



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

HB0296

by Rep. Ron Sandack

SYNOPSIS AS INTRODUCED:

See Index

Amends the Election Code. Provides that the offices of elected members of school boards, school trustees, directors of boards of school directors, trustees of county boards of school trustees, members of boards of school inspectors, and members of school boards in school districts that adopt Article 33 of the School Code shall be filled or shall be on the ballot at the general election in the appropriate even-numbered years (now, at the consolidated election in the appropriate odd-numbered years). Provides that, for elections on and after June 1, 2016, a member of a Board of School Directors, a member of an elected Board of Education, a member of a Board of School Inspectors, a trustee of a Regional Board of School Trustees, or a trustee of schools, as the case may be, shall be elected at the general election that immediately precedes the expiration of the term of any incumbent member, to succeed each incumbent member whose term ends before the following general election. Provides that the term of an incumbent of any of those offices serving on the effective date of the amendatory Act is extended to the first Monday in the first month following the next general election after the date that his or her term would have expired had this amendatory Act not been enacted, and the term of the successor in office shall commence on that first Monday. Makes other changes. Amends the School Code to make changes conforming to the changes to the time of election of members of school boards made by the amendatory Act. Effective June 1, 2016.

LRB099 07108 HLH 27192 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 2A-1.2, 2A-48, 2A-49, 2A-50, and 2A-51 and by adding
6 Section 2A-48.1 as follows:

7 (10 ILCS 5/2A-1.2) (from Ch. 46, par. 2A-1.2)

8 Sec. 2A-1.2. Consolidated Schedule of Elections - Offices
9 Designated.

10 (a) At the general election in the appropriate
11 even-numbered years, the following offices shall be filled or
12 shall be on the ballot as otherwise required by this Code:

13 (1) Elector of President and Vice President of the
14 United States;

15 (2) United States Senator and United States
16 Representative;

17 (3) State Executive Branch elected officers;

18 (4) State Senator and State Representative;

19 (5) County elected officers, including State's
20 Attorney, County Board member, County Commissioners, and
21 elected President of the County Board or County Chief
22 Executive;

23 (6) Circuit Court Clerk;

1 (7) Regional Superintendent of Schools, except in
2 counties or educational service regions in which that
3 office has been abolished;

4 (8) Judges of the Supreme, Appellate and Circuit
5 Courts, on the question of retention, to fill vacancies and
6 newly created judicial offices;

7 (9) (Blank);

8 (10) Trustee of the Metropolitan Sanitary District of
9 Chicago, and elected Trustee of other Sanitary Districts;

10 (11) Special District elected officers, not otherwise
11 designated in this Section, where the statute creating or
12 authorizing the creation of the district requires an annual
13 election and permits or requires election of candidates of
14 political parties; ▸

15 (12) Members of school boards in school districts that
16 adopt Article 33 of the School Code;

17 (13) Elected members of school boards, school
18 trustees, directors of boards of school directors,
19 trustees of county boards of school trustees (except in
20 counties or educational service regions having a
21 population of 2,000,000 or more inhabitants), and members
22 of boards of school inspectors, except school boards in
23 school districts that adopt Article 33 of the School Code.

24 (b) At the general primary election:

25 (1) in each even-numbered year candidates of political
26 parties shall be nominated for those offices to be filled

1 at the general election in that year, except where pursuant
2 to law nomination of candidates of political parties is
3 made by caucus.

4 (2) in the appropriate even-numbered years the
5 political party offices of State central committeeman,
6 township committeeman, ward committeeman, and precinct
7 committeeman shall be filled and delegates and alternate
8 delegates to the National nominating conventions shall be
9 elected as may be required pursuant to this Code. In the
10 even-numbered years in which a Presidential election is to
11 be held, candidates in the Presidential preference primary
12 shall also be on the ballot.

13 (3) in each even-numbered year, where the municipality
14 has provided for annual elections to elect municipal
15 officers pursuant to Section 6(f) or Section 7 of Article
16 VII of the Constitution, pursuant to the Illinois Municipal
17 Code or pursuant to the municipal charter, the offices of
18 such municipal officers shall be filled at an election held
19 on the date of the general primary election, provided that
20 the municipal election shall be a nonpartisan election
21 where required by the Illinois Municipal Code. For partisan
22 municipal elections in even-numbered years, a primary to
23 nominate candidates for municipal office to be elected at
24 the general primary election shall be held on the Tuesday 6
25 weeks preceding that election.

26 (4) in each school district which has adopted the

1 provisions of Article 33 of the School Code, successors to
2 the members of the board of education whose terms expire in
3 the year in which the general primary is held shall be
4 elected.

5 (c) At the consolidated election in the appropriate
6 odd-numbered years, the following offices shall be filled:

7 (1) Municipal officers, provided that in
8 municipalities in which candidates for alderman or other
9 municipal office are not permitted by law to be candidates
10 of political parties, the runoff election where required by
11 law, or the nonpartisan election where required by law,
12 shall be held on the date of the consolidated election; and
13 provided further, in the case of municipal officers
14 provided for by an ordinance providing the form of
15 government of the municipality pursuant to Section 7 of
16 Article VII of the Constitution, such offices shall be
17 filled by election or by runoff election as may be provided
18 by such ordinance;

19 (2) Village and incorporated town library directors;

20 (3) City boards of stadium commissioners;

21 (4) Commissioners of park districts;

22 (5) Trustees of public library districts;

23 (6) Special District elected officers, not otherwise
24 designated in this section, where the statute creating or
25 authorizing the creation of the district permits or
26 requires election of candidates of political parties;

1 (7) Township officers, including township park
2 commissioners, township library directors, and boards of
3 managers of community buildings, and Multi-Township
4 Assessors;

5 (8) Highway commissioners and road district clerks;

6 (9) (Blank); ~~Members of school boards in school~~
7 ~~districts which adopt Article 33 of the School Code;~~

8 (10) The directors and chairman of the Chain O Lakes -
9 Fox River Waterway Management Agency;

10 (11) Forest preserve district commissioners elected
11 under Section 3.5 of the Downstate Forest Preserve District
12 Act;

13 (12) (Blank); ~~Elected members of school boards, school~~
14 ~~trustees, directors of boards of school directors,~~
15 ~~trustees of county boards of school trustees (except in~~
16 ~~counties or educational service regions having a~~
17 ~~population of 2,000,000 or more inhabitants) and members of~~
18 ~~boards of school inspectors, except school boards in school~~
19 ~~districts that adopt Article 33 of the School Code;~~

20 (13) Members of Community College district boards;

21 (14) Trustees of Fire Protection Districts;

22 (15) Commissioners of the Springfield Metropolitan
23 Exposition and Auditorium Authority;

24 (16) Elected Trustees of Tuberculosis Sanitarium
25 Districts;

26 (17) Elected Officers of special districts not

1 otherwise designated in this Section for which the law
2 governing those districts does not permit candidates of
3 political parties.

4 (d) At the consolidated primary election in each
5 odd-numbered year, candidates of political parties shall be
6 nominated for those offices to be filled at the consolidated
7 election in that year, except where pursuant to law nomination
8 of candidates of political parties is made by caucus, and
9 except those offices listed in paragraphs (12) through (17) of
10 subsection (c).

11 At the consolidated primary election in the appropriate
12 odd-numbered years, the mayor, clerk, treasurer, and aldermen
13 shall be elected in municipalities in which candidates for
14 mayor, clerk, treasurer, or alderman are not permitted by law
15 to be candidates of political parties, subject to runoff
16 elections to be held at the consolidated election as may be
17 required by law, and municipal officers shall be nominated in a
18 nonpartisan election in municipalities in which pursuant to law
19 candidates for such office are not permitted to be candidates
20 of political parties.

21 At the consolidated primary election in the appropriate
22 odd-numbered years, municipal officers shall be nominated or
23 elected, or elected subject to a runoff, as may be provided by
24 an ordinance providing a form of government of the municipality
25 pursuant to Section 7 of Article VII of the Constitution.

26 At the consolidated primary election in the appropriate

1 odd-numbered years, in each school district which has adopted
2 the provisions of Article 33 of the School Code, successors to
3 the members of the board of education whose terms expire in the
4 year in which the consolidated primary is held shall be
5 elected.

6 (e) (Blank).

7 (f) At any election established in Section 2A-1.1, public
8 questions may be submitted to voters pursuant to this Code and
9 any special election otherwise required or authorized by law or
10 by court order may be conducted pursuant to this Code.

11 Notwithstanding the regular dates for election of officers
12 established in this Article, whenever a referendum is held for
13 the establishment of a political subdivision whose officers are
14 to be elected, the initial officers shall be elected at the
15 election at which such referendum is held if otherwise so
16 provided by law. In such cases, the election of the initial
17 officers shall be subject to the referendum.

18 Notwithstanding the regular dates for election of
19 officials established in this Article, any community college
20 district which becomes effective by operation of law pursuant
21 to Section 6-6.1 of the Public Community College Act, as now or
22 hereafter amended, shall elect the initial district board
23 members at the next regularly scheduled election following the
24 effective date of the new district.

25 (g) At any election established in Section 2A-1.1, if in
26 any precinct there are no offices or public questions required

1 to be on the ballot under this Code then no election shall be
2 held in the precinct on that date.

3 (h) There may be conducted a referendum in accordance with
4 the provisions of Division 6-4 of the Counties Code.

5 (Source: P.A. 89-5, eff. 1-1-96; 89-95, eff. 1-1-96; 89-626,
6 eff. 8-9-96; 90-358, eff. 1-1-98.)

7 (10 ILCS 5/2A-48) (from Ch. 46, par. 2A-48)

8 Sec. 2A-48. Board of School Directors - Member - Time of
9 Election. For elections prior to June 1, 2016, a ~~A~~ member of a
10 Board of School Directors or a member of an elected Board of
11 Education, as the case may be, shall be elected at each
12 consolidated election to succeed each incumbent member whose
13 term ends before the following consolidated election. For
14 elections on and after June 1, 2016, and except for members of
15 a Board of Education in a school district that has adopted
16 Article 33 of the School Code, a member of a Board of School
17 Directors or a member of an elected Board of Education, as the
18 case may be, shall be elected at the general election that
19 immediately precedes the expiration of the term of any
20 incumbent member, to succeed each incumbent member whose term
21 ends before the following general election.

22 Notwithstanding any provision of law to the contrary, and
23 except for members of a Board of Education in a school district
24 that has adopted Article 33 of the School Code, the term of any
25 incumbent serving on the effective date of this amendatory Act

1 of the 99th General Assembly is extended to the first Monday in
2 the first month following the next general election after the
3 date that his or her term would have expired had this
4 amendatory Act of the 99th General Assembly not been enacted,
5 and the term of the successor in office shall commence on that
6 first Monday.

7 (Source: P.A. 90-358, eff. 1-1-98.)

8 (10 ILCS 5/2A-48.1 new)

9 Sec. 2A-48.1. Article 33 Board of Education - Member - Time
10 of Election. A member of a Board of Education in a school
11 district that has adopted Article 33 of the School Code shall
12 be elected at the general election or consolidated primary
13 election, as appropriate, that immediately precedes the
14 expiration of the term of any incumbent member, to succeed each
15 incumbent member whose term ends before the following general
16 election or consolidated primary election, as appropriate.

17 Notwithstanding any provision of law to the contrary, the
18 term of any incumbent member of a Board of Education in a
19 school district that has adopted Article 33 of the School Code
20 who is serving on the effective date of this amendatory Act of
21 the 99th General Assembly is extended to July 1 of the year
22 following the next election after the date that his or her term
23 would have expired had this amendatory Act of the 99th General
24 Assembly not been enacted, and the term of the successor in
25 office shall commence on July 1 of that year.

1 (10 ILCS 5/2A-49) (from Ch. 46, par. 2A-49)

2 Sec. 2A-49. Board of School Inspectors - Member - Time of
3 Election. For elections prior to June 1, 2016, a ~~A~~ member of a
4 Board of School Inspectors shall be elected at the consolidated
5 election which immediately precedes the expiration of the term
6 of any incumbent school inspector, to succeed each incumbent
7 school inspector whose term ends before the following
8 consolidated election. For elections on and after June 1, 2016,
9 a member of a Board of School Inspectors shall be elected at
10 the general election that immediately precedes the expiration
11 of the term of any incumbent school inspector, to succeed each
12 incumbent member whose term ends before the following general
13 election.

14 Notwithstanding any provision of law to the contrary, the
15 term of any incumbent serving on the effective date of this
16 amendatory Act of the 99th General Assembly is extended to the
17 first Monday in the first month following the next general
18 election after the date that his or her term would have expired
19 had this amendatory Act of the 99th General Assembly not been
20 enacted, and the term of the successor in office shall commence
21 on that first Monday.

22 (Source: P.A. 90-358, eff. 1-1-98.)

23 (10 ILCS 5/2A-50) (from Ch. 46, par. 2A-50)

24 Sec. 2A-50. Regional Board of School Trustees - Trustee -

1 Time of Election. For elections prior to June 1, 2016, and
2 except ~~Except~~ in educational service regions having a
3 population of 2,000,000 or more inhabitants, a trustee of a
4 Regional Board of School Trustees shall be elected at the
5 consolidated election to succeed each incumbent trustee whose
6 term ends before the following consolidated election. For
7 elections on and after June 1, 2016, and except in educational
8 service regions having a population of 2,000,000 or more
9 inhabitants, a trustee of a Regional Board of School Trustees
10 shall be elected at the general election that immediately
11 precedes the expiration of the term of any incumbent trustee,
12 to succeed each incumbent trustee whose term ends before the
13 following general election.

14 Notwithstanding any provision of law to the contrary, the
15 term of any incumbent serving on the effective date of this
16 amendatory Act of the 99th General Assembly is extended to the
17 first Monday in the first month following the next general
18 election after the date that his or her term would have expired
19 had this amendatory Act of the 99th General Assembly not been
20 enacted, and the term of the successor in office shall commence
21 on that first Monday.

22 (Source: P.A. 90-358, eff. 1-1-98.)

23 (10 ILCS 5/2A-51) (from Ch. 46, par. 2A-51)

24 Sec. 2A-51. Schools - Trustee - Time of Election. For
25 elections prior to June 1, 2016, and except ~~Except~~ in a

1 township in which all school districts located therein have
2 withdrawn from the jurisdiction and authority of the trustees
3 of schools under the provisions of subsection (b) of Section
4 5-1 of the School Code and except in townships in which the
5 office of trustee of schools has been abolished as provided in
6 subsection (c) of Section 5-1 of the School Code, a trustee of
7 schools shall be elected in townships at the consolidated
8 election which immediately precedes the expiration of the term
9 of any incumbent trustee, to succeed each incumbent trustee
10 whose term ends before the following consolidated election. For
11 elections on and after June 1, 2016, and except in a township
12 in which all school districts located therein have withdrawn
13 from the jurisdiction and authority of the trustees of schools
14 under the provisions of subsection (b) of Section 5-1 of the
15 School Code and except in townships in which the office of
16 trustee of schools has been abolished as provided in subsection
17 (c) of Section 5-1 of the School Code, a trustee of schools
18 shall be elected in townships at the general election that
19 immediately precedes the expiration of the term of any
20 incumbent trustee, to succeed each incumbent trustee whose term
21 ends before the following general election.

22 Notwithstanding any provision of law to the contrary, the
23 term of any incumbent serving on the effective date of this
24 amendatory Act of the 99th General Assembly is extended to the
25 first Monday in the first month following the next general
26 election after the date that his or her term would have expired

1 had this amendatory Act of the 99th General Assembly not been
2 enacted, and the term of the successor in office shall commence
3 on that first Monday.

4 (Source: P.A. 90-358, eff. 1-1-98.)

5 Section 10. The School Code is amended by changing Sections
6 5-4, 5-13, 6-4, 6-17, 10-4, 10-10, 10-16, 32-1.1, 32-2.12, and
7 33-1 as follows:

8 (105 ILCS 5/5-4) (from Ch. 122, par. 5-4)

9 Sec. 5-4. Election of trustees. The election of trustees of
10 schools shall be held in even-numbered ~~odd-numbered~~ years at
11 the election specified in the general election law. In
12 townships in which no election for school trustees has been
13 held, or in townships in which from any cause there are no
14 trustees of schools and the law requires that there be school
15 trustees, the election of trustees of schools shall be held at
16 the same time.

17 No person shall be nominated for the office of trustee of
18 schools, in townships containing 20,000 inhabitants or over,
19 except by petition signed by at least twenty-five voters of the
20 school township in which he is seeking nomination and election
21 filed with the township treasurer, or, in case of a first
22 election, with the county clerk.

23 A candidate for election as a school trustee, who has
24 petitioned for nomination to fill a full term and to fill a

1 vacant term to be voted upon at the same election, must
2 withdraw his or her petition for nomination from either the
3 full term or the vacant term by written declaration, which
4 shall be signed and acknowledged by an officer authorized to
5 take such acknowledgments and which is filed with the township
6 treasurer in the township in which he or she is a candidate
7 within the time provided by the general election law.

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

9 (105 ILCS 5/5-13) (from Ch. 122, par. 5-13)

10 Sec. 5-13. Term of office of trustees. In townships already
11 organized, the school trustee shall be elected in each
12 even-numbered ~~odd-numbered~~ year for a term of 6 years to
13 succeed the trustee whose term expires in such even-numbered
14 ~~odd-numbered~~ year.

15 The first-elected trustees in a newly organized township
16 shall at their first meeting cast lots for their respective
17 terms of office, for 2, 4 and 6 years; and thereafter 1 trustee
18 shall be elected in each even-numbered ~~odd-numbered~~ year.

19 (Source: P.A. 81-1490.)

20 (105 ILCS 5/6-4) (from Ch. 122, par. 6-4)

21 Sec. 6-4. Election date. Members of the regional board of
22 school trustees shall be elected at the regular election
23 specified in the general election law in each even-numbered
24 ~~odd-numbered~~ year.

1 (Source: P.A. 81-1490.)

2 (105 ILCS 5/6-17) (from Ch. 122, par. 6-17)

3 Sec. 6-17. Election of president - Terms of members. Except
4 as otherwise provided in Section 2A-54 of the Election Code, on
5 the third Monday in the first month ~~May~~, following the first
6 election, or if such day is a holiday then the next day, the
7 regional superintendent of schools who shall be the ex-officio
8 secretary of the board shall convene the newly elected regional
9 board of school trustees for the purpose of organization.
10 Except as provided in Section 2A-54 of the Election Code, at
11 this meeting the members shall elect a president from among
12 their number who shall serve as president for a term of 2 years
13 and shall determine by lot the length of the term of each
14 member so that 2 shall serve for a term of 2 years, 2 for 4
15 years and 3 for 6 years from the third Monday of the month
16 following the date of their election. Except as provided in
17 Section 2A-54 of the Election Code, thereafter members shall be
18 elected to serve for a term of 6 years from the third Monday of
19 the month following the date of their election or until their
20 successors are elected and qualified.

21 All succeeding meetings for the purpose of organization
22 shall be held on the third Monday in the first month ~~May~~
23 following the election; however, in case the third Monday in
24 the first month following the election ~~May~~ is a holiday the
25 organization meeting shall be held on the next day.

1 If educational service regions are consolidated under
2 Section 3A-3 or 3A-4 of this Act, however, the expiring terms
3 of members of each regional board of school trustees in those
4 regions being consolidated shall be extended so as to terminate
5 on the first Monday of August of the year that consolidation
6 takes effect, as defined in Section 3A-5 of this Act, and, on
7 such day, the Regional Superintendent of the consolidated
8 region shall convene all the members of each regional board of
9 school trustees in the consolidated region, and shall by lot
10 select from among such trustees an interim regional board of
11 school trustees for the consolidated region in accord with the
12 specifications as to membership and residency in Section 6-2.
13 The interim board so selected shall serve until their
14 successors are elected at the succeeding regular election of
15 regional school trustees and have qualified. A single regional
16 board of school trustees shall be elected at such succeeding
17 regular election to take office on the third Monday of the
18 month following such election. The board elected for the
19 consolidated region shall be convened on such third Monday of
20 the month following such election for organizational purposes,
21 to elect a president and determine terms for its members by lot
22 as provided in this Section. The respective regional boards of
23 school trustees of educational service regions involved in
24 consolidations under Section 3A-3 or 3A-4 shall cease to exist
25 at the time the board elected for the consolidated region is so
26 organized.

1 (Source: P.A. 93-847, eff. 7-30-04.)

2 (105 ILCS 5/10-4) (from Ch. 122, par. 10-4)

3 Sec. 10-4. Election of directors.

4 (a) In all districts, directors shall be elected in each
5 even-numbered ~~odd-numbered~~ year, each for a term of 4 years.

6 (b) In consolidated districts where 5 directors are elected
7 in 1981 pursuant to the extension of terms provided by law for
8 transition to the consolidated election schedule under the
9 general election law, those directors elected shall, by lot,
10 determine 2 of their number to serve 2 years and 3 to serve 4
11 years; their successors shall serve for a 4 year term.

12 (c) If a proposition to increase the membership of a school
13 district's board of school directors to 7 directors and to
14 elect a new 7-member board of school directors to replace the
15 district's existing board of 3 school directors is approved by
16 the electors of the district at a regular scheduled election as
17 provided in subsection (b) of Section 10-1, 7 members shall be
18 elected at the next regular school election, in the manner
19 provided by Article 9, to serve as the board of school
20 directors of that district. The terms of office of the 3
21 members of the board of school directors serving at the time of
22 the election of the initial 7-member board of school directors
23 shall expire when the 7 newly elected members of the initial
24 7-member board of school directors assume office and are
25 organized as provided in Section 10-5. At their organizational

1 meeting, the initial members of the 7-member board of school
2 directors shall by lot determine 4 of their number to serve 4
3 year terms and 3 of their number to serve 2 year terms. Their
4 successors shall serve for a 4 year term.

5 (d) In all other districts, one school director shall be
6 elected in each district every other even-numbered
7 ~~odd-numbered~~ year, and two school directors shall be elected in
8 the intervening even-numbered ~~odd-numbered~~ years.

9 (e) When a vacancy occurs in the membership of any board of
10 school directors the remaining members shall, within 30 days,
11 fill the vacancy by appointment until the next regular school
12 election, or, upon their failure so to do, the regional
13 superintendent shall make such appointment within the next 30
14 days to fill the vacancy as herein provided. Upon the regional
15 superintendent's failure to fill the vacancy, the vacancy shall
16 be filled at the next regularly scheduled election.

17 (Source: P.A. 90-757, eff. 8-14-98.)

18 (105 ILCS 5/10-10) (from Ch. 122, par. 10-10)

19 Sec. 10-10. Board of education; term; vacancy. All school
20 districts having a population of not fewer than 1,000 and not
21 more than 500,000 inhabitants, as ascertained by any special or
22 general census, and not governed by special Acts, shall be
23 governed by a board of education consisting of 7 members,
24 serving without compensation except as herein provided. Each
25 member shall be elected for a term of 4 years for the initial

1 members of the board of education of a combined school district
2 to which that subsection applies. If 5 members are elected in
3 1983 pursuant to the extension of terms provided by law for
4 transition to the consolidated election schedule under the
5 general election law, 2 of those members shall be elected to
6 serve terms of 2 years and 3 shall be elected to serve terms of
7 4 years; their successors shall serve for a 4 year term. When
8 the voters of a district have voted to elect members of the
9 board of education for 6 year terms, as provided in Section
10 9-5, the terms of office of members of the board of education
11 of that district expire when their successors assume office but
12 not later than 7 days after such election. If at the regular
13 school election held in the first even-numbered ~~odd-numbered~~
14 year after the determination to elect members for 6 year terms
15 2 members are elected, they shall serve for a 6 year term; and
16 of the members elected at the next regular school election 3
17 shall serve for a term of 6 years and 2 shall serve a term of 2
18 years. Thereafter members elected in such districts shall be
19 elected to a 6 year term. If at the regular school election
20 held in the first even-numbered ~~odd-numbered~~ year after the
21 determination to elect members for 6 year terms 3 members are
22 elected, they shall serve for a 6 year term; and of the members
23 elected at the next regular school election 2 shall serve for a
24 term of 2 years and 2 shall serve for a term of 6 years.
25 Thereafter members elected in such districts shall be elected
26 to a 6 year term. If at the regular school election held in the

1 first even-numbered ~~odd-numbered~~ year after the determination
2 to elect members for 6 year terms 4 members are elected, 3
3 shall serve for a term of 6 years and one shall serve for a term
4 of 2 years; and of the members elected at the next regular
5 school election 2 shall serve for terms of 6 years and 2 shall
6 serve for terms of 2 years. Thereafter members elected in such
7 districts shall be elected to a 6 year term. If at the regular
8 school election held in the first even-numbered ~~odd-numbered~~
9 year after the determination to elect members for a 6 year term
10 5 members are elected, 3 shall serve for a term of 6 years and 2
11 shall serve for a term of 2 years; and of the members elected
12 at the next regular school election 2 shall serve for terms of
13 6 years and 2 shall serve for terms of 2 years. Thereafter
14 members elected in such districts shall be elected to a 6 year
15 term. An election for board members shall not be held in school
16 districts which by consolidation, annexation or otherwise
17 shall cease to exist as a school district within 6 months after
18 the election date, and the term of all board members which
19 would otherwise terminate shall be continued until such
20 district shall cease to exist. Each member, on the date of his
21 or her election, shall be a citizen of the United States of the
22 age of 18 years or over, shall be a resident of the State and
23 the territory of the district for at least one year immediately
24 preceding his or her election, shall be a registered voter as
25 provided in the general election law, shall not be a school
26 trustee, and shall not be a child sex offender as defined in

1 Section 11-9.3 of the Criminal Code of 2012. When the board of
2 education is the successor of the school directors, all rights
3 of property, and all rights regarding causes of action existing
4 or vested in such directors, shall vest in it as fully as they
5 were vested in the school directors. Terms of members are
6 subject to Section 2A-54 of the Election Code.

7 Nomination papers filed under this Section are not valid
8 unless the candidate named therein files with the county clerk
9 or the county board of election commissioners, as the case may
10 be, of the county in which the principal office of the school
11 district is located a receipt from the county clerk showing
12 that the candidate has filed a statement of economic interests
13 as required by the Illinois Governmental Ethics Act. Such
14 receipt shall be so filed either previously during the calendar
15 year in which his nomination papers were filed or within the
16 period for the filing of nomination papers in accordance with
17 the general election law.

18 Whenever a vacancy occurs, the remaining members shall
19 notify the regional superintendent of that vacancy within 5
20 days after its occurrence and shall proceed to fill the vacancy
21 until the next regular school election, at which election a
22 successor shall be elected to serve the remainder of the
23 unexpired term. However, if the vacancy occurs with less than
24 868 days remaining in the term, or if the vacancy occurs less
25 than 88 days before the next regularly scheduled election for
26 this office then the person so appointed shall serve the

1 remainder of the unexpired term, and no election to fill the
2 vacancy shall be held. Should they fail so to act, within 45
3 days after the vacancy occurs, the regional superintendent of
4 schools under whose supervision and control the district is
5 operating, as defined in Section 3-14.2 of this Act, shall
6 within 30 days after the remaining members have failed to fill
7 the vacancy, fill the vacancy as provided for herein. Upon the
8 regional superintendent's failure to fill the vacancy, the
9 vacancy shall be filled at the next regularly scheduled
10 election. Whether elected or appointed by the remaining members
11 or regional superintendent, the successor shall be an
12 inhabitant of the particular area from which his or her
13 predecessor was elected if the residential requirements
14 contained in Section 10-10.5 or 12-2 of this Code apply.

15 A board of education may appoint a student to the board to
16 serve in an advisory capacity. The student member shall serve
17 for a term as determined by the board. The board may not grant
18 the student member any voting privileges, but shall consider
19 the student member as an advisor. The student member may not
20 participate in or attend any executive session of the board.

21 (Source: P.A. 97-1150, eff. 1-25-13; 98-115, eff. 7-29-13.)

22 (105 ILCS 5/10-16) (from Ch. 122, par. 10-16)

23 Sec. 10-16. Organization of Board. Within 28 days after the
24 general ~~consolidated~~ election, other than the consolidated
25 elections in 1999 and 2001, the board shall organize by

1 electing its officers and fixing a time and place for the
2 regular meetings. However, when school board members are
3 elected at the consolidated elections held in April of 1999 and
4 April of 2001, the board shall organize within 7 days after the
5 first Tuesday after the first Monday of November in each such
6 year by electing officers and setting the time and place of the
7 regular meetings. Upon organizing itself as provided in this
8 paragraph, the board shall enter upon the discharge of its
9 duties.

10 The regional superintendent of schools having supervision
11 and control, as provided in Section 3-14.2, of a new school
12 district that is governed by the School Code and formed on or
13 after the effective date of this amendatory Act of 1998 shall
14 convene the newly elected board within 7 days after the
15 election of the board of education of that district, whereupon
16 the board shall proceed to organize by electing one of their
17 number as president and electing a secretary, who may or may
18 not be a member. At such meeting the length of term of each of
19 the members shall be determined by lot so that 4 shall serve
20 for 4 years, and 3 for 2 years from the commencement of their
21 terms; provided, however, if such members were not elected at
22 the general ~~consolidated~~ election in an even-numbered
23 ~~odd-numbered~~ year, such initial terms shall be extended to the
24 general ~~consolidated~~ election for school board members
25 immediately following the expiration of the initial 4 or 2 year
26 terms. The provisions of this paragraph that relate to the

1 determination of terms by lot shall not apply to the initial
2 members of the board of education of a combined school district
3 who are to be elected to unstaggered terms.

4 The terms of the officers of a board of education shall be
5 for 2 years, except that the terms of the officers elected at
6 the organization meeting in November, 2001 shall expire at the
7 organization meeting in April, 2003; provided that the board by
8 resolution may establish a policy for the terms of office to be
9 one year, and provide for the election of officers.

10 Special meetings of the board of education may be called by
11 the president or by any 3 members of the board by giving notice
12 thereof in writing, stating the time, place and purpose of the
13 meeting. Such notice may be served by mail 48 hours before such
14 meeting or by personal service 24 hours before such meeting.
15 Public notice of meetings must also be given as prescribed in
16 Sections 2.02 and 2.03 of the Open Meetings Act, as now or
17 hereafter amended.

18 At each regular and special meeting which is open to the
19 public, members of the public and employees of the district
20 shall be afforded time, subject to reasonable constraints, to
21 comment to or ask questions of the board.

22 The president or district superintendent shall, at each
23 regular board meeting, report any requests made of the district
24 under provisions of The Freedom of Information Act and shall
25 report the status of the district's response.

26 (Source: P.A. 93-847, eff. 7-30-04; 94-1019, eff. 7-10-06.)

1 (105 ILCS 5/32-1.1) (from Ch. 122, par. 32-1.1)

2 Sec. 32-1.1. Election and powers of board - No provision in
3 special act. In all special charter districts maintaining
4 schools under any general school laws, where there is no
5 provision in the special Acts creating such districts for the
6 election of boards of education as otherwise provided, there
7 shall be elected, in lieu of the school directors as now
8 provided, a board of education, to consist of 7 members to be
9 elected at the time and in the manner as provided by the
10 general election law for the election and qualification of
11 boards of education in other cases. In any district having a
12 population of more than 100,000 but less than 2,000,000 such
13 board may be increased in size to 11 members upon adoption by a
14 majority of electors residing in the district and voting on the
15 question in a referendum as provided in this Section. Such
16 question shall be submitted to the electors at an election upon
17 a resolution adopted by the Board. Members shall be elected
18 biennially in the school district, whose term of office shall
19 be 4 years, and there shall also be elected in each
20 even-numbered ~~odd-numbered~~ year a president of the board.
21 Following the first such election, those members elected, other
22 than the president, shall, by lot, determine 3 to serve 2 years
23 and 3 to serve 4 years; thereafter, all terms shall be 4 years.
24 In other cases, however, if 4 members, other than the
25 president, are elected in 1983, then those elected shall, by

1 lot, determine one to serve for 2 years and 3 to serve 4 years;
2 thereafter all terms shall be 4 years. In neither case shall
3 such determinations affect the biennial selection of the
4 president. At the first regular school election after the
5 adoption by the district electors of a question as provided in
6 this Section increasing the size of the board in those
7 districts entitled to exercise an option for and elect an 11
8 member board, 4 additional members shall be elected and shall
9 determine by lot 2 to serve for 2 years and 2 for 4 years. Their
10 successors shall serve for a 4 year term. In case of an 11
11 member board already in existence, if 7 members, other than the
12 president, are elected in 1983 then those members elected
13 shall, by lot determine one to serve 2 years and 6 to serve 4
14 years. Terms thereafter shall be 4 years. The board of
15 education shall have all the powers and duties of trustees of
16 schools in school townships and the powers and duties of boards
17 of education in districts having a population of not fewer than
18 1,000 and not more than 500,000 as provided by this Act.

19 The day upon which the election provided for in this
20 section is to be held is subject to the provisions of the
21 general election law.

22 (Source: P.A. 86-225.)

23 (105 ILCS 5/32-2.12) (from Ch. 122, par. 32-2.12)

24 Sec. 32-2.12. Time for election of board members. In all
25 special charter districts, the regular election of members of

1 such boards shall hereafter be held on the date set for school
2 elections as provided in the general election law in
3 even-numbered ~~odd-numbered~~ years.

4 (Source: P.A. 81-1490.)

5 (105 ILCS 5/33-1) (from Ch. 122, par. 33-1)

6 Sec. 33-1. Board of Education - Election - Terms. In all
7 school districts, including special charter districts having a
8 population of 100,000 and not more than 500,000, which adopt
9 this Article, as hereinafter provided, there shall be
10 maintained a system of free schools in charge of a board of
11 education, which shall be a body politic and corporate by the
12 name of "Board of Education of the City of....". The board
13 shall consist of 7 members elected by the voters of the
14 district. Except as provided in Section 33-1b of this Act, the
15 regular election for members of the board shall be held at the
16 general ~~consolidated~~ election in even-numbered ~~odd-numbered~~
17 years and at the consolidated ~~general~~ primary election in
18 odd-numbered ~~even-numbered~~ years. The law governing the
19 registration of voters for the primary election shall apply to
20 the regular election. At the first regular election 7 persons
21 shall be elected as members of the board. The person who
22 receives the greatest number of votes shall be elected for a
23 term of 5 years. The 2 persons who receive the second and third
24 greatest number of votes shall be elected for a term of 4
25 years. The person who receives the fourth greatest number of

1 votes shall be elected for a term of 3 years. The 2 persons who
2 receive the fifth and sixth greatest number of votes shall be
3 elected for a term of 2 years. The person who receives the
4 seventh greatest number of votes shall be elected for a term of
5 1 year. Thereafter, at each regular election for members of the
6 board, the successors of the members whose terms expire in the
7 year of election shall be elected for a term of 5 years. All
8 terms shall commence on July 1 next succeeding the elections.
9 Any vacancy occurring in the membership of the board shall be
10 filled by appointment until the next regular election for
11 members of the board.

12 In any school district which has adopted this Article, a
13 proposition for the election of board members by school board
14 district rather than at large may be submitted to the voters of
15 the district at the regular school election of any year in the
16 manner provided in Section 9-22. If the proposition is approved
17 by a majority of those voting on the propositions, the board
18 shall divide the school district into 7 school board districts
19 as provided in Section 9-22. At the regular school election in
20 the year following the adoption of such proposition, one member
21 shall be elected from each school board district, and the 7
22 members so elected shall, by lot, determine one to serve for
23 one year, 2 for 2 years, one for 3 years, 2 for 4 years, and one
24 for 5 years. Thereafter their respective successors shall be
25 elected for terms of 5 years. The terms of all incumbent
26 members expire July 1 of the year following the adoption of

1 such a proposition.

2 Any school district which has adopted this Article may, by
3 referendum in accordance with Section 33-1a, adopt the method
4 of electing members of the board of education provided in that
5 Section.

6 Reapportionment of the voting districts provided for in
7 this Article or created pursuant to a court order, shall be
8 completed pursuant to Section 33-1c.

9 A board of education may appoint a student to the board to
10 serve in an advisory capacity. The student member shall serve
11 for a term as determined by the board. The board may not grant
12 the student member any voting privileges, but shall consider
13 the student member as an advisor. The student member may not
14 participate in or attend any executive session of the board.

15 (Source: P.A. 94-231, eff. 7-14-05; 95-6, eff. 6-20-07.)

16 Section 99. Effective date. This Act takes effect June 1,
17 2016.

1		INDEX
2		Statutes amended in order of appearance
3	10 ILCS 5/2A-1.2	from Ch. 46, par. 2A-1.2
4	10 ILCS 5/2A-48	from Ch. 46, par. 2A-48
5	10 ILCS 5/2A-48.1 new	
6	10 ILCS 5/2A-49	from Ch. 46, par. 2A-49
7	10 ILCS 5/2A-50	from Ch. 46, par. 2A-50
8	10 ILCS 5/2A-51	from Ch. 46, par. 2A-51
9	105 ILCS 5/5-4	from Ch. 122, par. 5-4
10	105 ILCS 5/5-13	from Ch. 122, par. 5-13
11	105 ILCS 5/6-4	from Ch. 122, par. 6-4
12	105 ILCS 5/6-17	from Ch. 122, par. 6-17
13	105 ILCS 5/10-4	from Ch. 122, par. 10-4
14	105 ILCS 5/10-10	from Ch. 122, par. 10-10
15	105 ILCS 5/10-16	from Ch. 122, par. 10-16
16	105 ILCS 5/32-1.1	from Ch. 122, par. 32-1.1
17	105 ILCS 5/32-2.12	from Ch. 122, par. 32-2.12
18	105 ILCS 5/33-1	from Ch. 122, par. 33-1