



Rep. Luis Arroyo

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LRB098 15370 HLH 60060 a

1 AMENDMENT TO HOUSE BILL 3815

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 3815 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Election Code is amended by changing  
5 Sections 6-2, 6-19.5, 6A-1, 6A-2, 6A-3, and 6A-7 as follows:

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

7 Sec. 6-2. The electors of any city with a population of  
8 less than 1,000,000 people now existing in this state may adopt  
9 and become entitled to the benefits of this Article 6 and  
10 Articles 14 and 18 of this Act in the manner following:

11 Whenever one thousand of the legal voters of such city  
12 voting at the last preceding election shall petition the  
13 circuit court of the county in which such city is located, to  
14 submit to a vote of the electors of such city the proposition  
15 as to whether such city and the electors thereof shall adopt  
16 and become entitled to the benefits of this Article, and said

1 Articles 14 and 18 of this Act, it shall be the duty of such  
2 circuit court to order such proposition to be submitted  
3 accordingly at the next succeeding general or regularly  
4 scheduled municipal election; and if such proposition is not  
5 adopted at such election, the same shall in like manner be  
6 submitted to a vote of the electors of such city by said  
7 circuit court upon a like application at any general or  
8 regularly scheduled municipal election thereafter. If one  
9 thousand shall exceed one-eighth of the legal voters of any  
10 such city voting at the last preceding general or consolidated  
11 election, then such application need not be signed or made by  
12 more than one-eighth of the legal voters of such city voting at  
13 the last preceding general or consolidated election. Such  
14 petition shall be subject to the applicable provisions of  
15 Article 28 of this Code.

16 (Source: P.A. 80-1469.)

17 (10 ILCS 5/6-19.5)

18 Sec. 6-19.5. Rejection of Article by superseding county  
19 board of election commissioners. In addition to any other  
20 method of rejection provided in this Article, when a county  
21 board of election commissioners is established in accordance  
22 with subsection (c) of Section 6A-1 in a county in which is  
23 located any portion of a municipality with a municipal board of  
24 election commissioners, and in the case of all counties with a  
25 population of more than 2,000,000 persons, the application of

1 the provisions of this Article to the territory of that  
2 municipality located within that county is rejected.

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

4 (10 ILCS 5/6A-1) (from Ch. 46, par. 6A-1)

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

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

25 (b) Any county with a population of more than 700,000

1 persons as of the 2010 federal decennial census that borders  
2 another state and borders no more than 2 other Illinois  
3 counties, shall be subject to a county board of election  
4 commissioners beginning 90 days after the effective date of  
5 this amendatory Act of the 98th General Assembly.

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

18 (d) Notwithstanding any other provision of law, on and  
19 after June 1, 2016, each county with a population of more than  
20 2,000,000 persons shall be subject to a county board of  
21 election commissioners. Each such county board of election  
22 commissioners shall supersede the board of elections  
23 commissioners of any city, village, or incorporated town  
24 located in that county.

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

1 (10 ILCS 5/6A-2) (from Ch. 46, par. 6A-2)

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

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

11 (b) If the county board of a county described in subsection  
12 (c) of Section 6A-1 passes an ordinance or resolution  
13 establishing a county board of election commissioners, then 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. The board shall certify  
17 the ordinance or resolution and the proposition to the proper  
18 election officials who shall submit the proposition at the next  
19 general election in accordance with the general election law.

20 (c) The proposition shall be submitted in the same manner  
21 as provided in Article 6 for the adoption of Articles 6, 14 and  
22 18 by cities, villages and incorporated towns, except that the  
23 question shall be stated: "Shall a board of election  
24 commissioners be established for .... County?"

25 (d) Notwithstanding any other provision of law, on and  
26 after June 1, 2016, any county with a population of more than

1 2,000,000 persons shall be subject to a county board of  
2 election commissioners.

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

4 (10 ILCS 5/6A-3) (from Ch. 46, par. 6A-3)

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

6 (a) If the county board adopts an ordinance providing for  
7 the establishment of a county board of election commissioners,  
8 or if a majority of the votes cast on a proposition submitted  
9 in accordance with Section 6A-2(a) are in favor of a county  
10 board of election commissioners, or in the case of a county  
11 board of election commissioners established pursuant to  
12 subsection (d) of Section 6A-1, a county board of election  
13 commissioners shall be appointed in the same manner as is  
14 provided in Article 6 for boards of election commissioners in  
15 cities, villages and incorporated towns, except that the county  
16 board of election commissioners shall be appointed by the  
17 chairman of the county board rather than the circuit court.  
18 However, except in the case of a county board of election  
19 commissioners established pursuant to subsection (d) of  
20 Section 6A-1, before any appointments are made, the appointing  
21 authority shall ascertain whether the county clerk desires to  
22 be a member of the county board of election commissioners. If  
23 the county clerk so desires, he shall be one of the members of  
24 the county board of election commissioners, and the appointing  
25 authority shall appoint only 2 other members.

1           (b) For any county board of election commissioners  
2 established under subsection (b) of Section 6A-1, within 30  
3 days after the effective date of this amendatory Act of the  
4 98th General Assembly, the chief judge of the circuit court of  
5 the county shall appoint 5 commissioners. At least 4 of those  
6 commissioners shall be selected from the 2 major established  
7 political parties of the State, with at least 2 from each of  
8 those parties. Such appointment shall be entered of record in  
9 the office of the County Clerk and the State Board of  
10 Elections. Those first appointed shall hold their offices for  
11 the period of one, 2, and 3 years respectively, and the judge  
12 appointing them shall designate the term for which each  
13 commissioner shall hold his or her office, whether for one, 2  
14 or 3 years except that no more than one commissioner from each  
15 major established political party may be designated the same  
16 term. After the initial term, each commissioner or his or her  
17 successor shall be appointed to a 3 year term. No elected  
18 official or former elected official who has been out of elected  
19 office for less than 2 years may be appointed to the board.  
20 Vacancies shall be filled by the chief judge of the circuit  
21 court within 30 days of the vacancy in a manner that maintains  
22 the foregoing political party representation.

23           (c) For any county board of election commissioners  
24 established under subsection (c) of Section 6A-1, within 30  
25 days after the conclusion of the election at which the  
26 proposition to establish a county board of election

1 commissioners is approved by the voters, the municipal board  
2 shall apply to the circuit court of the county for the chief  
3 judge of the circuit court to appoint 2 additional  
4 commissioners, one of whom shall be from each major established  
5 political party and neither of whom shall reside within the  
6 limits of the municipal board, so that 3 commissioners shall  
7 reside within the limits of the municipal board and 2 shall  
8 reside within the county but not within the municipality, as it  
9 may exist from time to time. Not more than 3 of the  
10 commissioners shall be members of the same major established  
11 political party. Vacancies shall be filled by the chief judge  
12 of the circuit court upon application of the remaining  
13 commissioners in a manner that maintains the foregoing  
14 geographical and political party representation.

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

16 (10 ILCS 5/6A-7) (from Ch. 46, par. 6A-7)

17 Sec. 6A-7. Any county with a population of less than  
18 2,000,000 persons which has established a board of election  
19 commissioners may subsequently vote to abandon such board in  
20 the same manner as provided in Article 6 for cities, villages  
21 and incorporated towns, except that the petition to the circuit  
22 court to submit to the vote of the electors of the county the  
23 proposition to abandon the board of election commissioners  
24 shall be signed by at least 10% of the registered voters of the  
25 county.



1 (Source: P.A. 87-1247.)".