



Rep. Jay Hoffman

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10200SB2406ham002

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1 AMENDMENT TO SENATE BILL 2406

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 2406, AS AMENDED,  
3 by replacing everything after the enacting clause with the  
4 following:

5 "Section 5. The Circuit Courts Act is amended by changing  
6 Sections 1 and 2f-2 and by adding Sections 2f-12 and 37 as  
7 follows:

8 (705 ILCS 35/1) (from Ch. 37, par. 72.1)

9 Sec. 1. Judicial circuits created. The county of Cook  
10 shall be one judicial circuit and the State of Illinois,  
11 exclusive of the county of Cook, shall be and is divided into  
12 judicial circuits as follows:

13 First Circuit--The counties of Alexander, Pulaski, Massac,  
14 Pope, Johnson, Union, Jackson, Williamson and Saline.

15 Second Circuit--The counties of Hardin, Gallatin, White,  
16 Hamilton, Franklin, Wabash, Edwards, Wayne, Jefferson,

1 Richland, Lawrence and Crawford.

2 Third Circuit--The counties of Madison and Bond.

3 Fourth Circuit--The counties of Clinton, Marion, Clay,  
4 Fayette, Effingham, Jasper, Montgomery, Shelby, and Christian.

5 Fifth Circuit--The counties of Vermilion, Edgar, Clark,  
6 Cumberland and Coles.

7 Sixth Circuit--The counties of Champaign, Douglas,  
8 Moultrie, Macon, DeWitt, and Piatt.

9 Seventh Circuit--The counties of Sangamon, Macoupin,  
10 Morgan, Scott, Greene, and Jersey.

11 Eighth Circuit--The counties of Adams, Schuyler, Mason,  
12 Cass, Brown, Pike, Calhoun, and Menard.

13 Ninth Circuit--The counties of Knox, Warren, Henderson,  
14 Hancock, McDonough, and Fulton.

15 Tenth Circuit--The counties of Peoria, Marshall, Putnam,  
16 Stark, and Tazewell.

17 Eleventh Circuit--The counties of McLean, Livingston,  
18 Logan, Ford, and Woodford.

19 Twelfth Circuit--The county of Will.

20 Thirteenth Circuit--The counties of Bureau, LaSalle, and  
21 Grundy.

22 Fourteenth Circuit--The counties of Rock Island, Mercer,  
23 Whiteside, and Henry.

24 Fifteenth Circuit--The counties of Jo Daviess, Stephenson,  
25 Carroll, Ogle, and Lee.

26 Sixteenth Circuit--The county of Kane. ~~Before December 3,~~

1 ~~2012, the counties of Kane, DeKalb, and Kendall. On and after~~  
2 ~~December 3, 2012, the County of Kane.~~

3 Seventeenth Circuit--The counties of Winnebago and Boone.

4 Eighteenth Circuit--The county of DuPage.

5 Nineteenth Circuit--The county of Lake. ~~Before December 4,~~  
6 ~~2006, the counties of Lake and McHenry. On and after December~~  
7 ~~4, 2006, the County of Lake.~~

8 Twentieth Circuit--Before December 5, 2022, the ~~The~~  
9 counties of Randolph, Monroe, St. Clair, Washington, and  
10 Perry. On and after December 5, 2022, the county of St. Clair.

11 Twenty-first Circuit--The counties of Iroquois and  
12 Kankakee.

13 Twenty-second Circuit--The county of McHenry. ~~On and after~~  
14 ~~December 4, 2006, the County of McHenry.~~

15 Twenty-third Circuit--The ~~On and after December 3, 2012,~~  
16 ~~the~~ counties of DeKalb and Kendall.

17 Twenty-fourth Circuit--On and after December 5, 2022, the  
18 counties of Randolph, Monroe, Washington, and Perry.

19 (Source: P.A. 97-585, eff. 8-26-11; 98-756, eff. 7-16-14.)

20 (705 ILCS 35/2f-2)

21 Sec. 2f-2. 19th judicial circuit; subcircuits; additional  
22 judges.

23 (a) Prior to the boundaries of the subcircuits being  
24 redrawn under subsection (a-3), the ~~The~~ 19th circuit shall be  
25 divided into 6 subcircuits. The subcircuits shall be compact,

1 contiguous, and substantially equal in population. The General  
2 Assembly by law shall create the subcircuits, using population  
3 data as determined by the 2000 federal census, and shall  
4 determine a numerical order for the 6 subcircuits. That  
5 numerical order shall be the basis for the order in which  
6 resident judgeships are assigned to the subcircuits. The 6  
7 resident judgeships to be assigned that are not added by or  
8 converted from at-large ~~at-large~~ judgeships as provided in  
9 this amendatory Act of the 96th General Assembly shall be  
10 assigned to the 1st, 2nd, 3rd, 4th, 5th, and 6th subcircuits,  
11 in that order. The 6 resident judgeships to be assigned that  
12 are added by or converted from at-large ~~at-large~~ judgeships as  
13 provided in this amendatory Act of the 96th General Assembly  
14 shall be assigned to the 6th, 5th, 4th, 3rd, 2nd, and 1st  
15 subcircuits, in that order. Once a resident judgeship is  
16 assigned to a subcircuit, it shall continue to be assigned to  
17 that subcircuit for all purposes.

18 (a-3) In 2021, the General Assembly shall redraw the  
19 boundaries of the subcircuits to reflect the results of the  
20 2020 federal decennial census and divide the 19th circuit into  
21 at least 10 subcircuits. The General Assembly shall redraw the  
22 subcircuit boundaries after every federal decennial census.  
23 The subcircuits shall be compact, contiguous, and  
24 substantially equal in population. Upon the division of  
25 subcircuits pursuant to this Section: (i) each resident  
26 judgeship shall be assigned to the newly drawn subcircuit in

1 which the judge of the resident judgeship in question resides;  
2 and (ii) each at-large judgeship shall be converted to a  
3 resident judgeship and assigned to the subcircuit in which the  
4 judge of the converted judgeship in question resides. Once a  
5 resident judgeship is assigned to a subcircuit or an at-large  
6 judgeship is converted to a resident judgeship and assigned to  
7 a subcircuit, it shall be assigned to that subcircuit for all  
8 purposes. In accordance with subsection (a), a resident  
9 judgeship assigned to a subcircuit shall continue to be  
10 assigned to that subcircuit. Any vacancy in a resident  
11 judgeship existing on or occurring after the effective date of  
12 a law redrawing the boundaries of the subcircuits shall be  
13 filled by a resident of the redrawn subcircuit. When a vacancy  
14 occurs in a resident judgeship, the resident judgeship shall  
15 be allotted by the Supreme Court under subsection (c) and  
16 filled by election. Notwithstanding the preceding 2 sentences,  
17 the resident judgeship shall not be allotted by the Supreme  
18 Court and filled by election if, after the vacancy arises,  
19 there are still 2 or more nonvacant resident judgeships in the  
20 subcircuit of the vacant resident judgeship in question.

21 (a-5) Of the at-large ~~at-large~~ judgeships of the 19th  
22 judicial circuit, the first 3 that are or become vacant on or  
23 after the effective date of this amendatory Act of the 96th  
24 General Assembly shall become resident judgeships of the 19th  
25 judicial circuit to be allotted by the Supreme Court under  
26 subsection (c) and filled by election, except that the Supreme

1 Court may fill those judgeships by appointment for any  
2 remainder of a vacated term until the resident judgeships are  
3 filled initially by election. As used in this subsection, a  
4 vacancy does not include the expiration of a term of an  
5 at-large ~~at large~~ judge who seeks retention in that office at  
6 the next term.

7 (a-10) The 19th judicial circuit shall have 3 additional  
8 resident judgeships to be allotted by the Supreme Court under  
9 subsection (c). One of the additional resident judgeships  
10 shall be filled by election beginning at the 2010 general  
11 election. Two of the additional resident judgeships shall be  
12 filled by election beginning at the 2012 general election.

13 (a-15) The 19th judicial circuit shall have additional  
14 resident judgeships as provided by subsection (a-3) to be  
15 allotted by the Supreme Court under subsection (c). The  
16 resident judgeships shall be allotted by the Supreme Court in  
17 numerical order as provided by the General Assembly upon the  
18 redrawing of boundaries and the division of subcircuits  
19 pursuant to subsection (a-3). Two additional resident  
20 judgeships allotted by the Supreme Court pursuant to this  
21 subsection, in numerical order as provided by the General  
22 Assembly, shall be filled by election beginning at the 2022  
23 general election. The remainder of the additional resident  
24 judgeships shall be filled by election at the 2024 election.

25 (a-20) In addition to the 2 judgeships filled by election  
26 at the 2022 election as provided by subsection (a-15), any

1 judgeship that became vacant after January 1, 2020 and on the  
2 effective date of this amendatory Act of the 102nd General  
3 Assembly is held by an individual appointed by the Supreme  
4 Court also shall be filled by election at the 2022 general  
5 election. This subsection is subject to the requirement of  
6 subsection (a-3) that no judgeship shall be allotted by the  
7 Supreme Court and filled by election if, after the vacancy  
8 arises, there are still 2 or more nonvacant resident  
9 judgeships in the subcircuit of the vacant resident judgeship  
10 in question.

11 (b) The 19th circuit shall have a total of 12 resident  
12 judgeships (6 resident judgeships existing on the effective  
13 date of this amendatory Act of the 96th General Assembly, 3  
14 formerly at-large ~~at-large~~ judgeships as provided in  
15 subsection (a-5), and 3 resident judgeships added by  
16 subsection (a-10)). The number of resident judgeships allotted  
17 to subcircuits of the 19th judicial circuit pursuant to this  
18 Section shall constitute all the resident judgeships of the  
19 19th judicial circuit.

20 (c) The Supreme Court shall allot (i) all vacancies in  
21 resident judgeships of the 19th circuit existing on or  
22 occurring on or after the effective date of this amendatory  
23 Act of the 93rd General Assembly and not filled at the 2004  
24 general election, (ii) the resident judgeships of the 19th  
25 circuit filled at the 2004 general election as those  
26 judgeships thereafter become vacant, (iii) the 3 formerly

1 ~~at-large at-large~~ judgeships described in subsection (a-5) as  
2 they become available, ~~and~~ (iv) the 3 resident judgeships  
3 added by subsection (a-10), and (v) the additional resident  
4 judgeships provided for by subsection (a-3), for election from  
5 the various subcircuits until there are 2 resident judges to  
6 be elected from each subcircuit. No resident judge of the 19th  
7 circuit serving on the effective date of this amendatory Act  
8 of the 93rd General Assembly shall be required to change his or  
9 her residency in order to continue serving in office or to seek  
10 retention in office as resident judgeships are allotted by the  
11 Supreme Court in accordance with this Section.

12 (d) A resident judge elected from a subcircuit shall  
13 continue to reside in that subcircuit as long as he or she  
14 holds that office. A resident judge elected from a subcircuit  
15 after January 1, 2008, must retain residency as a registered  
16 voter in the subcircuit to run for retention from the circuit  
17 at-large at-large thereafter.

18 (e) Vacancies in resident judgeships of the 19th circuit  
19 shall be filled in the manner provided in Article VI of the  
20 Illinois Constitution.

21 (Source: P.A. 101-477, eff. 6-1-20.)

22 (705 ILCS 35/2f-12 new)

23 Sec. 2f-12. 20th and 24th judicial circuits.

24 (a) On December 5, 2022, the 20th judicial circuit is  
25 divided into the 20th and 24th judicial circuits as provided



1 in Section 1. This division does not invalidate any action  
2 taken by the 20th judicial circuit or any of its judges,  
3 officers, employees, or agents before December 5, 2022. This  
4 division does not affect any person's rights, obligations, or  
5 duties, including applicable civil and criminal penalties,  
6 arising out of any action taken by the 20th judicial circuit or  
7 any of its judges, officers, employees, or agents before  
8 December 5, 2022.

9 (b) Any vacancies in at-large judgeships or resident  
10 judgeships shall be filled in the 2022 general election. The  
11 Supreme Court shall fill any remaining vacancies in at-large  
12 judgeships or resident judgeships by appointment after the  
13 2022 general election.

14 (c) The Supreme Court shall assign to the 20th circuit the  
15 5 circuit judgeships elected at-large in the 20th circuit  
16 before and at the 2022 general election. The 3 resident  
17 judgeships elected from St. Clair County before the 2012  
18 general election shall become at-large circuit judgeships in  
19 the 20th circuit on December 5, 2022. An individual seeking  
20 election to one of the 5 judgeships at-large or a judge seeking  
21 retention to one of the 5 judgeships at-large at the 2022  
22 general election shall seek election or retention solely  
23 within the boundaries of St. Clair County. The 5 circuit  
24 judgeships assigned to the 20th circuit shall continue to be  
25 elected at-large, and the 3 resident judges shall be elected  
26 at-large at the first general election following the

1 expiration of a term of office. As used in this subsection, a  
2 vacancy does not include the expiration of a term of an  
3 at-large judge or of a resident judge who intends to seek  
4 retention in that office at the next term.

5 (d) The one resident judgeship elected from Monroe County  
6 before the 2022 general election shall become a resident judge  
7 in Monroe County in the 24th circuit on December 5, 2022, the  
8 one resident judgeship elected from Randolph County before the  
9 2022 general election shall become a resident judge in  
10 Randolph County in the 24th circuit on December 5, 2022, the  
11 one resident judgeship elected from Perry County before the  
12 2022 general election shall become a resident judge in Perry  
13 County in the 24th circuit on December 5, 2022, and the one  
14 resident judgeship elected from Washington County before the  
15 2022 general election shall become a resident judge in  
16 Washington County in the 24th circuit on December 5, 2022.

17 (e) On December 5, 2022, the Supreme Court shall allocate  
18 the associate judgeships of the 20th circuit before that date  
19 between the 20th and 24th circuits based on the residency of  
20 the associate judges. Any vacancies in associate judgeships  
21 shall be filled in accordance with the Associate Judges Act.

22 (f) On December 5, 2022, the Supreme Court shall allocate  
23 personnel, books, records, documents, real and personal  
24 property, funds, assets, liabilities, and pending matters  
25 concerning the 20th circuit before that date between the 20th  
26 and 24th circuits based on the population and staffing needs

1 of those circuits and the efficient and proper administration  
2 of the judicial system. The rights of employees under  
3 applicable collective bargaining agreements are not affected  
4 by this amendatory Act of the 102nd General Assembly.

5 (g) The judgeships set forth in this Section include the  
6 judgeships authorized under Section 2c.

7 (705 ILCS 35/37 new)

8 Sec. 37. Currently serving circuit judges. Nothing in this  
9 amendatory Act of the 102nd General Assembly shall affect the  
10 tenure of any circuit judge serving on the effective date of  
11 this amendatory Act. No circuit judge serving on the effective  
12 date of this amendatory Act of the 102nd General Assembly  
13 shall be required to change his or her residency in order to  
14 continue serving in office or to seek retention in office. Any  
15 circuit judge elected to that office prior to the effective  
16 date of this amendatory Act of the 102nd General Assembly who  
17 files to run for retention after the effective date of this  
18 amendatory Act shall have the right to seek retention in the  
19 circuit the judge was elected from or to seek retention in the  
20 circuit created by this amendatory Act. The Secretary of  
21 State, not less than 63 days before the election, shall  
22 certify the judge's candidacy to the proper election  
23 officials.

24 Section 10. The Judicial Vacancies Act is amended by

1 changing Section 2 as follows:

2 (705 ILCS 40/2) (from Ch. 37, par. 72.42)

3 Sec. 2. (a) Except as provided in paragraphs (1), (2),  
4 (3), (4), and (5) of this subsection (a), vacancies in the  
5 office of a resident circuit judge in any county or in any unit  
6 or subcircuit of any circuit shall not be filled.

7 (1) If in any county of less than 45,000 inhabitants  
8 there remains in office no other resident judge following  
9 the occurrence of a vacancy, such vacancy shall be filled.

10 (2) If in any county of 45,000 or more but less than  
11 60,000 inhabitants there remains in office only one  
12 resident judge following the occurrence of a vacancy, such  
13 vacancy shall be filled.

14 (3) If in any county of 60,000 or more inhabitants,  
15 other than the County of Cook or as provided in paragraph  
16 (5), there remain in office no more than 2 resident judges  
17 following the occurrence of a vacancy, such vacancy shall  
18 be filled.

19 (4) The County of Cook shall have 165 resident judges  
20 on and after the effective date of this amendatory Act of  
21 1990. Of those resident judgeships, (i) 56 shall be those  
22 authorized before the effective date of this amendatory  
23 Act of 1990 from the unit of the Circuit of Cook County  
24 within Chicago, (ii) 27 shall be those authorized before  
25 the effective date of this amendatory Act of 1990 from the

1 unit of the Circuit of Cook County outside Chicago, (iii)  
2 12 shall be additional resident judgeships first elected  
3 at the general election in November of 1992, (iv) 10 shall  
4 be additional resident judgeships first elected at the  
5 general election in November of 1994, and (v) 60 shall be  
6 additional resident judgeships to be authorized one each  
7 for each reduction upon vacancy in the office of associate  
8 judge in the Circuit of Cook County as those vacancies  
9 exist or occur on and after the effective date of this  
10 amendatory Act of 1990 and as those vacancies are  
11 determined under subsection (b) of Section 2 of the  
12 Associate Judges Act until the total resident judgeships  
13 authorized under this item (v) is 60. Seven of the 12  
14 additional resident judgeships provided in item (iii) may  
15 be filled by appointment by the Supreme Court during the  
16 period beginning on the effective date of this amendatory  
17 Act of 1990 and ending 60 days before the primary election  
18 in March of 1992; those judicial appointees shall serve  
19 until the first Monday in December of 1992. Five of the 12  
20 additional resident judgeships provided in item (iii) may  
21 be filled by appointment by the Supreme Court during the  
22 period beginning July 1, 1991 and ending 60 days before  
23 the primary election in March of 1992; those judicial  
24 appointees shall serve until the first Monday in December  
25 of 1992. Five of the 10 additional resident judgeships  
26 provided in item (iv) may be filled by appointment by the

1 Supreme Court during the period beginning July 1, 1992 and  
2 ending 60 days before the primary election in March of  
3 1994; those judicial appointees shall serve until the  
4 first Monday in December of 1994. The remaining 5 of the 10  
5 additional resident judgeships provided in item (iv) may  
6 be filled by appointment by the Supreme Court during the  
7 period beginning July 1, 1993 and ending 60 days before  
8 the primary election in March of 1994; those judicial  
9 appointees shall serve until the first Monday in December  
10 1994. The additional resident judgeships created upon  
11 vacancy in the office of associate judge provided in item  
12 (v) may be filled by appointment by the Supreme Court  
13 beginning on the effective date of this amendatory Act of  
14 1990; but no additional resident judgeships created upon  
15 vacancy in the office of associate judge provided in item  
16 (v) shall be filled during the 59 day period before the  
17 next primary election to nominate judges. The Circuit of  
18 Cook County shall be divided into units to be known as  
19 subcircuits as provided in Section 2f of the Circuit  
20 Courts Act. A vacancy in the office of resident judge of  
21 the Circuit of Cook County existing on or occurring on or  
22 after the effective date of this amendatory Act of 1990,  
23 but before the date the subcircuits are created by law,  
24 shall be filled by appointment by the Supreme Court from  
25 the unit within Chicago or the unit outside Chicago, as  
26 the case may be, in which the vacancy occurs and filled by

1 election from the subcircuit to which it is allotted under  
2 Section 2f of the Circuit Courts Act. A vacancy in the  
3 office of resident judge of the Circuit of Cook County  
4 existing on or occurring on or after the date the  
5 subcircuits are created by law shall be filled by  
6 appointment by the Supreme Court and by election from the  
7 subcircuit to which it is allotted under Section 2f of the  
8 Circuit Courts Act.

9 (5) Notwithstanding paragraphs (1), (2), and (3) of  
10 this subsection (a), resident judges in the 12th, 16th,  
11 17th, 19th, 22nd, ~~and 23rd~~, and 24th judicial circuits are  
12 as provided in Sections 2f-1, 2f-2, 2f-4, 2f-5, 2f-6,  
13 2f-9, ~~and 2f-10~~, and 2f-12 of the Circuit Courts Act.

14 (b) Nothing in paragraphs (2) or (3) of subsection (a) of  
15 this Section shall be construed to require or permit in any  
16 county a greater number of resident judges than there were  
17 resident associate judges on January 1, 1967.

18 (c) Vacancies authorized to be filled by this Section 2  
19 shall be filled in the manner provided in Article VI of the  
20 Constitution.

21 (d) A person appointed to fill a vacancy in the office of  
22 circuit judge shall be, at the time of appointment, a resident  
23 of the subcircuit from which the person whose vacancy is being  
24 filled was elected if the vacancy occurred in a circuit  
25 divided into subcircuits. If a vacancy in the office of  
26 circuit judge occurred in a circuit not divided into

1 subcircuits, a person appointed to fill the vacancy shall be,  
2 at the time of appointment, a resident of the circuit from  
3 which the person whose vacancy is being filled was elected.  
4 Except as provided in Sections 2f-1, 2f-2, 2f-4, 2f-5, 2f-6,  
5 and 2f-9 of the Circuit Courts Act, if a vacancy occurred in  
6 the office of a resident circuit judge, a person appointed to  
7 fill the vacancy shall be, at the time of appointment, a  
8 resident of the county from which the person whose vacancy is  
9 being filled was elected.

10 (Source: P.A. 98-744, eff. 7-16-14.)

11 Section 99. Effective date. This Act takes effect upon  
12 becoming law."