



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

HB2503

Introduced 2/20/2009, by Rep. Tom Cross, Suzanne Bassi, Mark H. Beaubien, Jr., Patricia R. Bellock, Bob Biggins, et al.

SYNOPSIS AS INTRODUCED:

10 ILCS 5/25-8

from Ch. 46, par. 25-8

Amends the Election Code. When a vacancy occurs in the office of U.S. Senator, requires that: (i) the Governor make a temporary appointment, subject to the approval of the General Assembly, and the office be filled at the next general election at which that office is scheduled to be filled, if the vacancy occurs fewer than 180 days before that election, and (ii) the vacancy be filled at a special election, designated by the Governor, if the vacancy occurs 180 or more days before the next general election at which that office is scheduled to be filled. Effective immediately.

LRB096 04605 JAM 14662 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 Section
5 25-8 as follows:

6 (10 ILCS 5/25-8) (from Ch. 46, par. 25-8)

7 Sec. 25-8. Vacancy in office of U.S. Senator.

8 (a) When a vacancy shall occur in the office of United
9 States Senator from this state fewer than 180 days before the
10 next regularly scheduled election to fill that office of United
11 States Senator, the Governor shall make temporary appointment
12 to fill such vacancy until the next election of representatives
13 in Congress, at which time such vacancy shall be filled by
14 election at that regularly scheduled election. The Governor's
15 temporary appointment is subject to approval by the General
16 Assembly through its adoption of the same joint resolution by a
17 record vote of two-thirds of the members elected in each house.

18 (b) When a vacancy occurs in the office of United States
19 Senator from this State 180 or more days before the next
20 regularly scheduled election to fill that office of United
21 States Senator, the office shall remain vacant until it is
22 filled by election at a special election. Candidates for the
23 office of United States Senator shall be nominated by

1 established political parties at a special primary. Within 5
2 days after the vacancy occurs, the Governor shall issue writs
3 of election to the State Board of Elections and to the election
4 authorities throughout the State, designating the dates of the
5 special primary and special election. The date of the special
6 election shall be within 115 days after the vacancy occurs, and
7 the date of the special primary shall be at least 45 days
8 before the date of the special election. The person elected at
9 the special election shall serve the unexpired portion of the
10 vacated term of office.

11 (c) The, and the senator so elected pursuant to this
12 Section shall take office as soon thereafter as he or she shall
13 receive his or her certificate of election.

14 (Source: Laws 1943, vol. 2, p. 1.)

15 Section 99. Effective date. This Act takes effect upon
16 becoming law.