



93RD GENERAL ASSEMBLY
State of Illinois
2003 and 2004

Introduced 2/6/2004, by Lawrence M. Walsh

SYNOPSIS AS INTRODUCED:

10 ILCS 5/7-9	from Ch. 46, par. 7-9
10 ILCS 5/22-1	from Ch. 46, par. 22-1
10 ILCS 5/22-7	from Ch. 46, par. 22-7
10 ILCS 5/22-8	from Ch. 46, par. 22-8
10 ILCS 5/22-17	from Ch. 46, par. 22-17

Amends the Election Code. Changes the date of political party county conventions from the second Monday after the general primary election to the 29th day after that primary election. Changes the canvassing period for county canvassing boards to 21 days (now, 7) after an election. Changes the canvassing period for other canvassing boards to 31 days after an election (now, 20 days for the State Board of Elections and 7 for all others). Effective immediately.

LRB093 20753 JAM 46645 b

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 Sections 7-9, 22-1, 22-7, 22-8, and 22-17 as follows:

6 (10 ILCS 5/7-9) (from Ch. 46, par. 7-9)

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

9 (a) On the 29th day after ~~second Monday next succeeding~~ the
10 primary at which committeemen are elected, the county central
11 committee of each political party shall meet at the county seat
12 of the proper county and proceed to organize by electing from
13 its own number a chairman and either from its own number, or
14 otherwise, such other officers as such committee may deem
15 necessary or expedient. Such meeting of the county central
16 committee shall be known as the county convention.

17 The chairman of each county committee shall within 10 days
18 after the organization, forward to the State Board of
19 Elections, the names and post office addresses of the officers,
20 precinct committeemen and representative committeemen elected
21 by his political party.

22 The county convention of each political party shall choose
23 delegates to the State convention of its party; but in any
24 county having within its limits any city having a population of
25 200,000, or over the delegates from such city shall be chosen
26 by wards, the ward committeemen from the respective wards
27 choosing the number of delegates to which such ward is entitled
28 on the basis prescribed in paragraph (e) of this Section such
29 delegates to be members of the delegation to the State
30 convention from such county. In all counties containing a
31 population of 2,000,000 or more outside of cities having a
32 population of 200,000 or more, the delegates from each of the

1 townships or parts of townships as the case may be shall be
2 chosen by townships or parts of townships as the case may be,
3 the township committeemen from the respective townships or
4 parts of townships as the case may be choosing the number of
5 delegates to which such townships or parts of townships as the
6 case may be are entitled, on the basis prescribed in paragraph
7 (e) of this Section such delegates to be members of the
8 delegation to the State convention from such county.

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

13 Each member of the State Central Committee of a political
14 party which elects its members by Alternative B under paragraph
15 (a) of Section 7-8 may appoint 2 delegates to the State
16 Convention who must be residents of the member's Congressional
17 District.

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

23 The State convention of each political party has power to
24 make nominations of candidates of its political party for the
25 electors of President and Vice President of the United States,
26 and to adopt any party platform, and, to the extent determined
27 by the State central committee as provided in Section 7-14, to
28 choose and select delegates and alternate delegates at large to
29 national nominating conventions. The State Central Committee
30 may adopt rules to provide for and govern the procedures of the
31 State convention.

32 (c) The chairman and secretary of each State convention
33 shall, within 2 days thereafter, transmit to the State Board of
34 Elections of this State a certificate setting forth the names
35 and addresses of all persons nominated by such State convention
36 for electors of President and Vice President of the United

1 States, and of any persons selected by the State convention for
2 delegates and alternate delegates at large to national
3 nominating conventions; and the names of such candidates so
4 chosen by such State convention for electors of President and
5 Vice President of the United States, shall be caused by the
6 State Board of Elections to be printed upon the official ballot
7 at the general election, in the manner required by law, and
8 shall be certified to the various county clerks of the proper
9 counties in the manner as provided in Section 7-60 of this
10 Article 7 for the certifying of the names of persons nominated
11 by any party for State offices. If and as long as this Act
12 prescribes that the names of such electors be not printed on
13 the ballot, then the names of such electors shall be certified
14 in such manner as may be prescribed by the parts of this Act
15 applicable thereto.

16 (d) Each convention may perform all other functions
17 inherent to such political organization and not inconsistent
18 with this Article.

19 (e) At least 33 days before the date of a State convention,
20 the chairman of the State central committee of each political
21 party shall file in the principal office of the State Board of
22 Elections a call for the State convention. Such call shall
23 state, among other things, the time and place (designating the
24 building or hall) for holding the State convention. Such call
25 shall be signed by the chairman and attested by the secretary
26 of the committee. In such convention each county shall be
27 entitled to one delegate for each 500 ballots voted by the
28 primary electors of the party in such county at the primary to
29 be held next after the issuance of such call; and if in such
30 county, less than 500 ballots are so voted or if the number of
31 ballots so voted is not exactly a multiple of 500, there shall
32 be one delegate for such group which is less than 500, or for
33 such group representing the number of votes over the multiple
34 of 500, which delegate shall have 1/500 of one vote for each
35 primary vote so represented by him. The call for such
36 convention shall set forth this paragraph (e) of Section 7-9 in

1 full and shall direct that the number of delegates to be chosen
2 be calculated in compliance herewith and that such number of
3 delegates be chosen.

4 (f) All precinct, township and ward committeemen when
5 elected as provided in this Section shall serve as though
6 elected at large irrespective of any changes that may be made
7 in precinct, township or ward boundaries and the voting
8 strength of each committeeman shall remain as provided in this
9 Section for the entire time for which he is elected.

10 (g) The officers elected at any convention provided for in
11 this Section shall serve until their successors are elected as
12 provided in this Act.

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

19 (i) Except as otherwise provided in this Act, whenever a
20 vacancy exists in the office of precinct committeeman because
21 no one was elected to that office or because the precinct
22 committeeman ceases to reside in the precinct or for any other
23 reason, the chairman of the county central committee of the
24 appropriate political party may fill the vacancy in such office
25 by appointment of a qualified resident of the county and the
26 appointed precinct committeeman shall serve as though elected;
27 however, no such appointment may be made between the general
28 primary election and the 14th day after the general primary
29 election.

30 (j) If the number of Congressional Districts in the State
31 of Illinois is reduced as a result of reapportionment of
32 Congressional Districts following a federal decennial census,
33 the State Central Committeemen and Committeewomen of a
34 political party which elects its State Central Committee by
35 either Alternative A or by Alternative B under paragraph (a) of
36 Section 7-8 who were previously elected shall continue to serve

1 as if no reapportionment had occurred until the expiration of
2 their terms.

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

4 (10 ILCS 5/22-1) (from Ch. 46, par. 22-1)

5 Sec. 22-1. Abstracts of votes. Within 21 7 days after the
6 close of the election at which candidates for offices
7 hereinafter named in this Section are voted upon, the county
8 clerks of the respective counties, with the assistance of the
9 chairmen of the county central committees of the Republican and
10 Democratic parties of the county, shall open the returns and
11 make abstracts of the votes on a separate sheet for each of the
12 following:

13 A. For Governor and Lieutenant Governor;

14 B. For State officers;

15 C. For presidential electors;

16 D. For United States Senators and Representatives to
17 Congress;

18 E. For judges of the Supreme Court;

19 F. For judges of the Appellate Court;

20 G. For judges of the circuit court;

21 H. For Senators and Representatives to the General
22 Assembly;

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

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

26 K. For county officers and for propositions submitted to
27 the electors of the county only;

28 L. For Regional Superintendent of Schools;

29 M. For trustees of Sanitary Districts; and

30 N. For Trustee of a Regional Board of School Trustees.

31 Multiple originals of each of the sheets shall be prepared
32 and one of each shall be turned over to the chairman of the
33 county central committee of each of the then existing
34 established political parties, as defined in Section 10-2, or
35 his duly authorized representative immediately after the

1 completion of the entries on the sheets and before the totals
2 have been compiled.

3 The foregoing abstracts shall be preserved by the county
4 clerk in his office.

5 Whenever any county chairman is also county clerk or
6 whenever any county chairman is unable to serve as a member of
7 such canvassing board the vice-chairman or secretary of his
8 county central committee, in that order, shall serve in his
9 place as member of such canvassing board; provided, that if
10 none of these persons is able to serve, the county chairman may
11 appoint a member of his county central committee to serve as a
12 member of such canvassing board.

13 The powers and duties of the county canvassing board are
14 limited to those specified in this Section. In no event shall
15 such canvassing board open any package in which the ballots
16 have been wrapped or any envelope containing "defective" or
17 "objected to" ballots, or in any manner undertake to examine
18 the ballots used in the election, except as provided in Section
19 22-9.1 or when directed by a court in an election contest. Nor
20 shall such canvassing board call in the precinct judges of
21 election or any other persons to open or recount the ballots.

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

23 (10 ILCS 5/22-7) (from Ch. 46, par. 22-7)

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

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

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

19 (10 ILCS 5/22-8) (from Ch. 46, par. 22-8)

20 Sec. 22-8. In municipalities operating under Article 6 of
21 this Act, within 21 ~~7~~ days after the close of such election, a
22 judge of the circuit court, with the assistance of the city
23 attorney and the board of election commissioners, who are
24 hereby declared a canvassing board for such city, shall open
25 all returns left respectively, with the election
26 commissioners, the county clerk, and city comptroller, and
27 shall make abstracts or statements of the votes in the
28 following manner, as the case may require, viz: All votes for
29 Governor and Lieutenant Governor on one sheet; all votes for
30 other State officers on another sheet; all votes for
31 presidential electors on another sheet; all votes for United
32 States Senators and Representatives to Congress on another
33 sheet; all votes for judges of the Supreme Court on another
34 sheet; all votes for judges of the Appellate Court on another
35 sheet; all votes for Judges of the Circuit Court on another

1 sheet; all votes for Senators and Representatives to the
2 General Assembly on another sheet; all votes for State's
3 Attorneys where elected from 2 or more counties on another
4 sheet; all votes for County Officers on another sheet; all
5 votes for City Officers on another sheet; all votes for Town
6 Officers on another sheet; and all votes for any other office
7 on a separate and appropriate sheet; all votes for any
8 proposition, which may be submitted to a vote of the people, on
9 another sheet, and all votes against any proposition, submitted
10 to a vote of the people, on another sheet.

11 Multiple originals of each of the sheets shall be prepared
12 and one of each shall be turned over to the chairman of the
13 county central committee of each of the then existing
14 established political parties, as defined in Section 10-2, or
15 his duly authorized representative immediately after the
16 completion of the entries on the sheets and before the totals
17 have been compiled.

18 (Source: P.A. 77-2626.)

19 (10 ILCS 5/22-17) (from Ch. 46, par. 22-17)

20 Sec. 22-17. (a) Except as provided in subsection (b), the
21 canvass of votes cast at the consolidated primary ~~nonpartisan~~
22 and consolidated elections shall be conducted by the following
23 canvassing boards within 31 ~~7~~ days after the close of such
24 elections:

25 1. For city offices, by the mayor, the city attorney
26 and the city clerk.

27 2. For village and incorporated town offices, by the
28 president of the board of trustees, one member of the board
29 of trustees, and the village or incorporated town clerk.

30 3. For township offices, by the township supervisor,
31 the eligible town trustee elected in the township who has
32 the longest term of continuous service as town trustee, and
33 the township clerk.

34 4. For road district offices, by the highway
35 commissioner and the road district clerk.

1 5. For school district or community college district
2 offices, by the school or community college district board.

3 6. For special district elected offices, by the board
4 of the special district.

5 7. For multi-county educational service region
6 offices, by the regional board of school trustees.

7 8. For township trustee of schools or land
8 commissioner, by the township trustees of schools or land
9 commissioners.

10 9. For park district offices, by the president of the
11 park board, one member of the board of park commissioners
12 and the secretary of the park district.

13 10. For multi-township assessment districts, by the
14 chairman, clerk, and assessor of the multi-township
15 assessment district.

16 (b) The city canvassing board provided in Section 22-8
17 shall canvass the votes cast at the nonpartisan and
18 consolidated elections for offices of any political
19 subdivision entirely within the jurisdiction of a municipal
20 board of election commissioners.

21 (c) The canvass of votes cast upon any public questions
22 submitted to the voters of any political subdivision, or any
23 precinct or combination of precincts within a political
24 subdivision, at any regular election or at any emergency
25 referendum election, including votes cast by voters outside of
26 the political subdivision where the question is for annexation
27 thereto, shall be canvassed by the same board provided for in
28 this Section for the canvass of votes of the officers of such
29 political subdivision. However, referenda conducted throughout
30 a county and referenda of sanitary districts whose officers are
31 elected at general elections shall be canvassed by the county
32 canvassing board. The votes cast on a public question for the
33 formation of a political subdivision shall be canvassed by the
34 circuit court that ordered the question submitted, or by such
35 officers of the court as may be appointed for such purpose,
36 except where in the formation or reorganization of a school

1 district or districts the regional superintendent of schools is
2 designated by law as the canvassing official.

3 (d) The canvass of votes for offices of political
4 subdivisions cast at special elections to fill vacancies held
5 on the day of any regular election shall be conducted by the
6 canvassing board which is responsible for canvassing the votes
7 at the regularly scheduled election for such office.

8 (Source: P.A. 87-738; 87-1052.)

9 Section 99. Effective date. This Act takes effect upon
10 becoming law.