



Sen. Matt Murphy

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1 AMENDMENT TO SENATE BILL 285

2 AMENDMENT NO. _____. Amend Senate Bill 285 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Election Code is amended by changing
5 Sections 2A-1, 2A-3, 19A-15, and 25-8 and by adding Sections
6 16-12, 24A-23, 24B-21, and 24C-20 as follows:

7 (10 ILCS 5/2A-1) (from Ch. 46, par. 2A-1)

8 (Text of Section WITH the changes made by P.A. 89-719,
9 which has been held unconstitutional)

10 Sec. 2A-1. All Elections - Governed by this Code -
11 Construction of Article 2A.

12 (a) No public question may be submitted to any voters in
13 this State, nor may any person be nominated for public office
14 or elected to public or political party office in this State
15 except pursuant to this Code, notwithstanding the provisions of
16 any other statute or municipal charter. However, this Code

1 shall not apply to elections for officers or public questions
2 of local school councils established pursuant to Chapter 34 of
3 the School Code, soil and water conservation districts or
4 drainage districts, except as specifically made applicable by
5 another statute.

6 (b) All elections in this State shall be held in accordance
7 with the consolidated schedule of elections established in
8 Sections 2A-1.1 and 2A-1.2. No election may be held on any date
9 other than a date on which an election is scheduled under
10 Section 2A-1.1, except special primaries and special elections
11 pursuant to Section 25-8, special elections to fill
12 congressional vacancies held pursuant to writs of election
13 issued by the Governor, judicial elections to fill vacancies in
14 the office of Supreme Court Judge held pursuant to writs of
15 election issued by the Governor under subsection (a-5) of
16 Section 2A-9, township referenda and votes of the town electors
17 held at the annual town meeting, emergency referenda approved
18 pursuant to Section 2A-1.4, special elections held between
19 January 1, 1995 and July 1, 1995 under Section 34-53 of the
20 School Code, and city, village or incorporated town primary
21 elections in even-numbered years expressly authorized in this
22 Article to provide for annual partisan elections.

23 (c) At the respective elections established in Section
24 2A-1.1, candidates shall be elected to office, nominated for
25 election thereto or placed on the ballot as otherwise required
26 by this Code, and public questions may be submitted, as

1 specified in Section 2A-1.2.

2 (d) If the requirements of Section 2A-1.2 conflict with any
3 specific provision of Sections 2A-2 through 2A-54, as applied
4 to any office or election, the requirements of Section 2A-1.2
5 prevail, and shall be enforced by the State Board of Elections.

6 (e) In the event any court of competent jurisdiction
7 declares an election void, the court may order another election
8 without regard to the schedule of elections set forth in this
9 Article.

10 (Source: P.A. 89-719, eff. 3-7-97.)

11 (Text of Section WITHOUT the changes made by P.A. 89-719,
12 which has been held unconstitutional)

13 Sec. 2A-1. All Elections - Governed by this Code -
14 Construction of Article 2A.

15 (a) No public question may be submitted to any voters in
16 this State, nor may any person be nominated for public office
17 or elected to public or political party office in this State
18 except pursuant to this Code, notwithstanding the provisions of
19 any other statute or municipal charter. However, this Code
20 shall not apply to elections for officers or public questions
21 of local school councils established pursuant to Chapter 34 of
22 the School Code, soil and water conservation districts or
23 drainage districts, except as specifically made applicable by
24 another statute.

25 (b) All elections in this State shall be held in accordance

1 with the consolidated schedule of elections established in
2 Sections 2A-1.1 and 2A-1.2. No election may be held on any date
3 other than a date on which an election is scheduled under
4 Section 2A-1.1, except special primaries and special elections
5 pursuant to Section 25-8, special elections to fill
6 congressional vacancies held pursuant to writs of election
7 issued by the Governor, township referenda and votes of the
8 town electors held at the annual town meeting, emergency
9 referenda approved pursuant to Section 2A-1.4, special
10 elections held between January 1, 1995 and July 1, 1995 under
11 Section 34-53 of the School Code, and city, village or
12 incorporated town primary elections in even-numbered years
13 expressly authorized in this Article to provide for annual
14 partisan elections.

15 (c) At the respective elections established in Section
16 2A-1.1, candidates shall be elected to office, nominated for
17 election thereto or placed on the ballot as otherwise required
18 by this Code, and public questions may be submitted, as
19 specified in Section 2A-1.2.

20 (d) If the requirements of Section 2A-1.2 conflict with any
21 specific provision of Sections 2A-2 through 2A-54, as applied
22 to any office or election, the requirements of Section 2A-1.2
23 prevail, and shall be enforced by the State Board of Elections.

24 (e) In the event any court of competent jurisdiction
25 declares an election void, the court may order another election
26 without regard to the schedule of elections set forth in this

1 Article.

2 (Source: P.A. 88-511.)

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

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

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

11 (10 ILCS 5/16-12 new)

12 Sec. 16-12. Separate ballots for 2009 special primary and
13 special election. Notwithstanding any other provision of this
14 Code, an election authority may prepare and use ballots for the
15 special primary and special election conducted pursuant to
16 Section 25-8(c) that are separate from the 2009 consolidated
17 election ballots. This Section is repealed on January 1, 2010.

18 (10 ILCS 5/19A-15)

19 Sec. 19A-15. Period for early voting; hours.

20 (a) The period for early voting by personal appearance
21 begins the 22nd day preceding a general primary, consolidated
22 primary, consolidated, ~~or~~ general election, special primary
23 conducted pursuant to Section 25-8(c), or special election

1 conducted pursuant to Section 25-8(c) and extends through the
2 5th day before election day.

3 (b) A permanent polling place for early voting must remain
4 open during the hours of 8:30 a.m. to 4:30 p.m., or 9:00 a.m.
5 to 5:00 p.m., on weekdays and 9:00 a.m. to 12:00 p.m. on
6 Saturdays, Sundays, and holidays.

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

8 (10 ILCS 5/24A-23 new)

9 Sec. 24A-23. Separate ballot cards for 2009 special primary
10 and special election. Notwithstanding any other provision of
11 this Code, an election authority may prepare and use ballot
12 cards for the special primary and special election conducted
13 pursuant to Section 25-8(c) that are separate from the 2009
14 consolidated election ballot cards. This Section is repealed on
15 January 1, 2010.

16 (10 ILCS 5/24B-21 new)

17 Sec. 24B-21. Separate ballot sheets for 2009 special
18 primary and special election. Notwithstanding any other
19 provision of this Code, an election authority may prepare and
20 use ballot sheets for the special primary and special election
21 conducted pursuant to Section 25-8(c) that are separate from
22 the 2009 consolidated election ballot sheets. This Section is
23 repealed on January 1, 2010.

1 (10 ILCS 5/24C-20 new)

2 Sec. 24C-20. Separate ballot screens for 2009 special
3 primary and special election. Notwithstanding any other
4 provision of this Code, an election authority may prepare and
5 use ballot screens for the special primary and special election
6 conducted pursuant to Section 25-8(c) that are separate from
7 the 2009 consolidated election ballot screens. This Section is
8 repealed on January 1, 2010.

9 (10 ILCS 5/25-8) (from Ch. 46, par. 25-8)

10 Sec. 25-8. Vacancy in the office of United States Senator.

11 (a) When a vacancy shall occur in the office of United
12 States Senator from this state on or before the 2008 general
13 election, the Governor shall make temporary appointment to fill
14 such vacancy until the next election of representatives in
15 Congress, at which time such vacancy shall be filled by
16 election, and the senator so elected shall take office as soon
17 thereafter as he shall receive his certificate of election.

18 (b) Except as provided in subsection (c), when a vacancy
19 shall occur in the office of United States Senator from this
20 State after the 2008 general election and more than 180 days
21 before the next general election at which there will be elected
22 a United States Senator from this State to fill the seat which
23 was vacated, the Governor shall issue a writ of election within
24 5 days after the occurrence of that vacancy, appointing a day
25 within 115 days to hold a special election to fill such

1 vacancy.

2 (c) Notwithstanding any other provision of this Code, any
3 vacancy that occurred in November 2008, following the 2008
4 general election, whether or not a temporary appointment was
5 made to fill the vacancy in accordance with subsection (a), in
6 the office of United States Senator must be filled in
7 accordance with the provisions of this subsection (c). Any
8 temporary appointment made pursuant to subsection (a) shall
9 expire upon certification of the results of any special
10 election conducted pursuant to this subsection (c).

11 (1) Any vacancy in the office of United States Senator
12 that occurred following the 2008 general election, whether
13 or not filled by temporary appointment pursuant to
14 subsection (a), shall be filled by the people at a special
15 election to be held on May 26, 2009. Candidates of
16 established political parties shall be nominated for the
17 office to be filled by special election at a primary
18 election to be held on the same day as the 2009
19 consolidated election.

20 (2) Within 5 days after the effective date of this
21 amendatory Act of the 96th General Assembly, the Governor
22 must issue any writs of election necessary to carry out the
23 provisions of this subsection (c).

24 (3) The State Board of Elections shall by emergency
25 rule establish the time periods with respect to special
26 primaries and special elections required under this

1 subsection (c) for (i) circulation and filing of nominating
2 petitions for established political party candidates,
3 independent candidates, and new political party
4 candidates, (ii) filing, hearing, and determination of
5 objections, (iii) certification of candidates, (iv)
6 notification to qualified electors, (v) absentee voting,
7 (vi) canvassing of votes, (vii) declaration of results, and
8 (viii) any other activity required for the conduct of the
9 special primary or special election.

10 (4) If this amendatory Act of the 96th General Assembly
11 becomes effective on or after April 7, 2009, the Governor
12 shall issue a writ of election within 5 days after the
13 effective date of this amendatory Act, appointing a day
14 within 115 days to hold a special election to fill such
15 vacancy.

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

17 Section 99. Effective date. This Act takes effect upon
18 becoming law."