



Rep. Michael J. Madigan

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09800SB1689ham001

LRB098 08930 HLH 46479 a

1 AMENDMENT TO SENATE BILL 1689

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 1689 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Election Code is amended by changing  
5 Section 10-9 as follows:

6 (10 ILCS 5/10-9) (from Ch. 46, par. 10-9)

7 Sec. 10-9. The ~~The~~ following electoral boards are  
8 designated for the purpose of hearing and passing upon the  
9 objector's petition described in Section 10-8.

10 1. The State Board of Elections will hear and pass upon  
11 objections to the nominations of candidates for State  
12 offices, nominations of candidates for congressional,  
13 legislative and judicial offices of districts,  
14 subcircuits, or circuits situated in more than one county,  
15 nominations of candidates for the offices of State's  
16 attorney or regional superintendent of schools to be

1       elected from more than one county, and petitions for  
2       proposed amendments to the Constitution of the State of  
3       Illinois as provided for in Section 3 of Article XIV of the  
4       Constitution.

5             2. The county officers electoral board to hear and pass  
6       upon objections to the nominations of candidates for county  
7       offices, for congressional, legislative and judicial  
8       offices of a district, subcircuit, or circuit coterminous  
9       with or less than a county, for school trustees to be voted  
10      for by the electors of the county or by the electors of a  
11      township of the county, for the office of multi-township  
12      assessor where candidates for such office are nominated in  
13      accordance with this Code, and for all special district  
14      offices, shall be composed of the county clerk, or an  
15      assistant designated by the county clerk, the State's  
16      attorney of the county or an Assistant State's Attorney  
17      designated by the State's Attorney, and the clerk of the  
18      circuit court, or an assistant designated by the clerk of  
19      the circuit court, of the county, of whom the county clerk  
20      or his designee shall be the chairman, except that in any  
21      county which has established a county board of election  
22      commissioners that board shall constitute the county  
23      officers electoral board ex-officio.

24             3. The municipal officers electoral board to hear and  
25      pass upon objections to the nominations of candidates for  
26      officers of municipalities shall be composed of the mayor

1 or president of the board of trustees of the city, village  
2 or incorporated town, and the city, village or incorporated  
3 town clerk, and one member of the city council or board of  
4 trustees, that member being designated who is eligible to  
5 serve on the electoral board and has served the greatest  
6 number of years as a member of the city council or board of  
7 trustees, of whom the mayor or president of the board of  
8 trustees shall be the chairman.

9 4. The township officers electoral board to pass upon  
10 objections to the nominations of township officers shall be  
11 composed of the township supervisor, the town clerk, and  
12 that eligible town trustee elected in the township who has  
13 had the longest term of continuous service as town trustee,  
14 of whom the township supervisor shall be the chairman.

15 5. The education officers electoral board to hear and  
16 pass upon objections to the nominations of candidates for  
17 offices in school or community college districts shall be  
18 composed of the presiding officer of the school or  
19 community college district board, who shall be the  
20 chairman, the secretary of the school or community college  
21 district board and the eligible elected school or community  
22 college board member who has the longest term of continuous  
23 service as a board member.

24 6. In all cases, however, where the Congressional,  
25 Legislative, or Representative district is wholly or  
26 partially within the jurisdiction of a single municipal

1 board of election commissioners in Cook County and in all  
2 cases where the school district or special district is  
3 wholly within the jurisdiction of a municipal board of  
4 election commissioners and in all cases where the  
5 municipality or township is wholly or partially within the  
6 jurisdiction of a municipal board of election  
7 commissioners, the board of election commissioners shall  
8 ex-officio constitute the electoral board.

9 For special districts situated in more than one county, the  
10 county officers electoral board of the county in which the  
11 principal office of the district is located has jurisdiction to  
12 hear and pass upon objections. For purposes of this Section,  
13 "special districts" means all political subdivisions other  
14 than counties, municipalities, townships and school and  
15 community college districts.

16 In the event that any member of the appropriate board is a  
17 candidate for the office with relation to which the objector's  
18 petition is filed, he shall not be eligible to serve on that  
19 board and shall not act as a member of the board and his place  
20 shall be filled as follows:

21 a. In the county officers electoral board by the county  
22 treasurer, and if he or she is ineligible to serve, by the  
23 sheriff of the county.

24 b. In the municipal officers electoral board by the  
25 eligible elected city council or board of trustees member  
26 who has served the second greatest number of years as a

1 city council or board of trustees member.

2 c. In the township officers electoral board by the  
3 eligible elected town trustee who has had the second  
4 longest term of continuous service as a town trustee.

5 d. In the education officers electoral board by the  
6 eligible elected school or community college district  
7 board member who has had the second longest term of  
8 continuous service as a board member.

9 In the event that the chairman of the electoral board is  
10 ineligible to act because of the fact that he is a candidate  
11 for the office with relation to which the objector's petition  
12 is filed, then the substitute chosen under the provisions of  
13 this Section shall be the chairman; In this case, the officer  
14 or board with whom the objector's petition is filed, shall  
15 transmit the certificate of nomination or nomination papers as  
16 the case may be, and the objector's petition to the substitute  
17 chairman of the electoral board.

18 When 2 or more eligible individuals, by reason of their  
19 terms of service on a city council or board of trustees,  
20 township board of trustees, or school or community college  
21 district board, qualify to serve on an electoral board, the one  
22 to serve shall be chosen by lot.

23 Any vacancies on an electoral board not otherwise filled  
24 pursuant to this Section shall be filled by public members  
25 appointed by the Chief Judge of the Circuit Court for the  
26 county wherein the electoral board hearing is being held upon

1 notification to the Chief Judge of such vacancies. The Chief  
2 Judge shall be so notified by a member of the electoral board  
3 or the officer or board with whom the objector's petition was  
4 filed. In the event that none of the individuals designated by  
5 this Section to serve on the electoral board are eligible, the  
6 chairman of an electoral board shall be designated by the Chief  
7 Judge.

8 (Source: P.A. 96-1008, eff. 7-6-10.)".