



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

HB3656

by Rep. David McSweeney - Ed Sullivan, Jr. - JoAnn D. Osmond -
Barbara Wheeler

SYNOPSIS AS INTRODUCED:

10 ILCS 5/6A-1	from Ch. 46, par. 6A-1
10 ILCS 5/6A-3	from Ch. 46, par. 6A-3

Amends the Election Code. Removes provisions requiring the establishment of a county board of election commissioners in Lake County. Effective immediately.

LRB098 13026 HLH 47535 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

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 and 6A-3 as follows:

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

7 Sec. 6A-1. (a) Any county in which there is no city,
8 village or incorporated town with a board of election
9 commissioners may establish a county board of election
10 commissioners either (1) by ordinance of the county board or
11 (2) by vote of the electors of the county in accordance with
12 subsection (a) of Section 6A-2.

13 The fact that some territory in a county is within the
14 corporate limits of a city, village or incorporated town with a
15 board of election commissioners does not prevent that county
16 from establishing a county board of election commissioners in
17 accordance with this Article if no portion of such city,
18 village or incorporated town was within the county at the time
19 of the establishment of the board of election commissioners for
20 such city, village or incorporated town. If such a county
21 establishes a county board of election commissioners pursuant
22 to this Article, the county board of election commissioners
23 shall, with respect to the territory in the county within the

1 corporate limits of the city, village or incorporated town,
2 supersede the board of election commissioners of that city,
3 village or incorporated town.

4 (b) (Blank). ~~Any county with a population of more than~~
5 ~~700,000 persons as of the 2010 federal decennial census that~~
6 ~~borders another state and borders no more than 2 other Illinois~~
7 ~~counties, shall be subject to a county board of election~~
8 ~~commissioners beginning 90 days after the effective date of~~
9 ~~this amendatory Act of the 98th General Assembly.~~

10 (c) Any county with a population of less than 200,000 but
11 more than 175,000 persons as of the 2010 federal decennial
12 census in which a city, village, or incorporated town with a
13 board of election commissioners is located may establish a
14 county board of election commissioners by vote of the electors
15 of the county in accordance with subsection (b) of Section
16 6A-2. If such a county establishes a county board of election
17 commissioners, the county board of election commissioners,
18 with respect to the territory in the county within the
19 corporate limits of the city, village, or incorporated town,
20 shall supersede the board of election commissioners of that
21 city, village, or incorporated town.

22 (Source: P.A. 98-115, eff. 7-29-13.)

23 (10 ILCS 5/6A-3) (from Ch. 46, par. 6A-3)

24 Sec. 6A-3. Commissioners; filling vacancies.

25 (a) If the county board adopts an ordinance providing for

1 the establishment of a county board of election commissioners,
2 or if a majority of the votes cast on a proposition submitted
3 in accordance with Section 6A-2(a) are in favor of a county
4 board of election commissioners, a county board of election
5 commissioners shall be appointed in the same manner as is
6 provided in Article 6 for boards of election commissioners in
7 cities, villages and incorporated towns, except that the county
8 board of election commissioners shall be appointed by the
9 chairman of the county board rather than the circuit court.
10 However, before any appointments are made, the appointing
11 authority shall ascertain whether the county clerk desires to
12 be a member of the county board of election commissioners. If
13 the county clerk so desires, he shall be one of the members of
14 the county board of election commissioners, and the appointing
15 authority shall appoint only 2 other members.

16 (b) (Blank). ~~For any county board of election commissioners~~
17 ~~established under subsection (b) of Section 6A 1, within 30~~
18 ~~days after the effective date of this amendatory Act of the~~
19 ~~98th General Assembly, the chief judge of the circuit court of~~
20 ~~the county shall appoint 5 commissioners. At least 4 of those~~
21 ~~commissioners shall be selected from the 2 major established~~
22 ~~political parties of the State, with at least 2 from each of~~
23 ~~those parties. Such appointment shall be entered of record in~~
24 ~~the office of the County Clerk and the State Board of~~
25 ~~Elections. Those first appointed shall hold their offices for~~
26 ~~the period of one, 2, and 3 years respectively, and the judge~~

1 ~~appointing them shall designate the term for which each~~
2 ~~commissioner shall hold his or her office, whether for one, 2~~
3 ~~or 3 years except that no more than one commissioner from each~~
4 ~~major established political party may be designated the same~~
5 ~~term. After the initial term, each commissioner or his or her~~
6 ~~successor shall be appointed to a 3 year term. No elected~~
7 ~~official or former elected official who has been out of elected~~
8 ~~office for less than 2 years may be appointed to the board.~~
9 ~~Vacancies shall be filled by the chief judge of the circuit~~
10 ~~court within 30 days of the vacancy in a manner that maintains~~
11 ~~the foregoing political party representation.~~

12 (c) For any county board of election commissioners
13 established under subsection (c) of Section 6A-1, within 30
14 days after the conclusion of the election at which the
15 proposition to establish a county board of election
16 commissioners is approved by the voters, the municipal board
17 shall apply to the circuit court of the county for the chief
18 judge of the circuit court to appoint 2 additional
19 commissioners, one of whom shall be from each major established
20 political party and neither of whom shall reside within the
21 limits of the municipal board, so that 3 commissioners shall
22 reside within the limits of the municipal board and 2 shall
23 reside within the county but not within the municipality, as it
24 may exist from time to time. Not more than 3 of the
25 commissioners shall be members of the same major established
26 political party. Vacancies shall be filled by the chief judge

1 of the circuit court upon application of the remaining
2 commissioners in a manner that maintains the foregoing
3 geographical and political party representation.

4 (Source: P.A. 98-115, eff. 7-29-13.)

5 Section 99. Effective date. This Act takes effect upon
6 becoming law.