

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 Circuit Courts Act is amended by changing  
5 Sections 1 and 2f-9 and by adding Sections 2f-10 and 2f-11 as  
6 follows:

7 (705 ILCS 35/1) (from Ch. 37, par. 72.1)

8 Sec. 1. Judicial circuits created. The county of Cook shall  
9 be one judicial circuit and the State of Illinois, exclusive of  
10 the county of Cook, shall be and is divided into judicial  
11 circuits as follows:

12 First Circuit--The counties of Alexander, Pulaski, Massac,  
13 Pope, Johnson, Union, Jackson, Williamson and Saline.

14 Second Circuit--The counties of Hardin, Gallatin, White,  
15 Hamilton, Franklin, Wabash, Edwards, Wayne, Jefferson,  
16 Richland, Lawrence and Crawford.

17 Third Circuit--The counties of Madison and Bond.

18 Fourth Circuit--The counties of Clinton, Marion, Clay,  
19 Fayette, Effingham, Jasper, Montgomery, Shelby and Christian.

20 Fifth Circuit--The counties of Vermilion, Edgar, Clark,  
21 Cumberland and Coles.

22 Sixth Circuit--The counties of Champaign, Douglas,  
23 Moultrie, Macon, DeWitt and Piatt.

1 Seventh Circuit--The counties of Sangamon, Macoupin,  
2 Morgan, Scott, Greene and Jersey.

3 Eighth Circuit--The counties of Adams, Schuyler, Mason,  
4 Cass, Brown, Pike, Calhoun and Menard.

5 Ninth Circuit--The counties of Knox, Warren, Henderson,  
6 Hancock, McDonough and Fulton.

7 Tenth Circuit--The counties of Peoria, Marshall, Putnam,  
8 Stark and Tazewell.

9 Eleventh Circuit--The counties of McLean, Livingston,  
10 Logan, Ford and Woodford.

11 Twelfth Circuit--The county of Will.

12 Thirteenth Circuit--The counties of Bureau, LaSalle and  
13 Grundy.

14 Fourteenth Circuit--The counties of Rock Island, Mercer,  
15 Whiteside and Henry.

16 Fifteenth Circuit--The counties of JoDaviess, Stephenson,  
17 Carroll, Ogle and Lee.

18 Sixteenth Circuit--Before December 3, 2012, the counties  
19 of Kane, DeKalb, and Kendall. On and after December 3, 2012,  
20 the County of Kane. ~~The counties of Kane, DeKalb and Kendall.~~

21 Seventeenth Circuit--The counties of Winnebago and Boone.

22 Eighteenth Circuit--The county of DuPage.

23 Nineteenth Circuit--Before December 4, 2006, the counties  
24 of Lake and McHenry. On and after December 4, 2006, the County  
25 of Lake.

26 Twentieth Circuit--The counties of Randolph, Monroe, St.

1 Clair, Washington and Perry.

2 Twenty-first Circuit--The counties of Iroquois and  
3 Kankakee.

4 Twenty-second Circuit--On and after December 4, 2006, the  
5 County of McHenry.

6 Twenty-third Circuit--On and after December 3, 2012, the  
7 counties of DeKalb and Kendall.

8 (Source: P.A. 93-541, eff. 8-18-03.)

9 (705 ILCS 35/2f-9)

10 Sec. 2f-9. 16th judicial circuit; subcircuits.

11 (a) The 16th circuit shall be divided into 4 ~~5~~ subcircuits.  
12 Subcircuits 1, 2, and 4 of the 16th circuit in existence on  
13 April 15, 2011 shall continue to use their established  
14 boundaries in the new 16th circuit as of December 3, 2012.  
15 Subcircuit 3 in existence on April 15, 2011 shall continue to  
16 use its established boundary until December 3, 2012. For a  
17 judge elected to subcircuit 3 as of April 15, 2011, the current  
18 boundaries in existence as of April 15, 2011 shall continue  
19 until the conclusion of the existing term of office, following  
20 the 2012 general election, and upon the conclusion of the  
21 existing term of office, the new boundary shall go into effect.  
22 The new boundary for subcircuit 3 shall contain and be made up  
23 of the following townships in the County of Kane, excluding the  
24 portions of the townships currently served by subcircuit 1, 2,  
25 or 4: Aurora, Blackberry, Big Rock, Burlington, Campton,

1 Dundee, Elgin, Hampshire, Kaneville, Plato, Rutland, Sugar  
2 Grove, and Virgil. The subcircuits shall be compact,  
3 contiguous, and substantially equal in population. The General  
4 Assembly by law shall create the subcircuits, using population  
5 data as determined by the 2000 federal census, and shall  
6 determine a numerical order for the 4 ~~5~~ subcircuits. That  
7 numerical order shall be the basis for the order in which  
8 resident judgeships are assigned to the subcircuits. Once a  
9 resident judgeship is assigned to a subcircuit, it shall  
10 continue to be assigned to that subcircuit for all purposes.

11 (b) (Blank). ~~Of the 16th circuit's 16 circuit judgeships~~  
12 ~~existing on April 7, 2005 (7 at large and 9 resident), but not~~  
13 ~~including the 3 resident judgeships added by this amendatory~~  
14 ~~Act of the 96th General Assembly, 5 of the 9 resident~~  
15 ~~judgeships shall be allotted as 16th circuit resident~~  
16 ~~judgeships under subsection (c) as (i) the first resident~~  
17 ~~judgeship of DeKalb County, (ii) the first resident judgeship~~  
18 ~~of Kendall County, and (iii) the first 2 resident judgeships of~~  
19 ~~Kane County are or become vacant on or after the effective date~~  
20 ~~of this amendatory Act of the 93rd General Assembly, and (iv)~~  
21 ~~the first resident judgeship of Kane County (in addition to the~~  
22 ~~2 vacancies under item (iii)) is or becomes vacant after the~~  
23 ~~effective date of this amendatory Act of the 94th General~~  
24 ~~Assembly. These 5 resident subcircuit judgeships and the~~  
25 ~~remaining 7 resident judgeships shall constitute all of the~~  
26 ~~resident judgeships of the 16th circuit. As used in this~~

1 ~~subsection, a vacancy does not include the expiration of a term~~  
2 ~~of a resident judge who seeks retention in that office at the~~  
3 ~~next term.~~

4 (c) ~~The Supreme Court shall allot the first eligible DeKalb~~  
5 ~~County vacancy, the first eligible Kendall County vacancy, and~~  
6 ~~the first 3 eligible Kane County vacancies in resident~~  
7 ~~judgeships of the 16th circuit as provided in subsection (b),~~  
8 ~~for election from the various subcircuits. The judgeships shall~~  
9 ~~be assigned to the subcircuits based upon the numerical order~~  
10 ~~of the 5 subcircuits.~~ No resident judge of the 16th circuit  
11 serving on the effective date of this amendatory Act of the  
12 93rd General Assembly shall be required to change his or her  
13 residency in order to continue serving in office or to seek  
14 retention in office as judgeships are allotted by the Supreme  
15 Court in accordance with this Section. No resident judge  
16 elected from a subcircuit serving on the effective date of this  
17 amendatory Act of the 97th General Assembly shall be required  
18 to change his or her residency in order to continue serving in  
19 or to seek retention in office until the 2012 general election,  
20 or until the conclusion of the existing term.

21 (d) A resident judge elected from a subcircuit shall  
22 continue to reside in that subcircuit as long as he or she  
23 holds that office. A resident judge elected from a subcircuit  
24 after January 1, 2008, must retain residency as a registered  
25 voter in the subcircuit to run for retention from the circuit  
26 at large thereafter. A resident judge elected from a subcircuit

1 after January 1, 2011, must retain residency as a registered  
2 voter in the subcircuit to run for retention from the circuit  
3 at large thereafter.

4 (e) Vacancies in resident judgeships of the 16th circuit  
5 shall be filled in the manner provided in Article VI of the  
6 Illinois Constitution.

7 (Source: P.A. 95-610, eff. 9-11-07; 96-108, eff. 7-30-09.)

8 (705 ILCS 35/2f-10 new)

9 Sec. 2f-10. 16th and 23rd judicial circuits.

10 (a) On December 3, 2012, the 16th judicial circuit is  
11 divided into the 16th and 23rd judicial circuits as provided in  
12 Section 1 of the Circuit Courts Act. This division does not  
13 invalidate any action taken by the 16th judicial circuit or any  
14 of its judges, officers, employees, or agents before December  
15 3, 2012. This division does not affect any person's rights,  
16 obligations, or duties, including applicable civil and  
17 criminal penalties, arising out of any action taken by the 16th  
18 judicial circuit or any of its judges, officers, employees, or  
19 agents before December 3, 2012.

20 (b) The 16th circuit shall have one additional resident  
21 judgeship to be allotted by the Supreme Court under subsection  
22 (d). The additional resident judgeship shall be filled by  
23 election beginning at the 2012 general election.

24 (c) The 16th circuit shall have an additional resident  
25 judgeship from Kendall County to be allotted by the Supreme

1 Court. The additional judgeship shall be filled by election  
2 beginning at the 2012 general election. This judgeship shall  
3 become a resident judgeship from Kendall County in the 23rd  
4 circuit on December 3, 2012.

5 (d) The Supreme Court shall allot: (i) all vacancies in at  
6 large judgeships or resident judgeships from the County of Kane  
7 of the 16th circuit existing on or occurring on or after the  
8 effective date of this amendatory Act of the 97th General  
9 Assembly, excluding the vacancy in subsection (e); and (ii) the  
10 one resident judgeship added by subsection (b), for election  
11 from the various subcircuits until there are 2 resident judges  
12 to be elected from each subcircuit. The additional resident  
13 judgeship added by subsection (b) that shall be filled by  
14 election beginning at the 2012 general election shall be  
15 assigned to subcircuit 2. The Supreme Court may fill the  
16 judgeship by appointment prior to the 2012 general election.  
17 The vacancies allotted by the Supreme Court under this  
18 subsection shall become resident judgeships of the 16th circuit  
19 to be assigned to the 3rd, 1st, and 4th subcircuits in that  
20 order. Subcircuit judgeships in the 3rd, 1st, and 4th  
21 subcircuits shall be filled by election as vacancies occur. No  
22 resident judge of the 16th circuit serving on the effective  
23 date of this amendatory Act of the 97th General Assembly shall  
24 be required to change his or her residency in order to continue  
25 serving in office or to seek retention in office as resident  
26 judgeships are allotted by the Supreme Court in accordance with

1 this Section. As used in this subsection, a vacancy does not  
2 include the expiration of a term of an at large judge or of a  
3 resident judge who intends to seek retention in that office at  
4 the next term.

5 (e) The Supreme Court shall assign to the 16th circuit the  
6 7 circuit judgeships elected at large in the 16th circuit  
7 before and at the 2012 general election. The 3 resident  
8 judgeships elected from Kane County before the 2012 general  
9 election shall become at large circuit judgeships on December  
10 3, 2012. An individual seeking election to one of the 7  
11 judgeships at large or a judge seeking retention to one of the  
12 7 judgeships at large at the 2012 general election shall seek  
13 election or retention solely within the boundaries of Kane  
14 County. The 7 circuit judgeships assigned to the 16th circuit  
15 shall continue to be elected at large, and the 3 resident  
16 judges shall be elected at large at the first general election  
17 following the expiration of a term of office. Of the 7 circuit  
18 judgeships elected at large as of April 15, 2011, and the 3  
19 resident judgeships elected from Kane County before the general  
20 election of 2012 converting to at large judgeships on December  
21 3, 2012, the first vacancy occurring after December 3, 2012  
22 shall be assigned to the 23rd circuit as a Kendall County  
23 resident judge. As used in this subsection, a vacancy does not  
24 include the expiration of a term of an at large judge or of a  
25 resident judge who intends to seek retention in that office at  
26 the next term.



1       (f) The 3 resident judgeships elected from DeKalb County  
2 before the 2012 general election shall become resident  
3 judgeships from DeKalb County in the 23rd circuit on December  
4 3, 2012, and the 2 resident judgeships elected from Kendall  
5 County before the 2012 general election shall become resident  
6 judgeships from Kendall County in the 23rd circuit on December  
7 3, 2012.

8       (g) The 4 subcircuit judgeships of the 16th circuit elected  
9 as of April 15, 2011, shall become the 4 subcircuit judgeships  
10 of the 16th circuit as established in Section 2f-9. The  
11 remaining unfilled subcircuit judgeship of the 16th circuit as  
12 of April 15, 2011 shall be eliminated. If the judgeship of the  
13 5th subcircuit of the 16th circuit is filled prior to the  
14 effective date of this amendatory Act of the 97th General  
15 Assembly, that judgeship shall be eliminated on December 3,  
16 2012.

17       (h) On December 3, 2012, the Supreme Court shall allocate  
18 the associate judgeships of the 16th circuit before that date  
19 between the 16th and 23rd circuits. The number of associate  
20 judges allocated to the 23rd circuit shall be no less than 5.

21       (i) On December 3, 2012, the Supreme Court shall allocate  
22 personnel, books, records, documents, property (real and  
23 personal), funds, assets, liabilities, and pending matters  
24 concerning the 16th circuit before that date between the 16th  
25 and 23rd circuits based on the population and staffing needs of  
26 those circuits and the efficient and proper administration of

1 the judicial system. The rights of employees under applicable  
2 collective bargaining agreements are not affected by this  
3 amendatory Act of the 97th General Assembly.

4 (j) The judgeships set forth in this Section include the  
5 judgeships authorized under Sections 2g, 2h, 2j, 2k, 2m, and  
6 2n. The judgeships authorized in those Sections are not in  
7 addition to those set forth in this Section.

8 (705 ILCS 35/2f-11 new)

9 Sec. 2f-11. 23rd judicial circuit.

10 (a) The 23rd circuit shall have a total of 6 resident  
11 judgeships (5 resident judgeships existing on the effective  
12 date of this amendatory Act of the 97th General Assembly and  
13 the resident judgeship for Kendall County created by the first  
14 vacancy of an at large resident judgeship or resident judgeship  
15 in the new 16th circuit).

16 (b) Vacancies in resident judgeships of the 23rd circuit  
17 shall be filled in the manner provided in Article VI of the  
18 Illinois Constitution.

19 Section 99. Effective date. This Act takes effect upon  
20 becoming law.