



Rep. Patrick J. Verschoore

Filed: 4/15/2016

09900HB0746ham001

LRB099 04562 AWJ 46991 a

1 AMENDMENT TO HOUSE BILL 746

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 746 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Election Code is amended by changing  
5 Section 2A-1.2 as follows:

6 (10 ILCS 5/2A-1.2) (from Ch. 46, par. 2A-1.2)

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

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

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

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

16 (3) State Executive Branch elected officers;

1 (4) State Senator and State Representative;

2 (5) County elected officers, including State's  
3 Attorney, County Board member, County Commissioners, and  
4 elected President of the County Board or County Chief  
5 Executive;

6 (6) Circuit Court Clerk;

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

10 (8) Judges of the Supreme, Appellate and Circuit  
11 Courts, on the question of retention, to fill vacancies and  
12 newly created judicial offices;

13 (9) (Blank);

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

16 (11) Special District elected officers, not otherwise  
17 designated in this Section, where the statute creating or  
18 authorizing the creation of the district requires an annual  
19 election and permits or requires election of candidates of  
20 political parties;—

21 (12) Forest preserve district commissioners elected  
22 under Section 3e of the Downstate Forest Preserve District  
23 Act.

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) Members of school boards in school districts which  
7 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) 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 (e) (Blank).

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

5           Notwithstanding the regular dates for election of officers  
6 established in this Article, whenever a referendum is held for  
7 the establishment of a political subdivision whose officers are  
8 to be elected, the initial officers shall be elected at the  
9 election at which such referendum is held if otherwise so  
10 provided by law. In such cases, the election of the initial  
11 officers shall be subject to the referendum.

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

19           (g) At any election established in Section 2A-1.1, if in  
20 any precinct there are no offices or public questions required  
21 to be on the ballot under this Code then no election shall be  
22 held in the precinct on that date.

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

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

1 Section 10. The Downstate Forest Preserve District Act is  
2 amended by changing Section 3a and by adding Section 3e as  
3 follows:

4 (70 ILCS 805/3a) (from Ch. 96 1/2, par. 6305)

5 Sec. 3a. Except as otherwise provided in this Section, and  
6 except as provided in Section 3c, 3d, 3e, and 3.5, the affairs  
7 of the district shall be managed by a board of commissioners  
8 consisting of 5 commissioners, who shall be appointed by the  
9 presiding officer of the county board of the county in which  
10 such forest preserve district is situated, with the advice and  
11 consent of such county board. The first appointment shall be  
12 made within 90 days and not sooner than 60 days after such  
13 forest preserve district has been organized as provided herein.  
14 Each member of such board so appointed shall be a legal voter  
15 in such district. The first commissioners shall be appointed to  
16 hold office for terms of one, 2, 3, 4, and 5 years, and until  
17 June 30 thereafter, respectively, as determined and fixed by  
18 lot. Thereafter, successor commissioners shall be appointed in  
19 the same manner no later than the first day of the month in  
20 which the term of a commissioner expires. Except as provided in  
21 Section 3c, ~~and~~ 3d, and 3e, a vacancy occurring otherwise than  
22 by expiration of term shall be filled for the unexpired term by  
23 appointment of a commissioner by the county board chairman with  
24 the advice and consent of the members of the county board. In



1 the one district in existence on July 1, 1977, that is managed  
2 by an appointed board of commissioners, the incumbent 5  
3 commissioners shall complete their respective terms as  
4 originally prescribed in this Act. However, upon the expiration  
5 of the terms of 2 of the incumbent commissioners on January 1,  
6 1978, they or their successors shall be appointed to hold  
7 office for terms of 3 and 5 years, and until June 30  
8 thereafter, respectively, as determined and fixed by lot.  
9 Furthermore, upon the expiration of the terms of the remaining  
10 incumbent commissioners on January 1, 1980, they or their  
11 successors shall be appointed to hold office for terms of 2, 4,  
12 and 5 years, and until June 30 thereafter, respectively, as  
13 determined and fixed by lot. Thereafter, each successor  
14 commissioner shall be appointed for a term of 5 years. Each  
15 member of the board before entering upon the duties of his  
16 office shall take the oath prescribed by the constitution. From  
17 the time of the appointment of the first board of  
18 commissioners, such forest preserve district shall be  
19 construed in all courts to be a body corporate and politic by  
20 the name and style determined as aforesaid and by such name may  
21 sue and be sued, contract and be contracted with, acquire and  
22 hold real and personal estate necessary for its corporate  
23 purposes and adopt a seal and alter the same at its pleasure.

24 In case the boundaries of a district are co-extensive with  
25 the boundaries of any county, city, village, incorporated town  
26 or sanitary district, the corporate authorities of such county

1 (until the commissioners elected under Section 3c, ~~and~~ 3d, and  
2 3e take office), city, village, incorporated town or sanitary  
3 district shall have and exercise the powers and privileges and  
4 perform the duties and functions of the commissioners provided  
5 for in this Act and in that case no commissioner shall be  
6 appointed for that district. The corporate authorities, other  
7 than members of a county board in counties under township  
8 organization having a population of less than 3,000,000 and  
9 members of a county board in a county not under township  
10 organization who were elected prior to July 1, 1965, shall act  
11 without any other pay than that already provided by law. The  
12 members of a county board of a county under township  
13 organization and members of a county board of a county not  
14 under township organization who were elected prior to July 1,  
15 1965, who also act as commissioners of a forest preserve  
16 district in counties having a population of less than 3,000,000  
17 may receive for their services as commissioners of a forest  
18 preserve district a per diem fee to be fixed by such board, but  
19 not to exceed \$36 per day, which shall be in full for all  
20 services rendered on such day, or an annual salary to be fixed  
21 by such board, but not to exceed \$3,000, plus mileage expenses  
22 at a rate not more than the amount allowed for members of the  
23 county board of such county, as fixed by the board, for each  
24 mile necessarily traveled in attending meetings of the board of  
25 such district, plus any expense incurred while, or in  
26 connection with, carrying out the business of such district

1 outside the boundaries of such district, payable from the  
2 forest preserve district treasury. The president of the Board  
3 of Commissioners of the Forest Preserve District in counties of  
4 less than 3 million may receive in lieu of a per diem fee an  
5 annual salary to be fixed by such board. No Forest Preserve  
6 Commissioner shall file for a per diem payment for services  
7 rendered on the same day for which he filed for a per diem  
8 payment as a county supervisor. When the county board also acts  
9 as such commissioners, a member of the county board of a county  
10 under township organization and a member of the county board of  
11 a county not under township organization, who is elected prior  
12 to July 1, 1965 may, with the permission of the county board,  
13 work alone as such a commissioner and be paid in the usual  
14 manner.

15 Unless otherwise qualified, the term "board", when used in  
16 this Act, means the board of commissioners of any forest  
17 preserve district, or the corporate authorities of any county,  
18 city, village, incorporated town, or sanitary district, when  
19 acting as the governing body of a forest preserve district.

20 (Source: P.A. 96-239, eff. 8-11-09.)

21 (70 ILCS 805/3e new)

22 Sec. 3e. Elected board of commissioners in certain other  
23 counties. If the boundaries of a district are co extensive with  
24 the boundaries of a county having a population in excess of  
25 140,000 but less than 200,000 and contiguous to the Mississippi

1 River, all commissioners of the forest preserve district shall  
2 be elected at the general election in 2018, 7 commissioners  
3 shall be elected from 7 apportioned districts and the terms  
4 shall be determined by lot by the board of commissioners.  
5 Beginning with the general election in 2018, the board of  
6 commissioners shall assign 4 districts to a 4 year term and 3  
7 districts to a 2 year term followed by a subsequent 2 year term  
8 under this amendatory Act of the 99th General Assembly.

9 In the year following the next decennial census and each  
10 decennial census thereafter beginning with the 2022 general  
11 election, the board of commissioners shall reapportion the  
12 districts to reflect the results of the census and determine by  
13 lot staggered terms of commissioners as follows: 4 districts  
14 from which each commissioner shall have a 4-year/4-year/2-year  
15 term cycle and 3 districts from which each commissioner shall  
16 have a 2-year/4-year/4-year term cycle.

17 The terms of all commissioners and officers in Section 3a  
18 serving on the effective date of this amendatory Act of the  
19 99th General Assembly shall end when their successors have been  
20 elected and qualified.

21 Nomination of candidates for the office of commissioner at  
22 the initial and each succeeding election shall be made by  
23 petition signed in the aggregate for each candidate by not less  
24 than 100 qualified voters of the forest preserve district.

25 After each general election, the forest preserve district  
26 commissioners shall elect a president from among their members

1 for a 2 year term.

2 Each commissioner shall be a resident of the county from  
3 which he or she was elected no later than the date of the  
4 commencement of the term of office. The term of office for the  
5 president and commissioners elected under this Section shall  
6 commence on the first Monday of the month following the month  
7 of election.

8 Neither a commissioner nor the president of the board of  
9 commissioners shall serve simultaneously in any other elective  
10 or appointive office in the county. The president, with the  
11 advice and consent of the board of commissioners, shall appoint  
12 a secretary, treasurer, and any other officer deemed necessary  
13 by the board of commissioners. The officers need not be members  
14 of the board of commissioners. The president shall have the  
15 powers and duties as set forth in Section 12 of this Act.

16 Candidates for commissioner shall be non-partisan.

17 If a vacancy in the office of president or commissioner  
18 occurs, other than by expiration of the president's or a  
19 commissioner's term, the forest preserve district board of  
20 commissioners shall declare that a vacancy exists, and the  
21 board of commissioners shall, within 60 days after the date of  
22 the vacancy, upon the majority vote of the commissioners then  
23 serving, elect a person to serve for the remainder of the  
24 unexpired term. If, however, more than 28 months remain in the  
25 unexpired term of a commissioner, at the time of appointment,  
26 the appointment shall be until the next general election, at

1 which time the vacated office of commissioner shall be filled  
2 by election for the remainder of the term. All other vacancies  
3 in nomination shall be filled in accordance with the provisions  
4 of the Election Code.

5 The president and commissioners elected under this Section  
6 shall serve without compensation. The president and  
7 commissioners may be reimbursed for their reasonable expenses  
8 actually incurred in performing their official duties under  
9 this Act in accordance with the provisions of Section 3a. The  
10 cost of reimbursement under this Section shall be paid by funds  
11 from the forest preserve district treasury.

12 This Section does not apply to a forest preserve district  
13 created under Section 18.5 of the Conservation District Act.

14 Section 99. Effective date. This Act takes effect upon  
15 becoming law.".