

1 AN ACT concerning education.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

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

1 Supreme Court.

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

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

25 (2) have direct supervisory authority over, or  
26 direct responsibility for the formulation,

1 negotiation, issuance or execution of contracts  
2 entered into by the State in the amount of \$5,000 or  
3 more;

4 (3) have authority for the issuance or  
5 promulgation of rules and regulations within areas  
6 under the authority of the State;

7 (4) have authority for the approval of  
8 professional licenses;

9 (5) have responsibility with respect to the  
10 financial inspection of regulated nongovernmental  
11 entities;

12 (6) adjudicate, arbitrate, or decide any judicial  
13 or administrative proceeding, or review the  
14 adjudication, arbitration or decision of any judicial  
15 or administrative proceeding within the authority of  
16 the State;

17 (7) have supervisory responsibility for 20 or more  
18 employees of the State; or

19 (8) negotiate, assign, authorize, or grant naming  
20 rights or sponsorship rights regarding any property or  
21 asset of the State, whether real, personal, tangible,  
22 or intangible.

23 (g) Persons who are elected to office in a unit of  
24 local government, and candidates for nomination or  
25 election to that office, including regional  
26 superintendents of school districts.

1           (h) Persons appointed to the governing board of a unit  
2           of local government, or of a special district, and persons  
3           appointed to a zoning board, or zoning board of appeals, or  
4           to a regional, county, or municipal plan commission, or to  
5           a board of review of any county, and persons appointed to  
6           the Board of the Metropolitan Pier and Exposition Authority  
7           and any Trustee appointed under Section 22 of the  
8           Metropolitan Pier and Exposition Authority Act, and  
9           persons appointed to a board or commission of a unit of  
10          local government who have authority to authorize the  
11          expenditure of public funds. This subsection does not apply  
12          to members of boards or commissions who function in an  
13          advisory capacity.

14          (i) Persons who are employed by a unit of local  
15          government and are compensated for services as employees  
16          and not as independent contractors and who:

17                 (1) are, or function as, the head of a department,  
18                 division, bureau, authority or other administrative  
19                 unit within the unit of local government, or who  
20                 exercise similar authority within the unit of local  
21                 government;

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

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

5           (4) adjudicate, arbitrate, or decide any judicial  
6           or administrative proceeding, or review the  
7           adjudication, arbitration or decision of any judicial  
8           or administrative proceeding within the authority of  
9           the unit of local government;

10          (5) have authority to issue or promulgate rules and  
11          regulations within areas under the authority of the  
12          unit of local government; or

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

15          (j) Persons on the Board of Trustees of the Illinois  
16          Mathematics and Science Academy.

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

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

1 Act.

2 (m) Members of the board of commissioners of any flood  
3 prevention district.

4 This Section shall not be construed to prevent any unit of  
5 local government from enacting financial disclosure  
6 requirements that mandate more information than required by  
7 this Act.

8 (Source: P.A. 95-719, eff. 5-21-08.)

9 Section 10. The Election Code is amended by changing  
10 Sections 2A-1.2, 7-1, 7-9, 22-1, 22-7, 23-1.1a, 23-1.2a, and  
11 23-1.13a and adding Section 2A-53.5 as follows:

12 (10 ILCS 5/2A-1.2) (from Ch. 46, par. 2A-1.2)

13 Sec. 2A-1.2. Consolidated Schedule of Elections - Offices  
14 Designated.

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

18 (1) Elector of President and Vice President of the  
19 United States;

20 (2) United States Senator and United States  
21 Representative;

22 (3) State Executive Branch elected officers;

23 (4) State Senator and State Representative;

24 (5) County elected officers, including State's

1 Attorney, County Board member, County Commissioners, and  
2 elected President of the County Board or County Chief  
3 Executive;

4 (6) Circuit Court Clerk;

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

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

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

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

14 (11) Special District elected officers, not otherwise  
15 designated in this Section, where the statute creating or  
16 authorizing the creation of the district requires an annual  
17 election and permits or requires election of candidates of  
18 political parties.

19 (b) At the general primary election:

20 (1) in each even-numbered year candidates of political  
21 parties shall be nominated for those offices to be filled  
22 at the general election in that year, except where pursuant  
23 to law nomination of candidates of political parties is  
24 made by caucus.

25 (2) in the appropriate even-numbered years the  
26 political party offices of State central committeeman,

1 township committeeman, ward committeeman, and precinct  
2 committeeman shall be filled and delegates and alternate  
3 delegates to the National nominating conventions shall be  
4 elected as may be required pursuant to this Code. In the  
5 even-numbered years in which a Presidential election is to  
6 be held, candidates in the Presidential preference primary  
7 shall also be on the ballot.

8 (3) in each even-numbered year, where the municipality  
9 has provided for annual elections to elect municipal  
10 officers pursuant to Section 6(f) or Section 7 of Article  
11 VII of the Constitution, pursuant to the Illinois Municipal  
12 Code or pursuant to the municipal charter, the offices of  
13 such municipal officers shall be filled at an election held  
14 on the date of the general primary election, provided that  
15 the municipal election shall be a nonpartisan election  
16 where required by the Illinois Municipal Code. For partisan  
17 municipal elections in even-numbered years, a primary to  
18 nominate candidates for municipal office to be elected at  
19 the general primary election shall be held on the Tuesday 6  
20 weeks preceding that election.

21 (4) in each school district which has adopted the  
22 provisions of Article 33 of the School Code, successors to  
23 the members of the board of education whose terms expire in  
24 the year in which the general primary is held shall be  
25 elected.

26 (c) At the consolidated election in the appropriate



1 odd-numbered years, the following offices shall be filled:

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

14 (2) Village and incorporated town library directors;

15 (3) City boards of stadium commissioners;

16 (4) Commissioners of park districts;

17 (5) Trustees of public library districts;

18 (6) Special District elected officers, not otherwise  
19 designated in this section, where the statute creating or  
20 authorizing the creation of the district permits or  
21 requires election of candidates of political parties;

22 (7) Township officers, including township park  
23 commissioners, township library directors, and boards of  
24 managers of community buildings, and Multi-Township  
25 Assessors;

26 (8) Highway commissioners and road district clerks;

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

3           (10) The directors and chairman of the Chain O Lakes -  
4           Fox River Waterway Management Agency;

5           (11) Forest preserve district commissioners elected  
6           under Section 3.5 of the Downstate Forest Preserve District  
7           Act;

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

15          (13) Members of Community College district boards;

16          (14) Trustees of Fire Protection Districts;

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

19          (16) Elected Trustees of Tuberculosis Sanitarium  
20          Districts;

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

25          (d) At the consolidated primary election in each  
26          odd-numbered year, candidates of political parties shall be

1 nominated for those offices to be filled at the consolidated  
2 election in that year, except where pursuant to law nomination  
3 of candidates of political parties is made by caucus, and  
4 except those offices listed in paragraphs (12) through (17) of  
5 subsection (c).

6 At the consolidated primary election in the appropriate  
7 odd-numbered years, the mayor, clerk, treasurer, and aldermen  
8 shall be elected in municipalities in which candidates for  
9 mayor, clerk, treasurer, or alderman are not permitted by law  
10 to be candidates of political parties, subject to runoff  
11 elections to be held at the consolidated election as may be  
12 required by law, and municipal officers shall be nominated in a  
13 nonpartisan election in municipalities in which pursuant to law  
14 candidates for such office are not permitted to be candidates  
15 of political parties.

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

21 (e) (Blank).

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

26 Notwithstanding the regular dates for election of officers

1 established in this Article, whenever a referendum is held for  
2 the establishment of a political subdivision whose officers are  
3 to be elected, the initial officers shall be elected at the  
4 election at which such referendum is held if otherwise so  
5 provided by law. In such cases, the election of the initial  
6 officers shall be subject to the referendum.

7 Notwithstanding the regular dates for election of  
8 officials established in this Article, any community college  
9 district which becomes effective by operation of law pursuant  
10 to Section 6-6.1 of the Public Community College Act, as now or  
11 hereafter amended, shall elect the initial district board  
12 members at the next regularly scheduled election following the  
13 effective date of the new district.

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

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

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

22 (10 ILCS 5/2A-53.5 new)

23 Sec. 2A-53.5. University of Illinois; trustee; time of  
24 election. Trustees of the University of Illinois, other than  
25 the Governor and the student trustees, shall be elected at the

1 general election in 2010. Beginning with the general election  
2 in 2012, a trustee of the University of Illinois shall be  
3 elected at each general election to succeed each incumbent  
4 trustee whose term expires in January of the year next  
5 following that general election.

6 (10 ILCS 5/7-1) (from Ch. 46, par. 7-1)

7 Sec. 7-1. Application of Article.

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

25 (b) This Article 7 shall not apply to (i) the nomination of

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

20 (c) The words "township officers" or "township offices"  
21 shall be construed, when used in this Article, to include  
22 supervisors.

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

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

2 (10 ILCS 5/7-9) (from Ch. 46, par. 7-9)

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

5 (a) On the 29th day next succeeding the primary at which  
6 committeemen are elected, the county central committee of each  
7 political party shall meet within the county and proceed to  
8 organize by electing from its own number a chairman and either  
9 from its own number, or otherwise, such other officers as such  
10 committee may deem necessary or expedient. Such meeting of the  
11 county central committee shall be known as the county  
12 convention.

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

18 The county convention of each political party shall choose  
19 delegates to the State convention of its party; but in any  
20 county having within its limits any city having a population of  
21 200,000, or over the delegates from such city shall be chosen  
22 by wards, the ward committeemen from the respective wards  
23 choosing the number of delegates to which such ward is entitled  
24 on the basis prescribed in paragraph (e) of this Section such  
25 delegates to be members of the delegation to the State

1 convention from such county. In all counties containing a  
2 population of 2,000,000 or more outside of cities having a  
3 population of 200,000 or more, the delegates from each of the  
4 townships or parts of townships as the case may be shall be  
5 chosen by townships or parts of townships as the case may be,  
6 the township committeemen from the respective townships or  
7 parts of townships as the case may be choosing the number of  
8 delegates to which such townships or parts of townships as the  
9 case may be are entitled, on the basis prescribed in paragraph  
10 (e) of this Section such delegates to be members of the  
11 delegation to the State convention from such county.

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

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

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

26 The State convention of each political party has power to



1 make nominations of candidates of its political party for the  
2 electors of President and Vice President of the United States  
3 and for trustees of the University of Illinois, ~~and~~ to adopt  
4 any party platform, and, to the extent determined by the State  
5 central committee as provided in Section 7-14, to choose and  
6 select delegates and alternate delegates at large to national  
7 nominating conventions. The State Central Committee may adopt  
8 rules to provide for and govern the procedures of the State  
9 convention.

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

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

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

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

1 be calculated in compliance herewith and that such number of  
2 delegates be chosen.

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

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

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

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

1 primary election and the 30th day after the general primary  
2 election.

3 (j) If the number of Congressional Districts in the State  
4 of Illinois is reduced as a result of reapportionment of  
5 Congressional Districts following a federal decennial census,  
6 the State Central Committeemen and Committeewomen of a  
7 political party which elects its State Central Committee by  
8 either Alternative A or by Alternative B under paragraph (a) of  
9 Section 7-8 who were previously elected shall continue to serve  
10 as if no reapportionment had occurred until the expiration of  
11 their terms.

12 (Source: P.A. 93-847, eff. 7-30-04.)

13 (10 ILCS 5/22-1) (from Ch. 46, par. 22-1)

14 Sec. 22-1. Abstracts of votes. Within 21 days after the  
15 close of the election at which candidates for offices  
16 hereinafter named in this Section are voted upon, the election  
17 authorities of the respective counties shall open the returns  
18 and make abstracts of the votes on a separate sheet for each of  
19 the following:

20 A. For Governor and Lieutenant Governor;

21 B. For State officers;

22 C. For presidential electors;

23 D. For United States Senators and Representatives to  
24 Congress;

25 E. For judges of the Supreme Court;

- 1 F. For judges of the Appellate Court;
- 2 G. For judges of the circuit court;
- 3 H. For Senators and Representatives to the General  
4 Assembly;
- 5 I. For State's Attorneys elected from 2 or more  
6 counties;
- 7 J. For amendments to the Constitution, and for other  
8 propositions submitted to the electors of the entire State;
- 9 K. For county officers and for propositions submitted  
10 to the electors of the county only;
- 11 L. For Regional Superintendent of Schools;
- 12 M. For trustees of Sanitary Districts; ~~and~~
- 13 N. For Trustee of a Regional Board of School Trustees;  
14 and-
- 15 O. For trustees of the University of Illinois.

16 Each sheet shall report the returns by precinct or ward.

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

24 The foregoing abstracts shall be preserved by the election  
25 authority in its office.

26 Whenever any county clerk is unable to canvass the vote,

1 the deputy county clerk or a designee of the county clerk shall  
2 serve in his or her place.

3 The powers and duties of the election authority canvassing  
4 the votes are limited to those specified in this Section.

5 No person who is shown by the election authority's  
6 proclamation to have been elected at the consolidated election  
7 or general election as a write-in candidate shall take office  
8 unless that person has first filed with the certifying office  
9 or board a statement of candidacy pursuant to Section 7-10 or  
10 Section 10-5, a statement pursuant to Section 7-10.1, and a  
11 receipt for filing a statement of economic interests in  
12 relation to the unit of government to which he or she has been  
13 elected. For officers elected at the consolidated election, the  
14 certifying officer shall notify the election authority of the  
15 receipt of those documents, and the county clerk shall issue  
16 the certification of election under the provisions of Section  
17 22-18.

18 (Source: P.A. 94-645, eff. 8-22-05; 94-647, eff. 1-1-06;  
19 95-331, eff. 8-21-07.)

20 (10 ILCS 5/22-7) (from Ch. 46, par. 22-7)

21 Sec. 22-7. Canvass of votes; declaration and proclamation  
22 of result. The State Board of Elections<sup>r</sup> shall proceed<sub>l</sub> within  
23 31 days after the election, and sooner if all the returns are  
24 received, to canvass the votes given for United States Senators  
25 and Representatives to Congress, State executive officers,

1 judges of the Supreme Court, judges of the Appellate Court,  
2 judges of the Circuit Court, Senators, Representatives to the  
3 General Assembly, State's Attorneys and Regional  
4 Superintendents of Schools elected from 2 or more counties, and  
5 trustees of the University of Illinois, respectively, and the  
6 persons having the highest number of votes for the respective  
7 offices shall be declared duly elected, but if it appears that  
8 more than the number of persons to be elected have the highest  
9 and an equal number of votes for the same office, the electoral  
10 board shall decide by lot which of such persons shall be  
11 elected; and to each person duly elected, the Governor shall  
12 give a certificate of election or commission, as the case may  
13 require, and shall cause proclamation to be made of the result  
14 of the canvass, and they shall at the same time and in the same  
15 manner, canvass the vote cast upon amendments to the  
16 Constitution, and upon other propositions submitted to the  
17 electors of the entire State; and the Governor shall cause to  
18 be made such proclamation of the result of the canvass as the  
19 statutes elsewhere provide. The State Board of Elections shall  
20 transmit to the State Comptroller a list of the persons elected  
21 to the various offices. The State Board of Elections shall also  
22 transmit to the Supreme Court the names of persons elected to  
23 judgeships in adversary elections and the names of judges who  
24 fail to win retention in office.

25 No person who is shown by the canvassing board's  
26 proclamation to have been elected at the consolidated election

1 or general election as a write-in candidate shall take office  
2 unless that person has first filed with the certifying office  
3 or board a statement of candidacy pursuant to Section 7-10 or  
4 Section 10-5, a statement pursuant to Section 7-10.1, and a  
5 receipt for filing a statement of economic interests in  
6 relation to the unit of government to which he or she has been  
7 elected. For officers elected at the consolidated election, the  
8 certifying officer shall notify the election authority of the  
9 receipt of those documents, and the county clerk shall issue  
10 the certification of election under the provisions of Section  
11 22-18.

12 (Source: P.A. 93-847, eff. 7-30-04; 94-645, eff. 8-22-05.)

13 (10 ILCS 5/23-1.1a) (from Ch. 46, par. 23-1.1a)

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

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

21 (10 ILCS 5/23-1.2a) (from Ch. 46, par. 23-1.2a)

22 Sec. 23-1.2a. Election contest - Statewide offices - Who  
23 may contest - Time and place for filing - Fee. The results of  
24 an election, including a primary, for an elected executive



1 officer provided for in Article V of the Constitution or for  
2 trustee of the University of Illinois may be challenged (1) by  
3 any candidate whose name was on the ballot for that office, (2)  
4 by any person who filed a declaration of intent to be a  
5 write-in candidate for that office, or (3) by any person who  
6 voted in that election, provided that such person's challenge  
7 is supported by a verified petition signed by persons who voted  
8 in the election in a number no less than the largest number of  
9 signatures required to nominate a person to be a candidate of  
10 any political party which nominated a candidate for the office  
11 being contested.

12 Any person, including a candidate, qualified pursuant to  
13 this Section and desiring to contest the results of an election  
14 for such an office shall, within 15 days of the date of the  
15 official proclamation of results of such election, file a  
16 Petition of State Election Contest with the clerk of the  
17 Supreme Court together with a filing fee in the amount of  
18 \$10,000.

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

20 (10 ILCS 5/23-1.13a) (from Ch. 46, par. 23-1.13a)

21 Sec. 23-1.13a. If any of the powers or duties to be  
22 exercised or performed by the Supreme Court under Sections  
23 23-1.1a through 23-1.12a may not constitutionally be exercised  
24 or performed by the Supreme Court by reason of jurisdictional  
25 limitations, then Sections 23-1.1a through 23-1.12a shall

1 nonetheless continue to govern contests of elections for  
2 elected officers provided for in Article V of the Constitution  
3 and for trustees of the University of Illinois, and in such  
4 event the Supreme Court shall, pursuant to its general  
5 administrative and supervisory powers, assign to a circuit  
6 court those adjudicatory powers and duties with respect to such  
7 a contest as may not be exercised or performed by the Supreme  
8 Court, subject to appropriate judicial review.

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

10 Section 15. The University of Illinois Act is amended by  
11 changing Section 11 as follows:

12 (110 ILCS 305/11) (from Ch. 144, par. 32)

13 Sec. 11. No elected or selected member of the Board of  
14 Trustees shall receive any compensation for attending on the  
15 meetings of the Board, but they shall be reimbursed for their  
16 actual and necessary expenses while engaged in the performance  
17 of their duties. Expenses necessarily incurred by any  
18 non-voting student member may, at the discretion of the  
19 President of the Board, be provided for by advance payment to  
20 such member, who shall account therefor to the Board  
21 immediately after each meeting. At all the stated and other  
22 meetings of the Board of Trustees, called by the regent or  
23 corresponding secretary, or any 4 ~~5~~ members of the Board, a  
24 majority of the members shall constitute a quorum, provided all

1 the members have been duly notified.

2 At each regular and special meeting that is open to the  
3 public, members of the public and employees of the University  
4 shall be afforded time, subject to reasonable constraints, to  
5 make comments to or ask questions of the Board.

6 (Source: P.A. 91-715, eff. 1-1-01.)

7 Section 20. The University of Illinois Trustees Act is  
8 amended by changing Section 1 as follows:

9 (110 ILCS 310/1) (from Ch. 144, par. 41)

10 Sec. 1. Membership.

11 (a) Until all of the new members initially to be elected  
12 under this amendatory Act of the 96th General Assembly have  
13 taken office, the ~~The~~ Board of Trustees of the University of  
14 Illinois shall consist of the Governor and at least 12  
15 trustees, with 9. ~~Nine~~ trustees ~~shall be~~ appointed by the  
16 Governor, by and with the advice and consent of the Senate. The  
17 term of each appointed member of the Board of Trustees shall  
18 terminate when all of the new members initially to be elected  
19 under this amendatory Act of the 96th General Assembly have  
20 taken office. Beginning on the date when all of the new members  
21 initially to be elected under this amendatory Act of the 96th  
22 General Assembly have taken office, the Board of Trustees shall  
23 consist of the Governor and at least 10 members. Seven of these  
24 members shall be elected in the manner provided by law, with 3

1 members elected from the First Judicial District and one member  
2 elected from each of the 4 other judicial districts. These 7  
3 trustees shall initially be elected at the general election in  
4 2008. Beginning with the general election in 2010, a trustee  
5 shall be elected at each general election to succeed each  
6 incumbent trustee whose term expires in January of the year  
7 next following that general election. A petition for nomination  
8 of a candidate for member of the Board of Trustees shall be  
9 signed by at least 0.5% of the total number of registered  
10 voters in the judicial district in which the person is a  
11 candidate for nomination. The other trustees shall be students,  
12 of whom one student shall be selected from each University  
13 campus.

14 (b) Each student trustee shall serve a term of one year,  
15 beginning on July 1 or on the date of his or her selection,  
16 whichever is later, and expiring on the next succeeding June  
17 30.

18 (c) Each trustee shall have all of the privileges of  
19 membership, except that only one student trustee shall have the  
20 right to cast a legally binding vote. The student trustees  
21 shall select one of their number to ~~The Governor shall~~  
22 ~~designate which one of the student trustees shall~~ possess, for  
23 his or her entire term, the right to cast a legally binding  
24 vote. However, if a student trustee has served more than one  
25 term and during one of those terms, he or she was selected to  
26 possess a legally binding vote, then he or she is ineligible to

1 be selected again to possess a legally binding vote. If the  
2 student trustees fail to come to an agreement on which student  
3 trustee shall possess a legally binding vote, none of the  
4 student trustees may possess a legally binding vote for the  
5 remainder of their term. Each student trustee who does not  
6 possess the right to cast a legally binding vote shall have the  
7 right to cast an advisory vote and the right to make and second  
8 motions and to attend executive sessions.

9 (d) Each trustee shall be governed by the same conflict of  
10 interest standards. Pursuant to those standards, it shall not  
11 be a conflict of interest for a student trustee to vote on  
12 matters pertaining to students generally, such as tuition and  
13 fees. However, it shall be a conflict of interest for a student  
14 trustee to vote on faculty member tenure or promotion.

15 (e) Student trustees shall be chosen by campus-wide student  
16 election, ~~and the student trustee designated by the Governor to~~  
17 ~~possess a legally binding vote shall be one of the students~~  
18 ~~selected by this method.~~ A student trustee who does not possess  
19 a legally binding vote on a measure at a meeting of the Board  
20 or any of its committees shall not be considered a trustee for  
21 the purpose of determining whether a quorum is present at the  
22 time that measure is voted upon. To be eligible for selection  
23 as a student trustee and to be eligible to remain as a voting  
24 or nonvoting student trustee, a student trustee must be a  
25 resident of this State, must have and maintain a grade point  
26 average that is equivalent to at least 2.5 on a 4.0 scale, and

1 must be a full time student enrolled at all times during his or  
2 her term of office except for that part of the term which  
3 follows the completion of the last full regular semester of an  
4 academic year and precedes the first full regular semester of  
5 the succeeding academic year at the University (sometimes  
6 commonly referred to as the summer session or summer school).  
7 If a voting or nonvoting student trustee fails to continue to  
8 meet or maintain the residency, minimum grade point average, or  
9 enrollment requirement established by this Section, his or her  
10 membership on the Board shall be deemed to have terminated by  
11 operation of law.

12 If a voting student trustee resigns or otherwise ceases to  
13 serve on the Board, ~~the Governor shall, within 30 days,~~  
14 ~~designate one of~~ the remaining student trustees shall determine  
15 which one of them shall ~~to~~ possess the right to cast a legally  
16 binding vote for the remainder of his or her term. However, if  
17 a student trustee has served more than one term and during one  
18 of those terms, he or she was selected to possess a legally  
19 binding vote, then he or she is ineligible to be selected again  
20 to possess a legally binding vote. If the remaining student  
21 trustees fail to come to an agreement on which student trustee  
22 shall possess a legally binding vote, none of the remaining  
23 student trustees may possess a legally binding vote for the  
24 remainder of their term. If a nonvoting student trustee resigns  
25 or otherwise ceases to serve on the Board, the chief executive  
26 of the student government from that campus shall, within 30

1 days, select a new nonvoting student trustee to serve for the  
2 remainder of the term.

3 (f) Until those members elected at the general election in  
4 2010 have taken office, no more than 5 of the 9 appointed  
5 trustees shall be affiliated with the same political party.  
6 ~~Each trustee appointed by the Governor must be a resident of~~  
7 ~~this State. A failure to meet or maintain this residency~~  
8 ~~requirement constitutes a resignation from and creates a~~  
9 ~~vacancy in the Board.~~ The term of office of each of these  
10 appointed trustees ~~trustee~~ shall be 6 years from the third  
11 Monday in January of each odd numbered year. The regular terms  
12 of office of these ~~the~~ appointed trustees shall be staggered so  
13 that 3 terms expire in each odd-numbered year. Vacancies for  
14 these appointed trustees shall be filled for the unexpired term  
15 in the same manner as original appointments. If these vacancies  
16 ~~a vacancy~~ in membership occur ~~occurs~~ at a time when the Senate  
17 is not in session, the Governor shall make temporary  
18 appointments until the next meeting of the Senate, when he  
19 shall appoint persons to fill such memberships for the  
20 remainder of their respective terms. ~~If the Senate is not in~~  
21 ~~session when appointments for a full term are made,~~  
22 ~~appointments shall be made as in the case of vacancies.~~

23 The term of office of each elected trustee shall be 6 years  
24 from the third Monday in January next succeeding his or her  
25 election and until his or her successor is elected and  
26 qualified. However, the 3 members from the First Judicial

1 District initially elected pursuant to this amendatory Act of  
2 the 96th General Assembly shall draw lots to determine one of  
3 their number to serve a 2-year term, one of their number to  
4 serve a 4-year term, and one of their number to serve a 6-year  
5 term. The other 4 members initially elected pursuant to this  
6 amendatory Act of the 96th General Assembly shall draw lots to  
7 determine 2 of their number to serve a 2-year term, one of  
8 their number to serve a 4-year term, and one of their number to  
9 serve a 6-year term. In case of a vacancy in an elected  
10 trustee's seat, the vacancy shall be filled by appointment by  
11 the Governor (i) for the unexpired term if 28 or fewer months  
12 remain in the term or (ii) if more than 28 months remain in the  
13 term, until a trustee is elected at the next general election  
14 to serve for the unexpired term and is qualified.

15 (g) Each elected or appointed trustee must be a resident of  
16 this State. To be an elected member, a person must also be a  
17 resident of the judicial district from which he or she was  
18 elected, and a person selected to fill a vacancy left by an  
19 elected member must be a resident of the judicial district from  
20 which the elected member was elected. A failure to meet or  
21 maintain these residency requirements constitutes a  
22 resignation from and creates a vacancy in the board.

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

26 (Source: P.A. 91-778, eff. 1-1-01; 91-798, eff. 7-9-00; 92-16,



1     eff. 6-28-01.)

2             Section 99. Effective date. This Act takes effect upon  
3     becoming law.

1

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2

Statutes amended in order of appearance

3

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

4

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

5

10 ILCS 5/2A-53.5 new

6

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

7

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

8

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

9

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

10

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

11

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

12

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

13

110 ILCS 305/11 from Ch. 144, par. 32

14

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