

# HB0040



## 103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB0040

Introduced 1/12/2023, by Rep. La Shawn K. Ford

### SYNOPSIS AS INTRODUCED:

65 ILCS 20/21-24.5 new

Amends the Revised Cities and Villages Act of 1941. Establishes a procedure for a special recall election to recall the Mayor of Chicago and the election of a successor mayor at a special successor election or special runoff election. Effective immediately.

LRB103 03528 AWJ 48534 b

A BILL FOR

1 AN ACT concerning local government.

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

4 Section 5. The Revised Cities and Villages Act of 1941 is  
5 amended by adding Section 21-24.5 as follows:

6 (65 ILCS 20/21-24.5 new)

7 Sec. 21-24.5. Recall election; Mayor of Chicago.

8 (a) The recall of the Mayor of Chicago may be proposed by a  
9 petition signed by a number of electors equal in number to at  
10 least 15% of the total votes cast for Mayor in the preceding  
11 election at which the Mayor was elected, with at least 50  
12 signatures from each ward. A petition must be signed by the  
13 petitioning electors not more than 150 days after an affidavit  
14 has been filed with the board of election commissioners  
15 providing notice of intent to circulate a petition to recall  
16 the Mayor. The affidavit may be filed no sooner than 6 months  
17 after the beginning of the Mayor's term of office. The  
18 affidavit must be signed by the proponent of the recall  
19 petition and at least 2 aldermen.

20 (b) The form of the petition, circulation, and procedure  
21 for determining the validity and sufficiency of a petition  
22 shall be as provided by law. If the petition is valid and  
23 sufficient, the board of election commissioners shall certify

1 the petition not more than 100 days after the date the petition  
2 was filed, and the question "Shall (name) be recalled from the  
3 office of Mayor?" must be submitted to the electors at a  
4 special recall election called by the board of election  
5 commissioners and to occur not more than 100 days after  
6 certification of the petition. A recall petition certified by  
7 the board of election commissioners may not be withdrawn. If a  
8 recall petition has been certified by the board of election  
9 commissioners, then another recall petition may not be  
10 initiated against the Mayor during the remainder of the  
11 current term of office of the Mayor. Any recall petition or  
12 recall election pending on the date of the next election at  
13 which a candidate for Mayor is elected is void.

14 The Mayor is immediately removed upon certification of the  
15 special recall election results if a majority of the electors  
16 voting on the question vote to recall the Mayor. If the Mayor  
17 is removed, then (i) the Vice Mayor shall serve as Mayor until  
18 the Mayor elected at the special successor election or special  
19 runoff election is qualified and (ii) the candidate who  
20 receives a majority of votes under subsection (c) in the  
21 special successor election or the candidate who receives the  
22 highest number of votes in the special runoff election is  
23 elected Mayor for the balance of the term.

24 (c) If a petition to recall the Mayor has been filed with  
25 the board of election commissioners, a person eligible to  
26 serve as Mayor may propose his or her candidacy for the special

1 successor election by a successor candidate petition signed by  
2 at least 12,500 legal voters of the City, not more than 50 days  
3 after a recall petition has been filed with the board of  
4 election commissioners. All successor candidate petitions and  
5 procedure with respect to the petitions shall conform in other  
6 respects to the provisions of the election and ballot laws  
7 then in force in the City of Chicago concerning the nomination  
8 of independent candidates for public office by petition. If  
9 the successor candidate petition is valid and sufficient, the  
10 board of election commissioners shall certify the petition not  
11 more than 100 days after the date the petition to recall the  
12 Mayor was filed.

13 If the Mayor is removed by the special recall election  
14 under subsection (b), the names of candidates for Mayor whose  
15 successor candidate petitions were certified by the board of  
16 election commissions must be submitted to the electors at a  
17 special successor election called by the board of election  
18 commissioners to be held 60 days after the special recall  
19 election. If no candidate receives a majority of the votes in  
20 the special successor election, a special runoff election  
21 shall be held no later than 60 days after the special successor  
22 election, and only the names of the candidates receiving the  
23 highest and second highest number of votes at the special  
24 successor election shall appear on the ballot.

25 If more than one candidate received the highest or second  
26 highest number of votes at the special successor election, the

1 names of all candidates receiving the highest and second  
2 highest number of votes shall appear on the ballot at the  
3 special runoff election. The candidate receiving the highest  
4 number of votes at the special runoff election shall be  
5 declared elected.

6 Section 99. Effective date. This Act takes effect upon  
7 becoming law.