



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

SB0285

Introduced 2/6/2009, by Sen. Matt Murphy

SYNOPSIS AS INTRODUCED:

10 ILCS 5/2A-3
10 ILCS 5/25-8

from Ch. 46, par. 2A-3
from Ch. 46, par. 25-8

Amends the Election Code. Provides that a vacancy in the office of U.S. Senator shall be filled at a special election, rather than by temporary gubernatorial appointment, when the vacancy occurs more than one year before the next general election. Effective immediately.

LRB096 03317 JAM 13338 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 2A-3 and 25-8 as follows:

6 (10 ILCS 5/2A-3) (from Ch. 46, par. 2A-3)

7 Sec. 2A-3. United States Senator - Time of Election. A
8 United States Senator shall be elected at the general election
9 immediately preceding the expiration of the term of an
10 incumbent United States Senator from this State. A vacancy in
11 the office of United States Senator shall be filled as provided
12 in Section 25-8.

13 (Source: P.A. 80-936.)

14 (10 ILCS 5/25-8) (from Ch. 46, par. 25-8)

15 Sec. 25-8. When a vacancy shall occur in the office of
16 United States Senator from this state more than one year before
17 the next general election, the Governor shall issue to the
18 State Board of Elections a writ of election within 5 days after
19 the occurrence of that vacancy, appointing a day within 115
20 days to hold a special election to fill the vacancy. When a
21 vacancy shall occur in the office of United States Senator from
22 this State one year or less before the next general election,

1 the Governor shall make temporary appointment to fill such
2 vacancy until the next election of representatives in Congress,
3 at which time such vacancy shall be filled by election. The ~~7~~
4 ~~and the~~ senator so elected pursuant to this Section shall take
5 office as soon thereafter as he shall receive his certificate
6 of election.

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

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