



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

SB1838

Introduced 2/9/2011, by Sen. David Koehler

SYNOPSIS AS INTRODUCED:

10 ILCS 5/6-19.5 new	
10 ILCS 5/6A-1	from Ch. 46, par. 6A-1
10 ILCS 5/6A-2	from Ch. 46, par. 6A-2
10 ILCS 5/6A-4	from Ch. 46, par. 6A-4

Amends the Election Code. Permits establishment of a county board of election commissioners, by referendum initiated by the county board, in a county that has a municipality with a municipal board of election commissioners.

LRB097 10187 RLJ 50377 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 6A-1, 6A-2, and 6A-4 and by adding Section 6-19.5 as
6 follows:

7 (10 ILCS 5/6-19.5 new)

8 Sec. 6-19.5. Rejection of Article by superseding county
9 board of election commissioners. In addition to any other
10 method of rejection provided in this Article, when a county
11 board of election commissioners is established in accordance
12 with subsection (b) of Section 6A-1 in a county in which is
13 located any portion of a municipality with a municipal board of
14 election commissioners, the application of the provisions of
15 this Article to the territory of that municipality located
16 within that county is rejected.

17 (10 ILCS 5/6A-1) (from Ch. 46, par. 6A-1)

18 Sec. 6A-1. Adoption of Article.

19 (a) Any county in which there is no city, village or
20 incorporated town with a board of election commissioners may
21 establish a county board of election commissioners either (1)
22 by ordinance of the county board or (2) by vote of the electors

1 of the county in accordance with subsection (a) of Section
2 6A-2.

3 The fact that some territory in a county is within the
4 corporate limits of a city, village or incorporated town with a
5 board of election commissioners does not prevent that county
6 from establishing a county board of election commissioners in
7 accordance with this Article if no portion of such city,
8 village or incorporated town was within the county at the time
9 of the establishment of the board of election commissioners for
10 such city, village or incorporated town. If such a county
11 establishes a county board of election commissioners pursuant
12 to this Article, the county board of election commissioners
13 shall, with respect to the territory in the county within the
14 corporate limits of the city, village or incorporated town,
15 supersede the board of election commissioners of that city,
16 village or incorporated town.

17 (b) Any county in which a city, village, or incorporated
18 town with a board of election commissioners is located may
19 establish a county board of election commissioners by vote of
20 the electors of the county in accordance with subsection (b) of
21 Section 6A-2. If such a county establishes a county board of
22 election commissioners, the county board of election
23 commissioners, with respect to the territory in the county
24 within the corporate limits of the city, village, or
25 incorporated town, shall supersede the board of election
26 commissioners of that city, village, or incorporated town.

1 (Source: P.A. 81-1433.)

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

3 Sec. 6A-2. Submission to voters.

4 (a) Whenever registered voters in a ~~the~~ county described in
5 subsection (a) of Section 6A-1, numbering at least 1,000 or 1/8
6 of the number voting at the last preceding general election in
7 the county, whichever is less, petition the circuit court to
8 submit to the electors of the county a proposition to establish
9 a county board of election commissioners, the circuit court
10 shall cause such proposition to be submitted to the electors of
11 the county at the next succeeding general election.

12 (b) After approval and certification by the county board of
13 a county described in subsection (b) of Section 6A-2, the
14 proposition to establish a county board of election
15 commissioners shall be submitted to the electors of that county
16 at the next possible general election.

17 (c) The proposition shall be submitted in the same manner
18 as provided in Article 6 for the adoption of Articles 6, 14 and
19 18 by cities, villages and incorporated towns, except that the
20 question shall be stated: "Shall a board of election
21 commissioners be established for County?"

22 (Source: P.A. 78-465.)

23 (10 ILCS 5/6A-4) (from Ch. 46, par. 6A-4)

24 Sec. 6A-4. Transfer of records. Upon the opening of the

1 office of the county board of election commissioners, the
2 county clerk and any municipal board of election commissioners
3 in the county shall turn over to such county board all registry
4 books, registration record cards, poll books, tally sheets and
5 ballot boxes and all other books, forms, blanks and stationery
6 of every description in the clerk's or municipal board's
7 possession ~~his hands~~ in any way relating to elections or the
8 holding of elections in the county. Thereupon, all functions,
9 powers and duties of the county clerk, ~~or~~ the county board, or
10 the municipal board relating to elections in that county are
11 transferred to the county board of election commissioners.

12 (Source: P.A. 78-465.)