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1 AMENDMENT TO SENATE BILL 1960

2 AMENDMENT NO. _____. Amend Senate Bill 1960 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Governmental Ethics Act is amended
5 by changing Section 4A-101 as follows:

6 (5 ILCS 420/4A-101) (from Ch. 127, par. 604A-101)

7 Sec. 4A-101. Persons required to file. The following
8 persons shall file verified written statements of economic
9 interests, as provided in this Article:

10 (a) Members of the General Assembly and candidates for
11 nomination or election to the General Assembly.

12 (b) Persons holding an elected office in the Executive
13 Branch of this State or on the Board of Trustees of the
14 University of Illinois, and candidates for nomination or
15 election to these offices.

16 (c) Members of a Commission or Board created by the
17 Illinois Constitution, and candidates for nomination or
18 election to such Commission or Board.

19 (d) Persons whose appointment to office is subject to
20 confirmation by the Senate.

21 (e) Holders of, and candidates for nomination or
22 election to, the office of judge or associate judge of the
23 Circuit Court and the office of judge of the Appellate or
24 Supreme Court.

1 (f) Persons who are employed by any branch, agency,
2 authority or board of the government of this State,
3 including but not limited to, the Illinois State Toll
4 Highway Authority, the Illinois Housing Development
5 Authority, the Illinois Community College Board, and
6 institutions under the jurisdiction of the Board of
7 Trustees of the University of Illinois, Board of Trustees
8 of Southern Illinois University, Board of Trustees of
9 Chicago State University, Board of Trustees of Eastern
10 Illinois University, Board of Trustees of Governor's State
11 University, Board of Trustees of Illinois State
12 University, Board of Trustees of Northeastern Illinois
13 University, Board of Trustees of Northern Illinois
14 University, Board of Trustees of Western Illinois
15 University, or Board of Trustees of the Illinois
16 Mathematics and Science Academy, and are compensated for
17 services as employees and not as independent contractors
18 and who:

19 (1) are, or function as, the head of a department,
20 commission, board, division, bureau, authority or
21 other administrative unit within the government of
22 this State, or who exercise similar authority within
23 the government of this State;

24 (2) have direct supervisory authority over, or
25 direct responsibility for the formulation,
26 negotiation, issuance or execution of contracts
27 entered into by the State in the amount of \$5,000 or
28 more;

29 (3) have authority for the issuance or
30 promulgation of rules and regulations within areas
31 under the authority of the State;

32 (4) have authority for the approval of
33 professional licenses;

34 (5) have responsibility with respect to the

1 financial inspection of regulated nongovernmental
2 entities;

3 (6) adjudicate, arbitrate, or decide any judicial
4 or administrative proceeding, or review the
5 adjudication, arbitration or decision of any judicial
6 or administrative proceeding within the authority of
7 the State; or

8 (7) have supervisory responsibility for 20 or more
9 employees of the State.

10 (g) Persons who are elected to office in a unit of
11 local government, and candidates for nomination or
12 election to that office, including regional
13 superintendents of school districts.

14 (h) Persons appointed to the governing board of a unit
15 of local government, or of a special district, and persons
16 appointed to a zoning board, or zoning board of appeals, or
17 to a regional, county, or municipal plan commission, or to
18 a board of review of any county, and persons appointed to
19 the Board of the Metropolitan Pier and Exposition Authority
20 and any Trustee appointed under Section 22 of the
21 Metropolitan Pier and Exposition Authority Act, and
22 persons appointed to a board or commission of a unit of
23 local government who have authority to authorize the
24 expenditure of public funds. This subsection does not apply
25 to members of boards or commissions who function in an
26 advisory capacity.

27 (i) Persons who are employed by a unit of local
28 government and are compensated for services as employees
29 and not as independent contractors and who:

30 (1) are, or function as, the head of a department,
31 division, bureau, authority or other administrative
32 unit within the unit of local government, or who
33 exercise similar authority within the unit of local
34 government;

1 (2) have direct supervisory authority over, or
2 direct responsibility for the formulation,
3 negotiation, issuance or execution of contracts
4 entered into by the unit of local government in the
5 amount of \$1,000 or greater;

6 (3) have authority to approve licenses and permits
7 by the unit of local government; this item does not
8 include employees who function in a ministerial
9 capacity;

10 (4) adjudicate, arbitrate, or decide any judicial
11 or administrative proceeding, or review the
12 adjudication, arbitration or decision of any judicial
13 or administrative proceeding within the authority of
14 the unit of local government;

15 (5) have authority to issue or promulgate rules and
16 regulations within areas under the authority of the
17 unit of local government; or

18 (6) have supervisory responsibility for 20 or more
19 employees of the unit of local government.

20 (j) Persons on the Board of Trustees of the Illinois
21 Mathematics and Science Academy.

22 (k) Persons employed by a school district in positions
23 that require that person to hold an administrative or a
24 chief school business official endorsement.

25 (l) Special government agents. A "special government
26 agent" is a person who is directed, retained, designated,
27 appointed, or employed, with or without compensation, by or
28 on behalf of a statewide executive branch constitutional
29 officer to make an ex parte communication under Section
30 5-50 of the State Officials and Employees Ethics Act or
31 Section 5-165 of the Illinois Administrative Procedure
32 Act.

33 This Section shall not be construed to prevent any unit of
34 local government from enacting financial disclosure

1 requirements that mandate more information than required by
2 this Act.

3 (Source: P.A. 93-617, eff. 12-9-03.)

4 Section 10. The Election Code is amended by changing
5 Sections 2A-1.2, 7-1, 7-9, 22-1, 22-7, 23-1.1a, 23-1.2a, and
6 23-1.13a and adding Section 2A-53.5 as follows:

7 (10 ILCS 5/2A-1.2) (from Ch. 46, par. 2A-1.2)

8 Sec. 2A-1.2. Consolidated Schedule of Elections - Offices
9 Designated.

10 (a) At the general election in the appropriate
11 even-numbered years, the following offices shall be filled or
12 shall be on the ballot as otherwise required by this Code:

13 (1) Elector of President and Vice President of the
14 United States;

15 (2) United States Senator and United States
16 Representative;

17 (3) State Executive Branch elected officers;

18 (4) State Senator and State Representative;

19 (5) County elected officers, including State's
20 Attorney, County Board member, County Commissioners, and
21 elected President of the County Board or County Chief
22 Executive;

23 (6) Circuit Court Clerk;

24 (7) Regional Superintendent of Schools, except in
25 counties or educational service regions in which that
26 office has been abolished;

27 (8) Judges of the Supreme, Appellate and Circuit
28 Courts, on the question of retention, to fill vacancies and
29 newly created judicial offices;

30 (9) Trustee of the University of Illinois ~~(Blank)~~;

31 (10) Trustee of the Metropolitan Sanitary District of
32 Chicago, and elected Trustee of other Sanitary Districts;

1 (11) Special District elected officers, not otherwise
2 designated in this Section, where the statute creating or
3 authorizing the creation of the district requires an annual
4 election and permits or requires election of candidates of
5 political parties.

6 (b) At the general primary election:

7 (1) in each even-numbered year candidates of political
8 parties shall be nominated for those offices to be filled
9 at the general election in that year, except where pursuant
10 to law nomination of candidates of political parties is
11 made by caucus.

12 (2) in the appropriate even-numbered years the
13 political party offices of State central committeeman,
14 township committeeman, ward committeeman, and precinct
15 committeeman shall be filled and delegates and alternate
16 delegates to the National nominating conventions shall be
17 elected as may be required pursuant to this Code. In the
18 even-numbered years in which a Presidential election is to
19 be held, candidates in the Presidential preference primary
20 shall also be on the ballot.

21 (3) in each even-numbered year, where the municipality
22 has provided for annual elections to elect municipal
23 officers pursuant to Section 6(f) or Section 7 of Article
24 VII of the Constitution, pursuant to the Illinois Municipal
25 Code or pursuant to the municipal charter, the offices of
26 such municipal officers shall be filled at an election held
27 on the date of the general primary election, provided that
28 the municipal election shall be a nonpartisan election
29 where required by the Illinois Municipal Code. For partisan
30 municipal elections in even-numbered years, a primary to
31 nominate candidates for municipal office to be elected at
32 the general primary election shall be held on the Tuesday 6
33 weeks preceding that election.

34 (4) in each school district which has adopted the

1 provisions of Article 33 of the School Code, successors to
2 the members of the board of education whose terms expire in
3 the year in which the general primary is held shall be
4 elected.

5 (c) At the consolidated election in the appropriate
6 odd-numbered years, the following offices shall be filled:

7 (1) Municipal officers, provided that in
8 municipalities in which candidates for alderman or other
9 municipal office are not permitted by law to be candidates
10 of political parties, the runoff election where required by
11 law, or the nonpartisan election where required by law,
12 shall be held on the date of the consolidated election; and
13 provided further, in the case of municipal officers
14 provided for by an ordinance providing the form of
15 government of the municipality pursuant to Section 7 of
16 Article VII of the Constitution, such offices shall be
17 filled by election or by runoff election as may be provided
18 by such ordinance;

19 (2) Village and incorporated town library directors;

20 (3) City boards of stadium commissioners;

21 (4) Commissioners of park districts;

22 (5) Trustees of public library districts;

23 (6) Special District elected officers, not otherwise
24 designated in this section, where the statute creating or
25 authorizing the creation of the district permits or
26 requires election of candidates of political parties;

27 (7) Township officers, including township park
28 commissioners, township library directors, and boards of
29 managers of community buildings, and Multi-Township
30 Assessors;

31 (8) Highway commissioners and road district clerks;

32 (9) Members of school boards in school districts which
33 adopt Article 33 of the School Code;

34 (10) The directors and chairman of the Chain O Lakes -

1 Fox River Waterway Management Agency;

2 (11) Forest preserve district commissioners elected
3 under Section 3.5 of the Downstate Forest Preserve District
4 Act;

5 (12) Elected members of school boards, school
6 trustees, directors of boards of school directors,
7 trustees of county boards of school trustees (except in
8 counties or educational service regions having a
9 population of 2,000,000 or more inhabitants) and members of
10 boards of school inspectors, except school boards in school
11 districts that adopt Article 33 of the School Code;

12 (13) Members of Community College district boards;

13 (14) Trustees of Fire Protection Districts;

14 (15) Commissioners of the Springfield Metropolitan
15 Exposition and Auditorium Authority;

16 (16) Elected Trustees of Tuberculosis Sanitarium
17 Districts;

18 (17) Elected Officers of special districts not
19 otherwise designated in this Section for which the law
20 governing those districts does not permit candidates of
21 political parties.

22 (d) At the consolidated primary election in each
23 odd-numbered year, candidates of political parties shall be
24 nominated for those offices to be filled at the consolidated
25 election in that year, except where pursuant to law nomination
26 of candidates of political parties is made by caucus, and
27 except those offices listed in paragraphs (12) through (17) of
28 subsection (c).

29 At the consolidated primary election in the appropriate
30 odd-numbered years, the mayor, clerk, treasurer, and aldermen
31 shall be elected in municipalities in which candidates for
32 mayor, clerk, treasurer, or alderman are not permitted by law
33 to be candidates of political parties, subject to runoff
34 elections to be held at the consolidated election as may be

1 required by law, and municipal officers shall be nominated in a
2 nonpartisan election in municipalities in which pursuant to law
3 candidates for such office are not permitted to be candidates
4 of political parties.

5 At the consolidated primary election in the appropriate
6 odd-numbered years, municipal officers shall be nominated or
7 elected, or elected subject to a runoff, as may be provided by
8 an ordinance providing a form of government of the municipality
9 pursuant to Section 7 of Article VII of the Constitution.

10 (e) (Blank).

11 (f) At any election established in Section 2A-1.1, public
12 questions may be submitted to voters pursuant to this Code and
13 any special election otherwise required or authorized by law or
14 by court order may be conducted pursuant to this Code.

15 Notwithstanding the regular dates for election of officers
16 established in this Article, whenever a referendum is held for
17 the establishment of a political subdivision whose officers are
18 to be elected, the initial officers shall be elected at the
19 election at which such referendum is held if otherwise so
20 provided by law. In such cases, the election of the initial
21 officers shall be subject to the referendum.

22 Notwithstanding the regular dates for election of
23 officials established in this Article, any community college
24 district which becomes effective by operation of law pursuant
25 to Section 6-6.1 of the Public Community College Act, as now or
26 hereafter amended, shall elect the initial district board
27 members at the next regularly scheduled election following the
28 effective date of the new district.

29 (g) At any election established in Section 2A-1.1, if in
30 any precinct there are no offices or public questions required
31 to be on the ballot under this Code then no election shall be
32 held in the precinct on that date.

33 (h) There may be conducted a referendum in accordance with
34 the provisions of Division 6-4 of the Counties Code.

1 (Source: P.A. 89-5, eff. 1-1-96; 89-95, eff. 1-1-96; 89-626,
2 eff. 8-9-96; 90-358, eff. 1-1-98.)

3 (10 ILCS 5/2A-53.5 new)

4 Sec. 2A-53.5. University of Illinois; trustee; time of
5 election. Beginning with the general election in 2006, a
6 trustee of the University of Illinois shall be elected at each
7 general election to succeed each incumbent trustee whose term
8 expires in January of the year next following that general
9 election.

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

11 Sec. 7-1. Application of Article.

12 (a) Except as otherwise provided in this Article, the
13 nomination of all candidates for all elective State,
14 congressional, judicial, and county officers, State's
15 Attorneys (whether elected from a single county or from more
16 than one county), city, village, and incorporated town and
17 municipal officers, trustees of sanitary districts, township
18 officers in townships of over 5,000 population coextensive with
19 or included wholly within cities or villages not under the
20 commission form of government, precinct, township, ward, and
21 State central committeemen, and delegates and alternate
22 delegates to national nominating conventions by all political
23 parties, as defined in Section 7-2 of this Article 7, shall be
24 made in the manner provided in this Article 7 and not
25 otherwise. The nomination of candidates for electors of
26 President and Vice President of the United States and for
27 trustees of the University of Illinois shall be made only in
28 the manner provided for in Section 7-9 of this Article.

29 (b) This Article 7 shall not apply to (i) the nomination of
30 candidates for school elections and township elections, except
31 in those townships specifically mentioned in subsection (a) and
32 except in those cases in which a township central committee

1 determines under Section 6A-2 of the Township Law of 1874 or
2 Section 45-55 of the Township Code that its candidates for
3 township offices shall be nominated by primary in accordance
4 with this Article, (ii) the nomination of park commissioners in
5 park districts organized under the Park District Code, (iii)
6 the nomination of officers of cities and villages organized
7 under special charters, or (iv) the nomination of municipal
8 officers for cities, villages, and incorporated towns with a
9 population of 5,000 or less, except where a city, village, or
10 incorporated town with a population of 5,000 or less has by
11 ordinance determined that political parties shall nominate
12 candidates for municipal office in the city, village, or
13 incorporated town by primary in accordance with this Article.
14 In that event, the municipal clerk shall certify the ordinance
15 to the proper election officials no later than November 15 in
16 the year preceding the consolidated primary election.

17 (c) The words "township officers" or "township offices"
18 shall be construed, when used in this Article, to include
19 supervisors.

20 (d) As provided in Sections 3.1-25-20 through 3.1-25-60 of
21 the Illinois Municipal Code, a village may adopt a system of
22 nonpartisan primary and general elections for the election of
23 village officers.

24 (Source: P.A. 88-670, eff. 12-2-94; 89-5, eff. 1-1-96.)

25 (10 ILCS 5/7-9) (from Ch. 46, par. 7-9)

26 Sec. 7-9. County central committee; county and State
27 conventions.

28 (a) On the second Monday next succeeding the primary at
29 which committeemen are elected, the county central committee of
30 each political party shall meet at the county seat of the
31 proper county and proceed to organize by electing from its own
32 number a chairman and either from its own number, or otherwise,
33 such other officers as such committee may deem necessary or

1 expedient. Such meeting of the county central committee shall
2 be known as the county convention.

3 The chairman of each county committee shall within 10 days
4 after the organization, forward to the State Board of
5 Elections, the names and post office addresses of the officers,
6 precinct committeemen and representative committeemen elected
7 by his political party.

8 The county convention of each political party shall choose
9 delegates to the State convention of its party; but in any
10 county having within its limits any city having a population of
11 200,000, or over the delegates from such city shall be chosen
12 by wards, the ward committeemen from the respective wards
13 choosing the number of delegates to which such ward is entitled
14 on the basis prescribed in paragraph (e) of this Section such
15 delegates to be members of the delegation to the State
16 convention from such county. In all counties containing a
17 population of 2,000,000 or more outside of cities having a
18 population of 200,000 or more, the delegates from each of the
19 townships or parts of townships as the case may be shall be
20 chosen by townships or parts of townships as the case may be,
21 the township committeemen from the respective townships or
22 parts of townships as the case may be choosing the number of
23 delegates to which such townships or parts of townships as the
24 case may be are entitled, on the basis prescribed in paragraph
25 (e) of this Section such delegates to be members of the
26 delegation to the State convention from such county.

27 Each member of the State Central Committee of a political
28 party which elects its members by Alternative B under paragraph
29 (a) of Section 7-8 shall be a delegate to the State Convention,
30 ex officio.

31 Each member of the State Central Committee of a political
32 party which elects its members by Alternative B under paragraph
33 (a) of Section 7-8 may appoint 2 delegates to the State
34 Convention who must be residents of the member's Congressional

1 District.

2 (b) State conventions shall be held within 180 days after
3 the general primary in the year 2000 and every 4 years
4 thereafter. In the year 1998, and every 4 years thereafter, the
5 chairman of a State central committee may issue a call for a
6 State convention within 180 days after the general primary.

7 The State convention of each political party has power to
8 make nominations of candidates of its political party for the
9 electors of President and Vice President of the United States
10 and for trustees of the University of Illinois, ~~and~~ to adopt
11 any party platform, and, to the extent determined by the State
12 central committee as provided in Section 7-14, to choose and
13 select delegates and alternate delegates at large to national
14 nominating conventions. The State Central Committee may adopt
15 rules to provide for and govern the procedures of the State
16 convention.

17 (c) The chairman and secretary of each State convention
18 shall, within 2 days thereafter, transmit to the State Board of
19 Elections of this State a certificate setting forth the names
20 and addresses of all persons nominated by such State convention
21 for electors of President and Vice President of the United
22 States and for trustees of the University of Illinois, and of
23 any persons selected by the State convention for delegates and
24 alternate delegates at large to national nominating
25 conventions; and the names of such candidates so chosen by such
26 State convention for electors of President and Vice President
27 of the United States and for trustees of the University of
28 Illinois, shall be caused by the State Board of Elections to be
29 printed upon the official ballot at the general election, in
30 the manner required by law, and shall be certified to the
31 various county clerks of the proper counties in the manner as
32 provided in Section 7-60 of this Article 7 for the certifying
33 of the names of persons nominated by any party for State
34 offices. If and as long as this Act prescribes that the names

1 of such electors be not printed on the ballot, then the names
2 of such electors shall be certified in such manner as may be
3 prescribed by the parts of this Act applicable thereto.

4 (d) Each convention may perform all other functions
5 inherent to such political organization and not inconsistent
6 with this Article.

7 (e) At least 33 days before the date of a State convention,
8 the chairman of the State central committee of each political
9 party shall file in the principal office of the State Board of
10 Elections a call for the State convention. Such call shall
11 state, among other things, the time and place (designating the
12 building or hall) for holding the State convention. Such call
13 shall be signed by the chairman and attested by the secretary
14 of the committee. In such convention each county shall be
15 entitled to one delegate for each 500 ballots voted by the
16 primary electors of the party in such county at the primary to
17 be held next after the issuance of such call; and if in such
18 county, less than 500 ballots are so voted or if the number of
19 ballots so voted is not exactly a multiple of 500, there shall
20 be one delegate for such group which is less than 500, or for
21 such group representing the number of votes over the multiple
22 of 500, which delegate shall have $1/500$ of one vote for each
23 primary vote so represented by him. The call for such
24 convention shall set forth this paragraph (e) of Section 7-9 in
25 full and shall direct that the number of delegates to be chosen
26 be calculated in compliance herewith and that such number of
27 delegates be chosen.

28 (f) All precinct, township and ward committeemen when
29 elected as provided in this Section shall serve as though
30 elected at large irrespective of any changes that may be made
31 in precinct, township or ward boundaries and the voting
32 strength of each committeeman shall remain as provided in this
33 Section for the entire time for which he is elected.

34 (g) The officers elected at any convention provided for in

1 this Section shall serve until their successors are elected as
2 provided in this Act.

3 (h) A special meeting of any central committee may be
4 called by the chairman, or by not less than 25% of the members
5 of such committee, by giving 5 days notice to members of such
6 committee in writing designating the time and place at which
7 such special meeting is to be held and the business which it is
8 proposed to present at such special meeting.

9 (i) Except as otherwise provided in this Act, whenever a
10 vacancy exists in the office of precinct committeeman because
11 no one was elected to that office or because the precinct
12 committeeman ceases to reside in the precinct or for any other
13 reason, the chairman of the county central committee of the
14 appropriate political party may fill the vacancy in such office
15 by appointment of a qualified resident of the county and the
16 appointed precinct committeeman shall serve as though elected;
17 however, no such appointment may be made between the general
18 primary election and the 14th day after the general primary
19 election.

20 (j) If the number of Congressional Districts in the State
21 of Illinois is reduced as a result of reapportionment of
22 Congressional Districts following a federal decennial census,
23 the State Central Committeemen and Committeewomen of a
24 political party which elects its State Central Committee by
25 either Alternative A or by Alternative B under paragraph (a) of
26 Section 7-8 who were previously elected shall continue to serve
27 as if no reapportionment had occurred until the expiration of
28 their terms.

29 (Source: P.A. 89-5, eff. 1-1-96; 90-627, eff. 7-10-98.)

30 (10 ILCS 5/22-1) (from Ch. 46, par. 22-1)

31 Sec. 22-1. Abstracts of votes. Within 7 days after the
32 close of the election at which candidates for offices
33 hereinafter named in this Section are voted upon, the county

1 clerks of the respective counties, with the assistance of the
2 chairmen of the county central committees of the Republican and
3 Democratic parties of the county, shall open the returns and
4 make abstracts of the votes on a separate sheet for each of the
5 following:

6 A. For Governor and Lieutenant Governor;

7 B. For State officers;

8 C. For presidential electors;

9 D. For United States Senators and Representatives to
10 Congress;

11 E. For judges of the Supreme Court;

12 F. For judges of the Appellate Court;

13 G. For judges of the circuit court;

14 H. For Senators and Representatives to the General
15 Assembly;

16 I. For State's Attorneys elected from 2 or more counties;

17 J. For amendments to the Constitution, and for other
18 propositions submitted to the electors of the entire State;

19 K. For county officers and for propositions submitted to
20 the electors of the county only;

21 L. For Regional Superintendent of Schools;

22 M. For trustees of Sanitary Districts; ~~and~~

23 N. For Trustee of a Regional Board of School Trustees; and

24 O. For trustees of the University of Illinois.

25 Multiple originals of each of the sheets shall be prepared
26 and one of each shall be turned over to the chairman of the
27 county central committee of each of the then existing
28 established political parties, as defined in Section 10-2, or
29 his duly authorized representative immediately after the
30 completion of the entries on the sheets and before the totals
31 have been compiled.

32 The foregoing abstracts shall be preserved by the county
33 clerk in his office.

34 Whenever any county chairman is also county clerk or

1 whenever any county chairman is unable to serve as a member of
2 such canvassing board the vice-chairman or secretary of his
3 county central committee, in that order, shall serve in his
4 place as member of such canvassing board; provided, that if
5 none of these persons is able to serve, the county chairman may
6 appoint a member of his county central committee to serve as a
7 member of such canvassing board.

8 The powers and duties of the county canvassing board are
9 limited to those specified in this Section. In no event shall
10 such canvassing board open any package in which the ballots
11 have been wrapped or any envelope containing "defective" or
12 "objected to" ballots, or in any manner undertake to examine
13 the ballots used in the election, except as provided in Section
14 22-9.1 or when directed by a court in an election contest. Nor
15 shall such canvassing board call in the precinct judges of
16 election or any other persons to open or recount the ballots.

17 (Source: P.A. 89-5, eff. 1-1-96.)

18 (10 ILCS 5/22-7) (from Ch. 46, par. 22-7)

19 Sec. 22-7. Canvass of votes; declaration and proclamation
20 of result. The State Board of Elections, shall proceed, within
21 20 days after the election, and sooner if all the returns are
22 received, to canvass the votes given for United States Senators
23 and Representatives to Congress, State executive officers,
24 judges of the Supreme Court, judges of the Appellate Court,
25 judges of the Circuit Court, Senators, Representatives to the
26 General Assembly, State's Attorneys and Regional
27 Superintendents of Schools elected from 2 or more counties, and
28 trustees of the University of Illinois, respectively, and the
29 persons having the highest number of votes for the respective
30 offices shall be declared duly elected, but if it appears that
31 more than the number of persons to be elected have the highest
32 and an equal number of votes for the same office, the electoral
33 board shall decide by lot which of such persons shall be

1 elected; and to each person duly elected, the Governor shall
2 give a certificate of election or commission, as the case may
3 require, and shall cause proclamation to be made of the result
4 of the canvass, and they shall at the same time and in the same
5 manner, canvass the vote cast upon amendments to the
6 Constitution, and upon other propositions submitted to the
7 electors of the entire State; and the Governor shall cause to
8 be made such proclamation of the result of the canvass as the
9 statutes elsewhere provide. The State Board of Elections shall
10 transmit to the State Comptroller a list of the persons elected
11 to the various offices. The State Board of Elections shall also
12 transmit to the Supreme Court the names of persons elected to
13 judgeships in adversary elections and the names of judges who
14 fail to win retention in office.

15 (Source: P.A. 89-5, eff. 1-1-96.)

16 (10 ILCS 5/23-1.1a) (from Ch. 46, par. 23-1.1a)

17 Sec. 23-1.1a. Election contest - Statewide - Jurisdiction.
18 The Supreme Court shall have jurisdiction over contests of the
19 results of any election, including a primary, for an elected
20 officer provided for in Article V of the Constitution and for
21 trustee of the University of Illinois, and shall retain
22 jurisdiction throughout the course of such election contests.

23 (Source: P.A. 89-5, eff. 1-1-96.)

24 (10 ILCS 5/23-1.2a) (from Ch. 46, par. 23-1.2a)

25 Sec. 23-1.2a. Election contest - Statewide offices - Who
26 may contest - Time and place for filing - Fee. The results of
27 an election, including a primary, for an elected executive
28 officer provided for in Article V of the Constitution or for
29 trustee of the University of Illinois may be challenged (1) by
30 any candidate whose name was on the ballot for that office, (2)
31 by any person who filed a declaration of intent to be a
32 write-in candidate for that office, or (3) by any person who

1 voted in that election, provided that such person's challenge
2 is supported by a verified petition signed by persons who voted
3 in the election in a number no less than the largest number of
4 signatures required to nominate a person to be a candidate of
5 any political party which nominated a candidate for the office
6 being contested.

7 Any person, including a candidate, qualified pursuant to
8 this Section and desiring to contest the results of an election
9 for such an office shall, within 15 days of the date of the
10 official proclamation of results of such election, file a
11 Petition of State Election Contest with the clerk of the
12 Supreme Court together with a filing fee in the amount of
13 \$10,000.

14 (Source: P.A. 89-5, eff. 1-1-96.)

15 (10 ILCS 5/23-1.13a) (from Ch. 46, par. 23-1.13a)

16 Sec. 23-1.13a. If any of the powers or duties to be
17 exercised or performed by the Supreme Court under Sections
18 23-1.1a through 23-1.12a may not constitutionally be exercised
19 or performed by the Supreme Court by reason of jurisdictional
20 limitations, then Sections 23-1.1a through 23-1.12a shall
21 nonetheless continue to govern contests of elections for
22 elected officers provided for in Article V of the Constitution
23 and for trustees of the University of Illinois, and in such
24 event the Supreme Court shall, pursuant to its general
25 administrative and supervisory powers, assign to a circuit
26 court those adjudicatory powers and duties with respect to such
27 a contest as may not be exercised or performed by the Supreme
28 Court, subject to appropriate judicial review.

29 (Source: P.A. 89-5, eff. 1-1-96.)

30 Section 15. The University of Illinois Trustees Act is
31 amended by changing Section 1 as follows:

1 (110 ILCS 310/1) (from Ch. 144, par. 41)

2 Sec. 1. Membership.

3 (a) The Board of Trustees of the University of Illinois
4 shall consist of the Governor and at least 12 trustees. Nine
5 trustees shall be appointed by the Governor, by and with the
6 advice and consent of the Senate; however, with respect to
7 these 9 trustees, beginning with the general election in 2006,
8 a trustee shall instead be elected at each general election to
9 succeed each incumbent trustee whose term expires in January of
10 the year next following that general election. The other
11 trustees shall be students, of whom one student shall be
12 selected from each University campus.

13 (b) Each student trustee shall serve a term of one year,
14 beginning on July 1 or on the date of his or her selection,
15 whichever is later, and expiring on the next succeeding June
16 30.

17 (c) Each trustee shall have all of the privileges of
18 membership, except that only one student trustee shall have the
19 right to cast a legally binding vote. The Governor shall
20 designate which one of the student trustees shall possess, for
21 his or her entire term, the right to cast a legally binding
22 vote. Each student trustee who does not possess the right to
23 cast a legally binding vote shall have the right to cast an
24 advisory vote and the right to make and second motions and to
25 attend executive sessions.

26 (d) Each trustee shall be governed by the same conflict of
27 interest standards. Pursuant to those standards, it shall not
28 be a conflict of interest for a student trustee to vote on
29 matters pertaining to students generally, such as tuition and
30 fees. However, it shall be a conflict of interest for a student
31 trustee to vote on faculty member tenure or promotion.

32 (e) Student trustees shall be chosen by campus-wide student
33 election, and the student trustee designated by the Governor to
34 possess a legally binding vote shall be one of the students

1 selected by this method. A student trustee who does not possess
2 a legally binding vote on a measure at a meeting of the Board
3 or any of its committees shall not be considered a trustee for
4 the purpose of determining whether a quorum is present at the
5 time that measure is voted upon. To be eligible for selection
6 as a student trustee and to be eligible to remain as a voting
7 or nonvoting student trustee, a student trustee must be a
8 resident of this State, must have and maintain a grade point
9 average that is equivalent to at least 2.5 on a 4.0 scale, and
10 must be a full time student enrolled at all times during his or
11 her term of office except for that part of the term which
12 follows the completion of the last full regular semester of an
13 academic year and precedes the first full regular semester of
14 the succeeding academic year at the University (sometimes
15 commonly referred to as the summer session or summer school).
16 If a voting or nonvoting student trustee fails to continue to
17 meet or maintain the residency, minimum grade point average, or
18 enrollment requirement established by this Section, his or her
19 membership on the Board shall be deemed to have terminated by
20 operation of law.

21 If a voting student trustee resigns or otherwise ceases to
22 serve on the Board, the Governor shall, within 30 days,
23 designate one of the remaining student trustees to possess the
24 right to cast a legally binding vote for the remainder of his
25 or her term. If a nonvoting student trustee resigns or
26 otherwise ceases to serve on the Board, the chief executive of
27 the student government from that campus shall, within 30 days,
28 select a new nonvoting student trustee to serve for the
29 remainder of the term.

30 (f) Until those members elected at the general election in
31 2006 have taken office, no more than 5 of the 9 appointed
32 trustees shall be affiliated with the same political party.
33 ~~Each trustee appointed by the Governor must be a resident of~~
34 ~~this State. A failure to meet or maintain this residency~~

1 ~~requirement constitutes a resignation from and creates a~~
2 ~~vacancy in the Board.~~ The term of office of each of these
3 appointed trustees ~~trustee~~ shall be 6 years from the third
4 Monday in January of each odd numbered year. The regular terms
5 of office of these ~~the~~ appointed trustees shall be staggered so
6 that 3 terms expire in each odd-numbered year. Vacancies for
7 these appointed trustees shall be filled for the unexpired term
8 in the same manner as original appointments. If these vacancies
9 ~~a vacancy~~ in membership occur ~~occurs~~ at a time when the Senate
10 is not in session, the Governor shall make temporary
11 appointments until the next meeting of the Senate, when he
12 shall appoint persons to fill such memberships for the
13 remainder of their respective terms. If the Senate is not in
14 session when appointments for a full term are made,
15 appointments shall be made as in the case of vacancies.

16 Beginning with the general election in 2006, 3 trustees
17 shall be elected at the general election in November of each
18 even-numbered year in the manner provided by law. The term of
19 office of each elected trustee shall be 6 years from the third
20 Monday in January next succeeding his or her election and until
21 his or her successor is elected and qualified. In case of a
22 vacancy in an elected trustee's seat, the vacancy shall be
23 filled by appointment by the Governor (i) for the unexpired
24 term if 28 or fewer months remain in the term or (ii) if more
25 than 28 months remain in the term, until a trustee is elected
26 at the next general election to serve for the unexpired term
27 and is qualified.

28 (g) Each elected or appointed trustee must be a resident of
29 this State. A failure to meet or maintain this residency
30 requirement constitutes a resignation from and creates a
31 vacancy in the Board.

32 (h) No action of the board shall be invalidated by reason
33 of any vacancies on the board, or by reason of any failure to
34 select student trustees.

1 (Source: P.A. 91-778, eff. 1-1-01; 91-798, eff. 7-9-00; 92-16,
2 eff. 6-28-01.)".