

SB2289



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

SB2289

Introduced 2/10/2023, by Sen. Sue Rezin

SYNOPSIS AS INTRODUCED:

10 ILCS 5/25-11

from Ch. 46, par. 25-11

Amends the Election Code. Provides that when a vacancy occurs in any elective county office, the office of clerk of the circuit court in a county of less than 3,000,000 population that is not a home rule unit, or in the office of an elected member of the county board in a county other than Champaign County that is operating under the county executive form of government under specified provisions of the Counties Code, the appointee shall be a member of and affiliated with the same political party as the person being succeeded, as determined at the time the person being succeeded was elected.

LRB103 28798 BMS 55183 b

A BILL FOR

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 Section 25-11 as follows:

6 (10 ILCS 5/25-11) (from Ch. 46, par. 25-11)

7 Sec. 25-11. Except as otherwise provided in this
8 paragraph, when a vacancy occurs in any elective county
9 office, or in a county of less than 3,000,000 population in the
10 office of clerk of the circuit court, in a county which is not
11 a home rule unit, the county board or board of county
12 commissioners shall declare that such vacancy exists and
13 notification thereof shall be given to the county central
14 committee or the appropriate county board or board of county
15 commissioners district committee of each established political
16 party within 3 days of the occurrence of the vacancy. The
17 vacancy shall be filled within 60 days by appointment of the
18 chair of the county board or board of county commissioners
19 with the advice and consent of the county board or board of
20 county commissioners. In counties other than Champaign County
21 operating under the county executive form of government under
22 Division 2-5 of the Counties Code, when a vacancy occurs in an
23 elected county office other than in the office of an elected

1 member of the county board, the county executive shall declare
2 that such vacancy exists and then notification of the vacancy
3 shall be given to the county central committee of each
4 established political party within 3 days of the occurrence of
5 the vacancy, and the vacancy shall be filled within 60 days by
6 appointment of the county executive with the advice and
7 consent of the county board. The appointee shall be a member of
8 and affiliated with the same political party as the person
9 being succeeded, as determined at the time the person being
10 succeeded was elected. However, when a vacancy occurs in the
11 office of an elected member of the county board in a county
12 other than Champaign County that is operating under the county
13 executive form of government under Division 2-5 of the
14 Counties Code, the elected county board speaker or county
15 board chair, as the case may be, shall declare that such
16 vacancy exists and then notification shall be given to the
17 appropriate county board district committee of each
18 established political party within 3 days of the occurrence of
19 the vacancy, and the vacancy shall be filled within 60 days by
20 appointment of the elected county board speaker or county
21 board chair, as the case may be, with the advice and consent of
22 the county board. The appointee shall be a member of and
23 affiliated with the same political party as the person being
24 succeeded, as determined at the time the person being
25 succeeded was elected. In Champaign County while operating
26 under the county executive form of government under Division

1 2-5 of the Counties Code, when a vacancy occurs in an elected
2 county office or in the office of an elected member of the
3 county board, the elected county board speaker or county board
4 chair, as the case may be, shall declare that such vacancy
5 exists and then notification shall be given to the county
6 central committee or the appropriate county board district
7 committee of each established political party within 3 days of
8 the occurrence of the vacancy; and the vacancy shall be filled
9 within 60 days by appointment of the elected county board
10 speaker or county board chair, as the case may be, with the
11 advice and consent of the county board. In counties in which
12 forest preserve district commissioners are elected by
13 districts and are not also members of the county board,
14 however, vacancies in the office of forest preserve district
15 commissioner shall be filled within 60 days by appointment of
16 the president of the forest preserve district board of
17 commissioners with the advice and consent of the forest
18 preserve district board of commissioners. In counties in which
19 the forest preserve district president is not also a member of
20 the county board, vacancies in the office of forest preserve
21 district president shall be filled within 60 days by the
22 forest preserve district board of commissioners by appointing
23 one of the commissioners to serve as president. The appointee
24 shall be a member of the same political party as the person he
25 succeeds was at the time of his election and shall be otherwise
26 eligible to serve. The appointee shall serve the remainder of

1 the unexpired term. However, if more than 28 months remain in
2 the term, the appointment shall be until the next general
3 election at which time the vacated office shall be filled by
4 election for the remainder of the term. In the case of a
5 vacancy in a seat on a county board or board of county
6 commissioners which has been divided into districts under
7 Section 2-3003 or 2-4006.5 of the Counties Code, the appointee
8 must also be a resident of the county board or county
9 commission district. If a county commissioner ceases to reside
10 in the district that he or she represents, a vacancy in that
11 office exists.

12 Except as otherwise provided by county ordinance or by
13 law, in any county which is a home rule unit, vacancies in
14 elective county offices, other than the office of chief
15 executive officer, and vacancies in the office of clerk of the
16 circuit court in a county of less than 3,000,000 population,
17 shall be filled by the county board or board of county
18 commissioners.

19 (Source: P.A. 102-1120, eff. 1-23-23.)