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09400HB5001ham001

LRB094 18954 JAM 55892 a

1 AMENDMENT TO HOUSE BILL 5001

2 AMENDMENT NO. _____. Amend House Bill 5001 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Election Code is amended by changing
5 Section 10-9 as follows:

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

7 Sec. 10-9. The following electoral boards are designated
8 for the purpose of hearing and passing upon the objector's
9 petition described in Section 10-8.

10 1. The State Board of Elections will hear and pass upon
11 objections to the nominations of candidates for State offices,
12 nominations of candidates for congressional, legislative and
13 judicial offices of districts, subcircuits, or circuits
14 situated in more than one county, nominations of candidates for
15 the offices of State's attorney or regional superintendent of
16 schools to be elected from more than one county, and petitions
17 for proposed amendments to the Constitution of the State of
18 Illinois as provided for in Section 3 of Article XIV of the
19 Constitution.

20 2. The county officers electoral board to hear and pass
21 upon objections to the nominations of candidates for county
22 offices, for congressional, legislative and judicial offices
23 of a district, subcircuit, or circuit coterminous with or less
24 than a county, for school trustees to be voted for by the

1 electors of the county or by the electors of a township of the
2 county, for offices of a school or community college district
3 within the county, for the office of multi-township assessor
4 where candidates for such office are nominated in accordance
5 with this Code, and for all special district offices, shall be
6 composed of the county clerk, or an assistant designated by the
7 county clerk, the State's attorney of the county or an
8 Assistant State's Attorney designated by the State's Attorney,
9 and the clerk of the circuit court, or an assistant designated
10 by the clerk of the circuit court, of the county, of whom the
11 county clerk or his designee shall be the chairman, except that
12 in any county which has established a county board of election
13 commissioners that board shall constitute the county officers
14 electoral board ex-officio.

15 3. The municipal officers electoral board to hear and pass
16 upon objections to the nominations of candidates for officers
17 of municipalities shall be composed of the mayor or president
18 of the board of trustees of the city, village or incorporated
19 town, and the city, village or incorporated town clerk, and one
20 member of the city council or board of trustees, that member
21 being designated who is eligible to serve on the electoral
22 board and has served the greatest number of years as a member
23 of the city council or board of trustees, of whom the mayor or
24 president of the board of trustees shall be the chairman.

25 4. The township officers electoral board to pass upon
26 objections to the nominations of township officers shall be
27 composed of the township supervisor, the town clerk, and that
28 eligible town trustee elected in the township who has had the
29 longest term of continuous service as town trustee, of whom the
30 township supervisor shall be the chairman.

31 5. (Blank.) ~~The education officers electoral board to hear~~
32 ~~and pass upon objections to the nominations of candidates for~~
33 ~~offices in school or community college districts shall be~~
34 ~~composed of the presiding officer of the school or community~~

1 ~~college district board, who shall be the chairman, the~~
2 ~~secretary of the school or community college district board and~~
3 ~~the eligible elected school or community college board member~~
4 ~~who has the longest term of continuous service as a board~~
5 ~~member.~~

6 6. In all cases, however, where the Congressional or
7 Legislative district is wholly within the jurisdiction of a
8 board of election commissioners and in all cases where the
9 school district or special district is wholly within the
10 jurisdiction of a municipal board of election commissioners and
11 in all cases where the municipality or township is wholly or
12 partially within the jurisdiction of a municipal board of
13 election commissioners, the board of election commissioners
14 shall ex-officio constitute the electoral board.

15 For special districts situated in more than one county, the
16 county officers electoral board of the county in which the
17 principal office of the district is located has jurisdiction to
18 hear and pass upon objections. For purposes of this Section,
19 "special districts" means all political subdivisions other
20 than counties, municipalities, and townships ~~and school and~~
21 ~~community college districts.~~

22 In the event that any member of the appropriate board is a
23 candidate for the office with relation to which the objector's
24 petition is filed, he shall not be eligible to serve on that
25 board and shall not act as a member of the board and his place
26 shall be filled as follows:

27 a. In the county officers electoral board by the county
28 treasurer, and if he or she is ineligible to serve, by the
29 sheriff of the county.

30 b. In the municipal officers electoral board by the
31 eligible elected city council or board of trustees member
32 who has served the second greatest number of years as a
33 city council or board of trustees member.

34 c. In the township officers electoral board by the

1 eligible elected town trustee who has had the second
2 longest term of continuous service as a town trustee.

3 ~~d. In the education officers electoral board by the~~
4 ~~eligible elected school or community college district~~
5 ~~board member who has had the second longest term of~~
6 ~~continuous service as a board member.~~

7 In the event that the chairman of the electoral board is
8 ineligible to act because of the fact that he is a candidate
9 for the office with relation to which the objector's petition
10 is filed, then the substitute chosen under the provisions of
11 this Section shall be the chairman; In this case, the officer
12 or board with whom the objector's petition is filed, shall
13 transmit the certificate of nomination or nomination papers as
14 the case may be, and the objector's petition to the substitute
15 chairman of the electoral board.

16 When 2 or more eligible individuals, by reason of their
17 terms of service on a city council or board of trustees, or
18 township board of trustees, ~~or school or community college~~
19 ~~district board,~~ qualify to serve on an electoral board, the one
20 to serve shall be chosen by lot.

21 Any vacancies on an electoral board not otherwise filled
22 pursuant to this Section shall be filled by public members
23 appointed by the Chief Judge of the Circuit Court for the
24 county wherein the electoral board hearing is being held upon
25 notification to the Chief Judge of such vacancies. The Chief
26 Judge shall be so notified by a member of the electoral board
27 or the officer or board with whom the objector's petition was
28 filed. In the event that none of the individuals designated by
29 this Section to serve on the electoral board are eligible, the
30 chairman of an electoral board shall be designated by the Chief
31 Judge.

32 (Source: P.A. 94-645, eff. 8-22-05.)".