

1 AN ACT concerning the courts.

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 7-7 and 7-8 as follows:

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

7 Sec. 7-7. For the purpose of making nominations in
8 certain instances as provided in this Article and this Act,
9 the following committees are authorized and shall constitute
10 the central or managing committees of each political party,
11 viz: A State central committee, a congressional committee for
12 each congressional district, a county central committee for
13 each county, a municipal central committee for each city,
14 incorporated town or village, a ward committeeman for each
15 ward in cities containing a population of 500,000 or more; a
16 township committeeman for each township or part of a township
17 that lies outside of cities having a population of 200,000 or
18 more, in counties having a population of 2,000,000 or more; a
19 precinct committeeman for each precinct in counties having a
20 population of less than 2,000,000; a county board district
21 committee for each county board district created under
22 Division 2-3 of the Counties Code; a State's Attorney
23 committee for each group of 2 or more counties which jointly
24 elect a State's Attorney; a Superintendent of Multi-County
25 Educational Service Region committee for each group of 2 or
26 more counties which jointly elect a Superintendent of a
27 Multi-County Educational Service Region; and a judicial
28 subcircuit committee in a judicial circuit divided into
29 subcircuits Cook-County for each judicial subcircuit in that
30 circuit Cook-County.

31 (Source: P.A. 87-1052.)

1 (10 ILCS 5/7-8) (from Ch. 46, par. 7-8)

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

5 State Central Committee

6 (a) Within 30 days after the effective date of this
7 amendatory Act of 1983 the State central committee of each
8 political party shall certify to the State Board of Elections
9 which of the following alternatives it wishes to apply to the
10 State central committee of that party.

11 Alternative A. At the primary held on the third Tuesday
12 in March 1970, and at the primary held every 4 years
13 thereafter, each primary elector may vote for one candidate
14 of his party for member of the State central committee for
15 the congressional district in which he resides. The
16 candidate receiving the highest number of votes shall be
17 declared elected State central committeeman from the
18 district. A political party may, in lieu of the foregoing, by
19 a majority vote of delegates at any State convention of such
20 party, determine to thereafter elect the State central
21 committeemen in the manner following:

22 At the county convention held by such political party
23 State central committeemen shall be elected in the same
24 manner as provided in this Article for the election of
25 officers of the county central committee, and such election
26 shall follow the election of officers of the county central
27 committee. Each elected ward, township or precinct
28 committeeman shall cast as his vote one vote for each ballot
29 voted in his ward, township, part of a township or precinct
30 in the last preceding primary election of his political
31 party. In the case of a county lying partially within one
32 congressional district and partially within another
33 congressional district, each ward, township or precinct
34 committeeman shall vote only with respect to the

1 congressional district in which his ward, township, part of a
2 township or precinct is located. In the case of a
3 congressional district which encompasses more than one
4 county, each ward, township or precinct committeeman residing
5 within the congressional district shall cast as his vote one
6 vote for each ballot voted in his ward, township, part of a
7 township or precinct in the last preceding primary election
8 of his political party for one candidate of his party for
9 member of the State central committee for the congressional
10 district in which he resides and the Chairman of the county
11 central committee shall report the results of the election to
12 the State Board of Elections. The State Board of Elections
13 shall certify the candidate receiving the highest number of
14 votes elected State central committeeman for that
15 congressional district.

16 The State central committee shall adopt rules to provide
17 for and govern the procedures to be followed in the election
18 of members of the State central committee.

19 After the effective date of this amendatory Act of the
20 91st General Assembly, whenever a vacancy occurs in the
21 office of Chairman of a State central committee, or at the
22 end of the term of office of Chairman, the State central
23 committee of each political party that has selected
24 Alternative A shall elect a Chairman who shall not be
25 required to be a member of the State Central Committee. The
26 Chairman shall be a registered voter in this State and of the
27 same political party as the State central committee.

28 Alternative B. Each congressional committee shall,
29 within 30 days after the adoption of this alternative,
30 appoint a person of the sex opposite that of the incumbent
31 member for that congressional district to serve as an
32 additional member of the State central committee until his or
33 her successor is elected at the general primary election in
34 1986. Each congressional committee shall make this

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

28 The Chairman of a State central committee composed as
29 provided in this Alternative B must be selected from the
30 committee's members.

31 Except as provided for in Alternative A with respect to
32 the selection of the Chairman of the State central committee,
33 under both of the foregoing alternatives, the State central
34 committee of each political party shall be composed of

1 members elected or appointed from the several congressional
2 districts of the State, and of no other person or persons
3 whomsoever. The members of the State central committee
4 shall, within 30 days after each quadrennial election of the
5 full committee, meet in the city of Springfield and organize
6 by electing a chairman, and may at such time elect such
7 officers from among their own number (or otherwise), as they
8 may deem necessary or expedient. The outgoing chairman of the
9 State central committee of the party shall, 10 days before
10 the meeting, notify each member of the State central
11 committee elected at the primary of the time and place of
12 such meeting. In the organization and proceedings of the
13 State central committee, each State central committeeman and
14 State central committeewoman shall have one vote for each
15 ballot voted in his or her congressional district by the
16 primary electors of his or her party at the primary election
17 immediately preceding the meeting of the State central
18 committee. Whenever a vacancy occurs in the State central
19 committee of any political party, the vacancy shall be filled
20 by appointment of the chairmen of the county central
21 committees of the political party of the counties located
22 within the congressional district in which the vacancy occurs
23 and, if applicable, the ward and township committeemen of the
24 political party in counties of 2,000,000 or more inhabitants
25 located within the congressional district. If the
26 congressional district in which the vacancy occurs lies
27 wholly within a county of 2,000,000 or more inhabitants, the
28 ward and township committeemen of the political party in that
29 congressional district shall vote to fill the vacancy. In
30 voting to fill the vacancy, each chairman of a county central
31 committee and each ward and township committeeman in counties
32 of 2,000,000 or more inhabitants shall have one vote for each
33 ballot voted in each precinct of the congressional district
34 in which the vacancy exists of his or her county, township,

1 or ward cast by the primary electors of his or her party at
2 the primary election immediately preceding the meeting to
3 fill the vacancy in the State central committee. The person
4 appointed to fill the vacancy shall be a resident of the
5 congressional district in which the vacancy occurs, shall be
6 a qualified voter, and, in a committee composed as provided
7 in Alternative B, shall be of the same sex as his or her
8 predecessor. A political party may, by a majority vote of the
9 delegates of any State convention of such party, determine to
10 return to the election of State central committeeman and
11 State central committeewoman by the vote of primary electors.
12 Any action taken by a political party at a State convention
13 in accordance with this Section shall be reported to the
14 State Board of Elections by the chairman and secretary of
15 such convention within 10 days after such action.

16 Ward, Township and Precinct Committeemen

17 (b) At the primary held on the third Tuesday in March,
18 1972, and every 4 years thereafter, each primary elector in
19 cities having a population of 200,000 or over may vote for
20 one candidate of his party in his ward for ward committeeman.
21 Each candidate for ward committeeman must be a resident of
22 and in the ward where he seeks to be elected ward
23 committeeman. The one having the highest number of votes
24 shall be such ward committeeman of such party for such ward.
25 At the primary election held on the third Tuesday in March,
26 1970, and every 4 years thereafter, each primary elector in
27 counties containing a population of 2,000,000 or more,
28 outside of cities containing a population of 200,000 or more,
29 may vote for one candidate of his party for township
30 committeeman. Each candidate for township committeeman must
31 be a resident of and in the township or part of a township
32 (which lies outside of a city having a population of 200,000
33 or more, in counties containing a population of 2,000,000 or
34 more), and in which township or part of a township he seeks

1 to be elected township committeeman. The one having the
2 highest number of votes shall be such township committeeman
3 of such party for such township or part of a township. At the
4 primary held on the third Tuesday in March, 1970 and every 2
5 years thereafter, each primary elector, except in counties
6 having a population of 2,000,000 or over, may vote for one
7 candidate of his party in his precinct for precinct
8 committeeman. Each candidate for precinct committeeman must
9 be a bona fide resident of the precinct where he seeks to be
10 elected precinct committeeman. The one having the highest
11 number of votes shall be such precinct committeeman of such
12 party for such precinct. The official returns of the primary
13 shall show the name of the committeeman of each political
14 party.

15 Terms of Committeemen. All precinct committeemen elected
16 under the provisions of this Article shall continue as such
17 committeemen until the date of the primary to be held in the
18 second year after their election. Except as otherwise
19 provided in this Section for certain State central
20 committeemen who have 2 year terms, all State central
21 committeemen, township committeemen and ward committeemen
22 shall continue as such committeemen until the date of primary
23 to be held in the fourth year after their election. However,
24 a vacancy exists in the office of precinct committeeman when
25 a precinct committeeman ceases to reside in the precinct in
26 which he was elected and such precinct committeeman shall
27 thereafter neither have nor exercise any rights, powers or
28 duties as committeeman in that precinct, even if a successor
29 has not been elected or appointed.

30 (c) The Multi-Township Central Committee shall consist
31 of the precinct committeemen of such party, in the
32 multi-township assessing district formed pursuant to Section
33 2-10 of the Property Tax Code and shall be organized for the
34 purposes set forth in Section 45-25 of the Township Code. In

1 the organization and proceedings of the Multi-Township
2 Central Committee each precinct committeeman shall have one
3 vote for each ballot voted in his precinct by the primary
4 electors of his party at the primary at which he was elected.

5 County Central Committee

6 (d) The county central committee of each political party
7 in each county shall consist of the various township
8 committeemen, precinct committeemen and ward committeemen, if
9 any, of such party in the county. In the organization and
10 proceedings of the county central committee, each precinct
11 committeeman shall have one vote for each ballot voted in his
12 precinct by the primary electors of his party at the primary
13 at which he was elected; each township committeeman shall
14 have one vote for each ballot voted in his township or part
15 of a township as the case may be by the primary electors of
16 his party at the primary election for the nomination of
17 candidates for election to the General Assembly immediately
18 preceding the meeting of the county central committee; and in
19 the organization and proceedings of the county central
20 committee, each ward committeeman shall have one vote for
21 each ballot voted in his ward by the primary electors of his
22 party at the primary election for the nomination of
23 candidates for election to the General Assembly immediately
24 preceding the meeting of the county central committee.

25 Congressional Committee

26 (e) The congressional committee of each party in each
27 congressional district shall be composed of the chairmen of
28 the county central committees of the counties composing the
29 congressional district, except that in congressional
30 districts wholly within the territorial limits of one county,
31 or partly within 2 or more counties, but not coterminous with
32 the county lines of all of such counties, the precinct
33 committeemen, township committeemen and ward committeemen, if
34 any, of the party representing the precincts within the

1 limits of the congressional district, shall compose the
2 congressional committee. A State central committeeman in each
3 district shall be a member and the chairman or, when a
4 district has 2 State central committeemen, a co-chairman of
5 the congressional committee, but shall not have the right to
6 vote except in case of a tie.

7 In the organization and proceedings of congressional
8 committees composed of precinct committeemen or township
9 committeemen or ward committeemen, or any combination
10 thereof, each precinct committeeman shall have one vote for
11 each ballot voted in his precinct by the primary electors of
12 his party at the primary at which he was elected, each
13 township committeeman shall have one vote for each ballot
14 voted in his township or part of a township as the case may
15 be by the primary electors of his party at the primary
16 election immediately preceding the meeting of the
17 congressional committee, and each ward committeeman shall
18 have one vote for each ballot voted in each precinct of his
19 ward located in such congressional district by the primary
20 electors of his party at the primary election immediately
21 preceding the meeting of the congressional committee; and in
22 the organization and proceedings of congressional committees
23 composed of the chairmen of the county central committees of
24 the counties within such district, each chairman of such
25 county central committee shall have one vote for each ballot
26 voted in his county by the primary electors of his party at
27 the primary election immediately preceding the meeting of the
28 congressional committee.

29 Judicial District Committee

30 (f) The judicial district committee of each political
31 party in each judicial district shall be composed of the
32 chairman of the county central committees of the counties
33 composing the judicial district.

34 In the organization and proceedings of judicial district

1 committees composed of the chairmen of the county central
2 committees of the counties within such district, each
3 chairman of such county central committee shall have one vote
4 for each ballot voted in his county by the primary electors
5 of his party at the primary election immediately preceding
6 the meeting of the judicial district committee.

7 Circuit Court Committee

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

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

18 Judicial Subcircuit Committee

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

27 In the organization and proceedings of each judicial
28 subcircuit committee, each township committeeman shall have
29 one vote for each ballot voted in his township or part of a
30 township, as the case may be, in the judicial subcircuit by
31 the primary electors of his party at the primary election
32 immediately preceding the meeting of the judicial subcircuit
33 committee; each precinct committeeman shall have one vote for
34 each ballot voted in his precinct or part of a precinct, as

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

9 Municipal Central Committee

10 (h) The municipal central committee of each political
 11 party shall be composed of the precinct, township or ward
 12 committeemen, as the case may be, of such party representing
 13 the precincts or wards, embraced in such city, incorporated
 14 town or village. The voting strength of each precinct,
 15 township or ward committeeman on the municipal central
 16 committee shall be the same as his voting strength on the
 17 county central committee.

18 For political parties, other than a statewide political
 19 party, established only within a municipality or township,
 20 the municipal or township managing committee shall be
 21 composed of the party officers of the local established
 22 party. The party officers of a local established party shall
 23 be as follows: the chairman and secretary of the caucus for
 24 those municipalities and townships authorized by statute to
 25 nominate candidates by caucus shall serve as party officers
 26 for the purpose of filling vacancies in nomination under
 27 Section 7-61; for municipalities and townships authorized by
 28 statute or ordinance to nominate candidates by petition and
 29 primary election, the party officers shall be the party's
 30 candidates who are nominated at the primary. If no party
 31 primary was held because of the provisions of Section 7-5,
 32 vacancies in nomination shall be filled by the party's
 33 remaining candidates who shall serve as the party's officers.

34 Powers

1 (i) Each committee and its officers shall have the
2 powers usually exercised by such committees and by the
3 officers thereof, not inconsistent with the provisions of
4 this Article. The several committees herein provided for
5 shall not have power to delegate any of their powers, or
6 functions to any other person, officer or committee, but this
7 shall not be construed to prevent a committee from appointing
8 from its own membership proper and necessary subcommittees.

9 (j) The State central committee of a political party
10 which elects its members by Alternative B under paragraph (a)
11 of this Section shall adopt a plan to give effect to the
12 delegate selection rules of the national political party and
13 file a copy of such plan with the State Board of Elections
14 when approved by a national political party.

15 (k) For the purpose of the designation of a proxy by a
16 Congressional Committee to vote in place of an absent State
17 central committeeman or committeewoman at meetings of the
18 State central committee of a political party which elects its
19 members by Alternative B under paragraph (a) of this Section,
20 the proxy shall be appointed by the vote of the ward and
21 township committeemen, if any, of the wards and townships
22 which lie entirely or partially within the Congressional
23 District from which the absent State central committeeman or
24 committeewoman was elected and the vote of the chairmen of
25 the county central committees of those counties which lie
26 entirely or partially within that Congressional District and
27 in which there are no ward or township committeemen. When
28 voting for such proxy the county chairman, ward committeeman
29 or township committeeman, as the case may be shall have one
30 vote for each ballot voted in his county, ward or township,
31 or portion thereof within the Congressional District, by the
32 primary electors of his party at the primary at which he was
33 elected. However, the absent State central committeeman or
34 committeewoman may designate a proxy when permitted by the

1 rules of a political party which elects its members by
2 Alternative B under paragraph (a) of this Section.

3 (Source: P.A. 90-627, eff. 7-10-98; 91-426, eff. 8-6-99.)

4 Section 10. The Circuit Courts Act is amended by changing
5 Sections 1 and 2 and by adding Sections 2f-1, 2f-2, 2f-4, and
6 2f-5 as follows:

7 (705 ILCS 35/1) (from Ch. 37, par. 72.1)

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

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

14 Second Circuit--The counties of Hardin, Gallatin, White,
15 Hamilton, Franklin, Wabash, Edwards, Wayne, Jefferson,
16 Richland, Lawrence and Crawford.

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

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

20 Fifth Circuit--The counties of Vermilion, Edgar, Clark,
21 Cumberland and Coles.

22 Sixth Circuit--The counties of Champaign, Douglas,
23 Moultrie, Macon, DeWitt and Piatt.

24 Seventh Circuit--The counties of Sangamon, Macoupin,
25 Morgan, Scott, Greene and Jersey.

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

28 Ninth Circuit--The counties of Knox, Warren, Henderson,
29 Hancock, McDonough and Fulton.

30 Tenth Circuit--The counties of Peoria, Marshall, Putnam,
31 Stark and Tazewell.

32 Eleventh Circuit--The counties of McLean, Livingston,

1 Logan, Ford and Woodford.

2 Twelfth Circuit--The county of Will.

3 Thirteenth Circuit--The counties of Bureau, LaSalle and
4 Grundy.

5 Fourteenth Circuit--The counties of Rock Island, Mercer,
6 Whiteside and Henry.

7 Fifteenth Circuit--The counties of JoDaviess, Stephenson,
8 Carroll, Ogle and Lee.

9 Sixteenth Circuit--The counties of Kane, DeKalb and
10 Kendall.

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

12 Eighteenth Circuit--The county of DuPage.

13 Nineteenth Circuit--Before December 4, 2006, the counties
14 of Lake and McHenry. On and after December 4, 2006, the
15 County of Lake.

16 Twentieth Circuit--The counties of Randolph, Monroe, St.
17 Clair, Washington and Perry.

18 Twenty-first Circuit--The counties of Iroquois and
19 Kankakee.

20 Twenty-second Circuit--On and after December 4, 2006, the
21 County of McHenry.

22 (Source: P.A. 84-1030.)

23 (705 ILCS 35/2) (from Ch. 37, par. 72.2)

24 Sec. 2. Circuit judges shall be elected at the general
25 elections and for terms as provided in Article VI of the
26 Illinois Constitution. Ninety-four circuit judges shall be
27 elected in the Circuit of Cook County and 3 circuit judges
28 shall be elected in each of the other circuits, but in
29 circuits other than Cook County containing a population of
30 230,000 or more inhabitants and in which there is included a
31 county containing a population of 200,000 or more
32 inhabitants, or in circuits other than Cook County containing
33 a population of 270,000 or more inhabitants, according to the

1 last preceding federal census and in the circuit where the
2 seat of State government is situated at the time fixed by law
3 for the nomination of judges of the Circuit Court in such
4 circuit and in any circuit which meets the requirements set
5 out in Section 2a of this Act, 4 circuit judges shall be
6 elected in the manner provided by law. In circuits other
7 than Cook County in which each county in the circuit has a
8 population of 475,000 or more, 4 circuit judges shall be
9 elected in addition to the 4 circuit judges provided for in
10 this Section. In any circuit composed of 2 counties having a
11 total population of 350,000 or more, one circuit judge shall
12 be elected in addition to the 4 circuit judges provided for
13 in this Section.

14 Notwithstanding the provisions of this Section or any
15 other law, the number of at large judgeships of the 12th
16 judicial circuit may be reduced by one or 2 judgeships as
17 provided in subsection (a-10) of Section 2f-4.

18 The several judges of the circuit courts of this State,
19 before entering upon the duties of their office, shall take
20 and subscribe the following oath or affirmation, which shall
21 be filed in the office of the Secretary of State:

22 "I do solemnly swear (or affirm, as the case may be) that
23 I will support the constitution of the United States, and the
24 constitution of the State of Illinois, and that I will
25 faithfully discharge the duties of judge of.... court,
26 according to the best of my ability."

27 One of the 3 additional circuit judgeships authorized by
28 this amendatory Act in circuits other than Cook County in
29 which each county in the circuit has a population of 475,000
30 or more may be filled when this Act becomes law. The 2
31 remaining circuit judgeships in such circuits shall not be
32 filled until on or after July 1, 1977.

33 (Source: P.A. 86-786; 86-1478.)

1 (705 ILCS 35/2f-1 new)

2 Sec. 2f-1. 19th and 22nd judicial circuits.

3 (a) On December 4, 2006, the 19th judicial circuit is
4 divided into the 19th and 22nd judicial circuits as provided
5 in Section 1 of the Circuit Courts Act. This division does
6 not invalidate any action taken by the 19th judicial circuit
7 or any of its judges, officers, employees, or agents before
8 December 4, 2006. This division does not affect any person's
9 rights, obligations, or duties, including applicable civil
10 and criminal penalties, arising out of any action taken by
11 the 19th judicial circuit or any of its judges, officers,
12 employees, or agents before December 4, 2006.

13 (b) Of the 7 circuit judgeships elected at large in the
14 19th circuit before the general election in 2006, the Supreme
15 Court shall assign 5 to the 19th circuit and 2 to the 22nd
16 circuit, based on residency of the circuit judges then
17 holding those judgeships. The 5 assigned to the 19th circuit
18 shall continue to be elected at large. The 2 assigned to the
19 22nd circuit shall continue to be elected at large.

20 (c) The 6 resident judgeships elected from Lake County
21 before the general election in 2006 shall become resident
22 judgeships in the 19th circuit on December 4, 2006, and the 3
23 resident judgeships elected from McHenry County before the
24 general election in 2006 shall become resident judgeships in
25 the 22nd circuit on December 4, 2006.

26 (d) On December 4, 2006, the Supreme Court shall
27 allocate the associate judgeships of the 19th circuit before
28 that date between the 19th and 22nd circuits based on the
29 population of those circuits.

30 (e) On December 4, 2006, the Supreme Court shall
31 allocate personnel, books, records, documents, property (real
32 and personal), funds, assets, liabilities, and pending
33 matters concerning the 19th circuit before that date between
34 the 19th and 22nd circuits based on the population and

1 staffing needs of those circuits and the efficient and proper
2 administration of the judicial system. The rights of
3 employees under applicable collective bargaining agreements
4 are not affected by this amendatory Act of the 93rd General
5 Assembly.

6 (f) The judgeships set forth in this Section include the
7 judgeships authorized under Sections 2g, 2h, and 2j. The
8 judgeships authorized in those Sections are not in addition
9 to those set forth in this Section.

10 (705 ILCS 35/2f-2 new)

11 Sec. 2f-2. 19th judicial circuit; subcircuits.

12 (a) The 19th circuit shall be divided into 6
13 subcircuits. The subcircuits shall be compact, contiguous,
14 and substantially equal in population. The General Assembly
15 by law shall create the subcircuits on or before February 1,
16 2004, using population data as determined by the 2000 federal
17 census, and shall determine a numerical order for the 6
18 subcircuits. That numerical order shall be the basis for the
19 order in which resident judgeships are assigned to the
20 subcircuits. Once a resident judgeship is assigned to a
21 subcircuit, it shall continue to be assigned to that
22 subcircuit for all purposes.

23 (b) The 19th circuit shall have a total of 6 resident
24 judgeships.

25 (c) The Supreme Court shall allot (i) all vacancies in
26 resident judgeships of the 19th circuit existing on or
27 occurring on or after the effective date of this amendatory
28 Act of the 93rd General Assembly and not filled at the 2004
29 general election and (ii) the resident judgeships of the 19th
30 circuit filled at the 2004 general election as those
31 judgeships thereafter become vacant, for election from the
32 various subcircuits until there is one resident judge to be
33 elected from each subcircuit. No resident judge of the 19th

1 circuit serving on the effective date of this amendatory Act
2 of the 93rd General Assembly shall be required to change his
3 or her residency in order to continue serving in office or to
4 seek retention in office as resident judgeships are allotted
5 by the Supreme Court in accordance with this Section.

6 (d) A resident judge of a subcircuit must reside in the
7 subcircuit and must continue to reside in that subcircuit as
8 long as he or she holds that office.

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

12 (705 ILCS 35/2f-4 new)

13 Sec. 2f-4. 12th circuit; subcircuits; additional judges.

14 (a) The 12th circuit shall be divided into 5
15 subcircuits. The subcircuits shall be compact, contiguous,
16 and substantially equal in population. The General Assembly
17 by law shall create the subcircuits on or before February 1,
18 2004, using population data as determined by the 2000 federal
19 census, and shall determine a numerical order for the 5
20 subcircuits. That numerical order shall be the basis for the
21 order in which resident judgeships are assigned to the
22 subcircuits. Once a resident judgeship is assigned to a
23 subcircuit, it shall continue to be assigned to that
24 subcircuit for all purposes.

25 (a-5) Two of the 12th circuit's associate judgeships
26 shall be allotted as 12th circuit resident judgeships under
27 subsection (c) as those associate judgeships are converted to
28 resident judgeships in accordance with Section 2 of the
29 Associate Judges Act.

30 (a-10) Of the 12th circuit's 10 existing circuit
31 judgeships (8 at large and 2 resident), 2 shall be allotted
32 as 12th circuit resident judgeships under subsection (c) as
33 the first 2 of any of those at large and resident judgeships

1 become vacant on or after the effective date of this
2 amendatory Act of the 93rd General Assembly. As used in this
3 subsection, a vacancy does not include the expiration of a
4 term of an at large or resident judge who seeks retention in
5 that office at the next term.

6 (b) The 12th circuit shall have one additional resident
7 judgeship, as well as its 2 existing resident judgeships, 8
8 at large judgeships, and 2 former associate judgeships, for a
9 total of 13 judgeships available to be allotted to the 5
10 subcircuit resident judgeships. The additional resident
11 judgeship created by this amendatory Act of the 93rd General
12 Assembly shall be filled by election beginning at the general
13 election in 2006. After the subcircuits are created by law,
14 the Supreme Court shall fill by appointment the additional
15 resident judgeship created by this amendatory Act of the 93rd
16 General Assembly until the 2006 general election.

17 (c) The Supreme Court shall allot (i) the additional
18 resident judgeship of the 12th circuit created by this
19 amendatory Act of the 93rd General Assembly, (ii) the first 2
20 vacancies in the at large and resident judgeships of the 12th
21 circuit as provided in subsection (a-10), and (iii) 2
22 associate judgeships of the 12th circuit as they are
23 converted to resident judgeships as provided in subsection
24 (a-5), for election from the various subcircuits until there
25 is one resident judge to be elected from each subcircuit. No
26 at large or resident judge of the 12th circuit serving on the
27 effective date of this amendatory Act of the 93rd General
28 Assembly shall be required to change his or her residency in
29 order to continue serving in office or to seek retention in
30 office as at large or resident judgeships are allotted by the
31 Supreme Court in accordance with this Section.

32 (d) A resident judge of a subcircuit must reside in the
33 subcircuit and must continue to reside in that subcircuit as
34 long as he or she holds that office.

1 (e) Vacancies in resident judgeships of the 12th circuit
2 shall be filled in the manner provided in Article VI of the
3 Illinois Constitution.

4 (705 ILCS 35/2f-5 new)

5 Sec. 2f-5. 22nd circuit; subcircuits.

6 (a) The 22nd circuit shall be divided into 3
7 subcircuits. The subcircuits shall be compact, contiguous,
8 and substantially equal in population. The General Assembly
9 by law shall create the subcircuits on or before February 1,
10 2004, using population data as determined by the 2000 federal
11 census, and shall determine a numerical order for the 3
12 subcircuits. That numerical order shall be the basis for the
13 order in which resident judgeships are assigned to the
14 subcircuits. Once a resident judgeship is assigned to a
15 subcircuit, it shall continue to be assigned to that
16 subcircuit for all purposes.

17 (b) The 22nd circuit shall have a total of 3 resident
18 judgeships.

19 (c) The Supreme Court shall allot (i) all vacancies in
20 resident judgeships of the 22nd circuit existing on or
21 occurring on or after the effective date of this amendatory
22 Act of the 93rd General Assembly and not filled at the 2004
23 general election and (ii) the resident judgeships of the 22nd
24 circuit filled at the 2004 general election as those
25 judgeships thereafter become vacant, for election from the
26 various subcircuits until there is one resident judge to be
27 elected from each subcircuit. No resident judge of the 22nd
28 circuit serving on the effective date of this amendatory Act
29 of the 93rd General Assembly shall be required to change his
30 or her residency in order to continue serving in office or to
31 seek retention in office as resident judgeships are allotted
32 by the Supreme Court in accordance with this Section.

33 (d) A resident judge of a subcircuit must reside in the

1 subcircuit and must continue to reside in that subcircuit as
2 long as he or she holds that office.

3 (e) Vacancies in resident judgeships of the 22nd circuit
4 shall be filled in the manner provided in Article VI of the
5 Illinois Constitution.

6 Section 15. The Judicial Vacancies Act is amended by
7 changing Section 2 as follows:

8 (705 ILCS 40/2) (from Ch. 37, par. 72.42)

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

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

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

21 (3) If in any county of 60,000 or more inhabitants,
22 other than the County of Cook or as provided in paragraph
23 (5), there remain in office no more than 2 resident
24 judges following the occurrence of a vacancy, such
25 vacancy shall be filled.

26 (4) The County of Cook shall have 165 resident
27 judges on and after the effective date of this amendatory
28 Act of 1990. Of those resident judgeships, (i) 56 shall
29 be those authorized before the effective date of this
30 amendatory Act of 1990 from the unit of the Circuit of
31 Cook County within Chicago, (ii) 27 shall be those
32 authorized before the effective date of this amendatory

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

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

29 (5) Resident judges in the 12th, 19th, and 22nd
30 judicial circuits are as provided in Sections 2f-1, 2f-2,
31 2f-4, and 2f-5 of the Circuit Courts Act.

32 (b) Nothing in paragraphs (2) or (3) of subsection (a)
33 of this Section shall be construed to require or permit in
34 any county a greater number of resident judges than there

1 were resident associate judges on January 1, 1967.

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

5 (d) A person appointed to fill a vacancy in the office
6 of circuit judge shall be, at the time of appointment, a
7 resident of the subcircuit from which the person whose
8 vacancy is being filled was elected if the vacancy occurred
9 in a circuit divided into subcircuits Cook-County. If a
10 vacancy in the office of circuit judge occurred in a circuit
11 not divided into subcircuits other-than-Cook-County, a person
12 appointed to fill the vacancy shall be, at the time of
13 appointment, a resident of the circuit from which the person
14 whose vacancy is being filled was elected. Except as
15 provided in Sections 2f-1, 2f-2, 2f-4, and 2f-5 of the
16 Circuit Courts Act, if a vacancy occurred in the office of a
17 resident circuit judge, a person appointed to fill the
18 vacancy shall be, at the time of appointment, a resident of
19 the county from which the person whose vacancy is being
20 filled was elected.

21 (Source: P.A. 90-342, eff. 8-8-97.)

22 Section 20. The Associate Judges Act is amended by
23 changing Section 2 as follows:

24 (705 ILCS 45/2) (from Ch. 37, par. 160.2)

25 Sec. 2. (a) The maximum number of associate judges
26 authorized for each circuit is the greater of the applicable
27 minimum number specified in this Section or one for each
28 35,000 or fraction thereof in population as determined by the
29 last preceding Federal census, except for circuits with a
30 population of more than 3,000,000 where the maximum number of
31 associate judges is one for each 29,000 or fraction thereof
32 in population as determined by the last preceding federal

1 census, reduced in circuits of less than 200,000 inhabitants
2 by the number of resident circuit judges elected in the
3 circuit in excess of one per county. In addition, in
4 circuits of 1,000,000 or more inhabitants, there shall be one
5 additional associate judge authorized for each municipal
6 district of the circuit court. The number of associate judges
7 to be appointed in each circuit, not to exceed the maximum
8 authorized, shall be determined from time to time by the
9 Circuit Court. The minimum number of associate judges
10 authorized for any circuit consisting of a single county
11 shall be 14, except that the minimum in the 22nd circuit
12 shall be 8. The minimum number of associate judges
13 authorized for any circuit consisting of 2 counties with a
14 combined population of at least 275,000 but less than 300,000
15 shall be 10. The minimum number of associate judges
16 authorized for any circuit with a population of at least
17 303,000 but not more than 309,000 shall be 10. The minimum
18 number of associate judges authorized for any circuit with a
19 population of at least 329,000, but not more than 335,000
20 shall be 11. The minimum number of associate judges
21 authorized for any circuit with a population of at least
22 173,000 shall be 5. As used in this Section, the term
23 "resident circuit judge" has the meaning given it in the
24 Judicial Vacancies Act.

25 (b) The maximum number of associate judges authorized
26 under subsection (a) for a circuit with a population of more
27 than 3,000,000 shall be reduced as provided in this
28 subsection (b). For each vacancy that exists on or occurs on
29 or after the effective date of this amendatory Act of 1990,
30 that maximum number shall be reduced by one until the total
31 number of associate judges authorized under subsection (a) is
32 reduced by 60. A vacancy exists or occurs when an associate
33 judge dies, resigns, retires, is removed, or is not
34 reappointed upon expiration of his or her term; a vacancy

1 does not exist or occur at the expiration of a term if the
2 associate judge is reappointed.

3 (c) The maximum number of associate judges authorized
4 under subsection (a) for the 12th judicial circuit shall be
5 reduced as provided in this subsection (c). For each vacancy
6 that exists on or occurs after the effective date of this
7 amendatory Act of the 93rd General Assembly, that maximum
8 number shall be reduced by one until the total number of
9 associate judges authorized under subsection (a) is reduced
10 by 2. A vacancy exists or occurs when (i) a new associate
11 judgeship has been authorized under subsection (a) for the
12 12th judicial circuit, but has not been filled by appointment
13 or (ii) an associate judge dies, resigns, retires, is
14 removed, or is not reappointed upon expiration of his or her
15 term. A vacancy does not exist or occur at the expiration of
16 a term if the associate judge is reappointed.

17 (Source: P.A. 92-17, eff. 6-28-01.)

18 Section 99. Effective date. This Act takes effect upon
19 becoming law.