



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

SB2500

Introduced 2/26/2021, by Sen. Robert F. Martwick

SYNOPSIS AS INTRODUCED:

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

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

LRB102 17378 CMG 22871 b

FISCAL NOTE ACT
MAY APPLY

STATE MANDATES
ACT MAY REQUIRE
REIMBURSEMENT

1 AN ACT concerning higher education.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

21 (110 ILCS 805/7-2.1 new)

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

NOMINATING PETITIONS

(LEAVE OUT THE INAPPLICABLE PART.)

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

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

Name: Address:

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

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

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

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

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

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

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

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

6 (110 ILCS 805/7-2.2 new)

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

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

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

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

26 Where elections are conducted for unexpired terms, a

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

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

7 (BALLOT FORMAT

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

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

14 OFFICIAL BALLOT

15 DISTRICT (1 through 20)

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

17 CHICAGO TO SERVE

18 A FULL 4-YEAR TERM

19 VOTE FOR ONE

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23 OFFICIAL BALLOT

24 AT LARGE

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

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CHICAGO TO SERVE

A FULL 4-YEAR TERM

VOTE FOR ONE

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REVERSE SIDE:

OFFICIAL BALLOT

DISTRICT (1 through 20)

(Precinct name or number)

Community College District No., County,

Illinois

Election Tuesday (insert date)

(facsimile signature of Election Authority)

(County)

(110 ILCS 805/7-2.3 new)

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

(a) For purposes of elections conducted pursuant to subsection (b) of Section 7-2 of this Act, the City of Chicago shall be subdivided into 20 trustee districts after the effective date of this amendatory Act of the 102nd General Assembly by the General Assembly for seats on the board. The trustee districts must be drawn on or before May 31, 2022. Each trustee district must be compact, contiguous, and

1 substantially equal in population.

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

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

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

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

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