ~~alderman~~ per ward pursuant to a
17 referendum under subsection (a) of Section 3.1-20-20.

18 (e) A redistricting ordinance that has decreased the
19 number of wards of a city because of a decrease in population
20 of the city shall not be effective if, not less than 60 days
21 before the time fixed for the next succeeding general
22 municipal election, an official census is officially published
23 that shows that the city has regained a population that
24 entitles it to the number of wards that it had just before the
25 passage of the last redistricting ordinance.

26 (Source: P.A. 97-1091, eff. 8-24-12.)

1 (65 ILCS 5/3.1-20-30) (from Ch. 24, par. 3.1-20-30)

2 Sec. 3.1-20-30. Validation of actions. After an official
3 census is officially published, if a city is divided into a
4 greater number of wards and has elected a greater number of
5 alderpersons ~~aldermen~~ than the city is entitled to, the
6 division and election shall, nevertheless, be valid and all
7 acts, resolutions, and ordinances of the city council of that
8 city, if in other respects in compliance with law, are valid.

9 (Source: P.A. 87-1119.)

10 (65 ILCS 5/3.1-20-35) (from Ch. 24, par. 3.1-20-35)

11 Sec. 3.1-20-35. Determining terms.

12 (a) Alderpersons ~~Aldermen~~ elected at the first election
13 for city officers after the election of alderpersons ~~aldermen~~
14 for the initial terms provided for in Section 2-2-11 shall
15 draw lots to determine which alderpersons ~~aldermen~~ in each
16 ward shall hold office for a 4 year term, and until a successor
17 is elected and has qualified, and which alderpersons ~~aldermen~~
18 in each ward shall hold office for a 2 year term, and until a
19 successor is elected and has qualified. All alderpersons
20 ~~aldermen~~ thereafter elected shall hold office for a term of 4
21 years, and until their successors are elected and have
22 qualified, except in cities that adopt a 2 year term under
23 Section 3.1-10-65 and except as otherwise provided in Section
24 3.1-20-20.

1 (b) If a city that has had the minority representation
2 plan has voted not to retain the plan, then at the first
3 election for city officers following the vote 2 alderpersons
4 ~~aldermen~~ shall be elected from each ward in the city and their
5 terms shall be staggered in the manner set forth in subsection
6 (a). The tenure of these alderpersons ~~aldermen~~ and their
7 successors shall be the same as that stated in subsection (a).
8 (Source: P.A. 87-1119.)

9 (65 ILCS 5/3.1-20-40) (from Ch. 24, par. 3.1-20-40)

10 Sec. 3.1-20-40. Other officers; election rather than
11 appointment. Instead of providing for the appointment of the
12 following officers as provided in Section 3.1-30-5, the city
13 council, in its discretion, may provide by ordinance passed by
14 a two-thirds vote of all the alderpersons ~~aldermen~~ elected for
15 the election by the electors of the city of a city collector, a
16 city marshal, a city superintendent of streets, a corporation
17 counsel, a city comptroller, or any of them, and any other
18 officers which the city council considers necessary or
19 expedient. By ordinance or resolution, to take effect at the
20 end of the current fiscal year, the city council, by a like
21 vote, may discontinue any office so created and devolve the
22 duties of that office on any other city officer. After
23 discontinuance of an office, no officer filling that office
24 before its discontinuance shall have any claim against the
25 city for salary alleged to accrue after the date of

1 discontinuance.

2 (Source: P.A. 87-1119.)

3 (65 ILCS 5/3.1-20-45)

4 Sec. 3.1-20-45. Nonpartisan primary elections; uncontested
5 office. A city incorporated under this Code that elects
6 municipal officers at nonpartisan primary and general
7 elections shall conduct the elections as provided in the
8 Election Code, except that no office for which nomination is
9 uncontested shall be included on the primary ballot and no
10 primary shall be held for that office. For the purposes of this
11 Section, an office is uncontested when not more than 4 persons
12 to be nominated for each office have timely filed valid
13 nominating papers seeking nomination for the election to that
14 office.

15 Notwithstanding any other provision of law ~~the preceding~~
16 ~~paragraph~~, when a person (i) who has not timely filed valid
17 nomination papers and (ii) who intends to become a write-in
18 candidate for nomination for any office for which nomination
19 is uncontested files a written statement or notice of that
20 intent with the proper election official with whom the
21 nomination papers for that office are filed, no primary ballot
22 shall be printed. Where no primary is held, a person intending
23 to become a write-in candidate at the general primary election
24 shall refile a declaration of intent to be a write-in
25 candidate for the general election with the appropriate

1 ~~election authority or authorities if the write-in candidate~~
2 ~~becomes the fifth candidate filed, a primary ballot must be~~
3 ~~prepared and a primary must be held for the office. The~~
4 ~~statement or notice must be filed on or before the 61st day~~
5 ~~before the consolidated primary election. The statement must~~
6 ~~contain (i) the name and address of the person intending to~~
7 ~~become a write in candidate, (ii) a statement that the person~~
8 ~~intends to become a write in candidate, and (iii) the office~~
9 ~~the person is seeking as a write in candidate. An election~~
10 ~~authority has no duty to conduct a primary election or prepare~~
11 ~~a primary ballot unless a statement meeting the requirements~~
12 ~~of this paragraph is filed in a timely manner.~~

13 If there is a primary election, then candidates shall be
14 placed on the ballot for the next succeeding general municipal
15 election in the following manner:

16 (1) If one officer is to be elected, then the 2
17 candidates who receive the highest number of votes shall
18 be placed on the ballot for the next succeeding general
19 municipal election.

20 (2) If 2 alderpersons ~~aldermen~~ are to be elected at
21 large, then the 4 candidates who receive the highest
22 number of votes shall be placed on the ballot for the next
23 succeeding general municipal election.

24 (3) If 3 alderpersons ~~aldermen~~ are to be elected at
25 large, then the 6 candidates who receive the highest
26 number of votes shall be placed on the ballot for the next

1 succeeding general municipal election.

2 The name of a write-in candidate may not be placed on the
3 ballot for the next succeeding general municipal election
4 unless he or she receives a number of votes in the primary
5 election that equals or exceeds the number of signatures
6 required on a petition for nomination for that office or that
7 exceeds the number of votes received by at least one of the
8 candidates whose names were printed on the primary ballot for
9 nomination for or election to the same office.

10 (Source: P.A. 97-81, eff. 7-5-11.)

11 (65 ILCS 5/3.1-25-70) (from Ch. 24, par. 3.1-25-70)

12 Sec. 3.1-25-70. Trustees under special Acts.

13 (a) In every village and incorporated town incorporated
14 and existing under any special Act that, before June 4, 1909,
15 pursuant to any special Act, annually elected members of its
16 legislative body, the electors in the village or incorporated
17 town, instead of the legislative body now provided for by law,
18 shall elect 6 trustees. They shall hold their offices until
19 their respective successors are elected and have qualified. At
20 the first meeting of this board of 6 trustees, the terms of
21 office of the trustees shall be staggered, and thereafter
22 shall be for the same length of time as provided for
23 alderpersons ~~aldermen~~ in Section 3.1-20-35.

24 (b) The electors of the village or incorporated town may,
25 however, adopt a 2 year term for their trustees as provided in

1 Section 3.1-10-65. If this 2 year term is adopted, then at the
2 next general municipal election in the adopting village or
3 incorporated town, 3 trustees shall be elected, and they shall
4 hold their offices for terms of one year each. In the next
5 succeeding year, and in each year thereafter, 3 trustees shall
6 be elected in the adopting village or incorporated town, and
7 they shall hold their offices for terms of 2 years each.

8 (c) A village or incorporated town that, before January 1,
9 1942, has adopted a 2 year term for its trustees and is now
10 electing 3 trustees each year shall continue to elect 3
11 trustees each year for a term of 2 years each. A village or
12 incorporated town that, before January 1, 1942, has adopted a
13 2 year term for its trustees but is not now electing 3 trustees
14 each year shall elect 3 trustees at the next general municipal
15 election in that municipality, and they shall hold their
16 offices for terms of one year each. In the next succeeding
17 year, and in each year thereafter, 3 trustees shall be
18 elected, and they shall hold their offices for terms of 2 years
19 each.

20 (d) This Section shall not apply to or change the method of
21 election of the members of the legislative body of
22 incorporated towns that have superseded civil townships.

23 (Source: P.A. 87-1119.)

24 (65 ILCS 5/3.1-25-75) (from Ch. 24, par. 3.1-25-75)

25 Sec. 3.1-25-75. Districts; election of trustees.

1 (a) After a village with a population of 5,000 or more
2 adopts the provisions of this Section in the manner prescribed
3 in Section 3.1-25-80, the board of trustees by ordinance shall
4 divide and, whenever necessary thereafter, shall redistrict
5 the village into 6 compact and contiguous districts of
6 approximately equal population as required by law. This
7 redistricting shall be completed not less than 30 days before
8 the first day for the filing of nominating petitions for the
9 next succeeding election of village officers held in
10 accordance with the general election law.

11 (b) Each of the districts shall be represented by one
12 trustee who shall have been an actual resident of the district
13 for at least 6 months immediately before his or her election in
14 the first election after a redistricting, unless the trustee
15 is a resident of a newly incorporated municipality. Only the
16 electors of a district shall elect the trustee from that
17 district.

18 (c) The provisions of this Code relating to terms of
19 office of alderpersons ~~aldermen~~ in cities shall also apply to
20 the terms of office of trustees under this Section.

21 (Source: P.A. 95-646, eff. 1-1-08.)

22 (65 ILCS 5/3.1-35-35) (from Ch. 24, par. 3.1-35-35)

23 Sec. 3.1-35-35. Mayor or president pro tem; temporary
24 chairman.

25 (a) If the mayor or president is temporarily absent

1 because of an incapacity to perform official duties, but the
2 incapacity does not create a vacancy in the office, the
3 corporate authorities shall elect one of their members to act
4 as mayor or president pro tem. The mayor or president pro tem,
5 during this absence or disability, shall perform the duties
6 and possess all the rights and powers of the mayor or president
7 but shall not be entitled to vote both as mayor or president
8 pro tem and as alderperson ~~alderman~~ or trustee.

9 (b) In the absence of the mayor, president, acting mayor
10 or president, or mayor or president pro tem, the corporate
11 authorities may elect one of their members to act as a
12 temporary chairman. The temporary chairman shall have only the
13 powers of a presiding officer and a right to vote only in the
14 capacity as alderperson ~~alderman~~ or trustee on any ordinance,
15 resolution, or motion.

16 (Source: P.A. 87-1119.)

17 (65 ILCS 5/3.1-40-5) (from Ch. 24, par. 3.1-40-5)

18 Sec. 3.1-40-5. Composition. The city council shall consist
19 of the mayor and alderpersons ~~aldermen~~. It shall meet in
20 accordance with the Open Meetings Act. It shall keep a journal
21 of its own proceedings.

22 (Source: P.A. 87-1119.)

23 (65 ILCS 5/3.1-40-10) (from Ch. 24, par. 3.1-40-10)

24 Sec. 3.1-40-10. Judge of elections. The city council shall

1 be the sole judge of the election to office of the alderpersons
2 ~~aldermen~~. It shall also be the sole judge whether under
3 Section 3.1-10-5 alderpersons ~~aldermen~~ are eligible to hold
4 their offices. A court, however, shall not be prohibited from
5 hearing and determining a proceeding in quo warranto.

6 (Source: P.A. 87-1119.)

7 (65 ILCS 5/3.1-40-15) (from Ch. 24, par. 3.1-40-15)

8 Sec. 3.1-40-15. Rules; expulsion. The city council shall
9 determine its own rules of proceeding and punish its members
10 for disorderly conduct. With the concurrence of two-thirds of
11 the alderpersons ~~aldermen~~ then holding office, it may expel an
12 alderperson ~~alderman~~ from a meeting, but not a second time for
13 the same incident.

14 (Source: P.A. 87-1119.)

15 (65 ILCS 5/3.1-40-25) (from Ch. 24, par. 3.1-40-25)

16 Sec. 3.1-40-25. Meetings. The city council may prescribe,
17 by ordinance, the times and places of the council meetings and
18 the manner in which special council meetings may be called.
19 The mayor or any 3 alderpersons ~~aldermen~~ may call special
20 meetings of the city council. In addition to any notice
21 requirement prescribed by the city council, public notice of
22 meetings must be given as prescribed in Sections 2.02 and 2.03
23 of the Open Meetings Act.

24 (Source: P.A. 87-1119.)

1 (65 ILCS 5/3.1-40-30) (from Ch. 24, par. 3.1-40-30)

2 Sec. 3.1-40-30. Mayor presides. The mayor shall preside at
3 all meetings of the city council. Except as provided in
4 Articles 4 and 5 of this Code, the mayor shall not vote on any
5 ordinance, resolution, or motion except the following: (i)
6 where the vote of the alderpersons ~~aldermen~~ has resulted in a
7 tie; (ii) where one-half of the alderpersons ~~aldermen~~ elected
8 have voted in favor of an ordinance, resolution, or motion
9 even though there is no tie vote; or (iii) where a vote greater
10 than a majority of the corporate authorities is required by
11 this Code or an ordinance to adopt an ordinance, resolution,
12 or motion. Nothing in this Section shall deprive an acting
13 mayor or mayor pro tem from voting in the capacity as
14 alderperson ~~alderman~~, but he or she shall not be entitled to
15 another vote in the capacity as acting mayor or mayor pro tem.
16 (Source: P.A. 87-1119.)

17 (65 ILCS 5/3.1-40-35) (from Ch. 24, par. 3.1-40-35)

18 Sec. 3.1-40-35. Deferral of committee reports. Upon the
19 request of any 2 alderpersons ~~aldermen~~ present, any report of
20 a committee of the council shall be deferred for final action
21 to the next regular meeting of the council after the report is
22 made.

23 (Source: P.A. 87-1119.)

1 (65 ILCS 5/3.1-40-40) (from Ch. 24, par. 3.1-40-40)

2 Sec. 3.1-40-40. Vote required. The passage of all
3 ordinances for whatever purpose, and of any resolution or
4 motion (i) to create any liability against a city or (ii) for
5 the expenditure or appropriation of its money shall require
6 the concurrence of a majority of all members then holding
7 office on the city council, including the mayor, unless
8 otherwise expressly provided by this Code or any other Act
9 governing the passage of any ordinance, resolution, or motion.
10 Where the council consists of an odd number of alderpersons
11 ~~aldermen~~, however, the vote of the majority of the
12 alderpersons ~~aldermen~~ shall be sufficient to pass an
13 ordinance. The passage of an ordinance, resolution, or motion
14 to sell any school property shall require the concurrence of
15 three-fourths of all alderpersons ~~aldermen~~ then holding
16 office. The yeas and nays shall be taken upon the question of
17 the passage of the designated ordinances, resolutions, or
18 motions and recorded in the journal of the city council. In
19 addition, the corporate authorities at any meeting may by
20 unanimous consent take a single vote by yeas and nays on the
21 several questions of the passage of any 2 or more of the
22 designated ordinances, orders, resolutions, or motions placed
23 together for voting purposes in a single group. The single
24 vote shall be entered separately in the journal under the
25 designation "omnibus vote", and in that event the clerk may
26 enter the words "omnibus vote" or "consent agenda" in the

1 journal in each case instead of entering the names of the
2 members of city council voting "yea" and those voting "nay" on
3 the passage of each of the designated ordinances, orders,
4 resolutions, and motions included in the omnibus group or
5 consent agenda. The taking of a single or omnibus vote and the
6 entries of the words "omnibus vote" or "consent agenda" in the
7 journal shall be a sufficient compliance with the requirements
8 of this Section to all intents and purposes and with like
9 effect as if the vote in each case had been taken separately by
10 yeas and nays on the question of the passage of each ordinance,
11 order, resolution, and motion included in the omnibus group
12 and separately recorded in the journal. Likewise, the yeas and
13 nays shall be taken upon the question of the passage of any
14 other resolution or motion at the request of any alderperson
15 ~~alderman~~ and shall be recorded in the journal.

16 (Source: P.A. 87-1119.)

17 (65 ILCS 5/3.1-40-50) (from Ch. 24, par. 3.1-40-50)

18 Sec. 3.1-40-50. Reconsideration; passing over veto. Every
19 resolution and motion specified in Section 3.1-40-45, and
20 every ordinance, that is returned to the city council by the
21 mayor shall be reconsidered by the city council at the next
22 regular meeting following the regular meeting at which the
23 city council receives the mayor's written objection. If, after
24 reconsideration, two-thirds of all the alderpersons ~~aldermen~~
25 then holding office on the city council agree at that regular

1 meeting to pass an ordinance, resolution, or motion,
2 notwithstanding the mayor's refusal to approve it, then it
3 shall be effective. The vote on the question of passage over
4 the mayor's veto shall be by yeas and nays and shall be
5 recorded in the journal.

6 This Section does not apply to municipalities with more
7 than 500,000 inhabitants.

8 (Source: P.A. 91-489, eff. 1-1-00.)

9 (65 ILCS 5/3.1-40-55) (from Ch. 24, par. 3.1-40-55)

10 Sec. 3.1-40-55. Reconsideration; requisites. No vote of
11 the city council shall be reconsidered or rescinded at a
12 special meeting unless there are present at the special
13 meeting at least as many alderpersons ~~aldermen~~ as were present
14 when the vote was taken.

15 (Source: P.A. 87-1119.)

16 (65 ILCS 5/3.1-45-5) (from Ch. 24, par. 3.1-45-5)

17 Sec. 3.1-45-5. Composition; manner of acting. The board of
18 trustees shall consist of the president and trustees and,
19 except as otherwise provided in this Code, shall exercise the
20 same powers and perform the same duties as the city council in
21 cities. It shall pass ordinances, resolutions, and motions in
22 the same manner as a city council. The president of the board
23 of trustees may exercise the same veto power and powers in
24 Section 3.1-40-30, and with like effect, as the mayor of a

1 city. The trustees may pass motions, resolutions, and
2 ordinances over the president's veto in like manner as the
3 alderpersons ~~aldermen~~ of a city council.

4 (Source: P.A. 87-1119.)

5 (65 ILCS 5/3.1-45-15) (from Ch. 24, par. 3.1-45-15)

6 Sec. 3.1-45-15. Powers and duties. The trustees, except as
7 otherwise provided in this Code, shall perform the duties and
8 exercise the powers conferred upon the alderpersons ~~aldermen~~
9 of a city.

10 (Source: P.A. 87-1119.)

11 (65 ILCS 5/3.1-55-5) (from Ch. 24, par. 3.1-55-5)

12 Sec. 3.1-55-5. Certificate of appointment. Whenever a
13 person has been appointed or elected to office, the mayor or
14 president shall issue a certificate of appointment or
15 election, under the corporate seal, to the municipal clerk.
16 All officers elected or appointed under this Code, except the
17 municipal clerk, alderperson ~~alderman~~, mayor, trustees, and
18 president, shall be commissioned by warrant, under the
19 corporate seal, signed by the municipal clerk and the mayor,
20 acting mayor, or mayor pro tem, or presiding officer of the
21 corporate authorities.

22 (Source: P.A. 87-1119.)

23 (65 ILCS 5/4-1-2) (from Ch. 24, par. 4-1-2)

1 Sec. 4-1-2. Definitions. In this Article, unless the
2 context otherwise requires:

3 (a) Any office or officer named in Any act referred to in
4 this Article, when applied to cities or villages under the
5 commission form of municipal government, means the office or
6 officer having the same functions or duties under this Article
7 or under ordinances passed by authority of this Article.

8 (b) "Commissioner", "alderperson ~~alderman~~", or "village
9 trustee" means commissioner when applied to duties under this
10 Article.

11 (c) "City council", "board of trustees", or "corporate
12 authorities" means "council" when applied to duties under this
13 Article.

14 (d) "Franchise" includes every special privilege or right
15 in the streets, alleys, highways, bridges, subways, viaducts,
16 air, waters, public places, and other public property that
17 does not belong to the citizens generally by common right,
18 whether granted by the State or the city or village.

19 (e) "City" includes village.

20 (f) "Municipal" or "municipality" means either city or
21 village.

22 (g) "Treating" means the entertaining of a person with
23 food, drink, tobacco, or drugs.

24 (h) "Treats" means the food, drink, tobacco, or drugs,
25 requested, offered, given, or received, in treating or for the
26 entertainment of a person.

1 (Source: P.A. 87-1119.)

2 (65 ILCS 5/4-10-1) (from Ch. 24, par. 4-10-1)

3 Sec. 4-10-1. Any municipality, which has operated for more
4 than 2 years under the commission form of municipal
5 government, may abandon its operation under this article and
6 accept the provisions of the general law of the State then
7 applicable to municipalities, by proceedings as follows:

8 When a petition signed by electors of the municipality
9 equal in number to at least 25% of the number of votes cast for
10 the candidates for mayor at the last preceding general
11 quadrennial municipal election is filed with the municipal
12 clerk, the clerk shall certify the proposition to the proper
13 election authorities for submission to the electors of the
14 municipality. The proposition shall be in substantially the
15 following form:

16 -----
17 Shall the city (or village) YES
18 of.... retain the commission -----
19 form of municipal government? NO
20 -----

21 In municipalities which have adopted the City Election
22 Law, however, this proposition shall be filed with the clerk
23 of that board. However, in municipalities with less than
24 50,000 inhabitants this proposition shall only be submitted
25 within the year preceding the expiration of the terms of

1 office of the elective officers of the municipality and shall
2 not be submitted more often than once in that year. In
3 municipalities with 50,000 or more inhabitants this
4 proposition shall not be submitted more often than once in 22
5 months.

6 If a majority of the votes cast on this proposition are
7 against the proposition, the officers elected at the next
8 succeeding general municipal election shall be those then
9 prescribed in Article 3. Upon the qualification of these
10 officers the municipality shall become a city or village under
11 this Code, but this change shall not affect in any manner or
12 degree the property rights or liabilities of any nature of the
13 municipality, but shall merely extend to the change in its
14 form of government.

15 The first city council or board of trustees elected after
16 the abandonment of the commission form of municipal government
17 shall have the same number of alderpersons ~~aldermen~~ or
18 trustees as were provided in the municipality at the time of
19 its adoption of this article, and the municipality shall have
20 the same ward and precinct boundaries.

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

22 (65 ILCS 5/5-1-4) (from Ch. 24, par. 5-1-4)

23 Sec. 5-1-4. Procedure for adopting managerial form of
24 government.

25 (a) Cities and villages described in Section 5-1-1, in

1 order to vest themselves with the managerial form of municipal
2 government, shall act in accordance with the procedure
3 provided in Sections 5-1-4 through 5-1-11 unless modified
4 elsewhere in this Article 5. In cities that are operating
5 under Section 3.1-20-10 and villages operating under Section
6 3.1-25-75 at the time of the adoption of this Article 5, the
7 forms of petition and ballot prescribed in Sections 5-1-5 and
8 5-1-7 may at the option of the petitioners be modified to
9 contain the following additional proposition:

10 Shall (name of city or village), if it adopts the
11 managerial form of municipal government, continue to elect
12 alderpersons ~~aldermen~~ (or trustees) from wards (or
13 districts)?

14 (b) In any city operating under Section 3.1-20-10 at the
15 time of adoption of this Article 5, at the option of the
16 petitioners and in addition to the optional proposition
17 provided for in subsection (a), the forms of petition and
18 ballot prescribed in Sections 5-1-6 and 5-1-8 may be further
19 modified to contain the following additional proposition:

20 Shall only one alderperson ~~alderman~~ hereafter be
21 elected from each ward if (name of city) adopts the
22 managerial form of municipal government and also elects to
23 continue the alderperson ~~aldermanic~~ organization for the
24 city council?

25 (c) If 2 or more forms of petition allowed under this
26 Section are presented to the chief judge of the circuit court

1 or any judge of that circuit designated by the chief judge, the
2 judge shall cause only the question or questions contained in
3 the first petition so presented to be submitted to referendum,
4 if he or she finds that the petition is in proper form and
5 legally sufficient.

6 (d) If a majority of the electors voting on the
7 proposition vote to adopt the managerial form of municipal
8 government, then this Article 5 shall become effective in the
9 city or village upon the date of the next general municipal
10 election at which any corporate authority is elected. The
11 operation of the managerial form of municipal government, for
12 purposes of voting on the question to abandon set out in
13 Section 5-5-1, however, shall not be deemed to begin until a
14 manager is appointed.

15 (e) The city council or board of trustees of a city or
16 village that adopts the provisions of this Article 5 under
17 this Section may, if it so desires, by the adoption of an
18 ordinance immediately after the adoption of this Article 5 has
19 been proclaimed, appoint a city or village manager and
20 reorganize the administration of the municipality in
21 conformance with this Article 5. This Article 5, except as to
22 the membership of the council in cities or villages in which
23 representation by wards or districts has not been retained,
24 shall be in effect upon the proclamation of the results of the
25 adopting referendum.

26 (Source: P.A. 87-1119.)

1 (65 ILCS 5/5-2-1) (from Ch. 24, par. 5-2-1)

2 Sec. 5-2-1. If a city or village adopts the managerial
3 form of municipal government and also elects to choose
4 alderpersons ~~aldermen~~ or trustees, as the case may be, from
5 wards or districts, then the city council shall be constituted
6 as provided in Sections 5-2-2 through 5-2-10 and the village
7 board shall be constituted as provided in Section 5-2-11 and
8 the incumbent alderpersons ~~aldermen~~, trustees, mayor,
9 president, clerk and treasurer shall continue in office until
10 expiration of their present terms. If a city has voted to elect
11 only one alderperson ~~alderman~~ from each ward then no election
12 for a successor for the alderperson ~~alderman~~ from each ward
13 whose term next expires shall be held, and upon the expiration
14 of the terms of the alderpersons ~~aldermen~~ having the longest
15 time to serve at the time of adoption of this Article 5 only
16 one successor shall be elected from each ward. In case a city
17 votes to elect only one alderperson ~~alderman~~ from each ward,
18 the number of alderpersons ~~aldermen~~ prescribed by Section
19 5-2-2 shall be halved, for the purposes of this Article 5 and
20 the provisions of Section 5-2-4 prescribing the number of
21 wards shall not apply but such city shall have an equal number
22 of wards and alderpersons ~~aldermen~~. The mayor of a city and the
23 president of a village board shall be elected from the city or
24 village at large.

25 (Source: Laws 1961, p. 576.)

1 (65 ILCS 5/5-2-2) (from Ch. 24, par. 5-2-2)

2 Sec. 5-2-2. Except as otherwise provided in Section 5-2-3,
3 the number of alderpersons ~~aldermen~~, when not elected by the
4 minority representation plan, shall be as follows: In cities
5 not exceeding 3,000 inhabitants, 6 alderpersons ~~aldermen~~;
6 exceeding 3,000, but not exceeding 15,000, 8 alderpersons
7 ~~aldermen~~; exceeding 15,000 but not exceeding 20,000, 10
8 alderpersons ~~aldermen~~; exceeding 20,000 but not exceeding
9 30,000, 14 alderpersons ~~aldermen~~; and 2 additional
10 alderpersons ~~aldermen~~ for every 20,000 inhabitants over
11 30,000. In all cities of less than 500,000, 20 alderpersons
12 ~~aldermen~~ shall be the maximum number permitted except as
13 otherwise provided in the case of alderpersons-at-large
14 ~~aldermen-at-large~~. No redistricting shall be required in order
15 to reduce the number of alderpersons ~~aldermen~~ heretofore
16 provided for. Two alderpersons ~~aldermen~~ shall be elected to
17 represent each ward.

18 If it appears from any census specified in Section 5-2-5
19 and taken not earlier than 1940 that any city has the requisite
20 number of inhabitants to authorize it to increase the number
21 of alderpersons ~~aldermen~~, the city council shall immediately
22 proceed to redistrict the city in accordance with the
23 provisions of Section 5-2-5, and it shall hold the next city
24 election in accordance with the new redistricting. At this
25 election the alderpersons ~~aldermen~~ whose terms of office are

1 not expiring shall be considered alderpersons ~~aldermen~~ for the
2 new wards respectively in which their residences are situated.
3 At this election a candidate for alderperson ~~alderman~~ may be
4 elected from any ward that contains a part of the ward in which
5 he or she resided at least one year next preceding the election
6 that follows the redistricting, and, if elected, that person
7 may be reelected from the new ward he or she represents if he
8 or she resides in that ward for at least one year next
9 preceding reelection. If there are 2 or more alderpersons
10 ~~aldermen~~ with terms of office not expiring and residing in the
11 same ward under the new redistricting, the alderperson
12 ~~alderman~~ who holds over for that ward shall be determined by
13 lot in the presence of the city council, in whatever manner the
14 council shall direct and all other alderpersons ~~aldermen~~ shall
15 fill their unexpired terms as alderpersons-at-large
16 ~~aldermen-at-large~~. The alderpersons-at-large
17 ~~aldermen-at-large~~, if any, shall have the same power and
18 duties as all other alderpersons ~~aldermen~~ but upon expiration
19 of their terms the offices of alderpersons-at-large
20 ~~aldermen-at-large~~ shall be abolished.

21 If the re-districting results in one or more wards in
22 which no alderpersons ~~aldermen~~ reside whose terms of office
23 have not expired, 2 alderpersons ~~aldermen~~ shall be elected in
24 accordance with the provisions of Section 5-2-8.

25 (Source: P.A. 93-847, eff. 7-30-04.)

1 (65 ILCS 5/5-2-3) (from Ch. 24, par. 5-2-3)

2 Sec. 5-2-3. In any city or village of less than 100,000
3 inhabitants, a proposition to restrict the number of
4 alderpersons ~~aldermen~~ to one-half of the total authorized by
5 Section 5-2-2, with one alderperson ~~alderman~~ representing each
6 ward, shall be certified by the municipal clerk to the proper
7 election authority who shall submit the proposition at an
8 election in accordance with the general election law, if a
9 petition requesting such action is signed by electors of the
10 municipality numbering not less than 10% of the total vote
11 cast at the last election for mayor or president of the board
12 of trustees of the municipality, and is filed with the city or
13 village clerk in accordance with the general election law.

14 The proposition shall be substantially in the following
15 form:

16 -----
17 Shall the City (or Village) of
18 restrict the number of alderpersons YES
19 ~~aldermen~~ to one-half of the total
20 authorized by Section 5-2-2 of the -----
21 Illinois Municipal Code, with one NO
22 alderperson ~~alderman~~ representing each ward?
23 -----

24 If a majority of those voting upon the proposition vote in
25 favor of it, all existing ~~aldermanic~~ terms of alderpersons
26 shall expire as of the date of the next regular ~~aldermanic~~

1 election of alderpersons, at which time a full complement of
2 alderpersons ~~aldermen~~ shall be elected for the full term.

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

4 (65 ILCS 5/5-2-3.1) (from Ch. 24, par. 5-2-3.1)

5 Sec. 5-2-3.1. In any municipality in which only one
6 alderperson ~~alderman~~ is elected from each ward, a proposition
7 to stagger the terms of alderpersons ~~aldermen~~, with as nearly
8 as possible one-half of the alderpersons ~~aldermen~~ elected
9 every 2 years, shall be certified to the proper election
10 authority who shall submit the proposition at an election in
11 accordance with the general election law, if a petition
12 requesting such action is signed by electors of the
13 municipality numbering at least 10% of the total vote cast at
14 the last election for mayor or president of the board of
15 trustees of the municipality and is filed with the municipal
16 clerk.

17 The proposition shall be substantially in the following
18 form:

19 -----
20 Shall the City (or Village) of YES
21 adopt a system of -----
22 staggered terms for alderpersons ~~aldermen~~? NO
23 -----

24 If a majority of those voting on the proposition vote in
25 favor of it, at the next regular election for alderpersons

1 ~~aldermen~~, one alderperson ~~alderman~~ shall be elected from each
2 even-numbered ward for a term of 2 years, and one alderperson
3 ~~alderman~~ shall be elected from each odd-numbered ward for a
4 term of 4 years. Thereafter, their successors shall be elected
5 for terms of 4 years.

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

7 (65 ILCS 5/5-2-4) (from Ch. 24, par. 5-2-4)

8 Sec. 5-2-4. Except as otherwise provided in Section 5-2-3,
9 every city shall have one-half as many wards as the total
10 number of alderpersons ~~aldermen~~ to which the city is entitled.
11 The city council, from time to time shall divide the city into
12 that number of wards. In the formation of wards the population
13 of each shall be as nearly equal, and the wards shall be of as
14 compact and contiguous territory, as practicable.

15 (Source: Laws 1961, p. 576.)

16 (65 ILCS 5/5-2-5) (from Ch. 24, par. 5-2-5)

17 Sec. 5-2-5. Whenever an official publication of any
18 national, state, school, or city census shows that any city
19 contains more or less wards than it is entitled to, the city
20 council of the city, by ordinance, shall redistrict the city
21 into as many wards only as the city is entitled. This
22 redistricting shall be completed not less than 30 days before
23 the first date fixed by law for the filing of candidate
24 petitions for the next succeeding election for city officers.

1 At this election there shall be elected the number of
2 alderpersons ~~aldermen~~ to which the city is entitled.

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

4 (65 ILCS 5/5-2-7) (from Ch. 24, par. 5-2-7)

5 Sec. 5-2-7. If, after a specified census is officially
6 published, any city is divided into a greater number of wards
7 and has elected a greater number of alderpersons ~~aldermen~~ than
8 the city is entitled, nevertheless such division and election
9 shall be valid and all acts, resolutions, and ordinances of
10 the city council of such city, if in other respects in
11 compliance with law, are valid.

12 (Source: Laws 1961, p. 576.)

13 (65 ILCS 5/5-2-8) (from Ch. 24, par. 5-2-8)

14 Sec. 5-2-8. Staggered terms; tenure.

15 (a) Alderpersons ~~Aldermen~~ elected at the first election
16 for city officers after the election of alderpersons ~~aldermen~~
17 for the initial terms provided for in Section 2-2-11 shall
18 draw lots to determine (i) which of the alderpersons ~~aldermen~~
19 in each ward shall hold for a 4 year term and until a successor
20 is elected and has qualified and (ii) which in each ward shall
21 hold for a 2 year term and until a successor is elected and has
22 qualified. All alderpersons ~~aldermen~~ elected after that first
23 election shall hold office for a term of 4 years and until
24 their successors are elected and have qualified, except in

1 cities that adopt a 2 year term as provided in Section
2 3.1-10-65 and except as is otherwise provided in Section
3 5-2-3.

4 (b) If a city that has had the minority representation
5 plan has voted not to retain the plan, then, at the first
6 election for city officers following the vote, 2 alderpersons
7 ~~aldermen~~ shall be elected from each ward in the city. Their
8 terms shall be staggered by the process specified in this
9 Section. The tenure of these alderpersons ~~aldermen~~ and their
10 successors shall be the same as that stated in subsection (a).
11 (Source: P.A. 87-1119.)

12 (65 ILCS 5/5-2-11) (from Ch. 24, par. 5-2-11)

13 Sec. 5-2-11. In any village which adopts this Article 5,
14 the board of trustees by ordinance shall divide and, whenever
15 necessary thereafter, shall redistrict the village into 6
16 compact and contiguous districts of approximately equal
17 population.

18 Each of the districts shall be represented by one trustee
19 who shall have been an actual resident of the district for at
20 least 6 months prior to his election, unless the trustee is a
21 resident of a newly incorporated municipality. Only the
22 electors of a district shall elect the trustee from that
23 district.

24 The provisions of Section 5-2-8 relating to terms of
25 office of alderpersons ~~aldermen~~ in cities shall also apply to

1 the terms of office of trustees under this section.

2 (Source: P.A. 95-646, eff. 1-1-08.)

3 (65 ILCS 5/5-2-12) (from Ch. 24, par. 5-2-12)

4 Sec. 5-2-12. Alderspersons ~~Aldermen~~ or trustees elected at
5 large; vacancies; mayor or president to preside.

6 (a) If a city or village adopts the managerial form of
7 municipal government but does not elect to choose alderspersons
8 ~~aldermen~~ or trustees from wards or districts, then the
9 following provisions of this Section shall be applicable.

10 (b) The city council shall be elected at large. In cities
11 of less than 50,000 population, the council shall consist of
12 (i) the mayor and 4 councilmen or (ii) the mayor and 6
13 councilmen if the size of the city council is increased under
14 subsection (k). In cities of at least 50,000 but less than
15 100,000 population, the council shall consist of the mayor and
16 6 councilmen. In cities of at least 100,000 but not more than
17 500,000 population, the council shall consist of the mayor and
18 8 councilmen.

19 (c) Except in villages that were governed by Article 4
20 immediately before the adoption of the managerial form of
21 municipal government, the village board shall be elected at
22 large and shall consist of a president and the number of
23 trustees provided for in Section 5-2-15 or 5-2-17, whichever
24 is applicable.

25 (d) The term of office of the mayor and councilmen shall be

1 4 years, provided that in cities of less than 50,000, the 2
2 councilmen receiving the lowest vote at the first election
3 shall serve for 2 years only; in cities of at least 50,000 but
4 less than 100,000, the 3 councilmen receiving the lowest vote
5 at the first election shall serve for 2 years only; and in
6 cities of at least 100,000 but not more than 500,000, the 4
7 councilmen receiving the lowest vote at the first election
8 shall serve for 2 years only.

9 (e) The election of councilmen shall be every 2 years.
10 After the first election, only 2 councilmen in cities of less
11 than 50,000, 3 councilmen in cities of at least 50,000 but less
12 than 100,000, or 4 councilmen in cities of at least 100,000 but
13 not more than 500,000, shall be voted for by each elector at
14 the primary elections, and only 2, 3, or 4 councilmen, as the
15 case may be, shall be voted for by each elector at each
16 biennial general municipal election, to serve for 4 years.

17 (f) In addition to the requirements of the general
18 election law, the ballots shall be in the form set out in
19 Section 5-2-13. In cities with less than 50,000, the form of
20 ballot prescribed in Section 5-2-13 shall be further modified
21 by printing in the place relating to councilmen the words
22 "Vote for not more than Two", or "Vote for not more than Three"
23 if the size of the city council is increased under subsection
24 (k), instead of the words "Vote for not more than Four". In
25 cities of at least 50,000 but less than 100,000, the ballot
26 shall be modified in that place by printing the words "Vote for

1 not more than Three" instead of the words "Vote for not more
2 than Four". Sections 4-3-5 through 4-3-18, insofar as they may
3 be applicable, shall govern the election of a mayor and
4 councilmen under this Section.

5 (g) If a vacancy occurs in the office of mayor or
6 councilman, the remaining members of the council, within 60
7 days after the vacancy occurs, shall fill the vacancy by
8 appointment of some person to the office for the balance of the
9 unexpired term or until the vacancy is filled by interim
10 election under Section 3.1-10-50, and until the successor is
11 elected and has qualified.

12 (h) Except in villages that were governed by Article 4
13 immediately before the adoption of the managerial form of
14 municipal government, in villages that have adopted this
15 Article 5 the term of office of the president, the number of
16 trustees to be elected, their terms of office, and the manner
17 of filling vacancies shall be governed by Sections 5-2-14
18 through 5-2-17.

19 (i) Any village that adopts the managerial form of
20 municipal government under this Article 5 and that,
21 immediately before that adoption, was governed by the
22 provisions of Article 4, shall continue to elect a mayor and 4
23 commissioners in accordance with Sections 4-3-5 through
24 4-3-18, insofar as they may be applicable, except that the 2
25 commissioners receiving the lowest vote among those elected at
26 the first election after this Article 5 becomes effective in

1 the village shall serve for 2 years only. After that first
2 election, the election of commissioners shall be every 2
3 years, and 2 commissioners shall be elected at each election
4 to serve for 4 years.

5 (j) The mayor or president shall preside at all meetings
6 of the council or board and on all ceremonial occasions.

7 (k) In cities of less than 50,000 population, the city
8 council may, by ordinance, provide that the city council
9 shall, after the next biennial general municipal election,
10 consist of 6 instead of 4 councilmen. If the size of the
11 council is increased to 6 councilmen, then at the next
12 biennial general municipal election, the electors shall vote
13 for 4 instead of 2 councilmen. Of the 4 councilmen elected at
14 that next election, the one receiving the lowest vote at that
15 election shall serve a 2-year term. Thereafter, all terms
16 shall be for 4 years.

17 (Source: P.A. 95-862, eff. 8-19-08.)

18 (65 ILCS 5/5-2-17) (from Ch. 24, par. 5-2-17)

19 Sec. 5-2-17. Trustees; certain villages incorporated under
20 special Acts.

21 (a) In every village specified in Section 5-2-12
22 incorporated and existing under any special Act that, before
23 June 4, 1909, under any special Act, annually elected members
24 of its legislative body, the electors of the village, instead
25 of the legislative body now provided for by law, shall elect 6

1 trustees. They shall hold their offices until their respective
2 successors are elected and have qualified. At the first
3 meeting of this board of 6 trustees, the terms of office of the
4 trustees shall be staggered. Thereafter, the terms shall be
5 for the same length of time as provided for alderpersons
6 ~~aldermen~~ in Section 3.1-20-35.

7 (b) The electors of a village or incorporated town
8 described in subsection (a) may, however, adopt a 2 year term
9 for their trustees as provided in Section 3.1-10-65. If this 2
10 year term is adopted, then at the next general municipal
11 election in the adopting village, 3 trustees shall be elected,
12 and they shall hold their offices for terms of one year each.
13 In the next succeeding year, and in each year thereafter, 3
14 trustees shall be elected in the adopting village, and they
15 shall hold their offices for terms of 2 years each.

16 (c) Any village described in subsection (a) that, before
17 January 2, 1942, has adopted a 2 year term for its trustees and
18 is now electing 3 trustees each year shall continue to elect 3
19 trustees each year for a term of 2 years each. Any village
20 described in subsection (a) that, before January 2, 1942, has
21 adopted a 2 year term for its trustees but is not now electing
22 3 trustees each year shall elect 3 trustees at the next general
23 municipal election in that village, and they shall hold their
24 offices for terms of one year each. In the next succeeding
25 year, and in each year thereafter, 3 trustees shall be
26 elected, and they shall hold their offices for terms of 2 years

1 each.

2 (Source: P.A. 87-1119.)

3 (65 ILCS 5/5-2-18) (from Ch. 24, par. 5-2-18)

4 Sec. 5-2-18. In any city which has adopted this Article 5
5 and which elects a mayor and councilmen as provided in Section
6 5-2-12, a proposition to elect alderpersons ~~aldermen~~ from
7 wards as provided in Article 3 of this Code, except that only
8 one alderperson ~~alderman~~ may be elected from each ward, shall
9 be certified by the city clerk to the proper election
10 authority who shall submit such proposition at the general
11 municipal election in accordance with the general election
12 law, if a petition signed by electors of the city numbering not
13 less than 10% of the total vote cast for mayor at the last
14 preceding election, is filed with the city clerk.

15 The proposition shall be substantially in the following
16 form:

17 -----

18 Shall the city of.... be divided
19 into wards with one alderperson ~~alderman~~ to be YES
20 elected from each ward, but with the -----
21 mayor to be elected from the city NO
22 at large?

23 -----

24 If a majority of those voting on the proposition vote
25 "yes", then the sitting city council shall proceed to divide

1 the city into wards in the manner provided in Article 3 and one
2 alderperson ~~alderman~~ shall be elected from each ward at the
3 next general municipal election of any city officer. Upon the
4 election and qualification of such alderpersons ~~aldermen~~ the
5 terms of office of all sitting councilmen shall expire. After
6 the adoption of such proposition the provisions of Article 3
7 shall be applicable to the division of the city into wards and
8 to the election of the mayor and alderpersons ~~aldermen~~ of such
9 city, except that only one alderperson ~~alderman~~ shall be
10 elected from each ward.

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

12 (65 ILCS 5/5-2-18.1) (from Ch. 24, par. 5-2-18.1)

13 Sec. 5-2-18.1. In any city or village which has adopted
14 this Article and also has elected to choose alderpersons
15 ~~aldermen~~ from wards or trustees from districts, as the case
16 may be, a proposition to elect the city council at large shall
17 be submitted to the electors in the manner herein provided.

18 Electors of such city or village, equal to not less than
19 10% of the total vote cast for all candidates for mayor or
20 president in the last preceding municipal election for such
21 office, may petition for the submission to a vote of the
22 electors of that city or village the proposition whether the
23 city council shall be elected at large. The petition shall be
24 in the same form as prescribed in Section 5-1-6, except that
25 said petition shall be modified as to the wording of the

1 proposition to be voted upon to conform to the wording of the
 2 proposition as hereinafter set forth, and shall be filed with
 3 the city clerk in accordance with the general election law.
 4 The clerk shall certify the proposition to the proper election
 5 authorities who shall submit the proposition at an election in
 6 accordance with the general election law.

7 However, such proposition shall not be submitted at the
 8 general primary election for the municipality.

9 The proposition shall be in substantially the following
 10 form:

11 -----

12 Shall the city (or village) of
 13 elect the city council at YES
 14 large instead of alderpersons ~~aldermen~~ -----
 15 (or trustees) from wards (or NO
 16 districts)?

17 -----

18 If a majority of those voting on the proposition vote
 19 "yes", then the city council shall be elected at large at the
 20 next general municipal election and the provisions of Section
 21 5-2-12 shall be applicable. Upon the election and
 22 qualification of such council men or trustees, the terms of
 23 all sitting alderpersons ~~aldermen~~ shall expire.

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

25 (65 ILCS 5/5-2-18.2) (from Ch. 24, par. 5-2-18.2)

1 at large and part of -----
 2 the councilmen from NO
 3 districts?

4 -----

5 If a majority of those voting on the proposition vote
 6 "yes", then at the next general municipal election and every 4
 7 years thereafter, a mayor and part of the councilmen shall be
 8 elected at large and part of the councilmen shall be elected
 9 from wards, the total number of councilmen to be elected to
 10 equal the number of alderpersons ~~aldermen~~ authorized to be
 11 elected prior to adoption of the proposition.

12 The city council shall divide the city, whenever necessary
 13 thereafter, into districts which shall be of as compact and
 14 contiguous territory as practicable and of approximately equal
 15 population. The number of such districts shall be equal to
 16 half the number of alderpersons ~~aldermen~~ then authorized to be
 17 elected to office in such city. If there is an odd number of
 18 such alderpersons ~~aldermen~~, the number of districts
 19 established shall be equal to the number which represents a
 20 majority of the number of such alderpersons ~~aldermen~~.

21 One councilman, who is an actual resident of the district,
 22 shall be elected from each district. Only the electors of a
 23 district shall elect a councilman from that district. The rest
 24 of the number of councilmen authorized shall be elected at
 25 large.

26 The mayor and councilmen shall hold their respective

1 offices for the term of 4 years and until their successors are
2 elected and qualified. Upon the election and qualification of
3 the councilmen, the terms of all sitting alderpersons ~~aldermen~~
4 shall expire.

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

6 (65 ILCS 5/5-2-18.7) (from Ch. 24, par. 5-2-18.7)

7 Sec. 5-2-18.7. In any city which has adopted this Article,
8 and is electing the city council at large or has elected to
9 choose alderpersons ~~aldermen~~ from wards, a proposition to
10 elect part of the city council at large and part from districts
11 with staggered four year terms and biennial elections for
12 councilmen shall be submitted to the electors upon initiation
13 in the manner herein provided.

14 Electors of such city, equal in number to not less than 10%
15 of the total vote cast for all candidates for mayor in the last
16 preceding municipal election for such office, may petition for
17 submission, or, in the alternative, the city council may by
18 ordinance without a petition cause to be submitted, to a vote
19 of the electors of that city the proposition whether part of
20 the city council shall be elected at large and part from
21 districts with staggered four year terms and biennial
22 elections for councilmen. The petition shall be in the same
23 form as prescribed in Section 5-1-6, except that the petition
24 shall be modified as to the wording of the proposition to be
25 voted upon, to conform to the wording of the proposition as

1 hereinafter set forth, and shall be filed with the city clerk
 2 in accordance with the general election law. The city clerk
 3 shall certify the proposition to the proper election
 4 authorities who shall submit the proposition at an election in
 5 accordance with the general election law.

6 However, such proposition shall not be submitted at the
 7 general primary election for the municipality.

8 The proposition shall be substantially in the following
 9 form:

10 -----

11 Shall the city of....
 12 elect part of the councilmen at large YES
 13 and part of the councilmen from -----
 14 districts with staggered four year NO
 15 terms and biennial elections?

16 -----

17 If a majority of those voting on the proposition vote
 18 "yes", then at the next general municipal election at which a
 19 mayor is to be elected, a mayor and councilmen shall be elected
 20 as hereinafter provided.

21 In cities of less than 50,000 population, the council
 22 shall consist of the mayor and 6 councilmen, 2 councilmen
 23 being elected at large and 4 councilmen being elected from
 24 districts. In cities of 50,000 and not more than 500,000
 25 population, the council shall consist of the mayor and 8
 26 councilmen, 3 councilmen being elected at large and 5

1 councilmen being elected from districts.

2 The city council shall divide the city, whenever necessary
3 thereafter, into districts which shall be of as compact and
4 contiguous territory as practicable and of approximately equal
5 population. The number of such districts shall be the same as
6 the number of councilmen to be elected from districts.

7 One councilman who is an actual resident of the district,
8 shall be elected from each district. Only the electors of a
9 district shall elect a councilman from that district. The rest
10 of the number of councilmen authorized shall be elected at
11 large.

12 The term of office of the Mayor and Councilmen shall be 4
13 years, provided that at the first election the Councilmen
14 elected at large shall serve for 2 years only. Thereafter the
15 election of Councilmen shall be biennial, and after the first
16 election the Mayor and all Councilmen shall be elected for 4
17 year terms to fill expiring terms of incumbents.

18 The Mayor and Councilmen shall hold their respective
19 offices for the term of 4 years as herein provided, and until
20 their successors are elected and qualified. Upon the election
21 and qualification of the Councilmen, the terms of all sitting
22 alderpersons ~~aldermen~~ or councilmen elected at large pursuant
23 to the provisions of Section 5-2-12 shall expire.

24 For the first primary election a distinct ballot shall be
25 printed for each district. At the top of the ballot shall be
26 the following: CANDIDATES FOR NOMINATION FOR MAYOR (when Mayor

1 is to be elected) AND COUNCILMEN OF THE CITY OF.... AT THE
2 PRIMARY ELECTION. Under the subtitle of FOR MAYOR (when
3 applicable) shall be placed the following: (VOTE FOR ONE).
4 There shall be placed below the names of the candidates for
5 Mayor, if any, another subtitle as follows: FOR COUNCILMEN AT
6 LARGE. Following this subtitle there shall be an instruction
7 in this form, to be altered, however, to conform to the facts:
8 (VOTE FOR NOT MORE THAN....) (Insert number of Councilmen
9 being elected). Following the names of the candidates for
10 councilmen at large, there shall be another subtitle in the
11 following form: FOR DISTRICT COUNCILMAN. Following this
12 subtitle there shall be the following direction: (VOTE FOR
13 ONE). In other respects the ballots shall conform to the
14 applicable provisions of Sections 4-3-10 and 5-2-13.

15 To determine the number of nominees who shall be placed on
16 the ballot under each subtitle at the general municipal
17 election, the number of officers who will be chosen under each
18 subtitle shall be multiplied by 2. Only those candidates at
19 the primary election shall be nominees under each subtitle at
20 the general municipal election and, where but one officer is
21 to be elected, the 2 candidates receiving the highest number
22 of votes shall be placed upon the ballot for the next
23 succeeding general municipal election. Where 2 councilmen are
24 to be elected, the 4 candidates receiving the highest number
25 of votes shall be placed upon the ballot. Where 3 councilmen
26 are to be elected, the names of the 6 candidates receiving the

1 highest number of votes shall be placed upon the ballot.

2 The ballots for the election of officers at the first
3 general municipal election shall be prepared in compliance
4 with Section 4-3-16, with the following changes:

5 (1) Following the names of the candidates for Mayor (when
6 applicable) there shall be printed a subtitle: FOR COUNCILMAN
7 AT LARGE: following this subtitle shall be an instruction in
8 this form: (VOTE FOR NOT MORE THAN) (Insert number of
9 councilmen to be elected). The names of the nominees for
10 councilmen at large shall follow the instruction.

11 (2) Following the names of the nominees for councilmen at
12 large shall be printed another subtitle: FOR DISTRICT
13 COUNCILMAN. Following this subtitle shall be an instruction in
14 this form: (VOTE FOR ONE) and following this instruction shall
15 be printed the names of the 2 nominees.

16 Thereafter, the ballots for the biennial election shall be
17 prepared as hereinafter provided.

18 For the primary election at which Councilmen at large are
19 to be elected the form of the ballot shall be as follows:

20 At the top of the ballot shall be the following:
21 CANDIDATES FOR NOMINATION FOR MAYOR (when Mayor is to be
22 elected) AND COUNCILMEN OF THE CITY OF.... AT THE PRIMARY
23 ELECTION. Under the subtitle of FOR MAYOR (when applicable)
24 shall be placed the following: (VOTE FOR ONE). There shall be
25 placed below the names of the candidates for Mayor, if any,
26 another subtitle as follows: FOR COUNCILMEN AT LARGE.

1 Following this subtitle there shall be an instruction in this
2 form, to be altered, however, to conform to the facts: (VOTE
3 FOR NOT MORE THAN....) (Insert number of Councilmen being
4 elected).

5 For the primary election at which District Councilmen are
6 to be elected, a distinct ballot shall be printed for each
7 District. There shall be placed below the names of the
8 candidates for Mayor (when applicable) another subtitle as
9 follows: FOR DISTRICT COUNCILMAN. Following this subtitle
10 there shall be an instruction in this form: VOTE FOR ONE. In
11 all other respects the ballot shall conform to the applicable
12 provisions of Sections 4-3-10 and 5-2-13.

13 To determine the number of nominees who shall be placed on
14 the ballot under each subtitle at the general municipal
15 election, the number of officers who will be chosen under each
16 subtitle shall be multiplied by 2. Only those candidates at
17 the primary election shall be nominees under each subtitle at
18 the general municipal election and, where but one officer is
19 to be elected, the 2 candidates receiving the highest number
20 of votes shall be placed upon the ballot for the next
21 succeeding general municipal election. Where 2 councilmen are
22 to be elected, the 4 candidates receiving the highest number
23 of votes shall be placed upon the ballot. Where 3 councilmen
24 are to be elected, the names of the 6 candidates receiving the
25 highest number of votes shall be placed upon the ballot.

26 The ballots for the election of officers at the general

1 municipal election shall be prepared in compliance with
2 Section 4-3-16, with the following changes:

3 (1) For elections where candidates for Councilmen at large
4 are being elected, following the names of candidates for Mayor
5 (when applicable) there shall be printed a subtitle as
6 follows: FOR COUNCILMEN AT LARGE. Following this subtitle
7 there shall be an instruction in this form: (VOTE FOR NOT MORE
8 THAN....) (Insert number of Councilmen to be elected). The
9 names of the nominees for Councilmen at large shall follow the
10 instruction.

11 (2) For elections where district Councilmen are to be
12 elected, a distinct ballot shall be printed for each district,
13 and following the names of the candidates for Mayor (when
14 applicable) there shall be printed a subtitle as follows: FOR
15 DISTRICT COUNCILMAN. Following this subtitle there shall be an
16 instruction in this form: (VOTE FOR ONE) and following this
17 instruction shall be printed the names of the 2 nominees for
18 district Councilman.

19 Vacancies shall be filled as prescribed in Section 5-2-12,
20 provided that a vacancy in the office of a District Councilman
21 shall be filled by a person who is an actual resident of the
22 district in which the vacancy occurs.

23 (Source: P.A. 95-862, eff. 8-19-08.)

24 (65 ILCS 5/5-2-19) (from Ch. 24, par. 5-2-19)

25 Sec. 5-2-19. In any city which was operating under the

1 alderperson ~~aldermanic~~ form of government as provided in
2 Article 3 at the time of adoption of this Article 5 which did
3 not also elect to continue to choose alderpersons ~~aldermen~~
4 from wards, the city clerk and city treasurer shall be
5 nominated and elected in the same manner as provided in this
6 Article 5 for the nomination and election of the mayor and
7 councilmen. To achieve this result: wherever the term "mayor
8 or commissioners" appears in Sections 4-3-7 through 4-3-18, it
9 shall be construed to include the words "or clerk or
10 treasurer". The names of candidates for nomination shall be
11 placed on the primary election ballot prescribed in Section
12 5-2-13 and such ballot shall be modified to include the
13 heading "For Clerk--Vote for one" immediately following the
14 names of candidates for councilmen and to include the heading
15 "For Treasurer--Vote for one" immediately following the names
16 of candidates for clerk. The names of the 4 candidates
17 receiving the highest number of votes for each of the
18 respective offices shall be placed on the general municipal
19 election ballot prescribed in Section 5-2-13 which ballot
20 shall be modified to include such offices and names in the same
21 manner as is provided in this section for the primary ballot.
22 If any candidate nominated for the office of clerk or
23 treasurer dies or withdraws before the general municipal
24 election the name of the person receiving the fifth highest
25 number of votes for nomination to that office shall be placed
26 on the ballot for that election.

1 However, in any city not exceeding 100,000 inhabitants
2 which adopts this Article 5 and elects a mayor and
3 alderpersons ~~aldermen~~ or councilmen as provided in Section
4 5-2-12, or Sections 5-2-18 through 5-2-18.8, the council may,
5 in lieu of electing a clerk and treasurer as provided in the
6 above paragraph, provide by ordinance that the clerk or
7 treasurer or both for such city be appointed by the mayor with
8 the approval of the city council. If such officers are
9 appointed their terms of office, duties, compensation and
10 amount of bond required shall be the same as if they were
11 elected.

12 (Source: P.A. 95-699, eff. 11-9-07.)

13 (65 ILCS 5/5-3-1) (from Ch. 24, par. 5-3-1)

14 Sec. 5-3-1. In cities which do not elect to choose
15 alderpersons ~~aldermen~~ from wards and in cities which elect to
16 choose councilmen as provided in Sections 5-2-18.1 through
17 5-2-18.7, the mayor shall have the right to vote on all
18 questions coming before the council but shall have no power to
19 veto. The mayor and president shall be recognized as the
20 official head of the city or village by the courts for the
21 purpose of serving civil process and by the Governor for all
22 legal purposes.

23 The mayor or president of any city or village which adopts
24 this Article 5, other than one which at the time of adoption
25 was operating under or adopted the commission form of

1 government as provided in Article 4 or which does not retain
2 the election of alderpersons ~~aldermen~~ by wards or trustees by
3 districts, shall have veto power as provided in Sections 5-3-2
4 through 5-3-4, and ordinances or measures may be passed over
5 his veto as therein provided. Such mayor or president shall
6 have the power to vote as provided in Section 5-3-5.

7 If any other Acts or any Article of this Code, other than
8 Article 3 or Article 4, provides for the appointment of a
9 board, commission, or other agency by the mayor or president,
10 such appointments shall be made in manner so provided.

11 (Source: P.A. 100-863, eff. 8-14-18.)

12 (65 ILCS 5/5-3-3) (from Ch. 24, par. 5-3-3)

13 Sec. 5-3-3. Every resolution and motion, specified in
14 Section 5-3-2, and every ordinance, which is returned to the
15 council or board by the mayor or president shall be
16 reconsidered by the council or board. If, after such
17 reconsideration, two-thirds of all the alderpersons ~~aldermen~~
18 then holding office on the city council or two-thirds of all
19 the trustees then holding office on the village board agree to
20 pass an ordinance, resolution, or motion, notwithstanding the
21 mayor's or president's refusal to approve it, then it shall be
22 effective. The vote on the question of passage over the
23 mayor's or president's veto shall be by yeas and nays, and
24 shall be recorded in the journal.

25 (Source: Laws 1967, p. 3425.)

1 (65 ILCS 5/5-3-4) (from Ch. 24, par. 5-3-4)

2 Sec. 5-3-4. No vote of the city council or village board
3 shall be reconsidered or rescinded at a special meeting,
4 unless there are present at the special meeting as many
5 alderpersons ~~aldermen~~ or trustees as were present when the
6 vote was taken.

7 (Source: Laws 1961, p. 576.)

8 (65 ILCS 5/5-3-5) (from Ch. 24, par. 5-3-5)

9 Sec. 5-3-5. The mayor or president of any city or village
10 which elects alderpersons ~~aldermen~~ by wards or trustees by
11 districts shall not vote on any ordinance, resolution or
12 motion except: (1) where the vote of the alderpersons ~~aldermen~~
13 or trustees has resulted in a tie; (or) (2) where one-half of
14 the alderpersons ~~aldermen~~ or trustees then holding office have
15 voted in favor of an ordinance, resolution or motion even
16 though there is no tie vote; or (3) where a vote greater than a
17 majority of the corporate authorities is required by this Code
18 to adopt an ordinance, resolution or motion. In each instance
19 specified, the mayor or president shall vote. The following
20 mayors and presidents may vote on all questions coming before
21 the council or board: (1) mayors and presidents of cities and
22 villages operating under this article and Article 4, and (2)
23 mayors and presidents of cities and villages which do not
24 elect alderpersons ~~aldermen~~ by wards and trustees by

1 districts.

2 Nothing in this section shall deprive an acting mayor or
3 president or mayor or president pro tem from voting in his
4 capacity as alderperson ~~alderman~~ or trustee, but he shall not
5 be entitled to another vote in his capacity as acting mayor or
6 president or mayor or president pro tem.

7 (Source: Laws 1967, p. 3425.)

8 (65 ILCS 5/5-3-7) (from Ch. 24, par. 5-3-7)

9 Sec. 5-3-7. The council or board of trustees, as the case
10 may be, shall appoint a municipal manager, who shall be the
11 administrative head of the municipal government and who shall
12 be responsible for the efficient administration of all
13 departments. He shall be appointed without regard to his
14 political beliefs and need not be a resident of the city or
15 village when appointed. The manager shall be appointed for an
16 indefinite term, and the conditions of the manager's
17 employment may be set forth in an agreement. In the case of the
18 absence or disability of the manager, the council or village
19 board may designate a qualified administrative officer of the
20 municipality to perform the duties of the manager during such
21 absence or disability. The manager may at any time be removed
22 from office by a majority vote of the members of the council or
23 the board.

24 The powers and duties of the manager shall be:

25 (1) To enforce the laws and ordinances within the

1 municipality;

2 (2) To appoint and remove all directors of departments. No
3 appointment shall be made upon any basis other than that of
4 merit and fitness except that if the chief of the fire
5 department or the chief of the police department or both of
6 them are appointed in the manner as provided by ordinance
7 under Section 10-2.1-4 of this code, they may be removed or
8 discharged by the appointing authority. In such case the
9 appointing authority shall file with the corporate authorities
10 the reasons for such removal or discharge, which removal or
11 discharge shall not become effective unless confirmed by a
12 majority vote of the corporate authorities;

13 (3) To exercise control of all departments and divisions
14 thereof created in this Article 5, or that may be created by
15 the council or board of trustees;

16 (4) If the city or village was subject to the alderperson
17 ~~aldermanic~~ form provisions of Article 3 at the time of
18 adoption of this Article 5 to appoint and remove all officers
19 who are not required to be elected by Article 3;

20 (5) To have all the powers and exercise all the duties
21 granted elsewhere in this Code to municipal clerks and
22 comptrollers with respect to the preparation of a report of
23 estimated funds necessary to defray the expenses of the city
24 or village for the fiscal year for the consideration of the
25 corporate authorities prior to the preparation of the annual
26 appropriation ordinance;

1 (6) To attend all meetings of the council or board of
2 trustees with the right to take part in the discussions, but
3 with no right to vote;

4 (7) To recommend to the council or board of trustees for
5 adoption such measures as he may deem necessary or expedient;

6 (8) To perform such other duties as may be prescribed by
7 this Article 5 or may be required of him by ordinance or
8 resolution of the board of trustees or council.

9 (Source: P.A. 86-1023; 86-1039.)

10 (65 ILCS 5/5-3-8) (from Ch. 24, par. 5-3-8)

11 Sec. 5-3-8. Under the general supervision and
12 administrative control of the manager, there shall be such
13 departments as the council or village board may prescribe by
14 ordinance.

15 All officers of any city or village shall take and
16 subscribe the oath required by Section 5-3-9. All such
17 officers, except the mayor, president, alderpersons ~~aldermen~~,
18 councilmen, and trustees, shall execute bonds in the manner
19 provided by Section 5-3-9, which bonds shall be filed with the
20 clerk of the council or clerk of the village board.

21 (Source: Laws 1961, p. 576.)

22 (65 ILCS 5/5-4-1) (from Ch. 24, par. 5-4-1)

23 Sec. 5-4-1. The mayor and councilmen elected under the
24 provisions of Section 5-2-12 shall each receive for the

1 performance of their respective duties annual salaries fixed
2 by the council or village board. The corporate authorities in
3 cities which retain the election of alderpersons ~~aldermen~~ by
4 wards and the corporate authorities in villages shall receive
5 salaries as allowed in Sections 3-13-4 through 3-13-7,
6 whichever is appropriate.

7 (Source: Laws 1961, p. 576.)

8 (65 ILCS 5/5-4-3) (from Ch. 24, par. 5-4-3)

9 Sec. 5-4-3. In cities of not less than 100,000 and not more
10 than 500,000 population which did not also elect to continue
11 to choose alderpersons ~~aldermen~~ from wards, the city clerk
12 shall receive a salary of not less than \$8,500 per year and the
13 city treasurer shall receive a salary of not less than \$7,000
14 per year.

15 (Source: Laws 1961, p. 576.)

16 (65 ILCS 5/5-5-1) (from Ch. 24, par. 5-5-1)

17 Sec. 5-5-1. Petition for abandonment of managerial form;
18 referendum; succeeding elections of officers and alderpersons
19 ~~aldermen~~ or trustees.

20 (a) A city or village that has operated for 4 years or more
21 under the managerial form of municipal government may abandon
22 that organization as provided in this Section. For the
23 purposes of this Article, the operation of the managerial form
24 of municipal government shall be deemed to begin on the date of

1 the appointment of the first manager in the city or village.
2 When a petition for abandonment signed by electors of the
3 municipality equal in number to at least 10% of the number of
4 votes cast for candidates for mayor at the preceding general
5 quadrennial municipal election is filed with the circuit court
6 for the county in which that city or village is located, the
7 court shall set a date not less than 10 nor more than 30 days
8 thereafter for a hearing on the sufficiency of the petition.
9 Notice of the filing of the petition and of the date of the
10 hearing shall be given in writing to the city or village clerk
11 and to the mayor or village president at least 7 days before
12 the date of the hearing. If the petition is found sufficient,
13 the court shall enter an order directing that the proposition
14 be submitted at an election other than a primary election for
15 the municipality. The clerk of the court shall certify the
16 proposition to the proper election authorities for submission.
17 The proposition shall be in substantially the following form:

18 Shall (name of city or village) retain the managerial
19 form of municipal government?

20 (b) If the majority of the votes at the election are "yes",
21 then the proposition to abandon is rejected and the
22 municipality shall continue operating under this Article 5. If
23 the majority of the votes are "no", then the proposition to
24 abandon operation under this Article 5 is approved.

25 (c) If the proposition for abandonment is approved, the
26 city or village shall become subject to Article 3.1 or Article

1 4, whichever Article was in force in the city or village
2 immediately before the adoption of the plan authorized by this
3 Article 5, upon the election and qualification of officers to
4 be elected at the next succeeding general municipal election.
5 Those officers shall be those prescribed by Article 3.1 or
6 Article 4, as the case may be, but the change shall not in any
7 manner or degree affect the property rights or liabilities of
8 the city or village. The mayor, clerk, and treasurer and all
9 other elected officers of a city or village in office at the
10 time the proposition for abandonment is approved shall
11 continue in office until the expiration of the term for which
12 they were elected.

13 (d) If a city or village operating under this Article 5 has
14 alderpersons ~~aldermen~~ or trustees elected from wards or
15 districts and a proposition to abandon operation under this
16 Article 5 is approved, then the officers to be elected at the
17 next succeeding general municipal election shall be elected
18 from the same wards or districts as exist immediately before
19 the abandonment.

20 (e) If a city or village operating under this Article 5 has
21 a council or village board elected from the municipality at
22 large and a proposition to abandon operation under this
23 Article 5 is approved, then the first group of alderpersons
24 ~~aldermen~~, board of trustees, or commissioners so elected shall
25 be of the same number as was provided for in the municipality
26 at the time of the adoption of a plan under this Article 5,

1 with the same ward or district boundaries in cities or
2 villages that immediately before the adoption of this Article
3 5 had wards or districts, unless the municipal boundaries have
4 been changed. If there has been such a change, the council or
5 village board shall so alter the former ward or district
6 boundaries so as to conform as nearly as possible to the former
7 division. If the plan authorized by this Article 5 is
8 abandoned, the next general municipal election for officers
9 shall be held at the time specified in Section 3.1-10-75 or
10 3.1-25-15 for that election. The alderpersons ~~aldermen~~ or
11 trustees elected at that election shall, if the city or
12 village was operating under Article 3 at the time of adoption
13 of this Article 5 and had at that time staggered 4 year terms
14 of office for the alderpersons ~~aldermen~~ or trustees, choose by
15 lot which shall serve initial 2 year terms as provided by
16 Section 3.1-20-35 or 3.1-15-5, whichever may be applicable, in
17 the case of election of those officers at the first election
18 after a municipality is incorporated.

19 (f) The proposition to abandon the managerial form of
20 municipal government shall not be submitted in any city or
21 village oftener than once in 46 months.

22 (Source: P.A. 93-847, eff. 7-30-04; 94-645, eff. 8-22-05.)

23 (65 ILCS 5/5-5-5) (from Ch. 24, par. 5-5-5)

24 Sec. 5-5-5. Any city or village which has adopted this
25 Article 5 and was operating under Article 4 at the time of such

1 adoption may upon abandonment of this Article 5 also abandon
2 operation under Article 4, as provided in Section 4-10-1, and
3 by so doing shall become subject to the alderperson ~~aldermanic~~
4 form provisions of Article 3 and shall be subject to the
5 provisions of that Article 3 the same as if it had been
6 operating under Article 3 at the time this Article 5 was
7 adopted, except for any period of time after abandonment of
8 this Article 5 necessary to make the provisions of Article 3
9 fully and completely applicable.

10 Any city or village which has adopted this Article 5 and
11 was operating under Article 3 at the time of such adoption may
12 upon abandonment of this Article 5 also abandon operation
13 under Article 3 by adopting Article 4, as provided in Sections
14 4-2-2 through 4-2-9, and by so doing shall become subject to
15 the provisions of Article 4 and shall be subject to the
16 provisions of that Article 4 the same as if it had been
17 operating under Article 4 at the time this Article 5 was
18 adopted, except for any period of time after abandonment of
19 this Article 5 necessary to make the provisions of Article 4
20 fully and completely applicable.

21 (Source: Laws 1961, p. 576.)

22 (65 ILCS 5/6-3-2) (from Ch. 24, par. 6-3-2)

23 Sec. 6-3-2. Termination of terms of office.

24 The terms of office of all elected municipal officers
25 holding office at the time of the issuance of the certificate

1 of adoption of the strong mayor form of government by the
2 municipality pursuant to Division 2 of this Article 6 shall
3 terminate upon the election and qualification for office of
4 municipal officers pursuant to this Division 3 of Article 6,
5 except that where an existing form of municipal government has
6 the same number of wards as would be required hereunder, the
7 alderpersons ~~aldermen~~ holding office at the time of the
8 issuance of the certificate of adoption shall serve until the
9 expiration of the terms for which they were elected.

10 (Source: P.A. 76-746.)

11 (65 ILCS 5/6-3-3) (from Ch. 24, par. 6-3-3)

12 Sec. 6-3-3. Municipal officers - Terms.

13 The municipality shall have the following elected
14 officers: one mayor, one municipal clerk and one municipal
15 treasurer, all of whom shall be elected at large, and
16 alderpersons ~~aldermen~~, the number of which shall be as
17 follows: In cities not exceeding 25,000 inhabitants, 8
18 alderpersons ~~aldermen~~; between 25,001 and 40,000, 10
19 alderpersons ~~aldermen~~; between 40,001 and 60,000, 14
20 alderpersons ~~aldermen~~; between 60,001 and 80,000, 16
21 alderpersons ~~aldermen~~; and exceeding 80,000, 20 alderpersons
22 ~~aldermen~~. Two alderpersons ~~aldermen~~ shall be elected to
23 represent each ward.

24 (Source: P.A. 76-746.)

1 (65 ILCS 5/6-3-4) (from Ch. 24, par. 6-3-4)

2 Sec. 6-3-4. Terms of office.

3 All terms of office of officials elected pursuant to this
4 Division 3 of Article 6 shall be for terms of 4 years, except
5 that alderpersons ~~aldermen~~ elected at the first election for
6 city officers held pursuant to this Article 6 shall draw lots
7 so that one-half of the alderpersons ~~aldermen~~ shall hold for a
8 4 year term, and until their successors are elected and
9 qualified, and one-half of the alderpersons ~~aldermen~~ shall
10 hold for a 2 year term, and until their successors are elected
11 and qualified. All alderpersons ~~aldermen~~ thereafter elected
12 shall hold office for a term of 4 years, and until their
13 successors are elected and have qualified.

14 (Source: P.A. 76-746.)

15 (65 ILCS 5/6-3-5) (from Ch. 24, par. 6-3-5)

16 Sec. 6-3-5. Division into wards.

17 Every city shall have as many wards as one-half the total
18 number of alderpersons ~~aldermen~~ to which the city is entitled.
19 The city council, from time to time shall divide the city into
20 that number of wards. In the formation of wards the population
21 of each ward as determined by the latest city, state or
22 national census shall be as nearly equal and the wards shall be
23 of as compact and contiguous territory, as practicable.

24 (Source: P.A. 76-746.)

1 (65 ILCS 5/6-3-6) (from Ch. 24, par. 6-3-6)

2 Sec. 6-3-6. Redistricting of city. Whenever an official
3 publication of any national, state, school, or city census
4 shows that any city contains more or less wards than it is
5 entitled to, the city council of the city, by ordinance, shall
6 redistrict the city into as many wards only as the city is
7 entitled. This redistricting shall be completed not less than
8 30 days before the first date on which candidate petitions may
9 be filed for the next succeeding general municipal election.
10 At this election there shall be elected the number of
11 alderpersons ~~aldermen~~ to which the city is entitled.

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

13 (65 ILCS 5/6-3-7) (from Ch. 24, par. 6-3-7)

14 Sec. 6-3-7. Ward division and election of alderpersons
15 ~~aldermen~~ - Validation.

16 If, after a census is officially published, any city is
17 divided into a greater or lesser number of wards and has
18 elected a greater or lesser number of alderpersons ~~aldermen~~
19 than the city is entitled, nevertheless such division and
20 election shall be valid and all acts, resolutions and
21 ordinances of the city council of such city, if in other
22 respects in compliance with law, are valid.

23 (Source: P.A. 76-746.)

24 (65 ILCS 5/6-3-8) (from Ch. 24, par. 6-3-8)

1 Sec. 6-3-8. Resignation; vacancy. An alderperson ~~alderman~~
2 may resign from his or her office. A vacancy occurs in the
3 office of alderperson ~~alderman~~ by reason of resignation,
4 failure to elect or qualify, death, permanent physical or
5 mental disability, conviction of a disqualifying crime,
6 abandonment of office, or removal from office. If a vacancy
7 occurs in the office of alderperson ~~alderman~~ in one of these
8 ways or otherwise, the vacancy shall be filled as provided in
9 Sections 3.1-10-50 and 3.1-10-55. An appointment to fill a
10 vacancy shall be made within 60 days after the vacancy occurs.
11 The requirement that an appointment be made within 60 days is
12 an exclusive power and function of the State and is a denial
13 and limitation under Article VII, Section 6, subsection (h) of
14 the Illinois Constitution of the power of a home rule
15 municipality to require that an appointment be made within a
16 different period after the vacancy occurs.

17 (Source: P.A. 87-1052; 87-1119; 88-45.)

18 (65 ILCS 5/6-3-9) (from Ch. 24, par. 6-3-9)

19 Sec. 6-3-9. Qualifications of mayor, city clerk, city
20 treasurer and alderpersons ~~aldermen~~ - Eligibility for other
21 office.

22 No person shall be eligible to the office of mayor, city
23 clerk, city treasurer or alderperson ~~alderman~~:

24 (1) Unless he is a qualified elector of the municipality
25 and has resided therein at least one year next preceding his

1 election or appointment; or

2 (2) Unless, in the case of alderpersons ~~aldermen~~, he
3 resides within the ward for which he is elected; or

4 (3) If he is in arrears in the payment of any tax or other
5 indebtedness due to the city; or

6 (4) If he has been convicted in Illinois state courts or in
7 courts of the United States of malfeasance in office, bribery,
8 or other infamous crime.

9 No alderperson ~~alderman~~ shall be eligible to any office,
10 except that of acting mayor or mayor pro tem, the salary of
11 which is payable out of the city treasury, if at the time of
12 his appointment he is a member of the city council.

13 (Source: P.A. 76-746.)

14 (65 ILCS 5/6-3-10) (from Ch. 24, par. 6-3-10)

15 Sec. 6-3-10. General elections - Time for.

16 The first general election pursuant to this Division 3 of
17 Article 6 shall be held at the time the next general municipal
18 election would have been held had the municipality not adopted
19 this Article 6. At the first general election so held, one
20 mayor, one municipal clerk, one municipal treasurer shall be
21 elected at large and two alderpersons ~~aldermen~~ shall be
22 elected from each ward.

23 (Source: P.A. 76-746.)

24 (65 ILCS 5/6-4-3) (from Ch. 24, par. 6-4-3)

1 Sec. 6-4-3. Reconsideration - Passage over veto.

2 Every ordinance, which is returned to the council by the
3 mayor shall be reconsidered by the council. If, after such
4 reconsideration, three-fifths of all the alderpersons ~~aldermen~~
5 then holding office on the city council agree to pass an
6 ordinance, resolution, or motion, notwithstanding the mayor's
7 refusal to approve it, then it shall be effective.

8 (Source: P.A. 76-746.)

9 (65 ILCS 5/6-4-4) (from Ch. 24, par. 6-4-4)

10 Sec. 6-4-4. Vote of city council - Reconsideration.

11 No vote of the city council shall be reconsidered or
12 rescinded at a special meeting, unless there are present at
13 the special meeting as many alderpersons ~~aldermen~~ as were
14 present when the vote was taken.

15 (Source: P.A. 76-746.)

16 (65 ILCS 5/6-5-1) (from Ch. 24, par. 6-5-1)

17 Sec. 6-5-1. Mayor, clerk, treasurer and alderpersons
18 ~~aldermen~~.

19 The mayor, clerk, treasurer and alderpersons ~~aldermen~~
20 elected under the provisions of this Article 6 shall each
21 receive for the performance of their respective duties annual
22 salaries fixed by the city council. Such salaries shall not be
23 increased or decreased during any term of office. They must be
24 established six months prior to general municipal elections at

1 which such officials are to be voted on.

2 (Source: P.A. 76-746.)

3 (65 ILCS 5/7-1-15) (from Ch. 24, par. 7-1-15)

4 Sec. 7-1-15. Any municipality may be annexed to another
5 municipality to which it adjoins, by ordinances passed by a
6 majority vote of all the alderpersons ~~aldermen~~, trustees, or
7 commissioners then holding office in each municipality
8 desiring annexation. These ordinances shall specify the terms
9 of the annexation, and they shall be a binding contract if, but
10 only if:

11 (1) the annexation provided in these ordinances is
12 certified by the clerk to the proper election authority who
13 shall submit the question to a vote of the electors of both
14 municipalities at an election in accordance with the general
15 election law; and if

16 (2) the annexation is approved in each municipality by a
17 majority of all the voters voting on that question in each
18 municipality. If the ordinances fail to specify the terms of
19 annexation or specify only partially the terms of annexation,
20 the provisions of this article relating to the annexation of
21 one municipality to another shall apply but not as to any terms
22 agreed to in the ordinances of annexation.

23 The proposition shall be in substantially the following
24 form:

25 -----

1 (a) If the increase in population resulting from the
2 annexation of any territory to a city under the alderperson
3 ~~aldermanic~~ form of government is sufficient to entitle that
4 city to an increase in the number of alderpersons ~~aldermen~~ as
5 provided in Section 3.1-20-10, the corporate authorities shall
6 redistrict the city in accordance with Sections 3.1-20-15 and
7 3.1-20-25. Section 3.1-20-10 shall govern as to the hold-over
8 alderpersons ~~aldermen~~.

9 (b) If the increase in population is not sufficient to
10 entitle the city to an increase in the number of alderpersons
11 ~~aldermen~~, the corporate authorities shall make the annexed
12 territory a part of the ward or wards that it adjoins.

13 (c) If a village of over 25,000 population is divided into
14 6 districts as provided in Section 3.1-25-75, the corporate
15 authorities shall make any territory annexed to the village a
16 part of the districts that the territory adjoins.

17 (d) Nothing contained in this Section 7-1-42 shall prevent
18 the corporate authorities of any municipality from
19 redistricting the municipality according to law. Whenever the
20 enlarged annexing municipality is redistricted, the corporate
21 authorities are under no duty to treat the annexed territory
22 as a unit and they may divide it as if it had always been a
23 part of the municipality.

24 (e) The number of inhabitants determined by the last
25 national, state, or school census in the annexed territory and
26 in the annexing municipality controls in the application of

1 this Section.

2 (Source: P.A. 87-1119.)

3 (65 ILCS 5/7-2-1) (from Ch. 24, par. 7-2-1)

4 Sec. 7-2-1. Any 2 or more incorporated contiguous
5 municipalities wholly or substantially situated in a single
6 county may be united into one incorporated city by a
7 compliance with Sections 7-1-16 and 7-1-17, with the following
8 exceptions:

9 (1) The petition (a) shall be signed by electors of each of
10 the municipalities seeking a union, (b) shall state the name
11 by which the united municipality is to be known, and (c) shall
12 state the form of municipal government under which the united
13 municipality is to be governed.

14 (2) The question shall be in substantially the following
15 form:

16 -----

17 Shall the city, village, or
18 incorporated town (as the
19 case may be) of.....

20 and the city, village, or
21 incorporated town (as the case YES

22 may be) of....., (and
23 in this manner as far as
24 necessary, filling blanks with
25 the names of the municipalities

1 to be united), be united -----
 2 into a single municipality
 3 under the name of.....
 4 with the..... form of
 5 municipal government (filling
 6 the blank with the word NO
 7 "Aldersperson" ~~"Aldermanic"~~ or "Commission"
 8 or the words "Managerial With
 9 Alderspersons ~~Aldermen~~ Chosen From Wards Or
 10 Districts" as the case may be)?

11 -----

12 No other proposition shall appear thereon.

13 If the majority of the votes cast in each municipality
 14 specified in the petition is in favor of the proposition, the
 15 municipalities are united.

16 (Source: P.A. 87-278.)

17 (65 ILCS 5/7-2-19) (from Ch. 24, par. 7-2-19)

18 Sec. 7-2-19. Whenever a united city is formed by a
 19 compliance with Section 7-2-1 and the decision is in favor of
 20 an alderperson ~~aldermanic~~ form of municipal government, the
 21 united city shall be governed, after the first election held
 22 in compliance with Section 7-2-7, by a council composed of a
 23 mayor and a board of alderpersons ~~aldermen~~ selected by the
 24 electors of the united city as provided by the provisions of
 25 this Code relating to the election of city officers, except

1 that all elections in a united city are controlled by the City
2 Election Law as provided in Section 7-2-6.

3 (Source: Laws 1961, p. 576.)

4 (65 ILCS 5/7-2-28) (from Ch. 24, par. 7-2-28)

5 Sec. 7-2-28. Whenever a united city is formed by a
6 compliance with Section 7-2-1 of municipal government with
7 alderpersons ~~aldermen~~ chosen from wards or districts, the
8 united city shall be and the decision is in favor of a
9 managerial form governed, after the first election held in
10 compliance with Section 7-2-7, by a council composed of a
11 mayor and a board of alderpersons ~~aldermen~~ selected by the
12 electors of the united city as provided by the provisions of
13 this Code relating to the election of city officers, except
14 all elections in a united city are controlled by the City
15 Election Law as provided in Section 7-2-6, and by a municipal
16 manager appointed by the council as provided in Article 5.

17 (Source: Laws 1965, p. 1267.)

18 (65 ILCS 5/8-9-1) (from Ch. 24, par. 8-9-1)

19 Sec. 8-9-1. In municipalities of less than 500,000 except
20 as otherwise provided in Articles 4 and 5 any work or other
21 public improvement which is not to be paid for in whole or in
22 part by special assessment or special taxation, when the
23 expense thereof will exceed \$25,000, shall be constructed
24 either (1) by a contract let to the lowest responsible bidder

1 after advertising for bids, in the manner prescribed by
2 ordinance, except that any such contract may be entered into
3 by the proper officers without advertising for bids, if
4 authorized by a vote of two-thirds of all the alderpersons
5 ~~aldermen~~ or trustees then holding office; or (2) in the
6 following manner, if authorized by a vote of two-thirds of all
7 the alderpersons ~~aldermen~~ or trustees then holding office,
8 to-wit: the commissioner of public works or other proper
9 officers to be designated by ordinance, shall superintend and
10 cause to be carried out the construction of the work or other
11 public improvement and shall employ exclusively for the
12 performance of all manual labor thereon, laborers and artisans
13 whom the municipality shall pay by the day or hour; and all
14 material of the value of \$25,000 and upward used in the
15 construction of the work or other public improvement, shall be
16 purchased by contract let to the lowest responsible bidder in
17 the manner to be prescribed by ordinance. However, nothing
18 contained in this section shall apply to any contract by a
19 city, village or incorporated town with the federal government
20 or any agency thereof.

21 In every city which has adopted Division 1 of Article 10,
22 every such laborer or artisan shall be certified by the civil
23 service commission to the commissioner of public works or
24 other proper officers, in accordance with the requirement of
25 that division.

26 In municipalities of 500,000 or more population the

1 letting of contracts for work or other public improvements of
2 the character described in this section shall be governed by
3 the provisions of Division 10 of this Article 8.

4 (Source: P.A. 100-338, eff. 8-25-17.)

5 (65 ILCS 5/10-1-30) (from Ch. 24, par. 10-1-30)

6 Sec. 10-1-30. No officer or employee in the service of
7 such municipality shall, directly or indirectly, give or hand
8 over to any officer or employee in such service, or to any
9 senator or representative or alderperson ~~alderman~~, councilman,
10 trustee or commissioner, any money or other valuable thing, on
11 account of or to be applied to the promotion of any party or
12 political object whatever.

13 (Source: Laws 1961, p. 3252.)

14 (65 ILCS 5/10-3-5) (from Ch. 24, par. 10-3-5)

15 Sec. 10-3-5. Any mayor, president, commissioner,
16 alderperson ~~alderman~~, or trustee, who violates the provisions
17 of Section 10-3-3, is guilty of a Class B misdemeanor.

18 (Source: P.A. 77-2500.)

19 (65 ILCS 5/11-13-1.1) (from Ch. 24, par. 11-13-1.1)

20 Sec. 11-13-1.1. The corporate authorities of any
21 municipality may in its ordinances passed under the authority
22 of this Division 13 provide for the classification of special
23 uses. Such uses may include but are not limited to public and

1 quasi-public uses affected with the public interest, uses
2 which may have a unique, special or unusual impact upon the use
3 or enjoyment of neighboring property, and planned
4 developments. A use may be a permitted use in one or more
5 zoning districts, and a special use in one or more other zoning
6 districts. A special use shall be permitted only after a
7 public hearing before some commission or committee designated
8 by the corporate authorities, with prior notice thereof given
9 in the manner as provided in Section 11-13-6 and 11-13-7. Any
10 notice required by this Section need not include a metes and
11 bounds legal description of the area classified for special
12 uses, provided that the notice includes: (i) the common street
13 address or addresses and (ii) the property index number
14 ("PIN") or numbers of all the parcels of real property
15 contained in the area classified for special uses. A special
16 use shall be permitted only upon evidence that such use meets
17 standards established for such classification in the
18 ordinances, and the granting of permission therefor may be
19 subject to conditions reasonably necessary to meet such
20 standards. In addition, any proposed special use which fails
21 to receive the approval of the commission or committee
22 designated by the corporate authorities to hold the public
23 hearing shall not be approved by the corporate authorities
24 except by a favorable majority vote of all alderpersons
25 ~~aldermen~~, commissioners or trustees of the municipality then
26 holding office; however, the corporate authorities may by

1 ordinance increase the vote requirement to two-thirds of all
2 alderpersons ~~aldermen~~, commissioners or trustees of the
3 municipality then holding office.

4 (Source: P.A. 97-336, eff. 8-12-11.)

5 (65 ILCS 5/11-13-10) (from Ch. 24, par. 11-13-10)

6 Sec. 11-13-10. In municipalities of less than 500,000
7 population, where a variation is to be made by ordinance, upon
8 the report of the board of appeals, the corporate authorities,
9 by ordinance, without further public hearing, may adopt any
10 proposed variation or may refer it back to the board for
11 further consideration, and any proposed variation which fails
12 to receive the approval of the board of appeals shall not be
13 passed except by the favorable vote of two-thirds of all
14 alderpersons ~~aldermen~~ or trustees of the municipality.

15 (Source: Laws 1961, p. 576.)

16 (65 ILCS 5/11-13-14) (from Ch. 24, par. 11-13-14)

17 Sec. 11-13-14. The regulations imposed and the districts
18 created under the authority of this Division 13 may be amended
19 from time to time by ordinance after the ordinance
20 establishing them has gone into effect, but no such amendments
21 shall be made without a hearing before some commission or
22 committee designated by the corporate authorities. Notice
23 shall be given of the time and place of the hearing, not more
24 than 30 nor less than 15 days before the hearing, by publishing

1 a notice thereof at least once in one or more newspapers
2 published in the municipality, or, if no newspaper is
3 published therein, then in one or more newspapers with a
4 general circulation within the municipality. In municipalities
5 with less than 500 population in which no newspaper is
6 published, publication may be made instead by posting a notice
7 in 3 prominent places within municipality. In case of a
8 written protest against any proposed amendment of the
9 regulations or districts, signed and acknowledged by the
10 owners of 20% of the frontage proposed to be altered, or by the
11 owners of 20% of the frontage immediately adjoining or across
12 an alley therefrom, or by the owners of the 20% of the frontage
13 directly opposite the frontage proposed to be altered, is
14 filed with the clerk of the municipality, the amendment shall
15 not be passed except by a favorable vote of two-thirds of the
16 alderpersons ~~aldermen~~ or trustees of the municipality then
17 holding office. In such cases, a copy of the written protest
18 shall be served by the protestor or protestors on the
19 applicant for the proposed amendments and a copy upon the
20 applicant's attorney, if any, by certified mail at the address
21 of such applicant and attorney shown in the application for
22 the proposed amendment. Any notice required by this Section
23 need not include a metes and bounds legal description,
24 provided that the notice includes: (i) the common street
25 address or addresses and (ii) the property index number
26 ("PIN") or numbers of all the parcels of real property

1 contained in the affected area.

2 (Source: P.A. 97-336, eff. 8-12-11.)

3 (65 ILCS 5/11-13-14.1) (from Ch. 24, par. 11-13-14.1)

4 Sec. 11-13-14.1. Notwithstanding any other provision to
5 the contrary in this Division 13:

6 (A) The corporate authorities of any municipality may by
7 ordinance establish the position of hearing officer and
8 delegate to a hearing officer the authority to: (i) conduct
9 any public hearing -- other than a public hearing provided for
10 in Section 11-13-2 -- required to be held under this Division
11 13 in connection with applications for any special use,
12 variation, amendment or other change or modification in any
13 ordinance of the municipality adopted pursuant to this
14 Division 13; and (ii) hear and decide appeals from and review
15 any order, requirement, decision or determination made by an
16 administrative official charged with the enforcement of any
17 ordinance adopted pursuant to this Division 13.

18 (B) When a hearing officer is designated to conduct a
19 public hearing in a matter otherwise required to be heard in
20 accordance with this Division 13 by some commission or
21 committee designated by the corporate authorities of the
22 municipality: (i) notice of such hearing shall be given in the
23 same time and manner as is provided by this Division 13 for the
24 giving of notice of hearing when any such matter is to be heard
25 by some commission or committee designated by the corporate

1 authorities; (ii) the hearing officer shall exercise and
2 perform the same powers and duties as such commission or
3 committee is required to exercise and perform when conducting
4 a public hearing in any such matter; and (iii) the hearing
5 officer shall render a written recommendation to the corporate
6 authorities within such time and in such manner and form as the
7 corporate authorities shall require.

8 (C) When a hearing officer is designated to conduct a
9 public hearing in a matter otherwise required to be heard in
10 accordance with this Division 13 by the board of appeals, or
11 when a hearing officer is designated to hear and decide
12 appeals from and review any order, requirement, decision or
13 determination made by an administrative official charged with
14 the enforcement of any ordinance adopted pursuant to this
15 Division 13: (i) notice of hearing shall be given in the same
16 time and manner as is provided by this Division 13 for the
17 giving of notice of hearing when any such matter is to be heard
18 by the board of appeals; (ii) the hearing officer in passing
19 upon and determining any matter otherwise within the
20 jurisdiction of the board of appeals shall be governed by all
21 of the standards, rules and conditions imposed by this
22 Division 13 to govern the board of appeals when it passes upon
23 and determines any such matter; and (iii) the hearing officer
24 shall exercise and perform all of the powers and duties of the
25 board of appeals in the same manner and to the same effect as
26 provided in this Division 13 with respect to the board of

1 appeals, provided that:

2 1. When the hearing officer is passing upon an application
3 for variation or special use and the power to determine and
4 approve such variation or special use is reserved to the
5 corporate authorities, then upon report of the hearing officer
6 the corporate authorities may by ordinance without further
7 public hearing adopt any proposed variation or special use or
8 may refer it back to the hearing officer for further
9 consideration, and any proposed variation or special use which
10 fails to receive the approval of the hearing officer shall not
11 be passed except by the favorable vote of 2/3 of all
12 alderperson ~~alderman~~ or trustees of the municipality;

13 2. When the hearing officer is passing upon an application
14 for variation or special use and the power to determine and
15 approve such variation or special use is not reserved to the
16 corporate authorities, or when the hearing officer is hearing
17 and deciding appeals from or reviewing any order, requirement,
18 decision or determination made by an administrative official
19 charged with the enforcement of any ordinance adopted pursuant
20 to this Division 13, the determination made by the hearing
21 officer with respect to any such matter shall constitute a
22 final administrative decision which is subject to judicial
23 review pursuant to the provisions of the "Administrative
24 Review Law", as now or hereafter amended.

25 (D) The corporate authorities of the municipality may
26 provide general or specific rules implementing but not

1 inconsistent with the provisions of this Section, including
2 rules relative to the time and manner in which hearing
3 officers are designated to conduct public hearings and rules
4 governing the manner in which such hearings are conducted and
5 matters heard therein passed upon and determined.

6 (E) Hearing officers shall be appointed on the basis of
7 training and experience which qualifies them to conduct
8 hearings, make recommendations or findings of fact and
9 conclusions on the matters heard and otherwise exercise and
10 perform the powers, duties and functions delegated in
11 accordance with this Section. Hearing officers shall receive
12 such compensation as the corporate authorities of the
13 municipality shall provide, and any municipality may establish
14 a schedule of fees to defray the costs of providing a hearing
15 officer.

16 (F) This Section is intended to furnish an alternative or
17 supplemental procedure which a municipality in its discretion
18 may provide for hearing, determining, reviewing and deciding
19 matters which arise under any ordinance adopted by the
20 municipality pursuant to this Division 13, but nothing in this
21 Section shall be deemed to limit or prevent the use of any
22 existing procedure available to a municipality under this
23 Division 13 for hearing, approving or denying applications for
24 a special use, variation, amendment or other change or
25 modification of any such ordinance, or for hearing and
26 deciding appeals from and reviewing any order, requirement,

1 decision or determination made by an administrative official
2 charged with the enforcement of any such ordinance.

3 (Source: P.A. 84-960.)

4 (65 ILCS 5/11-80-5) (from Ch. 24, par. 11-80-5)

5 Sec. 11-80-5. The corporate authorities of each
6 municipality, with the concurrence of two-thirds of all of the
7 alderpersons ~~aldermen~~, trustees or commissioners elected
8 therein, may levy and collect annually, in addition to all
9 other taxes now authorized by law, a tax of not to exceed .05%
10 of the value, as equalized or assessed by the Department of
11 Revenue, of the taxable property in the municipality, to be
12 used exclusively for the purpose of lighting streets. The tax
13 authorized by this Section is in addition to taxes for general
14 corporate purposes authorized by Section 8-3-1.

15 The foregoing tax rate limitation, insofar as it is
16 applicable to municipalities of less than 500,000 population,
17 may be increased or decreased under the referendum provisions
18 of the General Revenue Law of Illinois.

19 (Source: P.A. 86-280.)

20 (65 ILCS 5/11-91-1) (from Ch. 24, par. 11-91-1)

21 Sec. 11-91-1. Whenever the corporate authorities of any
22 municipality, whether incorporated by special act or under any
23 general law, determine that the public interest will be
24 subserved by vacating any street or alley, or part thereof,

1 within their jurisdiction in any incorporated area, they may
2 vacate that street or alley, or part thereof, by an ordinance.
3 The ordinance shall provide the legal description or permanent
4 index number of the particular parcel or parcels of property
5 acquiring title to the vacated property. But this ordinance
6 shall be passed by the affirmative vote of at least
7 three-fourths of the alderpersons ~~aldermen~~, trustees or
8 commissioners then holding office. This vote shall be taken by
9 ayes and noes and entered on the records of the corporate
10 authorities.

11 No ordinance shall be passed vacating any street or alley
12 under a municipality's jurisdiction and within an
13 unincorporated area without notice thereof and a hearing
14 thereon. At least 15 days prior to such a hearing, notice of
15 its time, place and subject matter shall be published in a
16 newspaper of general circulation within the unincorporated
17 area which the street or alley proposed for vacation serves.
18 At the hearing all interested persons shall be heard
19 concerning the proposal for vacation.

20 The ordinance may provide that it shall not become
21 effective until the owners of all property or the owner or
22 owners of a particular parcel or parcels of property abutting
23 upon the street or alley, or part thereof so vacated, shall pay
24 compensation in an amount which, in the judgment of the
25 corporate authorities, shall be the fair market value of the
26 property acquired or of the benefits which will accrue to them

1 by reason of that vacation, and if there are any public service
2 facilities in such street or alley, or part thereof, the
3 ordinance shall also reserve to the municipality or to the
4 public utility, as the case may be, owning such facilities,
5 such property, rights of way and easements as, in the judgment
6 of the corporate authorities, are necessary or desirable for
7 continuing public service by means of those facilities and for
8 the maintenance, renewal and reconstruction thereof. If the
9 ordinance provides that only the owner or owners of one
10 particular parcel of abutting property shall make payment,
11 then the owner or owners of the particular parcel shall
12 acquire title to the entire vacated street or alley, or the
13 part thereof vacated.

14 The determination of the corporate authorities that the
15 nature and extent of the public use or public interest to be
16 subserved in such as to warrant the vacation of any street or
17 alley, or part thereof, is conclusive, and the passage of such
18 an ordinance is sufficient evidence of that determination,
19 whether so recited in the ordinance or not. The relief to the
20 public from further burden and responsibility of maintaining
21 any street or alley, or part thereof, constitutes a public use
22 or public interest authorizing the vacation.

23 When property is damaged by the vacation or closing of any
24 street or alley, the damage shall be ascertained and paid as
25 provided by law.

26 (Source: P.A. 93-383, eff. 7-25-03; 93-703, eff. 7-9-04.)

1 (65 ILCS 5/11-101-2) (from Ch. 24, par. 11-101-2)

2 Sec. 11-101-2. Whenever the corporate authorities of any
3 municipality have established an airport outside the corporate
4 limits of the municipality and have determined that it is
5 essential to the proper and safe construction and maintenance
6 of such airport to vacate any roads, highways, streets,
7 alleys, or parts thereof in unincorporated territory lying
8 within the airport area or any enlargement thereof, and have
9 determined that the public interest will be subserved by such
10 vacation, they may vacate such roads, highways, streets,
11 alleys, or parts thereof, by an ordinance. Provided however,
12 that such municipality shall have first acquired the land on
13 both sides of such roads, highways, streets, alleys, or parts
14 thereof; provided, also, that in the case of a road, highway,
15 street or alley or part thereof, under the jurisdiction of the
16 Department of Transportation, the consent of the Department
17 shall be obtained before the ordinance shall become effective.
18 Such ordinance shall be passed by the affirmative vote of at
19 least 3/4 of all alderpersons ~~aldermen~~, trustees or
20 commissioners authorized by law to be elected. Such vacation
21 shall be effective upon passage of the ordinance and recording
22 of a certified copy thereof with the recorder of the county
23 within which the roads, highways, streets, alleys, or parts
24 thereof are situated.

25 (Source: P.A. 83-358.)

1 Section 40. The Revised Cities and Villages Act of 1941 is
2 amended by changing the heading of Article prec. Sec. 21-22
3 and Sections 21-5.1, 21-7, 21-12, 21-14, 21-22, 21-23, 21-24,
4 21-25, 21-26, 21-27, 21-28, 21-29, 21-30, 21-32, 21-33, 21-34,
5 21-38, 21-39, 21-40, and 21-41 as follows:

6 (65 ILCS 20/21-5.1) (from Ch. 24, par. 21-5.1)

7 Sec. 21-5.1. Vice Mayor - Election - Duties -
8 Compensation.) Following election and qualification of
9 alderpersons ~~aldermen~~ at a general election as provided by
10 Section 21-22 of this Act, the City Council shall elect, from
11 among its members, a Vice Mayor, to serve as interim Mayor of
12 Chicago in the event that a vacancy occurs in the office of
13 Mayor or in the event that the Council determines, by 3/5 vote,
14 that the Mayor is under a permanent or protracted disability
15 caused by illness or injury which renders the Mayor unable to
16 serve. The Vice Mayor shall serve as interim Mayor. He will
17 serve until the City Council shall elect one of its members
18 acting Mayor or until the mayoral term expires.

19 The Vice Mayor shall receive no compensation as such, but
20 shall receive compensation as an alderperson ~~alderman~~ even
21 while serving as interim Mayor. While serving as interim
22 Mayor, the Vice Mayor shall possess all rights and powers and
23 shall perform the duties of Mayor.

24 (Source: P.A. 80-308.)

1 (65 ILCS 20/21-7) (from Ch. 24, par. 21-7)

2 Sec. 21-7. Compensation of officers.

3 The compensation of all officers shall be by salary. No
4 officer shall be allowed any fees, perquisites or emoluments
5 or any reward or compensation aside from his salary, but all
6 fees and earnings of his office or department shall be paid by
7 him into the city treasury. The city council shall fix the
8 salaries of all officers, except those who are elected or
9 appointed for a definite term fixed by statute, in the annual
10 appropriation ordinance and those salaries shall not be
11 altered during the same fiscal year. The city council, by
12 ordinance other than the appropriation ordinance, shall fix
13 the compensation of each officer who is elected or appointed
14 for a definite term fixed by statute and his salary shall not
15 be increased or diminished during his term of office. The
16 chairman of the finance committee of the city council shall
17 receive in addition to his or her salary as an alderperson
18 ~~alderman~~ such additional compensation, not exceeding \$3,500.00
19 per annum, as may be provided in the annual appropriation
20 ordinance for his or her services as chairman of said
21 committee.

22 (Source: Laws 1947, p. 497.)

23 (65 ILCS 20/21-12) (from Ch. 24, par. 21-12)

24 Sec. 21-12. City clerk and city treasurer; election;

1 tenure. At the time of election of the mayor there shall be
2 elected also in a nonpartisan election a city clerk and a city
3 treasurer. The candidates receiving a majority of the votes
4 cast for clerk and treasurer at the consolidated primary
5 election shall be declared the clerk and treasurer. If no
6 candidate receives a majority of the votes for one of the
7 offices, a runoff election shall be held at the consolidated
8 election, when only the names of the candidates receiving the
9 highest and second highest number of votes for that office at
10 the consolidated primary election shall appear on the ballot.
11 If more than one candidate received the highest or second
12 highest number of votes for one of the offices at the
13 consolidated primary election, the names of all candidates
14 receiving the highest and second highest number of votes for
15 that office shall appear on the ballot at the consolidated
16 election. The candidate receiving the highest number of votes
17 at the consolidated election shall be declared elected.

18 The clerk and treasurer each shall hold office for a term
19 of 4 years beginning at noon on the third Monday in May
20 following the election and until a successor is elected and
21 qualified. No person, however, shall be elected to the office
22 of city treasurer for 2 terms in succession unless the city, by
23 ordinance, establishes different succession terms.

24 (Source: P.A. 98-115, eff. 7-29-13.)

25 (65 ILCS 20/21-14) (from Ch. 24, par. 21-14)

1 Sec. 21-22. General election for alderpersons ~~aldermen~~;
2 vacancies.

3 (a) A general election for alderpersons ~~aldermen~~ shall be
4 held in the year 1943 and every 4 years thereafter, at which
5 one alderperson ~~alderman~~ shall be elected from each of the 50
6 wards provided for by this Article. The alderpersons ~~aldermen~~
7 elected shall serve for a term of 4 years beginning at noon on
8 the third Monday in May following the election of city
9 officers, and until their successors are elected and have
10 qualified. All elections for alderpersons ~~aldermen~~ shall be in
11 accordance with the provisions of law in force and operative
12 in the City of Chicago for such elections at the time the
13 elections are held.

14 (b) Vacancies occurring in the office of alderperson
15 ~~alderman~~ shall be filled in the manner prescribed for filling
16 vacancies in Section 3.1-10-51 of the Illinois Municipal Code.
17 An appointment to fill a vacancy shall be made within 60 days
18 after the vacancy occurs. The requirement that an appointment
19 be made within 60 days is an exclusive power and function of
20 the State and is a denial and limitation under Article VII,
21 Section 6, subsection (h) of the Illinois Constitution of the
22 power of a home rule municipality to require that an
23 appointment be made within a different period after the
24 vacancy occurs.

25 (Source: P.A. 95-1041, eff. 3-25-09.)

1 (65 ILCS 20/21-23) (from Ch. 24, par. 21-23)

2 Sec. 21-23. Salaries of alderpersons ~~aldermen~~.

3 The alderpersons ~~aldermen~~ in office when this article is
4 adopted and the alderpersons ~~aldermen~~ elected under the
5 provisions of this article may receive for their services such
6 compensation as shall be fixed by ordinance, at the rate of not
7 to exceed eight thousand dollars per annum for each
8 alderperson ~~alderman~~.

9 (Source: Laws 1953, p. 1781.)

10 (65 ILCS 20/21-24) (from Ch. 24, par. 21-24)

11 Sec. 21-24. Application - Recall elections. The provisions
12 of this Article shall apply to all elections for alderpersons
13 ~~aldermen~~ in the city of Chicago. The name of no person shall be
14 printed upon the official ballot as a candidate for
15 alderperson ~~alderman~~, unless the terms of this Article shall
16 have been complied with. If recall elections are provided for,
17 to be held within the city of Chicago, the provisions of this
18 Article shall apply to such elections, except to the extent
19 that provisions inconsistent herewith are made by the law
20 providing for such recall elections.

21 (Source: Laws 1941, vol. 2, p. 19.)

22 (65 ILCS 20/21-25) (from Ch. 24, par. 21-25)

23 Sec. 21-25. Times for elections.) General elections for
24 alderpersons ~~aldermen~~ shall be held in the year or years fixed

1 by law for holding the same, on the last Tuesday of February of
2 such year. Any supplementary election for alderpersons
3 ~~aldermen~~ held under the provisions of this article shall be
4 held on the first Tuesday of April next following the holding
5 of such general ~~aldermanic~~ election of alderpersons.

6 (Source: P.A. 80-1469.)

7 (65 ILCS 20/21-26) (from Ch. 24, par. 21-26)

8 Sec. 21-26. Candidates receiving majority elected -
9 Supplementary elections.

10 The candidate receiving a majority of the votes cast for
11 alderperson ~~alderman~~ in each ward at any general or special
12 election shall be declared elected. In the event that no
13 candidate receives a majority of such votes in any ward or
14 wards a supplementary election shall be held at the time
15 prescribed in Section 21-25. At such supplementary election
16 the names of the candidates in each of such wards receiving the
17 highest and second highest number of votes at the preceding
18 general or special election and no others shall be placed on
19 the official ballot: Provided, however, that if there be any
20 candidate who, under the provisions of this Section would have
21 been entitled to a place on the ballot at the supplementary
22 election except for the fact that some other candidate
23 received an equal number of votes, then all such candidates
24 receiving such equal number of votes shall have their names
25 printed on the ballot as candidates at such succeeding

1 supplementary election. The candidate receiving the highest
2 number of votes at such supplementary election shall be
3 declared elected. Such supplementary election shall be deemed
4 a special election under the election and ballot laws in force
5 in the city of Chicago and shall be governed thereby except in
6 so far as such laws are inconsistent with the provisions of
7 this article.

8 (Source: Laws 1941, vol. 2, p. 19.)

9 (65 ILCS 20/21-27) (from Ch. 24, par. 21-27)

10 Sec. 21-27. Election contest-Complaint. Any candidate
11 whose name appears on the ballots used in any ward of the city
12 at any election for alderperson ~~alderman~~, may contest the
13 election of the candidate who appears to be elected from such
14 ward on the face of the returns, or may contest the right of
15 the candidates who appear to have received the highest and
16 second highest number of votes to places on the official
17 ballot at any supplementary election, by filing within 5 days
18 after such election with the Clerk of the Circuit Court of Cook
19 County, a complaint in writing, verified by the candidate
20 making the contest, setting forth the grounds of the contest.
21 The contestant in each contest shall also serve notice on all
22 persons who were candidates for alderperson ~~alderman~~ of such
23 ward at the election, within such 5 days, informing them that
24 such complaint has been or will be filed. The Circuit Court of
25 Cook County shall have jurisdiction to hear and determine such

1 contest. All proceedings in relation to such contest after the
2 filing of such complaint shall be the same, as near as may be,
3 as provided for in the case of a contest at a primary election
4 in such city. In case the court shall decide that the complaint
5 is insufficient in law, or that the candidate who appears to
6 have been elected on the face of the return has been duly
7 elected, the complaint shall be dismissed. If it shall appear
8 to the satisfaction of the court that the face of the returns
9 are not correct, and that the candidate who appears thereby to
10 have been elected was not in fact elected, then the candidates
11 having the highest and second highest number of votes as
12 determined by such contest shall be candidates at the
13 subsequent supplementary election as provided for in section
14 21-26.

15 (Source: P.A. 83-334.)

16 (65 ILCS 20/21-28) (from Ch. 24, par. 21-28)

17 Sec. 21-28. Nomination by petition.

18 (a) All nominations for alderperson ~~alderman~~ of any ward
19 in the city shall be by petition. Each petition for nomination
20 of a candidate shall be signed by at least 473 legal voters of
21 the ward.

22 (b) All nominations for mayor, city clerk, and city
23 treasurer in the city shall be by petition. Each petition for
24 nomination of a candidate must be signed by at least 12,500
25 legal voters of the city.

1 (c) All such petitions, and procedure with respect
2 thereto, shall conform in other respects to the provisions of
3 the election and ballot laws then in force in the city of
4 Chicago concerning the nomination of independent candidates
5 for public office by petition. The method of nomination herein
6 provided is exclusive of and replaces all other methods
7 heretofore provided by law.

8 (Source: P.A. 98-115, eff. 7-29-13; 98-1171, eff. 6-1-15.)

9 (65 ILCS 20/21-29) (from Ch. 24, par. 21-29)

10 Sec. 21-29. Withdrawals and substitution of candidates.

11 Any candidate for alderperson ~~alderman~~ under the
12 provisions of this article may withdraw his name as a
13 candidate by filing with the board of election commissioners
14 of the city of Chicago not later than the date of certification
15 of the ballot his written request signed by him and duly
16 acknowledged before an officer qualified to take
17 acknowledgements of deeds, whereupon his name shall not be
18 printed as a candidate upon the official ballot.

19 If any candidate at an ~~aldermanic~~ election of alderpersons
20 who was not elected as provided for in this article but who
21 shall have received sufficient votes to entitle him to a place
22 on the official ballot at the ensuing supplementary election
23 shall die or withdraw his candidacy before such supplementary
24 election, the name of the candidate who shall receive the next
25 highest number of votes shall be printed on the ballot in lieu

1 of the name of the candidate who shall have died or withdrawn
2 his candidacy.

3 (Source: P.A. 96-1008, eff. 7-6-10.)

4 (65 ILCS 20/21-30) (from Ch. 24, par. 21-30)

5 Sec. 21-30. Form of ballot. Ballots to be used at any
6 general, supplementary or special election for alderpersons
7 ~~aldermen~~ held under the provisions of this Article, in
8 addition to other requirements of law, shall conform to the
9 following requirements:

10 (1) At the top of the ballots shall be printed in
11 capital letters the words designating the ballot. If a
12 general ~~aldermanic~~ election of alderpersons the words
13 shall be "Official ~~aldermanic~~ election of alderpersons
14 ballot"; if a supplementary election the designating words
15 shall be "Official supplementary ~~aldermanic~~ election of
16 alderpersons ballot"; if a special ~~aldermanic~~ election of
17 alderpersons, the words shall be "Special ~~aldermanic~~
18 election of alderpersons ballot."

19 (2) Beginning not less than one inch below such
20 designating words and extending across the face of the
21 ballot, the title of each office to be filled shall be
22 printed in capital letters.

23 (3) The names of candidates for different terms of
24 service therein (if any there be), shall be arranged and
25 printed in groups according to the length of such terms.

1 (4) Immediately below the title of each office or
2 group heading indicating the term of office, shall be
3 printed in small letters the directions to voters, "Vote
4 for one."

5 (5) Following thereupon shall be printed the names of
6 the candidates for such office according to the title and
7 the term thereof and below the name of each candidate
8 shall be printed his place of residence, stating the
9 street and number (if any). The names of candidates shall
10 be printed in capital letters not less than one-eighth nor
11 more than one-quarter of an inch in height, and
12 immediately at the left of the name of each candidate
13 shall be printed a square, the sides of which shall not be
14 less than one-quarter of an inch in length. The names of
15 all the candidates for each office shall be printed in a
16 column and arranged in the order hereinafter designated;
17 all names of candidates shall be printed in uniform type;
18 the places of residence of such candidates shall be
19 printed in uniform type; and squares upon said ballots
20 shall be of uniform size; and spaces between the names of
21 the candidates for the same office shall be of uniform
22 size.

23 (6) The names of the candidates for alderperson
24 ~~alderman~~ shall appear upon the ballot in the order in
25 which petitions for nomination have been filed in the
26 office of the board of election commissioners. However, 2

1 or more petitions filed within the last hour of the filing
2 deadline shall be deemed filed simultaneously. Where 2 or
3 more petitions are received simultaneously, the board of
4 election commissioners shall break ties and determine the
5 order of filing by means of a lottery or other fair and
6 impartial method of random selection approved by the board
7 of election commissioners. Such lottery shall be conducted
8 within 9 days following the last day for petition filing
9 and shall be open to the public. Seven days written notice
10 of the time and place of conducting such random selection
11 shall be given, by the board of election commissioners, to
12 the Chairman of each political party and to each
13 organization of citizens within the city which was
14 entitled, under the Election Code, at the next preceding
15 election, to have pollwatchers present on the day of
16 election. The board of election commissioners shall post
17 in a conspicuous, open and public place, at the entrance
18 of the office, notice of the time and place of such
19 lottery. The board of election commissioners shall adopt
20 rules and regulations governing the procedures for the
21 conduct of such lottery.

22 (Source: P.A. 98-115, eff. 7-29-13.)

23 (65 ILCS 20/21-32) (from Ch. 24, par. 21-32)

24 Sec. 21-32. Party designations prohibited - Ballot to be
25 separate from other ballots. No party name, party initial,

1 party circle platform, principle, appellation or
2 distinguishing mark of any kind shall be printed upon any
3 election ballot used at any election for mayor, city clerk,
4 city treasurer, or alderperson ~~alderman~~ held under the
5 provisions of this Article.

6 (Source: P.A. 98-115, eff. 7-29-13.)

7 (65 ILCS 20/21-33) (from Ch. 24, par. 21-33)

8 Sec. 21-33. Challengers and watchers.

9 Any candidate for alderperson ~~alderman~~ under the terms of
10 this article may appoint in writing over his signature not
11 more than one representative for each place of voting, who
12 shall have the right to act as challenger and watcher for such
13 candidate at any election at which his name is being voted
14 upon. Such challenger and watcher shall have the same powers
15 and privileges as a challenger and watcher under the election
16 laws of this State applicable to Chicago. No political party
17 shall have the right to keep any challenger or watcher at any
18 polling place at any election held under the provisions of
19 this article unless candidates for some office other than
20 alderperson ~~alderman~~ are to be voted for at the same time.

21 (Source: Laws 1941, vol. 2, p. 19.)

22 (65 ILCS 20/21-34) (from Ch. 24, par. 21-34)

23 Sec. 21-34. Certificate of election.

24 No certificate of election shall be given to any candidate

1 who shall be declared elected at any general ~~aldermanic~~
2 election of alderpersons until after the date fixed by this
3 Article for the holding of the supplementary election provided
4 for in this Article.

5 (Source: Laws 1941, vol. 2, p. 19.)

6 (65 ILCS 20/21-38) (from Ch. 24, par. 21-38)

7 Sec. 21-38. Redistricting every ten years.

8 If the city council has not redistricted the city of
9 Chicago since the taking of the national census of 1940, then
10 within three months after the adoption of this article by the
11 voters it shall be the duty of the city council to pass an
12 ordinance redistricting the city into fifty wards in
13 accordance with the provisions of this article.

14 On or before the first day of December, of the year
15 following the year in which the national census is taken, and
16 every ten years thereafter, the city council shall by
17 ordinance redistrict the city on the basis of the national
18 census of the preceding year. All elections of alderpersons
19 ~~aldermen~~ shall be held from the existing wards until a
20 redistricting is had as provided for in this article.

21 (Source: Laws 1941, vol. 2, p. 19.)

22 (65 ILCS 20/21-39) (from Ch. 24, par. 21-39)

23 Sec. 21-39. When redistricting ordinance takes effect -
24 Substitute ordinance may be submitted. No such redistricting

1 ordinance shall take effect until the expiration of 15 days
2 after its passage. If within such 15 days 1/5 or more of the
3 alderpersons ~~aldermen~~ elected, who did not vote to pass such
4 redistricting ordinance, file with the city clerk a proposed
5 substitute ordinance redistricting the city in accordance with
6 the provisions of this article, together with a petition
7 signed by them demanding that the question of the adoption of
8 the redistricting ordinance passed by the city council,
9 together with the question of the adoption of such substitute
10 ordinance, be submitted to the voters, then such redistricting
11 ordinance passed by the city council shall not go into effect
12 until the question of this adoption shall have been submitted
13 to a popular vote: Provided, that no alderperson ~~alderman~~
14 shall have the right to sign more than one such petition. Upon
15 the expiration of such 15 days the city clerk shall promptly
16 certify to the board of election commissioners of the city of
17 Chicago, the ordinance passed by the city council and such
18 substitute ordinance or ordinances and petition or petitions,
19 and it shall thereupon be the duty of the board of election
20 commissioners to submit the ordinances so certified to a
21 popular vote at the next general or municipal election, to be
22 held in and for the entire city not less than 40 days after the
23 passage of such redistricting ordinance by the city council.

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

25 (65 ILCS 20/21-40) (from Ch. 24, par. 21-40)

1 Sec. 21-40. Failure of council to act - One-fifth of the
2 alderpersons ~~aldermen~~ may submit redistricting ordinance.

3 If the city council shall fail at any time to pass a
4 redistricting ordinance as required in this article, one-fifth
5 or more of the alderpersons ~~aldermen~~ elected shall have the
6 right to file with the city clerk, not less than 40 days before
7 the date of holding any general, municipal, or special
8 election, to be held in and for the entire city, an ordinance
9 redistricting the city in accordance with the provisions of
10 this article, together with a petition signed by them
11 demanding that such ordinance be submitted to the legal voters
12 at the next such election in and for the entire city to be held
13 not less than 40 days after the filing of such ordinance and
14 petition: Provided, that no alderperson ~~alderman~~ shall have
15 the right to sign more than one such petition. Upon the
16 expiration of the time for filing any such ordinance the city
17 clerk shall promptly certify to the board of election
18 commissioners of the city of Chicago any ordinance or
19 ordinances, together with any petition or petitions, so filed
20 and thereupon it shall be the duty of the board of election
21 commissioners to submit such ordinance or ordinances to a
22 popular vote at the election specified in such petition or
23 petitions: Provided, that if, after the filing of any such
24 ordinance and petition and not less than 40 days prior to such
25 election, the city council shall pass an ordinance
26 redistricting the city, then the question of the adoption of

1 any ordinance or ordinances filed with the city clerk in
 2 accordance with the provisions of this section shall not be
 3 submitted to a popular vote. However, after such action by the
 4 city council, a substitute ordinance or ordinances may be
 5 proposed in the manner provided in this article.

6 (Source: Laws 1941, vol. 2, p. 19.)

7 (65 ILCS 20/21-41) (from Ch. 24, par. 21-41)

8 Sec. 21-41. Redistricting ordinance submitted - Form of
 9 ballot.

10 If the question of the adoption of one of two or more
 11 redistricting ordinances is submitted to the voters at any
 12 election, the ballots used for the submission of such
 13 proposition shall, in addition to the other requirements of
 14 law, conform substantially to the following requirements:

15 1. Above the propositions submitted the following words
 16 shall be printed in capital letters:

17 "PROPOSITIONS FOR THE REDISTRICTING OF THE CITY OF
 18 CHICAGO."

19 2. Immediately below said words shall be printed in small
 20 letters the direction to voters:

21 "Vote for One."

22 3. Following thereupon shall be printed each proposition
 23 to be voted upon in substantially the following form:

24 -----

1 Section 45. The Civic Center Code is amended by changing
2 Sections 210-20, 210-25, 270-20, and 270-25 as follows:

3 (70 ILCS 200/210-20)

4 Sec. 210-20. Board members designated. The mayor and
5 alderpersons ~~aldermen~~, ex officio, of the City of Pontiac
6 shall be the members of the Board. Before entering upon the
7 duties of his office, each member of the Board shall take and
8 subscribe the constitutional oath of office and file it in the
9 office of the Secretary of State.

10 (Source: P.A. 90-328, eff. 1-1-98.)

11 (70 ILCS 200/210-25)

12 Sec. 210-25. Board members; terms. Members of the Board
13 shall hold office until their respective successors as mayor
14 or alderpersons ~~aldermen~~ of the City of Pontiac have been
15 appointed and qualified.

16 (Source: P.A. 90-328, eff. 1-1-98.)

17 (70 ILCS 200/270-20)

18 Sec. 270-20. Board members. The mayor and alderpersons
19 ~~aldermen~~, ex officio, of the City of Waukegan shall be the
20 members of the Board. Before entering upon the duties of his
21 office, each member of the Board shall take and subscribe the
22 constitutional oath of office and file it in the office of the

1 Secretary of State.

2 (Source: P.A. 90-328, eff. 1-1-98.)

3 (70 ILCS 200/270-25)

4 Sec. 270-25. Board member terms. Members of the Board
5 shall hold office until their respective successors as mayor
6 or alderpersons ~~aldermen~~ of the City of Waukegan have been
7 appointed and qualified.

8 (Source: P.A. 90-328, eff. 1-1-98.)

9 Section 50. The Metropolitan Pier and Exposition Authority
10 Act is amended by changing Section 5.6 as follows:

11 (70 ILCS 210/5.6)

12 Sec. 5.6. Marketing agreement.

13 (a) The Authority shall enter into a marketing agreement
14 with a not-for-profit organization headquartered in Chicago
15 and recognized by the Department of Commerce and Economic
16 Opportunity as a certified local tourism and convention bureau
17 entitled to receive State tourism grant funds, provided the
18 bylaws of the organization establish a board of the
19 organization that is comprised of 35 members serving 3-year
20 staggered terms, including the following:

21 (1) no less than 8 members appointed by the Mayor of
22 Chicago, to include:

23 (A) a Chair of the board of the organization

1 appointed by the Mayor of the City of Chicago from
2 among the business and civic leaders of Chicago who
3 are not engaged in the hospitality business or who
4 have not served as a member of the Board or as chief
5 executive officer of the Authority; and

6 (B) 7 members from among the cultural, economic
7 development, or civic leaders of Chicago;

8 (2) the chairperson of the interim board or Board of
9 the Authority, or his or her designee;

10 (3) a representative from the department in the City
11 of Chicago that is responsible for the operation of
12 Chicago-area airports;

13 (4) a representative from the department in the City
14 of Chicago that is responsible for the regulation of
15 Chicago-area livery vehicles;

16 (5) at least 1, but no more than:

17 (A) 5 members from the hotel industry;

18 (B) 5 members representing Chicago arts and
19 cultural institutions or projects;

20 (C) 2 members from the restaurant industry;

21 (D) 2 members employed by or representing an
22 entity responsible for a trade show;

23 (E) 2 members representing unions;

24 (F) 2 members from the attractions industry; and

25 (6) the Director of the Illinois Department of
26 Commerce and Economic Opportunity, ex officio.

1 The bylaws of the organization may provide for the
2 appointment of a City of Chicago alderperson ~~alderman~~ as an ex
3 officio member, and may provide for other ex officio members
4 who shall serve terms of one year.

5 Persons with a real or apparent conflict of interest shall
6 not be appointed to the board. Members of the board of the
7 organization shall not serve more than 2 terms. The bylaws
8 shall require the following: (i) that the Chair of the
9 organization name no less than 5 and no more than 9 members to
10 the Executive Committee of the organization, one of whom must
11 be the chairperson of the interim board or Board of the
12 Authority, and (ii) a provision concerning conflict of
13 interest and a requirement that a member abstain from
14 participating in board action if there is a threat to the
15 independence of judgment created by any conflict of interest
16 or if participation is likely to have a negative effect on
17 public confidence in the integrity of the board.

18 (b) The Authority shall notify the Department of Revenue
19 within 10 days after entering into a contract pursuant to this
20 Section.

21 (Source: P.A. 96-898, eff. 5-27-10; 96-899, eff. 5-28-10;
22 97-1122, eff. 8-27-12.)

23 Section 55. The Beardstown Regional Flood Prevention
24 District Act is amended by changing Section 10 as follows:

1 (70 ILCS 755/10)

2 Sec. 10. Commissioners.

3 (a) The affairs of the district shall be managed by a board
4 of 7 commissioners: one shall be appointed by the chairperson
5 of the county board; one shall be appointed by the Mayor of the
6 City of Beardstown; one shall be appointed by the Beardstown
7 Sanitary District; one shall be appointed by the South
8 Beardstown Levee and Drainage District; one shall be appointed
9 by the Valley Levee and Drainage District; one shall be
10 appointed by the Lost Creek Levee and Drainage District; and
11 one shall be appointed by a majority vote of the other 6
12 commissioners. All initial appointments under this Section
13 must be made within 60 days after the district is organized.

14 (b) Of the initial appointments, 3 commissioners shall
15 serve a 2-year term and 4 commissioners shall serve a 4-year
16 term, as determined by lot. Their successors shall be
17 appointed for 4-year terms. No commissioner may serve for more
18 than 20 years. Vacancies shall be filled in the same manner as
19 original appointments.

20 (c) Each commissioner must be a legal voter in Cass
21 County, and all commissioners shall reside in and own property
22 that is located within the district. Commissioners shall serve
23 without compensation, but may be reimbursed for reasonable
24 expenses incurred in the performance of their duties.

25 (d) A majority of the commissioners shall constitute a
26 quorum of the board for the transaction of business. An

1 affirmative vote of a majority of the commissioners shall be
2 sufficient to approve any action or expenditure.

3 (e) An alderperson ~~alderman~~ of the City of Beardstown, a
4 member of the county board, and a commissioner of each of the
5 aforementioned drainage districts and sanitation district may
6 be appointed to serve concurrently as commissioners of the
7 district, and the appointment shall be deemed lawful and not
8 to constitute a violation of the Public Officer Prohibited
9 Activities Act, nor to create an impermissible conflict of
10 interest or incompatibility of offices.

11 (Source: P.A. 97-309, eff. 8-11-11.)

12 Section 60. The Park System Civil Service Act is amended
13 by changing Section 23 as follows:

14 (70 ILCS 1210/23) (from Ch. 24 1/2, par. 102)

15 Sec. 23. No officer or employee in the service of any such
16 park district shall, directly or indirectly, give or hand over
17 to any officer or employee in said classified civil service,
18 or to any senator or representative or alderperson ~~alderman~~,
19 councilman or park commissioner, any money or other valuable
20 thing on account of or to be applied to the promotion of any
21 party or political object whatever.

22 (Source: Laws 1911, p. 211.)

23 Section 65. The Park Annuity and Benefit Fund Civil

1 Service Act is amended by changing Section 25 as follows:

2 (70 ILCS 1215/25) (from Ch. 24 1/2, par. 138)

3 Sec. 25. No officer or employee in the service of such Park
4 Employees' and Retirement Board Employees' Annuity and Benefit
5 Fund shall, directly or indirectly, give or hand over to any
6 officer or employee in said classified civil service, or to
7 any senator, representative, alderperson ~~alderman~~, councilman,
8 park commissioner or trustee, any money or other valuable
9 thing on account of or to be applied to the promotion of any
10 party or political object whatever.

11 (Source: Laws 1963, p. 138.)

12 Section 70. The Metropolitan Water Reclamation District
13 Act is amended by changing Section 4.25 as follows:

14 (70 ILCS 2605/4.25) (from Ch. 42, par. 323.25)

15 Sec. 4.25. Political contributions and campaigns.

16 (a) During a commissioner's or an employee's compensated
17 time, other than vacation, personal, holiday, or compensatory
18 time off, a commissioner or an employee in the service of the
19 sanitary district shall not, directly or indirectly, give or
20 hand over to any commissioner or employee, or to any senator,
21 representative, alderperson ~~alderman~~, councilman, or trustee,
22 any money or other valuable thing on account of or to be
23 applied to the promotion of any party or political object

1 whatever.

2 (b) During an employee's compensated time, other than
3 vacation, personal, holiday, or compensatory time off, an
4 employee shall not take any part in the management or affairs
5 of any political party or in any political campaign, except to
6 exercise his or her right as a citizen privately to express his
7 or her opinion, and to cast his or her vote, provided, however,
8 that an employee shall have the right to hold any public
9 office, either by appointment or election, that is not
10 incompatible with his or her duties as an employee of the
11 District, and provided further that the employee does not
12 campaign or otherwise engage in political activity during his
13 or her compensated time other than vacation, personal,
14 holiday, or compensatory time off.

15 (c) This Section shall not be deemed to authorize conduct
16 prohibited by the Federal Hatch Act by employees subject to
17 that Act.

18 (d) For the purposes of this Section, "compensated time"
19 means any time worked by or credited to an employee that counts
20 toward any minimum work time requirement imposed as a
21 condition of employment with the sanitary district, but does
22 not include any designated holidays or any period when the
23 employee is on a leave of absence. With respect to
24 commissioners, "compensated time" means any period of time
25 when the commissioner is on the premises under the control of
26 the sanitary district and any other time when the commissioner

1 is executing his or her official duties, regardless of
2 location.

3 For the purposes of this Section, "compensatory time off"
4 means authorized time off earned by or awarded to an employee
5 to compensate in whole or in part for time worked in excess of
6 the minimum work time required of that employee as a condition
7 of employment with the sanitary district.

8 (Source: P.A. 97-125, eff. 7-14-11.)

9 Section 75. The School Code is amended by changing
10 Sections 24-2, 34-210, 34-230, and 34-235 as follows:

11 (105 ILCS 5/24-2) (from Ch. 122, par. 24-2)

12 Sec. 24-2. Holidays.

13 (a) Teachers shall not be required to teach on Saturdays,
14 nor, except as provided in subsection (b) of this Section,
15 shall teachers or other school employees, other than
16 noncertificated school employees whose presence is necessary
17 because of an emergency or for the continued operation and
18 maintenance of school facilities or property, be required to
19 work on legal school holidays, which are January 1, New Year's
20 Day; the third Monday in January, the Birthday of Dr. Martin
21 Luther King, Jr.; February 12, the Birthday of President
22 Abraham Lincoln; the first Monday in March (to be known as
23 Casimir Pulaski's birthday); Good Friday; the day designated
24 as Memorial Day by federal law; July 4, Independence Day; the

1 first Monday in September, Labor Day; the second Monday in
2 October, Columbus Day; November 11, Veterans' Day; the
3 Thursday in November commonly called Thanksgiving Day; and
4 December 25, Christmas Day. School boards may grant special
5 holidays whenever in their judgment such action is advisable.
6 No deduction shall be made from the time or compensation of a
7 school employee on account of any legal or special holiday.

8 (b) A school board or other entity eligible to apply for
9 waivers and modifications under Section 2-3.25g of this Code
10 is authorized to hold school or schedule teachers' institutes,
11 parent-teacher conferences, or staff development on the third
12 Monday in January (the Birthday of Dr. Martin Luther King,
13 Jr.); February 12 (the Birthday of President Abraham Lincoln);
14 the first Monday in March (known as Casimir Pulaski's
15 birthday); the second Monday in October (Columbus Day); and
16 November 11 (Veterans' Day), provided that:

17 (1) the person or persons honored by the holiday are
18 recognized through instructional activities conducted on
19 that day or, if the day is not used for student attendance,
20 on the first school day preceding or following that day;
21 and

22 (2) the entity that chooses to exercise this authority
23 first holds a public hearing about the proposal. The
24 entity shall provide notice preceding the public hearing
25 to both educators and parents. The notice shall set forth
26 the time, date, and place of the hearing, describe the

1 proposal, and indicate that the entity will take testimony
2 from educators and parents about the proposal.

3 (c) Commemorative holidays, which recognize specified
4 patriotic, civic, cultural or historical persons, activities,
5 or events, are regular school days. Commemorative holidays
6 are: January 28 (to be known as Christa McAuliffe Day and
7 observed as a commemoration of space exploration), February 15
8 (the birthday of Susan B. Anthony), March 29 (Viet Nam War
9 Veterans' Day), September 11 (September 11th Day of
10 Remembrance), the school day immediately preceding Veterans'
11 Day (Korean War Veterans' Day), October 1 (Recycling Day),
12 October 7 (Iraq and Afghanistan Veterans Remembrance Day),
13 December 7 (Pearl Harbor Veterans' Day), and any day so
14 appointed by the President or Governor. School boards may
15 establish commemorative holidays whenever in their judgment
16 such action is advisable. School boards shall include
17 instruction relative to commemorated persons, activities, or
18 events on the commemorative holiday or at any other time
19 during the school year and at any point in the curriculum when
20 such instruction may be deemed appropriate. The State Board of
21 Education shall prepare and make available to school boards
22 instructional materials relative to commemorated persons,
23 activities, or events which may be used by school boards in
24 conjunction with any instruction provided pursuant to this
25 paragraph.

26 (d) City of Chicago School District 299 shall observe

1 March 4 of each year as a commemorative holiday. This holiday
2 shall be known as Mayors' Day which shall be a day to
3 commemorate and be reminded of the past Chief Executive
4 Officers of the City of Chicago, and in particular the late
5 Mayor Richard J. Daley and the late Mayor Harold Washington.
6 If March 4 falls on a Saturday or Sunday, Mayors' Day shall be
7 observed on the following Monday.

8 (e) Notwithstanding any other provision of State law to
9 the contrary, November 3, 2020 shall be a State holiday known
10 as 2020 General Election Day and shall be observed throughout
11 the State pursuant to this amendatory Act of the 101st General
12 Assembly. All government offices, with the exception of
13 election authorities, shall be closed unless authorized to be
14 used as a location for election day services or as a polling
15 place.

16 Notwithstanding any other provision of State law to the
17 contrary, November 8, 2022 shall be a State holiday known as
18 2022 General Election Day and shall be observed throughout the
19 State under this amendatory Act of the 102nd General Assembly.

20 (Source: P.A. 101-642, eff. 6-16-20.)

21 (105 ILCS 5/34-210)

22 Sec. 34-210. The Educational Facility Master Plan.

23 (a) In accordance with the schedule set forth in this
24 Article, the chief executive officer or his or her designee
25 shall prepare a 10-year educational facility master plan every

1 5 years, with updates 2 1/2 years after the approval of the
2 initial 10-year plan, with the first such educational facility
3 master plan to be approved on or before October 1, 2013.

4 (b) The educational facility master plan shall provide
5 community area level plans and individual school master plans
6 with options for addressing the facility and space needs for
7 each facility operated by the district over a 10-year period.

8 (c) The data, information, and analysis that shall inform
9 the educational facility master plan shall be published on the
10 district's Internet website and shall include the following:

11 (1) a description of the district's guiding
12 educational goals and standards;

13 (2) a brief description of the types of instructional
14 programs and services delivered in each school, including
15 specific plans for special education programs, early
16 childhood education programs, career and technical
17 education programs, and any other programs that are space
18 sensitive to avoid space irregularities;

19 (3) a description of the process, procedure, and
20 timeline for community participation in the development of
21 the plan;

22 (3.5) A description of a communications and community
23 involvement plan for each community in the City of Chicago
24 that includes the engagement of students, school
25 personnel, parents, and key stakeholders throughout the
26 community and all of the following:

- 1 (A) community action councils;
- 2 (B) local school councils or, if not present,
3 alternative parent and community governance for that
4 school;
- 5 (C) the Chicago Teachers Union; and
- 6 (D) all current principals.
- 7 (4) the enrollment capacity of each school and its
8 rate of enrollment and historical and projected
9 enrollment, and current and projected demographic
10 information for the neighborhood surrounding the district
11 based on census data;
- 12 (5) a report on the assessment of individual building
13 and site conditions;
- 14 (6) a data table with historical and projected
15 enrollment data by school by grade;
- 16 (7) community analysis, including a study of current
17 and projected demographics, land usage, transportation
18 plans, residential housing and commercial development,
19 private schools, plans for water and sewage service
20 expansion or redevelopment, and institutions of higher
21 education;
- 22 (8) an analysis of the facility needs and requirements
23 and a process to address critical facility capital needs
24 of every school building, which shall be publicly
25 available on the district's Internet website for schools
26 and communities to have access to the information;

1 (9) identification of potential sources of funding for
2 the implementation of the Educational Facility Master
3 Plan, including financial options through tax increment
4 financing, property tax levies for schools, and bonds that
5 address critical facility needs; and

6 (10) any school building disposition, including a plan
7 delineating the process through which citizen involvement
8 is facilitated and establishing the criteria that is
9 utilized in building disposition decisions, one of which
10 shall be consideration of the impact of any proposed new
11 use of a school building on the neighborhood in which the
12 school building is located and how it may impact
13 enrollment of schools in that community area.

14 (d) On or before May 1, 2013, the chief executive officer
15 or his or her designee shall prepare and distribute for
16 comment a preliminary draft of the Educational Facility Master
17 Plan. The draft plan shall be distributed to the City of
18 Chicago, the County of Cook, the Chicago Park District, the
19 Chicago Housing Authority, the Chicago Transit Authority,
20 attendance centers operated by the district, and charter
21 schools operating within the district. Each attendance center
22 shall make the draft plan available to the local school
23 council at the annual organizational meeting or to an
24 alternative advisory body and to the parents, guardians, and
25 staff of the school. The draft plan also shall be distributed
26 to each State Senator and State Representative with a district

1 in the City of Chicago, to the Mayor of the City of Chicago,
2 and to each alderperson ~~alderman~~ of the City.

3 (e) The chief executive or his or her designee shall
4 publish a procedure for conducting regional public hearings
5 and submitting public comments on the draft plan and an annual
6 capital improvement hearing that shall discuss the district's
7 annual capital budget and that is not in conjunction with
8 operating budget hearings.

9 (f) After consideration of public input on the draft plan,
10 the chief executive officer or his or her designee shall
11 prepare and publish a report describing the public input
12 gathered and the process used to incorporate public input in
13 the development of the final plan to be recommended to the
14 Board.

15 (g) The chief executive officer shall present the final
16 plan and report to the Board for final consideration and
17 approval.

18 (h) The final approved Educational Facility Master Plan
19 shall be published on the district's website.

20 (i) No later than July 1, 2016, and every 5 years
21 thereafter, the chief executive officer or his or her designee
22 shall prepare and submit for public comment a draft revised
23 Educational Facility Master Plan following the procedures
24 required for development of the original plan.

25 (j) This proposed revised plan shall reflect the progress
26 achieved during the first 2 1/2 years of the Educational

1 Facility Master Plan.

2 (k) On or before December 1, 2018, the Board shall adopt a
3 policy to address under-enrolled schools. The policy must
4 contain a list of potential interventions to address schools
5 with declining enrollment, including, but not limited to,
6 action by the district to: (i) create a request for proposals
7 for joint use of the school with an intergovernmental rental
8 or other outside entity rental, (ii) except for a charter
9 school, cease any potential plans for school expansion that
10 may negatively impact enrollment at the under-enrolled school,
11 (iii) redraft attendance boundaries to maximize enrollment of
12 additional students, or (iv) work with under-enrolled schools
13 to identify opportunities to increase enrollment and lower the
14 costs of occupancy through joint use agreements.

15 (Source: P.A. 99-531, eff. 7-8-16; 100-965, eff. 8-19-18.)

16 (105 ILCS 5/34-230)

17 Sec. 34-230. School action public meetings and hearings.

18 (a) By October 1 of each year, the chief executive officer
19 shall prepare and publish guidelines for school actions. The
20 guidelines shall outline the academic and non-academic
21 criteria for a school action. These guidelines shall be
22 created with the involvement of local school councils,
23 parents, educators, and community organizations. These
24 guidelines, and each subsequent revision, shall be subject to
25 a public comment period of at least 21 days before their

1 approval.

2 (b) The chief executive officer shall announce all
3 proposed school actions to be taken at the close of the current
4 academic year consistent with the guidelines by December 1 of
5 each year.

6 (c) On or before December 1 of each year, the chief
7 executive officer shall publish notice of the proposed school
8 actions.

9 (1) Notice of the proposal for a school action shall
10 include a written statement of the basis for the school
11 action, an explanation of how the school action meets the
12 criteria set forth in the guidelines, and a draft School
13 Transition Plan identifying the items required in Section
14 34-225 of this Code for all schools affected by the school
15 action. The notice shall state the date, time, and place
16 of the hearing or meeting. For a school closure only, 8
17 months after notice is given, the chief executive officer
18 must publish on the district's website a full financial
19 report on the closure that includes an analysis of the
20 closure's costs and benefits to the district.

21 (2) The chief executive officer or his or her designee
22 shall provide notice to the principal, staff, local school
23 council, and parents or guardians of any school that is
24 subject to the proposed school action.

25 (3) The chief executive officer shall provide written
26 notice of any proposed school action to the State Senator,

1 State Representative, and alderperson ~~alderman~~ for the
2 school or schools that are subject to the proposed school
3 action.

4 (4) The chief executive officer shall publish notice
5 of proposed school actions on the district's Internet
6 website.

7 (5) The chief executive officer shall provide notice
8 of proposed school actions at least 30 calendar days in
9 advance of a public hearing or meeting. The notice shall
10 state the date, time, and place of the hearing or meeting.
11 No Board decision regarding a proposed school action may
12 take place less than 60 days after the announcement of the
13 proposed school action.

14 (d) The chief executive officer shall publish a brief
15 summary of the proposed school actions and the date, time, and
16 place of the hearings or meetings in a newspaper of general
17 circulation.

18 (e) The chief executive officer shall designate at least 3
19 opportunities to elicit public comment at a hearing or meeting
20 on a proposed school action and shall do the following:

21 (1) Convene at least one public hearing at the
22 centrally located office of the Board.

23 (2) Convene at least 2 additional public hearings or
24 meetings at a location convenient to the school community
25 subject to the proposed school action.

26 (f) Public hearings shall be conducted by a qualified

1 independent hearing officer chosen from a list of independent
2 hearing officers. The general counsel shall compile and
3 publish a list of independent hearing officers by November 1
4 of each school year. The independent hearing officer shall
5 have the following qualifications:

6 (1) he or she must be a licensed attorney eligible to
7 practice law in Illinois;

8 (2) he or she must not be an employee of the Board; and

9 (3) he or she must not have represented the Board, its
10 employees or any labor organization representing its
11 employees, any local school council, or any charter or
12 contract school in any capacity within the last year.

13 The independent hearing officer shall issue a written
14 report that summarizes the hearing and determines whether the
15 chief executive officer complied with the requirements of this
16 Section and the guidelines.

17 The chief executive officer shall publish the report on
18 the district's Internet website within 5 calendar days after
19 receiving the report and at least 15 days prior to any Board
20 action being taken.

21 (g) Public meetings shall be conducted by a representative
22 of the chief executive officer. A summary of the public
23 meeting shall be published on the district's Internet website
24 within 5 calendar days after the meeting.

25 (h) If the chief executive officer proposes a school
26 action without following the mandates set forth in this

1 Section, the proposed school action shall not be approved by
2 the Board during the school year in which the school action was
3 proposed.

4 (Source: P.A. 101-133, eff. 7-26-19.)

5 (105 ILCS 5/34-235)

6 (Text of Section from P.A. 97-473)

7 Sec. 34-235. Emergencies. Nothing in Sections 34-200
8 through 34-235 of this Code prevents the district from taking
9 emergency action to protect the health and safety of students
10 and staff in an attendance center. In the event of an emergency
11 that requires the district to close all or part of a school
12 facility, including compliance with a directive of a duly
13 authorized public safety agency, the chief executive officer
14 or his or her designees are authorized to take all steps
15 necessary to protect the safety of students and staff,
16 including relocation of the attendance center to another
17 location or closing the attendance center. In such cases, the
18 chief executive officer shall provide written notice of the
19 basis for the emergency action within 3 days after declaring
20 the emergency and shall publish the steps that have been taken
21 or will be taken to address the emergency within 10 days after
22 declaring the emergency. The notice shall be posted on the
23 district's website and provided to the principal, the local
24 school council, and the State Senator, the State
25 Representative, and the alderperson ~~Alderman~~ of the school

1 that is the subject of the emergency action. The notice shall
2 explain why the district could not comply with the provisions
3 in Sections 34-200 through 34-235 of this Code.

4 (Source: P.A. 97-473, eff. 1-1-12.)

5 (Text of Section from P.A. 97-474)

6 Sec. 34-235. Emergencies. Nothing in Sections 34-200
7 through 34-235 of this Code prevents the district from taking
8 emergency action to protect the health and safety of students
9 and staff in an attendance center. In the event of an emergency
10 that requires the district to close all or part of a school
11 facility, including compliance with a directive of a duly
12 authorized public safety agency, the chief executive officer
13 or his or her designees are authorized to take all steps
14 necessary to protect the safety of students and staff,
15 including relocation of the attendance center to another
16 location or closing the attendance center. In such cases, the
17 chief executive officer shall provide written notice of the
18 basis for the emergency action within 3 days after declaring
19 the emergency and shall publish the steps that have been taken
20 or will be taken to address the emergency within 10 days after
21 declaring the emergency. The notice shall be posted on the
22 district's website and provided to the principal, the local
23 school council, and the State Senator, the State
24 Representative, and the alderperson ~~alderman~~ of the school
25 that is the subject of the emergency action. The notice shall

1 explain why the district could not comply with the provisions
2 in Sections 34-200 through 34-235 of this Code.

3 (Source: P.A. 97-474, eff. 8-22-11.)

4 Section 85. The State Universities Civil Service Act is
5 amended by changing Section 45a as follows:

6 (110 ILCS 70/45a) (from Ch. 24 1/2, par. 381.1)

7 Sec. 45a. Except as provided in the second sentence of
8 this Section, all officers and employees subject to this Act,
9 shall have the following days as holidays, for which they
10 shall receive their usual compensation: New Year's Day,
11 January 1, Memorial Day, as determined by the law of the State
12 of Illinois, Independence Day, July 4, Labor Day, the first
13 Monday in September, Thanksgiving Day, the fourth Thursday of
14 November, Christmas Day, December 25, and five holidays to be
15 designated by each college, university, agency and community
16 college subject to this Act. Craft and trade employees subject
17 to this Act shall be paid for all paid holidays included in
18 their area agreement, and will be paid for all five holidays
19 designated by their employer pursuant to this section.

20 Notwithstanding any other provision of State law to the
21 contrary, November 3, 2020 shall be a State holiday known as
22 2020 General Election Day and shall be observed throughout the
23 State pursuant to this amendatory Act of the 101st General
24 Assembly. All government offices, with the exception of

1 election authorities, shall be closed unless authorized to be
2 used as a location for election day services or as a polling
3 place.

4 Notwithstanding any other provision of State law to the
5 contrary, November 8, 2022 shall be a State holiday known as
6 2022 General Election Day and shall be observed throughout the
7 State under this amendatory Act of the 102nd General Assembly.

8 (Source: P.A. 101-642, eff. 6-16-20.)

9 Section 90. The Liquor Control Act of 1934 is amended by
10 changing Sections 4-1, 6-2, and 6-11 as follows:

11 (235 ILCS 5/4-1) (from Ch. 43, par. 110)

12 Sec. 4-1. In every city, village or incorporated town, the
13 city council or president and board of trustees, and in
14 counties in respect of territory outside the limits of any
15 such city, village or incorporated town the county board shall
16 have the power by general ordinance or resolution to determine
17 the number, kind and classification of licenses, for sale at
18 retail of alcoholic liquor not inconsistent with this Act and
19 the amount of the local licensee fees to be paid for the
20 various kinds of licenses to be issued in their political
21 subdivision, except those issued to the specific non-beverage
22 users exempt from payment of license fees under Section 5-3
23 which shall be issued without payment of any local license
24 fees, and the manner of distribution of such fees after their

1 collection; to regulate or prohibit the presence of persons
2 under the age of 21 on the premises of licensed retail
3 establishments of various kinds and classifications where
4 alcoholic liquor is drawn, poured, mixed or otherwise served
5 for consumption on the premises; to prohibit any minor from
6 drawing, pouring, or mixing any alcoholic liquor as an
7 employee of any retail licensee; and to prohibit any minor
8 from at any time attending any bar and from drawing, pouring or
9 mixing any alcoholic liquor in any licensed retail premises;
10 and to establish such further regulations and restrictions
11 upon the issuance of and operations under local licenses not
12 inconsistent with law as the public good and convenience may
13 require; and to provide penalties for the violation of
14 regulations and restrictions, including those made by county
15 boards, relative to operation under local licenses; provided,
16 however, that in the exercise of any of the powers granted in
17 this section, the issuance of such licenses shall not be
18 prohibited except for reasons specifically enumerated in
19 Sections 6-2, 6-11, 6-12 and 6-25 of this Act.

20 However, in any municipality with a population exceeding
21 1,000,000 that has adopted the form of government authorized
22 under "An Act concerning cities, villages, and incorporated
23 towns, and to repeal certain Acts herein named", approved
24 August 15, 1941, as amended, no person shall be granted any
25 license or privilege to sell alcoholic liquors between the
26 hours of two o'clock a.m. and seven o'clock a.m. on week days

1 unless such person has given at least 14 days prior written
2 notice to the alderperson ~~alderman~~ of the ward in which such
3 person's licensed premises are located stating his intention
4 to make application for such license or privilege and unless
5 evidence confirming service of such written notice is included
6 in such application. Any license or privilege granted in
7 violation of this paragraph shall be null and void.

8 (Source: P.A. 99-46, eff. 7-15-15.)

9 (235 ILCS 5/6-2) (from Ch. 43, par. 120)

10 Sec. 6-2. Issuance of licenses to certain persons
11 prohibited.

12 (a) Except as otherwise provided in subsection (b) of this
13 Section and in paragraph (1) of subsection (a) of Section
14 3-12, no license of any kind issued by the State Commission or
15 any local commission shall be issued to:

16 (1) A person who is not a resident of any city, village
17 or county in which the premises covered by the license are
18 located; except in case of railroad or boat licenses.

19 (2) A person who is not of good character and
20 reputation in the community in which he resides.

21 (3) (Blank).

22 (4) A person who has been convicted of a felony under
23 any Federal or State law, unless the Commission determines
24 that such person will not be impaired by the conviction in
25 engaging in the licensed practice after considering

1 matters set forth in such person's application in
2 accordance with Section 6-2.5 of this Act and the
3 Commission's investigation.

4 (5) A person who has been convicted of keeping a place
5 of prostitution or keeping a place of juvenile
6 prostitution, promoting prostitution that involves keeping
7 a place of prostitution, or promoting juvenile
8 prostitution that involves keeping a place of juvenile
9 prostitution.

10 (6) A person who has been convicted of pandering.

11 (7) A person whose license issued under this Act has
12 been revoked for cause.

13 (8) A person who at the time of application for
14 renewal of any license issued hereunder would not be
15 eligible for such license upon a first application.

16 (9) A copartnership, if any general partnership
17 thereof, or any limited partnership thereof, owning more
18 than 5% of the aggregate limited partner interest in such
19 copartnership would not be eligible to receive a license
20 hereunder for any reason other than residence within the
21 political subdivision, unless residency is required by
22 local ordinance.

23 (10) A corporation or limited liability company, if
24 any member, officer, manager or director thereof, or any
25 stockholder or stockholders owning in the aggregate more
26 than 5% of the stock of such corporation, would not be

1 eligible to receive a license hereunder for any reason
2 other than residence within the political subdivision.

3 (10a) A corporation or limited liability company
4 unless it is incorporated or organized in Illinois, or
5 unless it is a foreign corporation or foreign limited
6 liability company which is qualified under the Business
7 Corporation Act of 1983 or the Limited Liability Company
8 Act to transact business in Illinois. The Commission shall
9 permit and accept from an applicant for a license under
10 this Act proof prepared from the Secretary of State's
11 website that the corporation or limited liability company
12 is in good standing and is qualified under the Business
13 Corporation Act of 1983 or the Limited Liability Company
14 Act to transact business in Illinois.

15 (11) A person whose place of business is conducted by
16 a manager or agent unless the manager or agent possesses
17 the same qualifications required by the licensee.

18 (12) A person who has been convicted of a violation of
19 any Federal or State law concerning the manufacture,
20 possession or sale of alcoholic liquor, subsequent to the
21 passage of this Act or has forfeited his bond to appear in
22 court to answer charges for any such violation, unless the
23 Commission determines, in accordance with Section 6-2.5 of
24 this Act, that the person will not be impaired by the
25 conviction in engaging in the licensed practice.

26 (13) A person who does not beneficially own the

1 premises for which a license is sought, or does not have a
2 lease thereon for the full period for which the license is
3 to be issued.

4 (14) Any law enforcing public official, including
5 members of local liquor control commissions, any mayor,
6 alderperson ~~alderman~~, or member of the city council or
7 commission, any president of the village board of
8 trustees, any member of a village board of trustees, or
9 any president or member of a county board; and no such
10 official shall have a direct interest in the manufacture,
11 sale, or distribution of alcoholic liquor, except that a
12 license may be granted to such official in relation to
13 premises that are not located within the territory subject
14 to the jurisdiction of that official if the issuance of
15 such license is approved by the State Liquor Control
16 Commission and except that a license may be granted, in a
17 city or village with a population of 55,000 or less, to any
18 alderperson ~~alderman~~, member of a city council, or member
19 of a village board of trustees in relation to premises
20 that are located within the territory subject to the
21 jurisdiction of that official if (i) the sale of alcoholic
22 liquor pursuant to the license is incidental to the
23 selling of food, (ii) the issuance of the license is
24 approved by the State Commission, (iii) the issuance of
25 the license is in accordance with all applicable local
26 ordinances in effect where the premises are located, and

1 (iv) the official granted a license does not vote on
2 alcoholic liquor issues pending before the board or
3 council to which the license holder is elected.
4 Notwithstanding any provision of this paragraph (14) to
5 the contrary, an alderperson ~~alderman~~ or member of a city
6 council or commission, a member of a village board of
7 trustees other than the president of the village board of
8 trustees, or a member of a county board other than the
9 president of a county board may have a direct interest in
10 the manufacture, sale, or distribution of alcoholic liquor
11 as long as he or she is not a law enforcing public
12 official, a mayor, a village board president, or president
13 of a county board. To prevent any conflict of interest,
14 the elected official with the direct interest in the
15 manufacture, sale, or distribution of alcoholic liquor
16 shall not participate in any meetings, hearings, or
17 decisions on matters impacting the manufacture, sale, or
18 distribution of alcoholic liquor. Furthermore, the mayor
19 of a city with a population of 55,000 or less or the
20 president of a village with a population of 55,000 or less
21 may have an interest in the manufacture, sale, or
22 distribution of alcoholic liquor as long as the council or
23 board over which he or she presides has made a local liquor
24 control commissioner appointment that complies with the
25 requirements of Section 4-2 of this Act.

26 (15) A person who is not a beneficial owner of the

1 business to be operated by the licensee.

2 (16) A person who has been convicted of a gambling
3 offense as proscribed by any of subsections (a) (3)
4 through (a) (11) of Section 28-1 of, or as proscribed by
5 Section 28-1.1 or 28-3 of, the Criminal Code of 1961 or the
6 Criminal Code of 2012, or as proscribed by a statute
7 replaced by any of the aforesaid statutory provisions.

8 (17) A person or entity to whom a federal wagering
9 stamp has been issued by the federal government, unless
10 the person or entity is eligible to be issued a license
11 under the Raffles and Poker Runs Act or the Illinois Pull
12 Tabs and Jar Games Act.

13 (18) A person who intends to sell alcoholic liquors
14 for use or consumption on his or her licensed retail
15 premises who does not have liquor liability insurance
16 coverage for that premises in an amount that is at least
17 equal to the maximum liability amounts set out in
18 subsection (a) of Section 6-21.

19 (19) A person who is licensed by any licensing
20 authority as a manufacturer of beer, or any partnership,
21 corporation, limited liability company, or trust or any
22 subsidiary, affiliate, or agent thereof, or any other form
23 of business enterprise licensed as a manufacturer of beer,
24 having any legal, equitable, or beneficial interest,
25 directly or indirectly, in a person licensed in this State
26 as a distributor or importing distributor. For purposes of

1 this paragraph (19), a person who is licensed by any
2 licensing authority as a "manufacturer of beer" shall also
3 mean a brewer and a non-resident dealer who is also a
4 manufacturer of beer, including a partnership,
5 corporation, limited liability company, or trust or any
6 subsidiary, affiliate, or agent thereof, or any other form
7 of business enterprise licensed as a manufacturer of beer.

8 (20) A person who is licensed in this State as a
9 distributor or importing distributor, or any partnership,
10 corporation, limited liability company, or trust or any
11 subsidiary, affiliate, or agent thereof, or any other form
12 of business enterprise licensed in this State as a
13 distributor or importing distributor having any legal,
14 equitable, or beneficial interest, directly or indirectly,
15 in a person licensed as a manufacturer of beer by any
16 licensing authority, or any partnership, corporation,
17 limited liability company, or trust or any subsidiary,
18 affiliate, or agent thereof, or any other form of business
19 enterprise, except for a person who owns, on or after the
20 effective date of this amendatory Act of the 98th General
21 Assembly, no more than 5% of the outstanding shares of a
22 manufacturer of beer whose shares are publicly traded on
23 an exchange within the meaning of the Securities Exchange
24 Act of 1934. For the purposes of this paragraph (20), a
25 person who is licensed by any licensing authority as a
26 "manufacturer of beer" shall also mean a brewer and a

1 non-resident dealer who is also a manufacturer of beer,
2 including a partnership, corporation, limited liability
3 company, or trust or any subsidiary, affiliate, or agent
4 thereof, or any other form of business enterprise licensed
5 as a manufacturer of beer.

6 (b) A criminal conviction of a corporation is not grounds
7 for the denial, suspension, or revocation of a license applied
8 for or held by the corporation if the criminal conviction was
9 not the result of a violation of any federal or State law
10 concerning the manufacture, possession or sale of alcoholic
11 liquor, the offense that led to the conviction did not result
12 in any financial gain to the corporation and the corporation
13 has terminated its relationship with each director, officer,
14 employee, or controlling shareholder whose actions directly
15 contributed to the conviction of the corporation. The
16 Commission shall determine if all provisions of this
17 subsection (b) have been met before any action on the
18 corporation's license is initiated.

19 (Source: P.A. 100-286, eff. 1-1-18; 101-541, eff. 8-23-19.)

20 (235 ILCS 5/6-11)

21 Sec. 6-11. Sale near churches, schools, and hospitals.

22 (a) No license shall be issued for the sale at retail of
23 any alcoholic liquor within 100 feet of any church, school
24 other than an institution of higher learning, hospital, home
25 for aged or indigent persons or for veterans, their spouses or

1 children or any military or naval station, provided, that this
2 prohibition shall not apply to hotels offering restaurant
3 service, regularly organized clubs, or to restaurants, food
4 shops or other places where sale of alcoholic liquors is not
5 the principal business carried on if the place of business so
6 exempted is not located in a municipality of more than 500,000
7 persons, unless required by local ordinance; nor to the
8 renewal of a license for the sale at retail of alcoholic liquor
9 on premises within 100 feet of any church or school where the
10 church or school has been established within such 100 feet
11 since the issuance of the original license. In the case of a
12 church, the distance of 100 feet shall be measured to the
13 nearest part of any building used for worship services or
14 educational programs and not to property boundaries.

15 (a-5) Notwithstanding any provision of this Section to the
16 contrary, a local liquor control commissioner may grant an
17 exemption to the prohibition in subsection (a) of this Section
18 if a local rule or ordinance authorizes the local liquor
19 control commissioner to grant that exemption.

20 (b) Nothing in this Section shall prohibit the issuance of
21 a retail license authorizing the sale of alcoholic liquor to a
22 restaurant, the primary business of which is the sale of goods
23 baked on the premises if (i) the restaurant is newly
24 constructed and located on a lot of not less than 10,000 square
25 feet, (ii) the restaurant costs at least \$1,000,000 to
26 construct, (iii) the licensee is the titleholder to the

1 premises and resides on the premises, and (iv) the
2 construction of the restaurant is completed within 18 months
3 of July 10, 1998 (the effective date of Public Act 90-617).

4 (c) Nothing in this Section shall prohibit the issuance of
5 a retail license authorizing the sale of alcoholic liquor
6 incidental to a restaurant if (1) the primary business of the
7 restaurant consists of the sale of food where the sale of
8 liquor is incidental to the sale of food and the applicant is a
9 completely new owner of the restaurant, (2) the immediately
10 prior owner or operator of the premises where the restaurant
11 is located operated the premises as a restaurant and held a
12 valid retail license authorizing the sale of alcoholic liquor
13 at the restaurant for at least part of the 24 months before the
14 change of ownership, and (3) the restaurant is located 75 or
15 more feet from a school.

16 (d) In the interest of further developing Illinois'
17 economy in the area of commerce, tourism, convention, and
18 banquet business, nothing in this Section shall prohibit
19 issuance of a retail license authorizing the sale of alcoholic
20 beverages to a restaurant, banquet facility, grocery store, or
21 hotel having not fewer than 150 guest room accommodations
22 located in a municipality of more than 500,000 persons,
23 notwithstanding the proximity of such hotel, restaurant,
24 banquet facility, or grocery store to any church or school, if
25 the licensed premises described on the license are located
26 within an enclosed mall or building of a height of at least 6

1 stories, or 60 feet in the case of a building that has been
2 registered as a national landmark, or in a grocery store
3 having a minimum of 56,010 square feet of floor space in a
4 single story building in an open mall of at least 3.96 acres
5 that is adjacent to a public school that opened as a boys
6 technical high school in 1934, or in a grocery store having a
7 minimum of 31,000 square feet of floor space in a single story
8 building located a distance of more than 90 feet but less than
9 100 feet from a high school that opened in 1928 as a junior
10 high school and became a senior high school in 1933, and in
11 each of these cases if the sale of alcoholic liquors is not the
12 principal business carried on by the licensee.

13 For purposes of this Section, a "banquet facility" is any
14 part of a building that caters to private parties and where the
15 sale of alcoholic liquors is not the principal business.

16 (e) Nothing in this Section shall prohibit the issuance of
17 a license to a church or private school to sell at retail
18 alcoholic liquor if any such sales are limited to periods when
19 groups are assembled on the premises solely for the promotion
20 of some common object other than the sale or consumption of
21 alcoholic liquors.

22 (f) Nothing in this Section shall prohibit a church or
23 church affiliated school located in a home rule municipality
24 or in a municipality with 75,000 or more inhabitants from
25 locating within 100 feet of a property for which there is a
26 preexisting license to sell alcoholic liquor at retail. In

1 these instances, the local zoning authority may, by ordinance
2 adopted simultaneously with the granting of an initial special
3 use zoning permit for the church or church affiliated school,
4 provide that the 100-foot restriction in this Section shall
5 not apply to that church or church affiliated school and
6 future retail liquor licenses.

7 (g) Nothing in this Section shall prohibit the issuance of
8 a retail license authorizing the sale of alcoholic liquor at
9 premises within 100 feet, but not less than 90 feet, of a
10 public school if (1) the premises have been continuously
11 licensed to sell alcoholic liquor for a period of at least 50
12 years, (2) the premises are located in a municipality having a
13 population of over 500,000 inhabitants, (3) the licensee is an
14 individual who is a member of a family that has held the
15 previous 3 licenses for that location for more than 25 years,
16 (4) the principal of the school and the alderperson ~~alderman~~
17 of the ward in which the school is located have delivered a
18 written statement to the local liquor control commissioner
19 stating that they do not object to the issuance of a license
20 under this subsection (g), and (5) the local liquor control
21 commissioner has received the written consent of a majority of
22 the registered voters who live within 200 feet of the
23 premises.

24 (h) Notwithstanding any provision of this Section to the
25 contrary, nothing in this Section shall prohibit the issuance
26 or renewal of a license authorizing the sale of alcoholic

1 liquor within premises and at an outdoor patio area attached
2 to premises that are located in a municipality with a
3 population in excess of 300,000 inhabitants and that are
4 within 100 feet of a church if:

5 (1) the sale of alcoholic liquor at the premises is
6 incidental to the sale of food,

7 (2) the sale of liquor is not the principal business
8 carried on by the licensee at the premises,

9 (3) the premises are less than 1,000 square feet,

10 (4) the premises are owned by the University of
11 Illinois,

12 (5) the premises are immediately adjacent to property
13 owned by a church and are not less than 20 nor more than 40
14 feet from the church space used for worship services, and

15 (6) the principal religious leader at the place of
16 worship has indicated his or her support for the issuance
17 of the license in writing.

18 (i) Notwithstanding any provision in this Section to the
19 contrary, nothing in this Section shall prohibit the issuance
20 or renewal of a license to sell alcoholic liquor at a premises
21 that is located within a municipality with a population in
22 excess of 300,000 inhabitants and is within 100 feet of a
23 church, synagogue, or other place of worship if:

24 (1) the primary entrance of the premises and the
25 primary entrance of the church, synagogue, or other place
26 of worship are at least 100 feet apart, on parallel

1 streets, and separated by an alley; and

2 (2) the principal religious leader at the place of
3 worship has not indicated his or her opposition to the
4 issuance or renewal of the license in writing.

5 (j) Notwithstanding any provision in this Section to the
6 contrary, nothing in this Section shall prohibit the issuance
7 of a retail license authorizing the sale of alcoholic liquor
8 at a theater that is within 100 feet of a church if (1) the
9 church owns the theater, (2) the church leases the theater to
10 one or more entities, and (3) the theater is used by at least 5
11 different not-for-profit theater groups.

12 (k) Notwithstanding any provision in this Section to the
13 contrary, nothing in this Section shall prohibit the issuance
14 or renewal of a license authorizing the sale of alcoholic
15 liquor at a premises that is located within a municipality
16 with a population in excess of 1,000,000 inhabitants and is
17 within 100 feet of a school if:

18 (1) the primary entrance of the premises and the
19 primary entrance of the school are parallel, on different
20 streets, and separated by an alley;

21 (2) the southeast corner of the premises are at least
22 350 feet from the southwest corner of the school;

23 (3) the school was built in 1978;

24 (4) the sale of alcoholic liquor at the premises is
25 incidental to the sale of food;

26 (5) the sale of alcoholic liquor is not the principal

1 business carried on by the licensee at the premises;

2 (6) the applicant is the owner of the restaurant and
3 has held a valid license authorizing the sale of alcoholic
4 liquor for the business to be conducted on the premises at
5 a different location for more than 7 years; and

6 (7) the premises is at least 2,300 square feet and
7 sits on a lot that is between 6,100 and 6,150 square feet.

8 (1) Notwithstanding any provision in this Section to the
9 contrary, nothing in this Section shall prohibit the issuance
10 or renewal of a license authorizing the sale of alcoholic
11 liquor at a premises that is located within a municipality
12 with a population in excess of 1,000,000 inhabitants and is
13 within 100 feet of a church or school if:

14 (1) the primary entrance of the premises and the
15 closest entrance of the church or school is at least 90
16 feet apart and no greater than 95 feet apart;

17 (2) the shortest distance between the premises and the
18 church or school is at least 80 feet apart and no greater
19 than 85 feet apart;

20 (3) the applicant is the owner of the restaurant and
21 on November 15, 2006 held a valid license authorizing the
22 sale of alcoholic liquor for the business to be conducted
23 on the premises for at least 14 different locations;

24 (4) the sale of alcoholic liquor at the premises is
25 incidental to the sale of food;

26 (5) the sale of alcoholic liquor is not the principal

1 business carried on by the licensee at the premises;

2 (6) the premises is at least 3,200 square feet and
3 sits on a lot that is between 7,150 and 7,200 square feet;
4 and

5 (7) the principal religious leader at the place of
6 worship has not indicated his or her opposition to the
7 issuance or renewal of the license in writing.

8 (m) Notwithstanding any provision in this Section to the
9 contrary, nothing in this Section shall prohibit the issuance
10 or renewal of a license authorizing the sale of alcoholic
11 liquor at a premises that is located within a municipality
12 with a population in excess of 1,000,000 inhabitants and is
13 within 100 feet of a church if:

14 (1) the premises and the church are perpendicular, and
15 the primary entrance of the premises faces South while the
16 primary entrance of the church faces West and the distance
17 between the two entrances is more than 100 feet;

18 (2) the shortest distance between the premises lot
19 line and the exterior wall of the church is at least 80
20 feet;

21 (3) the church was established at the current location
22 in 1916 and the present structure was erected in 1925;

23 (4) the premises is a single story, single use
24 building with at least 1,750 square feet and no more than
25 2,000 square feet;

26 (5) the sale of alcoholic liquor at the premises is

1 incidental to the sale of food;

2 (6) the sale of alcoholic liquor is not the principal
3 business carried on by the licensee at the premises; and

4 (7) the principal religious leader at the place of
5 worship has not indicated his or her opposition to the
6 issuance or renewal of the license in writing.

7 (n) Notwithstanding any provision in this Section to the
8 contrary, nothing in this Section shall prohibit the issuance
9 or renewal of a license authorizing the sale of alcoholic
10 liquor at a premises that is located within a municipality
11 with a population in excess of 1,000,000 inhabitants and is
12 within 100 feet of a school if:

13 (1) the school is a City of Chicago School District
14 299 school;

15 (2) the school is located within subarea E of City of
16 Chicago Residential Business Planned Development Number
17 70;

18 (3) the sale of alcoholic liquor is not the principal
19 business carried on by the licensee on the premises;

20 (4) the sale of alcoholic liquor at the premises is
21 incidental to the sale of food; and

22 (5) the administration of City of Chicago School
23 District 299 has expressed, in writing, its support for
24 the issuance of the license.

25 (o) Notwithstanding any provision of this Section to the
26 contrary, nothing in this Section shall prohibit the issuance

1 or renewal of a retail license authorizing the sale of
2 alcoholic liquor at a premises that is located within a
3 municipality in excess of 1,000,000 inhabitants and within 100
4 feet of a church if:

5 (1) the sale of alcoholic liquor at the premises is
6 incidental to the sale of food;

7 (2) the sale of alcoholic liquor is not the principal
8 business carried on by the licensee at the premises;

9 (3) the premises is located on a street that runs
10 perpendicular to the street on which the church is
11 located;

12 (4) the primary entrance of the premises is at least
13 100 feet from the primary entrance of the church;

14 (5) the shortest distance between any part of the
15 premises and any part of the church is at least 60 feet;

16 (6) the premises is between 3,600 and 4,000 square
17 feet and sits on a lot that is between 3,600 and 4,000
18 square feet; and

19 (7) the premises was built in the year 1909.

20 For purposes of this subsection (o), "premises" means a
21 place of business together with a privately owned outdoor
22 location that is adjacent to the place of business.

23 (p) Notwithstanding any provision in this Section to the
24 contrary, nothing in this Section shall prohibit the issuance
25 or renewal of a license authorizing the sale of alcoholic
26 liquor at a premises that is located within a municipality

1 with a population in excess of 1,000,000 inhabitants and
2 within 100 feet of a church if:

3 (1) the shortest distance between the backdoor of the
4 premises, which is used as an emergency exit, and the
5 church is at least 80 feet;

6 (2) the church was established at the current location
7 in 1889; and

8 (3) liquor has been sold on the premises since at
9 least 1985.

10 (q) Notwithstanding any provision of this Section to the
11 contrary, nothing in this Section shall prohibit the issuance
12 or renewal of a license authorizing the sale of alcoholic
13 liquor within a premises that is located in a municipality
14 with a population in excess of 1,000,000 inhabitants and
15 within 100 feet of a church-owned property if:

16 (1) the premises is located within a larger building
17 operated as a grocery store;

18 (2) the area of the premises does not exceed 720
19 square feet and the area of the larger building exceeds
20 18,000 square feet;

21 (3) the larger building containing the premises is
22 within 100 feet of the nearest property line of a
23 church-owned property on which a church-affiliated school
24 is located;

25 (4) the sale of liquor is not the principal business
26 carried on within the larger building;

1 (5) the primary entrance of the larger building and
2 the premises and the primary entrance of the
3 church-affiliated school are on different, parallel
4 streets, and the distance between the 2 primary entrances
5 is more than 100 feet;

6 (6) the larger building is separated from the
7 church-owned property and church-affiliated school by an
8 alley;

9 (7) the larger building containing the premises and
10 the church building front are on perpendicular streets and
11 are separated by a street; and

12 (8) (Blank).

13 (r) Notwithstanding any provision of this Section to the
14 contrary, nothing in this Section shall prohibit the issuance,
15 renewal, or maintenance of a license authorizing the sale of
16 alcoholic liquor incidental to the sale of food within a
17 restaurant established in a premises that is located in a
18 municipality with a population in excess of 1,000,000
19 inhabitants and within 100 feet of a church if:

20 (1) the primary entrance of the church and the primary
21 entrance of the restaurant are at least 100 feet apart;

22 (2) the restaurant has operated on the ground floor
23 and lower level of a multi-story, multi-use building for
24 more than 40 years;

25 (3) the primary business of the restaurant consists of
26 the sale of food where the sale of liquor is incidental to

1 the sale of food;

2 (4) the sale of alcoholic liquor is conducted
3 primarily in the below-grade level of the restaurant to
4 which the only public access is by a staircase located
5 inside the restaurant; and

6 (5) the restaurant has held a license authorizing the
7 sale of alcoholic liquor on the premises for more than 40
8 years.

9 (s) Notwithstanding any provision of this Section to the
10 contrary, nothing in this Section shall prohibit renewal of a
11 license authorizing the sale of alcoholic liquor at a premises
12 that is located within a municipality with a population more
13 than 5,000 and less than 10,000 and is within 100 feet of a
14 church if:

15 (1) the church was established at the location within
16 100 feet of the premises after a license for the sale of
17 alcoholic liquor at the premises was first issued;

18 (2) a license for sale of alcoholic liquor at the
19 premises was first issued before January 1, 2007; and

20 (3) a license for the sale of alcoholic liquor on the
21 premises has been continuously in effect since January 1,
22 2007, except for interruptions between licenses of no more
23 than 90 days.

24 (t) Notwithstanding any provision of this Section to the
25 contrary, nothing in this Section shall prohibit the issuance
26 or renewal of a license authorizing the sale of alcoholic

1 liquor incidental to the sale of food within a restaurant that
2 is established in a premises that is located in a municipality
3 with a population in excess of 1,000,000 inhabitants and
4 within 100 feet of a school and a church if:

5 (1) the restaurant is located inside a five-story
6 building with over 16,800 square feet of commercial space;

7 (2) the area of the premises does not exceed 31,050
8 square feet;

9 (3) the area of the restaurant does not exceed 5,800
10 square feet;

11 (4) the building has no less than 78 condominium
12 units;

13 (5) the construction of the building in which the
14 restaurant is located was completed in 2006;

15 (6) the building has 10 storefront properties, 3 of
16 which are used for the restaurant;

17 (7) the restaurant will open for business in 2010;

18 (8) the building is north of the school and separated
19 by an alley; and

20 (9) the principal religious leader of the church and
21 either the alderperson ~~alderman~~ of the ward in which the
22 school is located or the principal of the school have
23 delivered a written statement to the local liquor control
24 commissioner stating that he or she does not object to the
25 issuance of a license under this subsection (t).

26 (u) Notwithstanding any provision in this Section to the

1 contrary, nothing in this Section shall prohibit the issuance
2 or renewal of a license to sell alcoholic liquor at a premises
3 that is located within a municipality with a population in
4 excess of 1,000,000 inhabitants and within 100 feet of a
5 school if:

6 (1) the premises operates as a restaurant and has been
7 in operation since February 2008;

8 (2) the applicant is the owner of the premises;

9 (3) the sale of alcoholic liquor is incidental to the
10 sale of food;

11 (4) the sale of alcoholic liquor is not the principal
12 business carried on by the licensee on the premises;

13 (5) the premises occupy the first floor of a 3-story
14 building that is at least 90 years old;

15 (6) the rear lot of the school and the rear corner of
16 the building that the premises occupy are separated by an
17 alley;

18 (7) the distance from the southwest corner of the
19 property line of the school and the northeast corner of
20 the building that the premises occupy is at least 16 feet,
21 5 inches;

22 (8) the distance from the rear door of the premises to
23 the southwest corner of the property line of the school is
24 at least 93 feet;

25 (9) the school is a City of Chicago School District
26 299 school;

1 (10) the school's main structure was erected in 1902
2 and an addition was built to the main structure in 1959;
3 and

4 (11) the principal of the school and the alderperson
5 ~~alderman~~ in whose district the premises are located have
6 expressed, in writing, their support for the issuance of
7 the license.

8 (v) Notwithstanding any provision in this Section to the
9 contrary, nothing in this Section shall prohibit the issuance
10 or renewal of a license authorizing the sale of alcoholic
11 liquor at a premises that is located within a municipality
12 with a population in excess of 1,000,000 inhabitants and is
13 within 100 feet of a school if:

14 (1) the total land area of the premises for which the
15 license or renewal is sought is more than 600,000 square
16 feet;

17 (2) the premises for which the license or renewal is
18 sought has more than 600 parking stalls;

19 (3) the total area of all buildings on the premises
20 for which the license or renewal is sought exceeds 140,000
21 square feet;

22 (4) the property line of the premises for which the
23 license or renewal is sought is separated from the
24 property line of the school by a street;

25 (5) the distance from the school's property line to
26 the property line of the premises for which the license or

1 renewal is sought is at least 60 feet;

2 (6) as of June 14, 2011 (the effective date of Public
3 Act 97-9), the premises for which the license or renewal
4 is sought is located in the Illinois Medical District.

5 (w) Notwithstanding any provision in this Section to the
6 contrary, nothing in this Section shall prohibit the issuance
7 or renewal of a license to sell alcoholic liquor at a premises
8 that is located within a municipality with a population in
9 excess of 1,000,000 inhabitants and within 100 feet of a
10 church if:

11 (1) the sale of alcoholic liquor at the premises is
12 incidental to the sale of food;

13 (2) the sale of alcoholic liquor is not the principal
14 business carried on by the licensee at the premises;

15 (3) the premises occupy the first floor and basement
16 of a 2-story building that is 106 years old;

17 (4) the premises is at least 7,000 square feet and
18 located on a lot that is at least 11,000 square feet;

19 (5) the premises is located directly west of the
20 church, on perpendicular streets, and separated by an
21 alley;

22 (6) the distance between the property line of the
23 premises and the property line of the church is at least 20
24 feet;

25 (7) the distance between the primary entrance of the
26 premises and the primary entrance of the church is at

1 least 130 feet; and

2 (8) the church has been at its location for at least 40
3 years.

4 (x) Notwithstanding any provision of this Section to the
5 contrary, nothing in this Section shall prohibit the issuance
6 or renewal of a license authorizing the sale of alcoholic
7 liquor at a premises that is located within a municipality
8 with a population in excess of 1,000,000 inhabitants and
9 within 100 feet of a church if:

10 (1) the sale of alcoholic liquor is not the principal
11 business carried on by the licensee at the premises;

12 (2) the church has been operating in its current
13 location since 1973;

14 (3) the premises has been operating in its current
15 location since 1988;

16 (4) the church and the premises are owned by the same
17 parish;

18 (5) the premises is used for cultural and educational
19 purposes;

20 (6) the primary entrance to the premises and the
21 primary entrance to the church are located on the same
22 street;

23 (7) the principal religious leader of the church has
24 indicated his support of the issuance of the license;

25 (8) the premises is a 2-story building of
26 approximately 23,000 square feet; and

1 (9) the premises houses a ballroom on its ground floor
2 of approximately 5,000 square feet.

3 (y) Notwithstanding any provision of this Section to the
4 contrary, nothing in this Section shall prohibit the issuance
5 or renewal of a license authorizing the sale of alcoholic
6 liquor at a premises that is located within a municipality
7 with a population in excess of 1,000,000 inhabitants and
8 within 100 feet of a school if:

9 (1) the sale of alcoholic liquor is not the principal
10 business carried on by the licensee at the premises;

11 (2) the sale of alcoholic liquor at the premises is
12 incidental to the sale of food;

13 (3) according to the municipality, the distance
14 between the east property line of the premises and the
15 west property line of the school is 97.8 feet;

16 (4) the school is a City of Chicago School District
17 299 school;

18 (5) the school has been operating since 1959;

19 (6) the primary entrance to the premises and the
20 primary entrance to the school are located on the same
21 street;

22 (7) the street on which the entrances of the premises
23 and the school are located is a major diagonal
24 thoroughfare;

25 (8) the premises is a single-story building of
26 approximately 2,900 square feet; and

1 (9) the premises is used for commercial purposes only.

2 (z) Notwithstanding any provision of this Section to the
3 contrary, nothing in this Section shall prohibit the issuance
4 or renewal of a license authorizing the sale of alcoholic
5 liquor at a premises that is located within a municipality
6 with a population in excess of 1,000,000 inhabitants and
7 within 100 feet of a mosque if:

8 (1) the sale of alcoholic liquor is not the principal
9 business carried on by the licensee at the premises;

10 (2) the licensee shall only sell packaged liquors at
11 the premises;

12 (3) the licensee is a national retail chain having
13 over 100 locations within the municipality;

14 (4) the licensee has over 8,000 locations nationwide;

15 (5) the licensee has locations in all 50 states;

16 (6) the premises is located in the North-East quadrant
17 of the municipality;

18 (7) the premises is a free-standing building that has
19 "drive-through" pharmacy service;

20 (8) the premises has approximately 14,490 square feet
21 of retail space;

22 (9) the premises has approximately 799 square feet of
23 pharmacy space;

24 (10) the premises is located on a major arterial
25 street that runs east-west and accepts truck traffic; and

26 (11) the alderperson ~~alderman~~ of the ward in which the

1 premises is located has expressed, in writing, his or her
2 support for the issuance of the license.

3 (aa) Notwithstanding any provision of this Section to the
4 contrary, nothing in this Section shall prohibit the issuance
5 or renewal of a license authorizing the sale of alcoholic
6 liquor at a premises that is located within a municipality
7 with a population in excess of 1,000,000 inhabitants and
8 within 100 feet of a church if:

9 (1) the sale of alcoholic liquor is not the principal
10 business carried on by the licensee at the premises;

11 (2) the licensee shall only sell packaged liquors at
12 the premises;

13 (3) the licensee is a national retail chain having
14 over 100 locations within the municipality;

15 (4) the licensee has over 8,000 locations nationwide;

16 (5) the licensee has locations in all 50 states;

17 (6) the premises is located in the North-East quadrant
18 of the municipality;

19 (7) the premises is located across the street from a
20 national grocery chain outlet;

21 (8) the premises has approximately 16,148 square feet
22 of retail space;

23 (9) the premises has approximately 992 square feet of
24 pharmacy space;

25 (10) the premises is located on a major arterial
26 street that runs north-south and accepts truck traffic;

1 and

2 (11) the alderperson ~~alderman~~ of the ward in which the
3 premises is located has expressed, in writing, his or her
4 support for the issuance of the license.

5 (bb) Notwithstanding any provision of this Section to the
6 contrary, nothing in this Section shall prohibit the issuance
7 or renewal of a license authorizing the sale of alcoholic
8 liquor at a premises that is located within a municipality
9 with a population in excess of 1,000,000 inhabitants and
10 within 100 feet of a church if:

11 (1) the sale of alcoholic liquor is not the principal
12 business carried on by the licensee at the premises;

13 (2) the sale of alcoholic liquor at the premises is
14 incidental to the sale of food;

15 (3) the primary entrance to the premises and the
16 primary entrance to the church are located on the same
17 street;

18 (4) the premises is across the street from the church;

19 (5) the street on which the premises and the church
20 are located is a major arterial street that runs
21 east-west;

22 (6) the church is an elder-led and Bible-based
23 Assyrian church;

24 (7) the premises and the church are both single-story
25 buildings;

26 (8) the storefront directly west of the church is

1 being used as a restaurant; and

2 (9) the distance between the northern-most property
3 line of the premises and the southern-most property line
4 of the church is 65 feet.

5 (cc) Notwithstanding any provision of this Section to the
6 contrary, nothing in this Section shall prohibit the issuance
7 or renewal of a license authorizing the sale of alcoholic
8 liquor at a premises that is located within a municipality
9 with a population in excess of 1,000,000 inhabitants and
10 within 100 feet of a school if:

11 (1) the sale of alcoholic liquor is not the principal
12 business carried on by the licensee at the premises;

13 (2) the licensee shall only sell packaged liquors at
14 the premises;

15 (3) the licensee is a national retail chain;

16 (4) as of October 25, 2011, the licensee has 1,767
17 stores operating nationwide, 87 stores operating in the
18 State, and 10 stores operating within the municipality;

19 (5) the licensee shall occupy approximately 124,000
20 square feet of space in the basement and first and second
21 floors of a building located across the street from a
22 school;

23 (6) the school opened in August of 2009 and occupies
24 approximately 67,000 square feet of space; and

25 (7) the building in which the premises shall be
26 located has been listed on the National Register of

1 Historic Places since April 17, 1970.

2 (dd) Notwithstanding any provision in this Section to the
3 contrary, nothing in this Section shall prohibit the issuance
4 or renewal of a license authorizing the sale of alcoholic
5 liquor within a full-service grocery store at a premises that
6 is located within a municipality with a population in excess
7 of 1,000,000 inhabitants and is within 100 feet of a school if:

8 (1) the premises is constructed on land that was
9 purchased from the municipality at a fair market price;

10 (2) the premises is constructed on land that was
11 previously used as a parking facility for public safety
12 employees;

13 (3) the sale of alcoholic liquor is not the principal
14 business carried on by the licensee at the premises;

15 (4) the main entrance to the store is more than 100
16 feet from the main entrance to the school;

17 (5) the premises is to be new construction;

18 (6) the school is a private school;

19 (7) the principal of the school has given written
20 approval for the license;

21 (8) the alderperson ~~alderman~~ of the ward where the
22 premises is located has given written approval of the
23 issuance of the license;

24 (9) the grocery store level of the premises is between
25 60,000 and 70,000 square feet; and

26 (10) the owner and operator of the grocery store

1 operates 2 other grocery stores that have alcoholic liquor
2 licenses within the same municipality.

3 (ee) Notwithstanding any provision in this Section to the
4 contrary, nothing in this Section shall prohibit the issuance
5 or renewal of a license authorizing the sale of alcoholic
6 liquor within a full-service grocery store at a premises that
7 is located within a municipality with a population in excess
8 of 1,000,000 inhabitants and is within 100 feet of a school if:

9 (1) the premises is constructed on land that once
10 contained an industrial steel facility;

11 (2) the premises is located on land that has undergone
12 environmental remediation;

13 (3) the premises is located within a retail complex
14 containing retail stores where some of the stores sell
15 alcoholic beverages;

16 (4) the principal activity of any restaurant in the
17 retail complex is the sale of food, and the sale of
18 alcoholic liquor is incidental to the sale of food;

19 (5) the sale of alcoholic liquor is not the principal
20 business carried on by the grocery store;

21 (6) the entrance to any business that sells alcoholic
22 liquor is more than 100 feet from the entrance to the
23 school;

24 (7) the alderperson ~~alderman~~ of the ward where the
25 premises is located has given written approval of the
26 issuance of the license; and

1 (8) the principal of the school has given written
2 consent to the issuance of the license.

3 (ff) Notwithstanding any provision of this Section to the
4 contrary, nothing in this Section shall prohibit the issuance
5 or renewal of a license authorizing the sale of alcoholic
6 liquor at a premises that is located within a municipality
7 with a population in excess of 1,000,000 inhabitants and
8 within 100 feet of a school if:

9 (1) the sale of alcoholic liquor is not the principal
10 business carried on at the premises;

11 (2) the sale of alcoholic liquor at the premises is
12 incidental to the operation of a theater;

13 (3) the premises is a one and one-half-story building
14 of approximately 10,000 square feet;

15 (4) the school is a City of Chicago School District
16 299 school;

17 (5) the primary entrance of the premises and the
18 primary entrance of the school are at least 300 feet apart
19 and no more than 400 feet apart;

20 (6) the alderperson ~~alderman~~ of the ward in which the
21 premises is located has expressed, in writing, his support
22 for the issuance of the license; and

23 (7) the principal of the school has expressed, in
24 writing, that there is no objection to the issuance of a
25 license under this subsection (ff).

26 (gg) Notwithstanding any provision of this Section to the

1 contrary, nothing in this Section shall prohibit the issuance
2 or renewal of a license authorizing the sale of alcoholic
3 liquor incidental to the sale of food within a restaurant or
4 banquet facility established in a premises that is located in
5 a municipality with a population in excess of 1,000,000
6 inhabitants and within 100 feet of a church if:

7 (1) the sale of alcoholic liquor is not the principal
8 business carried on by the licensee at the premises;

9 (2) the property on which the church is located and
10 the property on which the premises are located are both
11 within a district originally listed on the National
12 Register of Historic Places on February 14, 1979;

13 (3) the property on which the premises are located
14 contains one or more multi-story buildings that are at
15 least 95 years old and have no more than three stories;

16 (4) the building in which the church is located is at
17 least 120 years old;

18 (5) the property on which the church is located is
19 immediately adjacent to and west of the property on which
20 the premises are located;

21 (6) the western boundary of the property on which the
22 premises are located is no less than 118 feet in length and
23 no more than 122 feet in length;

24 (7) as of December 31, 2012, both the church property
25 and the property on which the premises are located are
26 within 250 feet of City of Chicago Business-Residential

1 Planned Development Number 38;

2 (8) the principal religious leader at the place of
3 worship has indicated his or her support for the issuance
4 of the license in writing; and

5 (9) the alderperson ~~alderman~~ in whose district the
6 premises are located has expressed his or her support for
7 the issuance of the license in writing.

8 For the purposes of this subsection, "banquet facility"
9 means the part of the building that is located on the floor
10 above a restaurant and caters to private parties and where the
11 sale of alcoholic liquors is not the principal business.

12 (hh) Notwithstanding any provision of this Section to the
13 contrary, nothing in this Section shall prohibit the issuance
14 or renewal of a license authorizing the sale of alcoholic
15 liquor within a hotel and at an outdoor patio area attached to
16 the hotel that are located in a municipality with a population
17 in excess of 1,000,000 inhabitants and that are within 100
18 feet of a hospital if:

19 (1) the sale of alcoholic liquor is not the principal
20 business carried on by the licensee at the hotel;

21 (2) the hotel is located within the City of Chicago
22 Business Planned Development Number 468; and

23 (3) the hospital is located within the City of Chicago
24 Institutional Planned Development Number 3.

25 (ii) Notwithstanding any provision of this Section to the
26 contrary, nothing in this Section shall prohibit the issuance

1 or renewal of a license authorizing the sale of alcoholic
2 liquor within a restaurant and at an outdoor patio area
3 attached to the restaurant that are located in a municipality
4 with a population in excess of 1,000,000 inhabitants and that
5 are within 100 feet of a church if:

6 (1) the sale of alcoholic liquor at the premises is
7 not the principal business carried on by the licensee and
8 is incidental to the sale of food;

9 (2) the restaurant has been operated on the street
10 level of a 2-story building located on a corner lot since
11 2008;

12 (3) the restaurant is between 3,700 and 4,000 square
13 feet and sits on a lot that is no more than 6,200 square
14 feet;

15 (4) the primary entrance to the restaurant and the
16 primary entrance to the church are located on the same
17 street;

18 (5) the street on which the restaurant and the church
19 are located is a major east-west street;

20 (6) the restaurant and the church are separated by a
21 one-way northbound street;

22 (7) the church is located to the west of and no more
23 than 65 feet from the restaurant; and

24 (8) the principal religious leader at the place of
25 worship has indicated his or her consent to the issuance
26 of the license in writing.

1 (jj) Notwithstanding any provision of this Section to the
2 contrary, nothing in this Section shall prohibit the issuance
3 or renewal of a license authorizing the sale of alcoholic
4 liquor at premises located within a municipality with a
5 population in excess of 1,000,000 inhabitants and within 100
6 feet of a church if:

7 (1) the sale of alcoholic liquor is not the principal
8 business carried on by the licensee at the premises;

9 (2) the sale of alcoholic liquor is incidental to the
10 sale of food;

11 (3) the premises are located east of the church, on
12 perpendicular streets, and separated by an alley;

13 (4) the distance between the primary entrance of the
14 premises and the primary entrance of the church is at
15 least 175 feet;

16 (5) the distance between the property line of the
17 premises and the property line of the church is at least 40
18 feet;

19 (6) the licensee has been operating at the premises
20 since 2012;

21 (7) the church was constructed in 1904;

22 (8) the alderperson ~~alderman~~ of the ward in which the
23 premises is located has expressed, in writing, his or her
24 support for the issuance of the license; and

25 (9) the principal religious leader of the church has
26 delivered a written statement that he or she does not

1 object to the issuance of a license under this subsection
2 (jj).

3 (kk) Notwithstanding any provision of this Section to the
4 contrary, nothing in this Section shall prohibit the issuance
5 or renewal of a license authorizing the sale of alcoholic
6 liquor at a premises that is located within a municipality
7 with a population in excess of 1,000,000 inhabitants and
8 within 100 feet of a school if:

9 (1) the sale of alcoholic liquor is not the principal
10 business carried on by the licensee at the premises;

11 (2) the licensee shall only sell packaged liquors on
12 the premises;

13 (3) the licensee is a national retail chain;

14 (4) as of February 27, 2013, the licensee had 1,778
15 stores operating nationwide, 89 operating in this State,
16 and 11 stores operating within the municipality;

17 (5) the licensee shall occupy approximately 169,048
18 square feet of space within a building that is located
19 across the street from a tuition-based preschool; and

20 (6) the alderperson ~~alderman~~ of the ward in which the
21 premises is located has expressed, in writing, his or her
22 support for the issuance of the license.

23 (ll) Notwithstanding any provision of this Section to the
24 contrary, nothing in this Section shall prohibit the issuance
25 or renewal of a license authorizing the sale of alcoholic
26 liquor at a premises that is located within a municipality

1 with a population in excess of 1,000,000 inhabitants and
2 within 100 feet of a school if:

3 (1) the sale of alcoholic liquor is not the principal
4 business carried on by the licensee at the premises;

5 (2) the licensee shall only sell packaged liquors on
6 the premises;

7 (3) the licensee is a national retail chain;

8 (4) as of February 27, 2013, the licensee had 1,778
9 stores operating nationwide, 89 operating in this State,
10 and 11 stores operating within the municipality;

11 (5) the licensee shall occupy approximately 191,535
12 square feet of space within a building that is located
13 across the street from an elementary school; and

14 (6) the alderperson ~~alderman~~ of the ward in which the
15 premises is located has expressed, in writing, his or her
16 support for the issuance of the license.

17 (mm) Notwithstanding any provision of this Section to the
18 contrary, nothing in this Section shall prohibit the issuance
19 or renewal of a license authorizing the sale of alcoholic
20 liquor within premises and at an outdoor patio or sidewalk
21 cafe, or both, attached to premises that are located in a
22 municipality with a population in excess of 1,000,000
23 inhabitants and that are within 100 feet of a hospital if:

24 (1) the primary business of the restaurant consists of
25 the sale of food where the sale of liquor is incidental to
26 the sale of food;

1 (2) as a restaurant, the premises may or may not offer
2 catering as an incidental part of food service;

3 (3) the primary business of the restaurant is
4 conducted in space owned by a hospital or an entity owned
5 or controlled by, under common control with, or that
6 controls a hospital, and the chief hospital administrator
7 has expressed his or her support for the issuance of the
8 license in writing; and

9 (4) the hospital is an adult acute care facility
10 primarily located within the City of Chicago Institutional
11 Planned Development Number 3.

12 (nn) Notwithstanding any provision of this Section to the
13 contrary, nothing in this Section shall prohibit the issuance
14 or renewal of a license authorizing the sale of alcoholic
15 liquor at a premises that is located within a municipality
16 with a population in excess of 1,000,000 inhabitants and
17 within 100 feet of a church if:

18 (1) the sale of alcoholic liquor is not the principal
19 business carried out on the premises;

20 (2) the sale of alcoholic liquor at the premises is
21 incidental to the operation of a theater;

22 (3) the premises are a building that was constructed
23 in 1913 and opened on May 24, 1915 as a vaudeville theater,
24 and the premises were converted to a motion picture
25 theater in 1935;

26 (4) the church was constructed in 1889 with a stone

1 exterior;

2 (5) the primary entrance of the premises and the
3 primary entrance of the church are at least 100 feet
4 apart;

5 (6) the principal religious leader at the place of
6 worship has indicated his or her consent to the issuance
7 of the license in writing; and

8 (7) the alderperson ~~alderman~~ in whose ward the
9 premises are located has expressed his or her support for
10 the issuance of the license in writing.

11 (oo) Notwithstanding any provision of this Section to the
12 contrary, nothing in this Section shall prohibit the issuance
13 or renewal of a license authorizing the sale of alcoholic
14 liquor at a premises that is located within a municipality
15 with a population in excess of 1,000,000 inhabitants and
16 within 100 feet of a mosque, church, or other place of worship
17 if:

18 (1) the primary entrance of the premises and the
19 primary entrance of the mosque, church, or other place of
20 worship are perpendicular and are on different streets;

21 (2) the primary entrance to the premises faces West
22 and the primary entrance to the mosque, church, or other
23 place of worship faces South;

24 (3) the distance between the 2 primary entrances is at
25 least 100 feet;

26 (4) the mosque, church, or other place of worship was

1 established in a location within 100 feet of the premises
2 after a license for the sale of alcohol at the premises was
3 first issued;

4 (5) the mosque, church, or other place of worship was
5 established on or around January 1, 2011;

6 (6) a license for the sale of alcohol at the premises
7 was first issued on or before January 1, 1985;

8 (7) a license for the sale of alcohol at the premises
9 has been continuously in effect since January 1, 1985,
10 except for interruptions between licenses of no more than
11 90 days; and

12 (8) the premises are a single-story, single-use
13 building of at least 3,000 square feet and no more than
14 3,380 square feet.

15 (pp) Notwithstanding any provision of this Section to the
16 contrary, nothing in this Section shall prohibit the issuance
17 or renewal of a license authorizing the sale of alcoholic
18 liquor incidental to the sale of food within a restaurant or
19 banquet facility established on premises that are located in a
20 municipality with a population in excess of 1,000,000
21 inhabitants and within 100 feet of at least one church if:

22 (1) the sale of liquor shall not be the principal
23 business carried on by the licensee at the premises;

24 (2) the premises are at least 2,000 square feet and no
25 more than 10,000 square feet and is located in a
26 single-story building;

1 (3) the property on which the premises are located is
2 within an area that, as of 2009, was designated as a
3 Renewal Community by the United States Department of
4 Housing and Urban Development;

5 (4) the property on which the premises are located and
6 the properties on which the churches are located are on
7 the same street;

8 (5) the property on which the premises are located is
9 immediately adjacent to and east of the property on which
10 at least one of the churches is located;

11 (6) the property on which the premises are located is
12 across the street and southwest of the property on which
13 another church is located;

14 (7) the principal religious leaders of the churches
15 have indicated their support for the issuance of the
16 license in writing; and

17 (8) the alderperson ~~alderman~~ in whose ward the
18 premises are located has expressed his or her support for
19 the issuance of the license in writing.

20 For purposes of this subsection (pp), "banquet facility"
21 means the part of the building that caters to private parties
22 and where the sale of alcoholic liquors is not the principal
23 business.

24 (qq) Notwithstanding any provision of this Section to the
25 contrary, nothing in this Section shall prohibit the issuance
26 or renewal of a license authorizing the sale of alcoholic

1 liquor on premises that are located within a municipality with
2 a population in excess of 1,000,000 inhabitants and within 100
3 feet of a church or school if:

4 (1) the primary entrance of the premises and the
5 closest entrance of the church or school are at least 200
6 feet apart and no greater than 300 feet apart;

7 (2) the shortest distance between the premises and the
8 church or school is at least 66 feet apart and no greater
9 than 81 feet apart;

10 (3) the premises are a single-story, steel-framed
11 commercial building with at least 18,042 square feet, and
12 was constructed in 1925 and 1997;

13 (4) the owner of the business operated within the
14 premises has been the general manager of a similar
15 supermarket within one mile from the premises, which has
16 had a valid license authorizing the sale of alcoholic
17 liquor since 2002, and is in good standing with the City of
18 Chicago;

19 (5) the principal religious leader at the place of
20 worship has indicated his or her support to the issuance
21 or renewal of the license in writing;

22 (6) the alderperson ~~alderman~~ of the ward has indicated
23 his or her support to the issuance or renewal of the
24 license in writing; and

25 (7) the principal of the school has indicated his or
26 her support to the issuance or renewal of the license in

1 writing.

2 (rr) Notwithstanding any provision of this Section to the
3 contrary, nothing in this Section shall prohibit the issuance
4 or renewal of a license authorizing the sale of alcoholic
5 liquor at premises located within a municipality with a
6 population in excess of 1,000,000 inhabitants and within 100
7 feet of a club that leases space to a school if:

8 (1) the sale of alcoholic liquor is not the principal
9 business carried out on the premises;

10 (2) the sale of alcoholic liquor at the premises is
11 incidental to the operation of a grocery store;

12 (3) the premises are a building of approximately 1,750
13 square feet and is rented by the owners of the grocery
14 store from a family member;

15 (4) the property line of the premises is approximately
16 68 feet from the property line of the club;

17 (5) the primary entrance of the premises and the
18 primary entrance of the club where the school leases space
19 are at least 100 feet apart;

20 (6) the director of the club renting space to the
21 school has indicated his or her consent to the issuance of
22 the license in writing; and

23 (7) the alderperson ~~alderman~~ in whose district the
24 premises are located has expressed his or her support for
25 the issuance of the license in writing.

26 (ss) Notwithstanding any provision of this Section to the

1 contrary, nothing in this Section shall prohibit the issuance
2 or renewal of a license authorizing the sale of alcoholic
3 liquor at premises located within a municipality with a
4 population in excess of 1,000,000 inhabitants and within 100
5 feet of a church if:

6 (1) the premises are located within a 15 unit building
7 with 13 residential apartments and 2 commercial spaces,
8 and the licensee will occupy both commercial spaces;

9 (2) a restaurant has been operated on the premises
10 since June 2011;

11 (3) the restaurant currently occupies 1,075 square
12 feet, but will be expanding to include 975 additional
13 square feet;

14 (4) the sale of alcoholic liquor is not the principal
15 business carried on by the licensee at the premises;

16 (5) the premises are located south of the church and
17 on the same street and are separated by a one-way
18 westbound street;

19 (6) the primary entrance of the premises is at least
20 93 feet from the primary entrance of the church;

21 (7) the shortest distance between any part of the
22 premises and any part of the church is at least 72 feet;

23 (8) the building in which the restaurant is located
24 was built in 1910;

25 (9) the alderperson ~~alderman~~ of the ward in which the
26 premises are located has expressed, in writing, his or her

1 support for the issuance of the license; and

2 (10) the principal religious leader of the church has
3 delivered a written statement that he or she does not
4 object to the issuance of a license under this subsection
5 (ss).

6 (tt) Notwithstanding any provision of this Section to the
7 contrary, nothing in this Section shall prohibit the issuance
8 or renewal of a license authorizing the sale of alcoholic
9 liquor at premises located within a municipality with a
10 population in excess of 1,000,000 inhabitants and within 100
11 feet of a church if:

12 (1) the sale of alcoholic liquor is not the principal
13 business carried on by the licensee at the premises;

14 (2) the sale of alcoholic liquor is incidental to the
15 sale of food;

16 (3) the sale of alcoholic liquor at the premises was
17 previously authorized by a package goods liquor license;

18 (4) the premises are at least 40,000 square feet with
19 25 parking spaces in the contiguous surface lot to the
20 north of the store and 93 parking spaces on the roof;

21 (5) the shortest distance between the lot line of the
22 parking lot of the premises and the exterior wall of the
23 church is at least 80 feet;

24 (6) the distance between the building in which the
25 church is located and the building in which the premises
26 are located is at least 180 feet;

1 (7) the main entrance to the church faces west and is
2 at least 257 feet from the main entrance of the premises;
3 and

4 (8) the applicant is the owner of 10 similar grocery
5 stores within the City of Chicago and the surrounding area
6 and has been in business for more than 30 years.

7 (uu) Notwithstanding any provision of this Section to the
8 contrary, nothing in this Section shall prohibit the issuance
9 or renewal of a license authorizing the sale of alcoholic
10 liquor at premises located within a municipality with a
11 population in excess of 1,000,000 inhabitants and within 100
12 feet of a church if:

13 (1) the sale of alcoholic liquor is not the principal
14 business carried on by the licensee at the premises;

15 (2) the sale of alcoholic liquor is incidental to the
16 operation of a grocery store;

17 (3) the premises are located in a building that is
18 approximately 68,000 square feet with 157 parking spaces
19 on property that was previously vacant land;

20 (4) the main entrance to the church faces west and is
21 at least 500 feet from the entrance of the premises, which
22 faces north;

23 (5) the church and the premises are separated by an
24 alley;

25 (6) the applicant is the owner of 9 similar grocery
26 stores in the City of Chicago and the surrounding area and

1 has been in business for more than 40 years; and

2 (7) the alderperson ~~alderman~~ of the ward in which the
3 premises are located has expressed, in writing, his or her
4 support for the issuance of the license.

5 (vv) Notwithstanding any provision of this Section to the
6 contrary, nothing in this Section shall prohibit the issuance
7 or renewal of a license authorizing the sale of alcoholic
8 liquor at premises located within a municipality with a
9 population in excess of 1,000,000 inhabitants and within 100
10 feet of a church if:

11 (1) the sale of alcoholic liquor is the principal
12 business carried on by the licensee at the premises;

13 (2) the sale of alcoholic liquor is primary to the
14 sale of food;

15 (3) the premises are located south of the church and
16 on perpendicular streets and are separated by a driveway;

17 (4) the primary entrance of the premises is at least
18 100 feet from the primary entrance of the church;

19 (5) the shortest distance between any part of the
20 premises and any part of the church is at least 15 feet;

21 (6) the premises are less than 100 feet from the
22 church center, but greater than 100 feet from the area
23 within the building where church services are held;

24 (7) the premises are 25,830 square feet and sit on a
25 lot that is 0.48 acres;

26 (8) the premises were once designated as a Korean

1 American Presbyterian Church and were once used as a
2 Masonic Temple;

3 (9) the premises were built in 1910;

4 (10) the alderperson ~~alderman~~ of the ward in which the
5 premises are located has expressed, in writing, his or her
6 support for the issuance of the license; and

7 (11) the principal religious leader of the church has
8 delivered a written statement that he or she does not
9 object to the issuance of a license under this subsection
10 (vv).

11 For the purposes of this subsection (vv), "premises" means
12 a place of business together with a privately owned outdoor
13 location that is adjacent to the place of business.

14 (ww) Notwithstanding any provision of this Section to the
15 contrary, nothing in this Section shall prohibit the issuance
16 or renewal of a license authorizing the sale of alcoholic
17 liquor at premises located within a municipality with a
18 population in excess of 1,000,000 inhabitants and within 100
19 feet of a school if:

20 (1) the school is located within Sub Area III of City
21 of Chicago Residential-Business Planned Development Number
22 523, as amended; and

23 (2) the premises are located within Sub Area I, Sub
24 Area II, or Sub Area IV of City of Chicago
25 Residential-Business Planned Development Number 523, as
26 amended.

1 (xx) Notwithstanding any provision of this Section to the
2 contrary, nothing in this Section shall prohibit the issuance
3 or renewal of a license authorizing the sale of alcoholic
4 liquor at premises located within a municipality with a
5 population in excess of 1,000,000 inhabitants and within 100
6 feet of a church if:

7 (1) the sale of wine or wine-related products is the
8 exclusive business carried on by the licensee at the
9 premises;

10 (2) the primary entrance of the premises and the
11 primary entrance of the church are at least 100 feet apart
12 and are located on different streets;

13 (3) the building in which the premises are located and
14 the building in which the church is located are separated
15 by an alley;

16 (4) the premises consists of less than 2,000 square
17 feet of floor area dedicated to the sale of wine or
18 wine-related products;

19 (5) the premises are located on the first floor of a
20 2-story building that is at least 99 years old and has a
21 residential unit on the second floor; and

22 (6) the principal religious leader at the church has
23 indicated his or her support for the issuance or renewal
24 of the license in writing.

25 (yy) Notwithstanding any provision of this Section to the
26 contrary, nothing in this Section shall prohibit the issuance

1 or renewal of a license authorizing the sale of alcoholic
2 liquor at premises located within a municipality with a
3 population in excess of 1,000,000 inhabitants and within 100
4 feet of a church if:

5 (1) the premises are a 27-story hotel containing 191
6 guest rooms;

7 (2) the sale of alcoholic liquor is not the principal
8 business carried on by the licensee at the premises and is
9 limited to a restaurant located on the first floor of the
10 hotel;

11 (3) the hotel is adjacent to the church;

12 (4) the site is zoned as DX-16;

13 (5) the principal religious leader of the church has
14 delivered a written statement that he or she does not
15 object to the issuance of a license under this subsection
16 (yy); and

17 (6) the alderperson ~~alderman~~ of the ward in which the
18 premises are located has expressed, in writing, his or her
19 support for the issuance of the license.

20 (zz) Notwithstanding any provision of this Section to the
21 contrary, nothing in this Section shall prohibit the issuance
22 or renewal of a license authorizing the sale of alcoholic
23 liquor at premises located within a municipality with a
24 population in excess of 1,000,000 inhabitants and within 100
25 feet of a church if:

26 (1) the premises are a 15-story hotel containing 143

1 guest rooms;

2 (2) the premises are approximately 85,691 square feet;

3 (3) a restaurant is operated on the premises;

4 (4) the restaurant is located in the first floor lobby
5 of the hotel;

6 (5) the sale of alcoholic liquor is not the principal
7 business carried on by the licensee at the premises;

8 (6) the hotel is located approximately 50 feet from
9 the church and is separated from the church by a public
10 street on the ground level and by air space on the upper
11 level, which is where the public entrances are located;

12 (7) the site is zoned as DX-16;

13 (8) the principal religious leader of the church has
14 delivered a written statement that he or she does not
15 object to the issuance of a license under this subsection
16 (zz); and

17 (9) the alderperson ~~alderman~~ of the ward in which the
18 premises are located has expressed, in writing, his or her
19 support for the issuance of the license.

20 (aaa) Notwithstanding any provision in this Section to the
21 contrary, nothing in this Section shall prohibit the issuance
22 or renewal of a license authorizing the sale of alcoholic
23 liquor within a full-service grocery store at premises located
24 within a municipality with a population in excess of 1,000,000
25 inhabitants and within 100 feet of a school if:

26 (1) the sale of alcoholic liquor is not the primary

1 business activity of the grocery store;

2 (2) the premises are newly constructed on land that
3 was formerly used by the Young Men's Christian
4 Association;

5 (3) the grocery store is located within a planned
6 development that was approved by the municipality in 2007;

7 (4) the premises are located in a multi-building,
8 mixed-use complex;

9 (5) the entrance to the grocery store is located more
10 than 200 feet from the entrance to the school;

11 (6) the entrance to the grocery store is located
12 across the street from the back of the school building,
13 which is not used for student or public access;

14 (7) the grocery store executed a binding lease for the
15 property in 2008;

16 (8) the premises consist of 2 levels and occupy more
17 than 80,000 square feet;

18 (9) the owner and operator of the grocery store
19 operates at least 10 other grocery stores that have
20 alcoholic liquor licenses within the same municipality;
21 and

22 (10) the director of the school has expressed, in
23 writing, his or her support for the issuance of the
24 license.

25 (bbb) Notwithstanding any provision of this Section to the
26 contrary, nothing in this Section shall prohibit the issuance

1 or renewal of a license authorizing the sale of alcoholic
2 liquor at premises located within a municipality with a
3 population in excess of 1,000,000 inhabitants and within 100
4 feet of a church if:

5 (1) the sale of alcoholic liquor at the premises is
6 incidental to the sale of food;

7 (2) the premises are located in a single-story
8 building of primarily brick construction containing at
9 least 6 commercial units constructed before 1940;

10 (3) the premises are located in a B3-2 zoning
11 district;

12 (4) the premises are less than 4,000 square feet;

13 (5) the church established its congregation in 1891
14 and completed construction of the church building in 1990;

15 (6) the premises are located south of the church;

16 (7) the premises and church are located on the same
17 street and are separated by a one-way westbound street;
18 and

19 (8) the principal religious leader of the church has
20 not indicated his or her opposition to the issuance or
21 renewal of the license in writing.

22 (ccc) Notwithstanding any provision of this Section to the
23 contrary, nothing in this Section shall prohibit the issuance
24 or renewal of a license authorizing the sale of alcoholic
25 liquor within a full-service grocery store at premises located
26 within a municipality with a population in excess of 1,000,000

1 inhabitants and within 100 feet of a church and school if:

2 (1) as of March 14, 2007, the premises are located in a
3 City of Chicago Residential-Business Planned Development
4 No. 1052;

5 (2) the sale of alcoholic liquor is not the principal
6 business carried on by the licensee at the premises;

7 (3) the sale of alcoholic liquor is incidental to the
8 operation of a grocery store and comprises no more than
9 10% of the total in-store sales;

10 (4) the owner and operator of the grocery store
11 operates at least 10 other grocery stores that have
12 alcoholic liquor licenses within the same municipality;

13 (5) the premises are new construction when the license
14 is first issued;

15 (6) the constructed premises are to be no less than
16 50,000 square feet;

17 (7) the school is a private church-affiliated school;

18 (8) the premises and the property containing the
19 church and church-affiliated school are located on
20 perpendicular streets and the school and church are
21 adjacent to one another;

22 (9) the pastor of the church and school has expressed,
23 in writing, support for the issuance of the license; and

24 (10) the alderperson ~~alderman~~ of the ward in which the
25 premises are located has expressed, in writing, his or her
26 support for the issuance of the license.

1 (ddd) Notwithstanding any provision of this Section to the
2 contrary, nothing in this Section shall prohibit the issuance
3 or renewal of a license authorizing the sale of alcoholic
4 liquor at premises located within a municipality with a
5 population in excess of 1,000,000 inhabitants and within 100
6 feet of a church or school if:

7 (1) the business has been issued a license from the
8 municipality to allow the business to operate a theater on
9 the premises;

10 (2) the theater has less than 200 seats;

11 (3) the premises are approximately 2,700 to 3,100
12 square feet of space;

13 (4) the premises are located to the north of the
14 church;

15 (5) the primary entrance of the premises and the
16 primary entrance of any church within 100 feet of the
17 premises are located either on a different street or
18 across a right-of-way from the premises;

19 (6) the primary entrance of the premises and the
20 primary entrance of any school within 100 feet of the
21 premises are located either on a different street or
22 across a right-of-way from the premises;

23 (7) the premises are located in a building that is at
24 least 100 years old; and

25 (8) any church or school located within 100 feet of
26 the premises has indicated its support for the issuance or

1 renewal of the license to the premises in writing.

2 (eee) Notwithstanding any provision of this Section to the
3 contrary, nothing in this Section shall prohibit the issuance
4 or renewal of a license authorizing the sale of alcoholic
5 liquor at premises located within a municipality with a
6 population in excess of 1,000,000 inhabitants and within 100
7 feet of a church and school if:

8 (1) the sale of alcoholic liquor is incidental to the
9 sale of food;

10 (2) the sale of alcoholic liquor is not the principal
11 business carried on by the applicant on the premises;

12 (3) a family-owned restaurant has operated on the
13 premises since 1957;

14 (4) the premises occupy the first floor of a 3-story
15 building that is at least 90 years old;

16 (5) the distance between the property line of the
17 premises and the property line of the church is at least 20
18 feet;

19 (6) the church was established at its current location
20 and the present structure was erected before 1900;

21 (7) the primary entrance of the premises is at least
22 75 feet from the primary entrance of the church;

23 (8) the school is affiliated with the church;

24 (9) the principal religious leader at the place of
25 worship has indicated his or her support for the issuance
26 of the license in writing;

1 (10) the principal of the school has indicated in
2 writing that he or she is not opposed to the issuance of
3 the license; and

4 (11) the alderperson ~~alderman~~ of the ward in which the
5 premises are located has expressed, in writing, his or her
6 lack of an objection to the issuance of the license.

7 (ff) Notwithstanding any provision of this Section to the
8 contrary, nothing in this Section shall prohibit the issuance
9 or renewal of a license authorizing the sale of alcoholic
10 liquor at premises located within a municipality with a
11 population in excess of 1,000,000 inhabitants and within 100
12 feet of a church if:

13 (1) the sale of alcoholic liquor is not the principal
14 business carried on by the licensee at the premises;

15 (2) the sale of alcoholic liquor at the premises is
16 incidental to the operation of a grocery store;

17 (3) the premises are a one-story building containing
18 approximately 10,000 square feet and are rented by the
19 owners of the grocery store;

20 (4) the sale of alcoholic liquor at the premises
21 occurs in a retail area of the grocery store that is
22 approximately 3,500 square feet;

23 (5) the grocery store has operated at the location
24 since 1984;

25 (6) the grocery store is closed on Sundays;

26 (7) the property on which the premises are located is

1 a corner lot that is bound by 3 streets and an alley, where
2 one street is a one-way street that runs north-south, one
3 street runs east-west, and one street runs
4 northwest-southeast;

5 (8) the property line of the premises is approximately
6 16 feet from the property line of the building where the
7 church is located;

8 (9) the premises are separated from the building
9 containing the church by a public alley;

10 (10) the primary entrance of the premises and the
11 primary entrance of the church are at least 100 feet
12 apart;

13 (11) representatives of the church have delivered a
14 written statement that the church does not object to the
15 issuance of a license under this subsection (fff); and

16 (12) the alderperson ~~alderman~~ of the ward in which the
17 grocery store is located has expressed, in writing, his or
18 her support for the issuance of the license.

19 (ggg) Notwithstanding any provision of this Section to the
20 contrary, nothing in this Section shall prohibit the issuance
21 or renewal of licenses authorizing the sale of alcoholic
22 liquor within a restaurant or lobby coffee house at premises
23 located within a municipality with a population in excess of
24 1,000,000 inhabitants and within 100 feet of a church and
25 school if:

26 (1) a residential retirement home formerly operated on

1 the premises and the premises are being converted into a
2 new apartment living complex containing studio and
3 one-bedroom apartments with ground floor retail space;

4 (2) the restaurant and lobby coffee house are located
5 within a Community Shopping District within the
6 municipality;

7 (3) the premises are located in a single-building,
8 mixed-use complex that, in addition to the restaurant and
9 lobby coffee house, contains apartment residences, a
10 fitness center for the residents of the apartment
11 building, a lobby designed as a social center for the
12 residents, a rooftop deck, and a patio with a dog run for
13 the exclusive use of the residents;

14 (4) the sale of alcoholic liquor is not the primary
15 business activity of the apartment complex, restaurant, or
16 lobby coffee house;

17 (5) the entrance to the apartment residence is more
18 than 310 feet from the entrance to the school and church;

19 (6) the entrance to the apartment residence is located
20 at the end of the block around the corner from the south
21 side of the school building;

22 (7) the school is affiliated with the church;

23 (8) the pastor of the parish, principal of the school,
24 and the titleholder to the church and school have given
25 written consent to the issuance of the license;

26 (9) the alderperson ~~alderman~~ of the ward in which the

1 premises are located has given written consent to the
2 issuance of the license; and

3 (10) the neighborhood block club has given written
4 consent to the issuance of the license.

5 (hhh) Notwithstanding any provision of this Section to the
6 contrary, nothing in this Section shall prohibit the issuance
7 or renewal of a license to sell alcoholic liquor at premises
8 located within a municipality with a population in excess of
9 1,000,000 inhabitants and within 100 feet of a home for
10 indigent persons or a church if:

11 (1) a restaurant operates on the premises and has been
12 in operation since January of 2014;

13 (2) the sale of alcoholic liquor is incidental to the
14 sale of food;

15 (3) the sale of alcoholic liquor is not the principal
16 business carried on by the licensee on the premises;

17 (4) the premises occupy the first floor of a 3-story
18 building that is at least 100 years old;

19 (5) the primary entrance to the premises is more than
20 100 feet from the primary entrance to the home for
21 indigent persons, which opened in 1989 and is operated to
22 address homelessness and provide shelter;

23 (6) the primary entrance to the premises and the
24 primary entrance to the home for indigent persons are
25 located on different streets;

26 (7) the executive director of the home for indigent

1 persons has given written consent to the issuance of the
2 license;

3 (8) the entrance to the premises is located within 100
4 feet of a Buddhist temple;

5 (9) the entrance to the premises is more than 100 feet
6 from where any worship or educational programming is
7 conducted by the Buddhist temple and is located in an area
8 used only for other purposes; and

9 (10) the president and the board of directors of the
10 Buddhist temple have given written consent to the issuance
11 of the license.

12 (iii) Notwithstanding any provision of this Section to the
13 contrary, nothing in this Section shall prohibit the issuance
14 or renewal of a license authorizing the sale of alcoholic
15 liquor at premises located within a municipality in excess of
16 1,000,000 inhabitants and within 100 feet of a home for the
17 aged if:

18 (1) the sale of alcoholic liquor is not the principal
19 business carried on by the licensee on the premises;

20 (2) the sale of alcoholic liquor at the premises is
21 incidental to the operation of a restaurant;

22 (3) the premises are on the ground floor of a
23 multi-floor, university-affiliated housing facility;

24 (4) the premises occupy 1,916 square feet of space,
25 with the total square footage from which liquor will be
26 sold, served, and consumed to be 900 square feet;

1 (5) the premises are separated from the home for the
2 aged by an alley;

3 (6) the primary entrance to the premises and the
4 primary entrance to the home for the aged are at least 500
5 feet apart and located on different streets;

6 (7) representatives of the home for the aged have
7 expressed, in writing, that the home does not object to
8 the issuance of a license under this subsection; and

9 (8) the alderperson ~~alderman~~ of the ward in which the
10 restaurant is located has expressed, in writing, his or
11 her support for the issuance of the license.

12 (jjj) Notwithstanding any provision of this Section to the
13 contrary, nothing in this Section shall prohibit the issuance
14 or renewal of a license authorizing the sale of alcoholic
15 liquor at premises located within a municipality with a
16 population in excess of 1,000,000 inhabitants and within 100
17 feet of a school if:

18 (1) as of January 1, 2016, the premises were used for
19 the sale of alcoholic liquor for consumption on the
20 premises and were authorized to do so pursuant to a retail
21 tavern license held by an individual as the sole
22 proprietor of the premises;

23 (2) the primary entrance to the school and the primary
24 entrance to the premises are on the same street;

25 (3) the school was founded in 1949;

26 (4) the building in which the premises are situated

1 was constructed before 1930;

2 (5) the building in which the premises are situated is
3 immediately across the street from the school; and

4 (6) the school has not indicated its opposition to the
5 issuance or renewal of the license in writing.

6 (kkk) (Blank).

7 (lll) Notwithstanding any provision of this Section to the
8 contrary, nothing in this Section shall prohibit the issuance
9 or renewal of a license authorizing the sale of alcoholic
10 liquor at premises located within a municipality with a
11 population in excess of 1,000,000 inhabitants and within 100
12 feet of a synagogue or school if:

13 (1) the sale of alcoholic liquor at the premises is
14 incidental to the sale of food;

15 (2) the sale of alcoholic liquor is not the principal
16 business carried on by the licensee at the premises;

17 (3) the premises are located on the same street on
18 which the synagogue or school is located;

19 (4) the primary entrance to the premises and the
20 closest entrance to the synagogue or school is at least
21 100 feet apart;

22 (5) the shortest distance between the premises and the
23 synagogue or school is at least 65 feet apart and no
24 greater than 70 feet apart;

25 (6) the premises are between 1,800 and 2,000 square
26 feet;

1 (7) the synagogue was founded in 1861; and

2 (8) the leader of the synagogue has indicated, in
3 writing, the synagogue's support for the issuance or
4 renewal of the license.

5 (mmm) Notwithstanding any provision of this Section to the
6 contrary, nothing in this Section shall prohibit the issuance
7 or renewal of licenses authorizing the sale of alcoholic
8 liquor within a restaurant or lobby coffee house at premises
9 located within a municipality with a population in excess of
10 1,000,000 inhabitants and within 100 feet of a church if:

11 (1) the sale of alcoholic liquor is not the principal
12 business carried on by the licensee at the premises;

13 (2) the sale of alcoholic liquor at the premises is
14 incidental to the sale of food in a restaurant;

15 (3) the restaurant has been run by the same family for
16 at least 19 consecutive years;

17 (4) the premises are located in a 3-story building in
18 the most easterly part of the first floor;

19 (5) the building in which the premises are located has
20 residential housing on the second and third floors;

21 (6) the primary entrance to the premises is on a
22 north-south street around the corner and across an alley
23 from the primary entrance to the church, which is on an
24 east-west street;

25 (7) the primary entrance to the church and the primary
26 entrance to the premises are more than 160 feet apart; and

1 (8) the church has expressed, in writing, its support
2 for the issuance of a license under this subsection.

3 (nnn) Notwithstanding any provision of this Section to the
4 contrary, nothing in this Section shall prohibit the issuance
5 or renewal of licenses authorizing the sale of alcoholic
6 liquor within a restaurant or lobby coffee house at premises
7 located within a municipality with a population in excess of
8 1,000,000 inhabitants and within 100 feet of a school and
9 church or synagogue if:

10 (1) the sale of alcoholic liquor is not the principal
11 business carried on by the licensee at the premises;

12 (2) the sale of alcoholic liquor at the premises is
13 incidental to the sale of food in a restaurant;

14 (3) the front door of the synagogue faces east on the
15 next north-south street east of and parallel to the
16 north-south street on which the restaurant is located
17 where the restaurant's front door faces west;

18 (4) the closest exterior pedestrian entrance that
19 leads to the school or the synagogue is across an
20 east-west street and at least 300 feet from the primary
21 entrance to the restaurant;

22 (5) the nearest church-related or school-related
23 building is a community center building;

24 (6) the restaurant is on the ground floor of a 3-story
25 building constructed in 1896 with a brick facade;

26 (7) the restaurant shares the ground floor with a

1 theater, and the second and third floors of the building
2 in which the restaurant is located consists of residential
3 housing;

4 (8) the leader of the synagogue and school has
5 expressed, in writing, that the synagogue does not object
6 to the issuance of a license under this subsection; and

7 (9) the alderperson ~~alderman~~ of the ward in which the
8 premises is located has expressed, in writing, his or her
9 support for the issuance of the license.

10 (ooo) Notwithstanding any provision of this Section to the
11 contrary, nothing in this Section shall prohibit the issuance
12 or renewal of a license authorizing the sale of alcoholic
13 liquor at premises located within a municipality with a
14 population in excess of 2,000 but less than 5,000 inhabitants
15 in a county with a population in excess of 3,000,000 and within
16 100 feet of a home for the aged if:

17 (1) as of March 1, 2016, the premises were used to sell
18 alcohol pursuant to a retail tavern and packaged goods
19 license issued by the municipality and held by a limited
20 liability company as the proprietor of the premises;

21 (2) the home for the aged was completed in 2015;

22 (3) the home for the aged is a 5-story structure;

23 (4) the building in which the premises are situated is
24 directly adjacent to the home for the aged;

25 (5) the building in which the premises are situated
26 was constructed before 1950;

1 (6) the home for the aged has not indicated its
2 opposition to the issuance or renewal of the license; and

3 (7) the president of the municipality has expressed in
4 writing that he or she does not object to the issuance or
5 renewal of the license.

6 (ppp) Notwithstanding any provision of this Section to the
7 contrary, nothing in this Section shall prohibit the issuance
8 or renewal of a license authorizing the sale of alcoholic
9 liquor at premises located within a municipality with a
10 population in excess of 1,000,000 inhabitants and within 100
11 feet of a church or churches if:

12 (1) the shortest distance between the premises and a
13 church is at least 78 feet apart and no greater than 95
14 feet apart;

15 (2) the premises are a single-story, brick commercial
16 building and between 3,600 to 4,000 square feet and the
17 original building was built before 1922;

18 (3) the premises are located in a B3-2 zoning
19 district;

20 (4) the premises are separated from the buildings
21 containing the churches by a street;

22 (5) the previous owners of the business located on the
23 premises held a liquor license for at least 10 years;

24 (6) the new owner of the business located on the
25 premises has managed 2 other food and liquor stores since
26 1997;

1 (7) the principal religious leaders at the places of
2 worship have indicated their support for the issuance or
3 renewal of the license in writing; and

4 (8) the alderperson ~~alderman~~ of the ward in which the
5 premises are located has indicated his or her support for
6 the issuance or renewal of the license in writing.

7 (qqq) Notwithstanding any provision of this Section to the
8 contrary, nothing in this Section shall prohibit the issuance
9 or renewal of a license authorizing the sale of alcoholic
10 liquor at premises located within a municipality with a
11 population in excess of 1,000,000 inhabitants and within 100
12 feet of a church if:

13 (1) the sale of alcoholic liquor at the premises is
14 incidental to the sale of food;

15 (2) the sale of alcoholic liquor is not the principal
16 business carried on by the licensee at the premises;

17 (3) the premises are located on the opposite side of
18 the same street on which the church is located;

19 (4) the church is located on a corner lot;

20 (5) the shortest distance between the premises and the
21 church is at least 90 feet apart and no greater than 95
22 feet apart;

23 (6) the premises are at least 3,000 but no more than
24 5,000 square feet;

25 (7) the church's original chapel was built in 1858;

26 (8) the church's first congregation was organized in

1 1860; and

2 (9) the leaders of the church and the alderperson
3 ~~alderman~~ of the ward in which the premises are located has
4 expressed, in writing, their support for the issuance of
5 the license.

6 (rrr) Notwithstanding any provision of this Section to the
7 contrary, nothing in this Section shall prohibit the issuance
8 or renewal of a license authorizing the sale of alcoholic
9 liquor at a restaurant or banquet facility established within
10 premises located within a municipality with a population in
11 excess of 1,000,000 inhabitants and within 100 feet of a
12 church or school if:

13 (1) the sale of alcoholic liquor at the premises is
14 incidental to the sale of food;

15 (2) the sale of alcoholic liquor is not the principal
16 business carried on by the licensee at the premises;

17 (3) the immediately prior owner or the operator of the
18 restaurant or banquet facility held a valid retail license
19 authorizing the sale of alcoholic liquor at the premises
20 for at least part of the 24 months before a change of
21 ownership;

22 (4) the premises are located immediately east and
23 across the street from an elementary school;

24 (5) the premises and elementary school are part of an
25 approximately 100-acre campus owned by the church;

26 (6) the school opened in 1999 and was named after the

1 founder of the church; and

2 (7) the alderperson ~~alderman~~ of the ward in which the
3 premises are located has expressed, in writing, his or her
4 support for the issuance of the license.

5 (sss) Notwithstanding any provision of this Section to the
6 contrary, nothing in this Section shall prohibit the issuance
7 or renewal of a license authorizing the sale of alcoholic
8 liquor at premises located within a municipality with a
9 population in excess of 1,000,000 inhabitants and within 100
10 feet of a church or school if:

11 (1) the premises are at least 5,300 square feet and
12 located in a building that was built prior to 1940;

13 (2) the shortest distance between the property line of
14 the premises and the exterior wall of the building in
15 which the church is located is at least 109 feet;

16 (3) the distance between the building in which the
17 church is located and the building in which the premises
18 are located is at least 118 feet;

19 (4) the main entrance to the church faces west and is
20 at least 602 feet from the main entrance of the premises;

21 (5) the shortest distance between the property line of
22 the premises and the property line of the school is at
23 least 177 feet;

24 (6) the applicant has been in business for more than
25 10 years;

26 (7) the principal religious leader of the church has

1 indicated his or her support for the issuance or renewal
2 of the license in writing;

3 (8) the principal of the school has indicated in
4 writing that he or she is not opposed to the issuance of
5 the license; and

6 (9) the alderperson ~~alderman~~ of the ward in which the
7 premises are located has expressed, in writing, his or her
8 support for the issuance of the license.

9 (ttt) Notwithstanding any provision of this Section to the
10 contrary, nothing in this Section shall prohibit the issuance
11 or renewal of a license authorizing the sale of alcoholic
12 liquor at premises located within a municipality with a
13 population in excess of 1,000,000 inhabitants and within 100
14 feet of a church or school if:

15 (1) the premises are at least 59,000 square feet and
16 located in a building that was built prior to 1940;

17 (2) the shortest distance between the west property
18 line of the premises and the exterior wall of the church is
19 at least 99 feet;

20 (3) the distance between the building in which the
21 church is located and the building in which the premises
22 are located is at least 102 feet;

23 (4) the main entrance to the church faces west and is
24 at least 457 feet from the main entrance of the premises;

25 (5) the shortest distance between the property line of
26 the premises and the property line of the school is at

1 least 66 feet;

2 (6) the applicant has been in business for more than
3 10 years;

4 (7) the principal religious leader of the church has
5 indicated his or her support for the issuance or renewal
6 of the license in writing;

7 (8) the principal of the school has indicated in
8 writing that he or she is not opposed to the issuance of
9 the license; and

10 (9) the alderperson ~~alderman~~ of the ward in which the
11 premises are located has expressed, in writing, his or her
12 support for the issuance of the license.

13 (uuu) Notwithstanding any provision of this Section to the
14 contrary, nothing in this Section shall prohibit the issuance
15 or renewal of a license authorizing the sale of alcoholic
16 liquor at premises located within a municipality with a
17 population in excess of 1,000,000 inhabitants and within 100
18 feet of a place of worship if:

19 (1) the sale of liquor is incidental to the sale of
20 food;

21 (2) the premises are at least 7,100 square feet;

22 (3) the shortest distance between the north property
23 line of the premises and the nearest exterior wall of the
24 place of worship is at least 86 feet;

25 (4) the main entrance to the place of worship faces
26 north and is more than 150 feet from the main entrance of

1 the premises;

2 (5) the applicant has been in business for more than
3 20 years at the location;

4 (6) the principal religious leader of the place of
5 worship has indicated his or her support for the issuance
6 or renewal of the license in writing; and

7 (7) the alderperson ~~alderman~~ of the ward in which the
8 premises are located has expressed, in writing, his or her
9 support for the issuance of the license.

10 (vvv) Notwithstanding any provision of this Section to the
11 contrary, nothing in this Section shall prohibit the issuance
12 or renewal of a license authorizing the sale of alcoholic
13 liquor at premises located within a municipality with a
14 population in excess of 1,000,000 inhabitants and within 100
15 feet of 2 churches if:

16 (1) as of January 1, 2015, the premises were used for
17 the sale of alcoholic liquor for consumption on the
18 premises and the sale was authorized pursuant to a retail
19 tavern license held by an individual as the sole
20 proprietor of the premises;

21 (2) a primary entrance of the church situated to the
22 south of the premises is located on a street running
23 perpendicular to the street upon which a primary entrance
24 of the premises is situated;

25 (3) the church located to the south of the premises is
26 a 3-story structure that was constructed in 2006;

1 (4) a parking lot separates the premises from the
2 church located to the south of the premises;

3 (5) the building in which the premises are situated
4 was constructed before 1930;

5 (6) the building in which the premises are situated is
6 a 2-story, mixed-use commercial and residential structure
7 containing more than 20,000 total square feet and
8 containing at least 7 residential units on the second
9 floor and 3 commercial units on the first floor;

10 (7) the building in which the premises are situated is
11 immediately adjacent to the church located to the north of
12 the premises;

13 (8) the primary entrance of the church located to the
14 north of the premises and the primary entrance of the
15 premises are located on the same street;

16 (9) the churches have not indicated their opposition
17 to the issuance or renewal of the license in writing; and

18 (10) the alderperson ~~alderman~~ of the ward in which the
19 premises are located has expressed, in writing, his or her
20 support for the issuance of the license.

21 (www) Notwithstanding any provision of this Section to the
22 contrary, nothing in this Section shall prohibit the issuance
23 or renewal of licenses authorizing the sale of alcoholic
24 liquor within a restaurant at premises located within a
25 municipality with a population in excess of 1,000,000
26 inhabitants and within 100 feet of a school if:

1 (1) the sale of alcoholic liquor is incidental to the
2 sale of food and is not the principal business of the
3 restaurant;

4 (2) the building in which the restaurant is located
5 was constructed in 1909 and is a 2-story structure;

6 (3) the restaurant has been operating continuously
7 since 1962, has been located at the existing premises
8 since 1989, and has been owned and operated by the same
9 family, which also operates a deli in a building located
10 immediately to the east and adjacent and connected to the
11 restaurant;

12 (4) the entrance to the restaurant is more than 200
13 feet from the entrance to the school;

14 (5) the building in which the restaurant is located
15 and the building in which the school is located are
16 separated by a traffic-congested major street;

17 (6) the building in which the restaurant is located
18 faces a public park located to the east of the school,
19 cannot be seen from the windows of the school, and is not
20 directly across the street from the school;

21 (7) the school building is located 2 blocks from a
22 major private university;

23 (8) the school is a public school that has
24 pre-kindergarten through eighth grade classes, is an open
25 enrollment school, and has a preschool program that has
26 earned a Gold Circle of Quality award;

1 (9) the local school council has given written consent
2 for the issuance of the liquor license; and

3 (10) the alderperson ~~alderman~~ of the ward in which the
4 premises are located has given written consent for the
5 issuance of the liquor license.

6 (xxx) (Blank).

7 (yyy) Notwithstanding any provision in this Section to the
8 contrary, nothing in this Section shall prohibit the issuance
9 or renewal of a license authorizing the sale of alcoholic
10 liquor at a store that is located within a municipality with a
11 population in excess of 1,000,000 inhabitants and within 100
12 feet of a church if:

13 (1) the premises are primarily used for the sale of
14 alcoholic liquor;

15 (2) on January 1, 2017, the store was authorized to
16 sell alcoholic liquor pursuant to a package goods liquor
17 license;

18 (3) on January 1, 2017, the store occupied
19 approximately 5,560 square feet and will be expanded to
20 include 440 additional square feet for the purpose of
21 storage;

22 (4) the store was in existence before the church;

23 (5) the building in which the store is located was
24 built in 1956 and is immediately south of the church;

25 (6) the store and church are separated by an east-west
26 street;

1 (7) the owner of the store received his first liquor
2 license in 1986;

3 (8) the church has not indicated its opposition to the
4 issuance or renewal of the license in writing; and

5 (9) the alderperson ~~alderman~~ of the ward in which the
6 store is located has expressed his or her support for the
7 issuance or renewal of the license.

8 (zzz) Notwithstanding any provision of this Section to the
9 contrary, nothing in this Section shall prohibit the issuance
10 or renewal of a license authorizing the sale of alcoholic
11 liquor at premises located within a municipality with a
12 population in excess of 1,000,000 inhabitants and within 100
13 feet of a church if:

14 (1) the premises are approximately 2,800 square feet
15 with east frontage on South Allport Street and north
16 frontage on West 18th Street in the City of Chicago;

17 (2) the shortest distance between the north property
18 line of the premises and the nearest exterior wall of the
19 church is 95 feet;

20 (3) the main entrance to the church is on West 18th
21 Street, faces south, and is more than 100 feet from the
22 main entrance to the premises;

23 (4) the sale of alcoholic liquor is incidental to the
24 sale of food in a restaurant;

25 (5) the principal religious leader of the church has
26 not indicated his or her opposition to the issuance or

1 renewal of the license in writing; and

2 (6) the alderperson ~~alderman~~ of the ward in which the
3 premises are located has indicated his or her support for
4 the issuance or renewal of the license in writing.

5 (aaaa) Notwithstanding any provision of this Section to
6 the contrary, nothing in this Section shall prohibit the
7 issuance or renewal of a license authorizing the sale of
8 alcoholic liquor at premises located within a municipality
9 with a population in excess of 1,000,000 inhabitants and
10 within 100 feet of a church if:

11 (1) the shortest distance between the premises and the
12 church is at least 65 feet apart and no greater than 70
13 feet apart;

14 (2) the premises are located on the ground floor of a
15 freestanding, 3-story building of brick construction with
16 2 stories of residential apartments above the premises;

17 (3) the premises are approximately 2,557 square feet;

18 (4) the premises and the church are located on
19 opposite corners and are separated by sidewalks and a
20 street;

21 (5) the sale of alcohol is not the principal business
22 carried on by the licensee at the premises;

23 (6) the pastor of the church has not indicated his or
24 her opposition to the issuance or renewal of the license
25 in writing; and

26 (7) the alderperson ~~alderman~~ of the ward in which the

1 premises are located has not indicated his or her
2 opposition to the issuance or renewal of the license in
3 writing.

4 (bbbb) Notwithstanding any other provision of this Section
5 to the contrary, nothing in this Section shall prohibit the
6 issuance or renewal of a license authorizing the sale of
7 alcoholic liquor at premises or an outdoor location at the
8 premises located within a municipality with a population in
9 excess of 1,000,000 inhabitants and that are within 100 feet
10 of a church or school if:

11 (1) the church was a Catholic cathedral on January 1,
12 2018;

13 (2) the church has been in existence for at least 150
14 years;

15 (3) the school is affiliated with the church;

16 (4) the premises are bordered by State Street on the
17 east, Superior Street on the south, Dearborn Street on the
18 west, and Chicago Avenue on the north;

19 (5) the premises are located within 2 miles of Lake
20 Michigan and the Chicago River;

21 (6) the premises are located in and adjacent to a
22 building for which construction commenced after January 1,
23 2018;

24 (7) the alderperson ~~alderman~~ who represents the
25 district in which the premises are located has written a
26 letter of support for the issuance of a license; and

1 (8) the principal religious leader of the church and
2 the principal of the school have both signed a letter of
3 support for the issuance of a license.

4 (cccc) Notwithstanding any other provision of this Section
5 to the contrary, nothing in this Section shall prohibit the
6 issuance or renewal of a license authorizing the sale of
7 alcoholic liquor within a restaurant at premises located
8 within a municipality with a population in excess of 1,000,000
9 inhabitants and within 100 feet of a school if:

10 (1) the sale of alcoholic liquor is incidental to the
11 sale of food and is not the principal business of the
12 restaurant;

13 (2) the building in which the restaurant is located
14 was constructed in 1912 and is a 3-story structure;

15 (3) the restaurant has been in operation since 2015
16 and its entrance faces North Western Avenue;

17 (4) the entrance to the school faces West Augusta
18 Boulevard;

19 (5) the entrance to the restaurant is more than 100
20 feet from the entrance to the school;

21 (6) the school is a Catholic school affiliated with
22 the nearby Catholic Parish church;

23 (7) the building in which the restaurant is located
24 and the building in which the school is located are
25 separated by an alley;

26 (8) the principal of the school has not indicated his

1 or her opposition to the issuance or renewal of the
2 license in writing; and

3 (9) the alderperson ~~alderman~~ of the ward in which the
4 restaurant is located has expressed his or her support for
5 the issuance or renewal of the license.

6 (dddd) Notwithstanding any provision of this Section to
7 the contrary, nothing in this Section shall prohibit the
8 issuance or renewal of a license authorizing the sale of
9 alcoholic liquor at premises located within a municipality
10 with a population in excess of 1,000,000 inhabitants and
11 within 100 feet of a school if:

12 (1) the premises are approximately 6,250 square feet
13 with south frontage on Bryn Mawr Avenue and north frontage
14 on the alley 125 feet north of Bryn Mawr Avenue in the City
15 of Chicago;

16 (2) the shortest distance between the south property
17 line of the premises and the nearest exterior wall of the
18 school is 248 feet;

19 (3) the main entrance to the school is on Christiana
20 Avenue, faces east, and is more than 100 feet from the main
21 entrance to the premises;

22 (4) the sale of alcoholic liquor is incidental to the
23 sale of food in a restaurant;

24 (5) the principal of the school has not indicated his
25 or her opposition to the issuance or renewal of the
26 license in writing; and

1 (6) the alderperson ~~alderman~~ of the ward in which the
2 premises are located has indicated his or her support for
3 the issuance or renewal of the license in writing.

4 (eeee) Notwithstanding any provision of this Section to
5 the contrary, nothing in this Section shall prohibit the
6 issuance or renewal of a license authorizing the sale of
7 alcoholic liquor at premises located within a municipality
8 with a population in excess of 1,000,000 inhabitants and
9 within 100 feet of a school if:

10 (1) the premises are approximately 2,300 square feet
11 with south frontage on 53rd Street in the City of Chicago
12 and the eastern property line of the premises abuts a
13 private alleyway;

14 (2) the shortest distance between the south property
15 line of the premises and the nearest exterior wall of the
16 school is approximately 187 feet;

17 (3) the main entrance to the school is on Cornell
18 Avenue, faces west, and is more than 100 feet from the main
19 entrance to the premises;

20 (4) the sale of alcoholic liquor is incidental to the
21 sale of food in a restaurant;

22 (5) the principal of the school has not indicated his
23 or her opposition to the issuance or renewal of the
24 license in writing; and

25 (6) the alderperson ~~alderman~~ of the ward in which the
26 premises are located has indicated his or her support for

1 the issuance or renewal of the license in writing.
2 (Source: P.A. 100-36, eff. 8-4-17; 100-38, eff. 8-4-17;
3 100-201, eff. 8-18-17; 100-579, eff. 2-13-18; 100-663, eff.
4 8-2-18; 100-863, eff. 8-14-18; 100-1036, eff. 8-22-18; 101-81,
5 eff. 7-12-19.)

6 Section 95. The Cannabis Regulation and Tax Act is amended
7 by changing Section 55-28 as follows:

8 (410 ILCS 705/55-28)

9 Sec. 55-28. Restricted cannabis zones.

10 (a) As used in this Section:

11 "Legal voter" means a person:

12 (1) who is duly registered to vote in a municipality
13 with a population of over 500,000;

14 (2) whose name appears on a poll list compiled by the
15 city board of election commissioners since the last
16 preceding election, regardless of whether the election was
17 a primary, general, or special election;

18 (3) who, at the relevant time, is a resident of the
19 address at which he or she is registered to vote; and

20 (4) whose address, at the relevant time, is located in
21 the precinct where such person seeks to file a notice of
22 intent to initiate a petition process, circulate a
23 petition, or sign a petition under this Section.

24 As used in the definition of "legal voter", "relevant

1 time" means any time that:

2 (i) a notice of intent is filed, pursuant to
3 subsection (c) of this Section, to initiate the petition
4 process under this Section;

5 (ii) the petition is circulated for signature in the
6 applicable precinct; or

7 (iii) the petition is signed by registered voters in
8 the applicable precinct.

9 "Petition" means the petition described in this Section.

10 "Precinct" means the smallest constituent territory within
11 a municipality with a population of over 500,000 in which
12 electors vote as a unit at the same polling place in any
13 election governed by the Election Code.

14 "Restricted cannabis zone" means a precinct within which
15 home cultivation, one or more types of cannabis business
16 establishments, or both has been prohibited pursuant to an
17 ordinance initiated by a petition under this Section.

18 (b) The legal voters of any precinct within a municipality
19 with a population of over 500,000 may petition their local
20 alderperson ~~alderman~~, using a petition form made available
21 online by the city clerk, to introduce an ordinance
22 establishing the precinct as a restricted zone. Such petition
23 shall specify whether it seeks an ordinance to prohibit,
24 within the precinct: (i) home cultivation; (ii) one or more
25 types of cannabis business establishments; or (iii) home
26 cultivation and one or more types of cannabis business

1 establishments.

2 Upon receiving a petition containing the signatures of at
3 least 25% of the registered voters of the precinct, and
4 concluding that the petition is legally sufficient following
5 the posting and review process in subsection (c) of this
6 Section, the city clerk shall notify the local alderperson
7 ~~alderman~~ of the ward in which the precinct is located. Upon
8 being notified, that alderperson ~~alderman~~, following an
9 assessment of relevant factors within the precinct, including
10 but not limited to, its geography, density and character, the
11 prevalence of residentially zoned property, current licensed
12 cannabis business establishments in the precinct, the current
13 amount of home cultivation in the precinct, and the prevailing
14 viewpoint with regard to the issue raised in the petition, may
15 introduce an ordinance to the municipality's governing body
16 creating a restricted cannabis zone in that precinct.

17 (c) A person seeking to initiate the petition process
18 described in this Section shall first submit to the city clerk
19 notice of intent to do so, on a form made available online by
20 the city clerk. That notice shall include a description of the
21 potentially affected area and the scope of the restriction
22 sought. The city clerk shall publicly post the submitted
23 notice online.

24 To be legally sufficient, a petition must contain the
25 requisite number of valid signatures and all such signatures
26 must be obtained within 90 days of the date that the city clerk

1 publicly posts the notice of intent. Upon receipt, the city
2 clerk shall post the petition on the municipality's website
3 for a 30-day comment period. The city clerk is authorized to
4 take all necessary and appropriate steps to verify the legal
5 sufficiency of a submitted petition. Following the petition
6 review and comment period, the city clerk shall publicly post
7 online the status of the petition as accepted or rejected, and
8 if rejected, the reasons therefor. If the city clerk rejects a
9 petition as legally insufficient, a minimum of 12 months must
10 elapse from the time the city clerk posts the rejection notice
11 before a new notice of intent for that same precinct may be
12 submitted.

13 (c-5) Within 3 days after receiving an application for
14 zoning approval to locate a cannabis business establishment
15 within a municipality with a population of over 500,000, the
16 municipality shall post a public notice of the filing on its
17 website and notify the alderman of the ward in which the
18 proposed cannabis business establishment is to be located of
19 the filing. No action shall be taken on the zoning application
20 for 7 business days following the notice of the filing for
21 zoning approval.

22 If a notice of intent to initiate the petition process to
23 prohibit the type of cannabis business establishment proposed
24 in the precinct of the proposed cannabis business
25 establishment is filed prior to the filing of the application
26 or within the 7-day period after the filing of the

1 application, the municipality shall not approve the
2 application for at least 90 days after the city clerk publicly
3 posts the notice of intent to initiate the petition process.
4 If a petition is filed within the 90-day petition-gathering
5 period described in subsection (c), the municipality shall not
6 approve the application for an additional 90 days after the
7 city clerk's receipt of the petition; provided that if the
8 city clerk rejects a petition as legally insufficient, the
9 municipality may approve the application prior to the end of
10 the 90 days. If a petition is not submitted within the 90-day
11 petition-gathering period described in subsection (c), the
12 municipality may approve the application unless the approval
13 is otherwise stayed pursuant to this subsection by a separate
14 notice of intent to initiate the petition process filed timely
15 within the 7-day period.

16 If no legally sufficient petition is timely filed, a
17 minimum of 12 months must elapse before a new notice of intent
18 for that same precinct may be submitted.

19 (d) Notwithstanding any law to the contrary, the
20 municipality may enact an ordinance creating a restricted
21 cannabis zone. The ordinance shall:

22 (1) identify the applicable precinct boundaries as of
23 the date of the petition;

24 (2) state whether the ordinance prohibits within the
25 defined boundaries of the precinct, and in what
26 combination: (A) one or more types of cannabis business

1 establishments; or (B) home cultivation;
2 (3) be in effect for 4 years, unless repealed earlier;
3 and
4 (4) once in effect, be subject to renewal by ordinance
5 at the expiration of the 4-year period without the need
6 for another supporting petition.
7 (Source: P.A. 101-27, eff. 6-25-19; 101-593, eff. 12-4-19.)

8 Section 100. The Illinois Vehicle Code is amended by
9 changing Section 3-610 as follows:

10 (625 ILCS 5/3-610) (from Ch. 95 1/2, par. 3-610)
11 Sec. 3-610. Members of Congress. Upon receiving an
12 application for a certificate of registration for a motor
13 vehicle from a member of the Congress of the United States from
14 Illinois, accompanied with payments of the registration fees
15 and taxes required under this Act, the Secretary of State
16 instead of issuing to such member number plates as hereinabove
17 provided, shall, if such member so requests, issue to him two
18 number plates as described in this Section. Two duplicate sets
19 of these number plates may be issued if requested and may be
20 used on 2 different motor vehicles. There shall appear, in
21 addition to the designation of the State and the year for which
22 such license was issued, if he is a member of the House of
23 Representatives, the number of the congressional district of
24 such member in the center of the plate followed in the next

1 line by the words "U. S. Congressperson ~~Congressman~~"; if he is
2 the senior Senator from Illinois, the number 1 shall be in the
3 center of the plate followed in the next line by the word
4 "Senator"; and if he is the junior Senator, the number 2 shall
5 be in the center of the plate followed in the next line by the
6 word "Senator".

7 Such plates may be issued for a 2 year period beginning
8 January 1st of each odd-numbered year and ending December 31st
9 of the subsequent even-numbered years.

10 (Source: P.A. 85-413.)

11 Section 105. The Code of Civil Procedure is amended by
12 changing Section 15-1503 as follows:

13 (735 ILCS 5/15-1503) (from Ch. 110, par. 15-1503)

14 Sec. 15-1503. Notice of foreclosure.

15 (a) A notice of foreclosure, whether the foreclosure is
16 initiated by complaint or counterclaim, made in accordance
17 with this Section and recorded in the county in which the
18 mortgaged real estate is located shall be constructive notice
19 of the pendency of the foreclosure to every person claiming an
20 interest in or lien on the mortgaged real estate, whose
21 interest or lien has not been recorded prior to the recording
22 of such notice of foreclosure. Such notice of foreclosure must
23 be executed by any party or any party's attorney and shall
24 include (i) the names of all plaintiffs and the case number,

1 (ii) the court in which the action was brought, (iii) the names
2 of title holders of record, (iv) a legal description of the
3 real estate sufficient to identify it with reasonable
4 certainty, (v) a common address or description of the location
5 of the real estate and (vi) identification of the mortgage
6 sought to be foreclosed. An incorrect common address or
7 description of the location, or an immaterial error in the
8 identification of a plaintiff or title holder of record, shall
9 not invalidate the lis pendens effect of the notice under this
10 Section. A notice which complies with this Section shall be
11 deemed to comply with Section 2-1901 of the Code of Civil
12 Procedure and shall have the same effect as a notice filed
13 pursuant to that Section; however, a notice which complies
14 with Section 2-1901 shall not be constructive notice unless it
15 also complies with the requirements of this Section.

16 (b) With respect to residential real estate, a copy of the
17 notice of foreclosure described in subsection (a) of Section
18 15-1503 shall be sent by first class mail, postage prepaid, to
19 the municipality within the boundary of which the mortgaged
20 real estate is located, or to the county within the boundary of
21 which the mortgaged real estate is located if the mortgaged
22 real estate is located in an unincorporated territory. A
23 municipality or county must clearly publish on its website a
24 single address to which such notice shall be sent. If a
25 municipality or county does not maintain a website, then the
26 municipality or county must publicly post in its main office a

1 single address to which such notice shall be sent. In the event
2 that a municipality or county has not complied with the
3 publication requirement in this subsection (b), then the copy
4 of the notice to the municipality or county shall be sent by
5 first class mail, postage prepaid, to the chairperson of the
6 county board or county clerk in the case of a county, to the
7 mayor or city clerk in the case of a city, to the president of
8 the board of trustees or village clerk in the case of a
9 village, or to the president or town clerk in the case of a
10 town. Additionally, if the real estate is located in a city
11 with a population of more than 2,000,000, regardless of
12 whether that city has complied with the publication
13 requirement in this subsection (b), the party must, within 10
14 days after filing the complaint or counterclaim: (i) send by
15 first class mail, postage prepaid, a copy of the notice of
16 foreclosure to the alderperson ~~alderman~~ for the ward in which
17 the real estate is located and (ii) file an affidavit with the
18 court attesting to the fact that the notice was sent to the
19 alderperson ~~alderman~~ for the ward in which the real estate is
20 located. The failure to send a copy of the notice to the
21 alderperson ~~alderman~~ or to file an affidavit as required shall
22 result in a stay of the foreclosure action on a motion of a
23 party or the court. If the foreclosure action has been stayed
24 by an order of the court, the plaintiff or the plaintiff's
25 representative shall send the notice by certified mail, return
26 receipt requested, or by private carrier that provides proof

1 of delivery, and tender the return receipt or the proof of
2 delivery to the court. After proof of delivery is tendered to
3 the court, the court shall lift the stay of the foreclosure
4 action.

5 (Source: P.A. 101-399, eff. 8-16-19.)

6 Section 110. The City Sale or Lease of Land for Cemeteries
7 Act is amended by changing Section 1 as follows:

8 (765 ILCS 825/1) (from Ch. 21, par. 7)

9 Sec. 1. That in all cities of which the mayor and
10 alderpersons ~~aldermen~~ have heretofore been incorporated by any
11 special act, as a cemetery association or body politic, it
12 shall be lawful, a majority of their number assenting thereto,
13 for such association or body politic to demise for a term of
14 years, or to convey in perpetuity any real estate which it may
15 have acquired by purchase or otherwise; and the real estate so
16 conveyed shall be devoted exclusively for burial or cemetery
17 purposes by the grantee or lessee thereof.

18 (Source: Laws 1875, p. 40.)

19 Section 999. Effective date. This Act takes effect upon
20 becoming law, except that the changes to Section 7-8 of the
21 Election Code take effect on July 1, 2023.