



Rep. Robert Martwick

Filed: 4/14/2016

09900HB4312ham001

LRB099 14062 MLM 47353 a

1 AMENDMENT TO HOUSE BILL 4312

2 AMENDMENT NO. _____. Amend House Bill 4312 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Election Code is amended by changing
5 Sections 2A-1.2 and 2A-52 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 (b) At the general primary election:

22 (1) in each even-numbered year candidates of political
23 parties shall be nominated for those offices to be filled
24 at the general election in that year, except where pursuant
25 to law nomination of candidates of political parties is
26 made by caucus.

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

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

23 (4) in each school district which has adopted the
24 provisions of Article 33 of the School Code, successors to
25 the members of the board of education whose terms expire in
26 the year in which the general primary is held shall be

1 elected.

2 (5) in the 2018 primary election, the members of the
3 Board of Trustees of the City Colleges of Chicago, Illinois
4 Community College District No. 508, shall be elected to
5 serve a term of 5 years; successors shall be elected at the
6 consolidated election under subsection (c) of this Section
7 to a term of 4 years as provided under Section 2A-48 of
8 this Code. The election of members of the Board of Trustees
9 of the City Colleges of Chicago held in 2018 shall be a
10 nonpartisan election as provided for under this Code and
11 conducted on a nonpartisan ballot.

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

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

26 (2) Village and incorporated town library directors;

1 (3) City boards of stadium commissioners;

2 (4) Commissioners of park districts;

3 (5) Trustees of public library districts;

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

8 (7) Township officers, including township park
9 commissioners, township library directors, and boards of
10 managers of community buildings, and Multi-Township
11 Assessors;

12 (8) Highway commissioners and road district clerks;

13 (9) Members of school boards in school districts which
14 adopt Article 33 of the School Code;

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

17 (11) Forest preserve district commissioners elected
18 under Section 3.5 of the Downstate Forest Preserve District
19 Act;

20 (12) Elected members of school boards, school
21 trustees, directors of boards of school directors,
22 trustees of county boards of school trustees (except in
23 counties or educational service regions having a
24 population of 2,000,000 or more inhabitants) and members of
25 boards of school inspectors, except school boards in school
26 districts that adopt Article 33 of the School Code;

1 (13) Members of Community College district boards,
2 except as otherwise provided in paragraph (5) of subsection
3 (b) of this Section;

4 (14) Trustees of Fire Protection Districts;

5 (15) Commissioners of the Springfield Metropolitan
6 Exposition and Auditorium Authority;

7 (16) Elected Trustees of Tuberculosis Sanitarium
8 Districts;

9 (17) Elected Officers of special districts not
10 otherwise designated in this Section for which the law
11 governing those districts does not permit candidates of
12 political parties.

13 (d) At the consolidated primary election in each
14 odd-numbered year, candidates of political parties shall be
15 nominated for those offices to be filled at the consolidated
16 election in that year, except where pursuant to law nomination
17 of candidates of political parties is made by caucus, and
18 except those offices listed in paragraphs (12) through (17) of
19 subsection (c).

20 At the consolidated primary election in the appropriate
21 odd-numbered years, the mayor, clerk, treasurer, and aldermen
22 shall be elected in municipalities in which candidates for
23 mayor, clerk, treasurer, or alderman are not permitted by law
24 to be candidates of political parties, subject to runoff
25 elections to be held at the consolidated election as may be
26 required by law, and municipal officers shall be nominated in a

1 nonpartisan election in municipalities in which pursuant to law
2 candidates for such office are not permitted to be candidates
3 of political parties.

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

9 (e) (Blank).

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

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

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

1 effective date of the new district.

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

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

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

10 (10 ILCS 5/2A-52) (from Ch. 46, par. 2A-52)

11 Sec. 2A-52. Community College District - Member - Time of
12 Election. A member of the Board of a Community College District
13 shall be elected at each consolidated election to succeed each
14 elected incumbent member of the Board whose term expires before
15 the following consolidated election. However, a member of the
16 Board of Trustees of the City Colleges of Chicago, Illinois
17 Community College District No. 508, shall be elected at each
18 consolidated election beginning with the April 2023 election to
19 succeed each incumbent member whose term ends before the
20 following consolidated election.

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

22 Section 10. The Public Community College Act is amended by
23 changing Sections 7-1, 7-2, and 7-3 and by adding Sections
24 7-2.1, 7-2.2, and 7-2.3 as follows:

1 (110 ILCS 805/7-1) (from Ch. 122, par. 107-1)

2 Sec. 7-1. This Article applies only to community college
3 districts in cities having a population of 500,000 or more
4 inhabitants. Each such community college district shall
5 maintain a system of community colleges under the charge of a
6 board, ~~which is appointed~~ as provided in Section 7-2. Except as
7 otherwise provided in this Article, such a community college
8 district and its board have all the rights, duties, powers and
9 responsibilities and are subject to the same limitations as are
10 provided for other community college districts in this Act, as
11 now or hereafter amended.

12 (Source: P.A. 78-669.)

13 (110 ILCS 805/7-2) (from Ch. 122, par. 107-2)

14 Sec. 7-2. (a) This subsection (a) applies until March 20,
15 2018. The board shall consist of 7 members, appointed by the
16 mayor with the approval of the city council. Prior to the
17 expiration of the term of any member his successor shall be
18 appointed in like manner and shall hold office for a term of 3
19 years from July 1 of the year in which he is appointed and
20 until his successor is appointed and qualified. Any vacancy in
21 the membership of the board shall be filled through appointment
22 by the mayor, with the approval of the city council, for the
23 unexpired term. If any appointee fails to qualify within 30
24 days after his appointment, the office shall be filled by a new

1 appointment for the unexpired term. To be eligible for
2 appointment to a board under this Section, a person must
3 possess the same qualifications and meet the same requirements
4 as are prescribed by this Act for members of an elected board
5 of a community college district.

6 (b) On March 21, 2018, notwithstanding the provisions of
7 Section 3-7 of this Act, the terms of all members of the board
8 appointed under subsection (a) of this Section are abolished
9 when the new board, consisting of 21 members, is elected by the
10 electors of the community college district as provided in this
11 subsection (b) and takes office.

12 Each member shall be elected for a term of 4 years,
13 commencing on the second Tuesday in May of the year in which
14 the member is elected, and until the member's successor is
15 elected and has qualified, except that members of the board
16 elected to terms commencing on March 21, 2018 shall commence to
17 serve for terms of 5 years and until the member's successor is
18 elected and has qualified. For purposes of elections conducted
19 pursuant to this subsection (b), the City of Chicago shall be
20 subdivided into 20 trustee districts by the General Assembly
21 for seats on the board, as provided under Section 7-2.3 of this
22 Act. Each district shall be represented by a member, and one
23 member shall be elected at large and serve as the president of
24 the board. To be eligible for election or appointment to a
25 board under this Section, a person must possess the same
26 qualifications and meet the same requirements as are prescribed

1 by this Act for members of an elected board of a community
2 college district. A person is ineligible for election or
3 appointment to a board under this Section if that person is an
4 employee of a community college district within the city.

5 (c) No member shall have or be an employee or owner of a
6 company that has a contract with a community college within the
7 city. No former officer, member, or employee of the board
8 shall, within a period of one year immediately after
9 termination of service on the board, knowingly accept
10 employment or receive compensation or fees for services from a
11 person or entity if the officer, member, or employee, during
12 the year immediately preceding termination of service on the
13 board, participated personally and substantially in the award
14 of contracts with the board, community college district, or
15 community colleges within the city, or the issuance of contract
16 change orders with the board or the community college district,
17 or community college within the city, with a cumulative value
18 of \$25,000 or more to the person, the entity, or the entity's
19 parent or subsidiary.

20 (d) Whenever a vacancy occurs, the remaining members shall
21 fill the vacancy, and the person so appointed shall serve until
22 a successor is elected at the next regular election for board
23 members and is certified in accordance with Sections 22-17 and
24 22-18 of the Election Code. If the remaining members fail to
25 fill the vacancy within 60 days after the vacancy occurs, the
26 chairman of the State Board shall fill that vacancy, and the

1 person so appointed shall serve until a successor is elected at
2 the next regular election for board members and is certified in
3 accordance with Sections 22-17 and 22-18 of the Election Code.
4 The person appointed to fill a vacancy shall have the same
5 residential qualifications as his or her predecessor in office
6 was required to have. However, in either instance, if the
7 vacancy occurs with more than 28 months remaining until the
8 term expires, the appointed member shall serve only until a
9 successor is elected and qualified at the next scheduled
10 election.

11 (Source: P.A. 78-669.)

12 (110 ILCS 805/7-2.1 new)

13 Sec. 7-2.1. Nomination petitions. Notwithstanding Section
14 3-7.10 of this Act, in addition to the requirements of the
15 general election law, the form of petitions under this Section
16 shall be substantially as follows:

17 NOMINATING PETITIONS

18 (LEAVE OUT THE INAPPLICABLE PART.)

19 To the Board of Election Commissioners for the City of
20 Chicago:

21 We the undersigned, being (.... or more) of the voters
22 residing within said district, hereby petition that who
23 resides at in the City of Chicago shall be a candidate for
24 the office of of the Board of Trustees of the City
25 Colleges of Chicago, Illinois Community College District No.

1 508, (full term) (vacancy) to be voted for at the election to
2 be held on (insert date).

3 Name: Address:

4 In the designation of the name of a candidate on a petition
5 for nomination, the candidate's given name or names, initial or
6 initials, a nickname by which the candidate is commonly known,
7 or a combination thereof may be used in addition to the
8 candidate's surname. If a candidate has changed his or her
9 name, whether by a statutory or common law procedure in
10 Illinois or any other jurisdiction, within 3 years before the
11 last day for filing the petition, then (i) the candidate's name
12 on the petition must be followed by "formerly known as (list
13 all prior names during the 3-year period) until name changed on
14 (list date of each such name change)" and (ii) the petition
15 must be accompanied by the candidate's affidavit stating the
16 candidate's previous names during the period specified in
17 clause (i) and the date or dates each of those names was
18 changed; failure to meet these requirements shall be grounds
19 for denying certification of the candidate's name for the
20 ballot, but these requirements do not apply to name changes
21 resulting from adoption to assume an adoptive parent's or
22 parents' surname, marriage to assume a spouse's surname, or
23 dissolution of marriage or declaration of invalidity of
24 marriage to assume a former surname. No other designation, such
25 as a political slogan, as defined by Section 7-17 of the
26 Election Code, title or degree, or nickname suggesting or

1 implying possession of a title, degree or professional status,
2 or similar information may be used in connection with the
3 candidate's surname.

4 All petitions for the nomination of members of the board
5 shall be filed with the board of election commissioners of the
6 jurisdiction in which the principal office of the community
7 college district is located within the time provided for by the
8 general election law, except that petitions for the nomination
9 of members of the board for the March 20, 2018 election shall
10 be prepared and certified on the same schedule as the petition
11 schedule for the candidates for the General Assembly. The board
12 of election commissioners shall receive and file only those
13 petitions that include a statement of candidacy, the required
14 number of voter signatures, the notarized signature of the
15 petition circulator, and a receipt from the County Clerk
16 showing that the candidate has filed a statement of economic
17 interest on or before the last day to file as required by the
18 Illinois Governmental Ethics Act. The board of election
19 commissioners may have petition forms available for issuance to
20 potential candidates and may give notice of the petition filing
21 period by publication in a newspaper of general circulation
22 within the community college district not less than 10 days
23 prior to the first day of filing. The board of election
24 commissioners shall make certification to the proper election
25 authorities in accordance with the general election law.

26 The board of election commissioners of the jurisdiction in

1 which the principal office of the community college district is
2 located shall notify the candidates for whom a petition for
3 nomination is filed or the appropriate committee of the
4 obligations under the Campaign Financing Act as provided in the
5 general election law. Such notice shall be given on a form
6 prescribed by the State Board of Elections and in accordance
7 with the requirements of the general election law. The board of
8 election commissioners shall within 7 days of filing or on the
9 last day for filing, whichever is earlier, acknowledge to the
10 petitioner in writing the office's acceptance of the petition.

11 A candidate for membership on the board who has petitioned
12 for nomination to fill a full term and to fill a vacant term to
13 be voted upon at the same election must withdraw his or her
14 petition for nomination from either the full term or the vacant
15 term by written declaration.

16 Nomination petitions are not valid unless the candidate
17 named therein files with the board of election commissioners a
18 receipt from the county clerk showing that the candidate has
19 filed a statement of economic interests as required by the
20 Illinois Governmental Ethics Act. Such receipt shall be so
21 filed either previously during the calendar year in which his
22 or her nomination papers were filed or within the period for
23 the filing of nomination papers in accordance with the general
24 election law.

1 Sec. 7-2.2. Ballots. The board of election commissioners of
2 the jurisdiction in which the principal office of the community
3 college district is located shall conduct a lottery to
4 determine the ballot order of candidates for full terms in the
5 event of any simultaneous petition filings. Such candidate
6 lottery shall be conducted as follows:

7 All petitions filed by persons waiting in line as of 8:00
8 a.m. on the first day for filing, or as of the normal opening
9 hour of the office involved on such day, shall be deemed
10 simultaneously filed as of 8:00 a.m. or the normal opening
11 hour, as the case may be. Petitions filed by mail and received
12 after midnight of the first day for filing and in the first
13 mail delivery or pickup of that day shall be deemed
14 simultaneously filed as of 8:00 a.m. of that day or as of the
15 normal opening hour of such day, as the case may be. All
16 petitions received thereafter shall be deemed filed in the
17 order of actual receipt. However, 2 or more petitions filed
18 within the last hour of the filing deadline shall be deemed
19 filed simultaneously.

20 Where 2 or more petitions are received simultaneously for
21 the same office as of 8:00 a.m. on the first day for petition
22 filing or as of the normal opening hour of the office of the
23 board of election commissioners with whom such petitions are
24 filed, the board of election commissioners shall break ties and
25 determine the order of filing by means of a lottery or other
26 fair and impartial method of random selection. Such lottery

1 shall be conducted within 9 days following the last day for
2 petition filing and shall be open to the public. Seven days
3 written notice of the time and place of conducting such random
4 selection shall be given by the board of election commissioners
5 to all candidates who filed their petitions simultaneously and
6 to each organization of citizens within the election
7 jurisdiction that was entitled, under the general election law,
8 at the next preceding election, to have poll watchers present
9 on the day of election. The board of election commissioners
10 shall post in a conspicuous, open, and public place, at the
11 entrance of his or her office, notice of the time and place of
12 such lottery.

13 All candidates shall be certified in the order in which
14 their petitions have been filed and in the manner prescribed by
15 Section 10-15 of the Election Code. Where candidates have filed
16 simultaneously, they shall be certified in the order prescribed
17 by this Section and prior to candidates who filed for the same
18 office at a later time.

19 Where elections are conducted for unexpired terms, a second
20 lottery to determine ballot order shall be conducted for
21 candidates who simultaneously file petitions for such
22 unexpired terms. Such lottery shall be conducted in the same
23 manner as prescribed by this Section for full term candidates.

24 Ballots for the election of board members shall be in the
25 following form:

1 (BALLOT FORMAT

2 Ballot position for candidates shall be determined by the
3 order of petition filing or lottery held pursuant to this
4 Section.

5 The community college district is divided into 20 trustee
6 districts, each of which elects one member to the board and
7 votes on one member to serve at-large.)

8 OFFICIAL BALLOT

9 DISTRICT (1 through 20)

10 FOR MEMBERS OF THE BOARD OF TRUSTEES OF THE CITY COLLEGES OF

11 CHICAGO TO SERVE

12 A FULL 4-YEAR TERM

13 VOTE FOR ONE

14 ()

15 ()

16 ()

17 OFFICIAL BALLOT

18 AT LARGE

19 FOR MEMBERS OF THE BOARD OF TRUSTEES OF THE CITY COLLEGES OF

20 CHICAGO TO SERVE

21 A FULL 4-YEAR TERM

22 VOTE FOR ONE

23 ()

24 ()

25 ()

26 REVERSE SIDE:

OFFICIAL BALLOT

DISTRICT (1 through 20)

(Precinct name or number)

Community College District No., County,

Illinois

Election Tuesday (insert date)

(facsimile signature of Election Authority)

(County)

(110 ILCS 805/7-2.3 new)

Sec. 7-2.3. Creation of trustee districts; reapportionment of districts.

(a) For purposes of elections conducted pursuant to subsection (b) of Section 7-2 of this Act, the City of Chicago shall be subdivided into 20 trustee districts after the effective date of this amendatory Act of the 99th General Assembly by the General Assembly for seats on the board. The trustee districts must be drawn on or before January 1, 2017. Each trustee district must be compact, contiguous, and substantially equal in population.

(b) In the year following each decennial census, the General Assembly shall redistrict the trustee districts to reflect the results of the decennial census consistent with the requirements in subsection (a) of this Section. The reapportionment plan shall be completed and formally approved by the General Assembly not less than 90 days before the last

1 date established by law for the filing of nominating petitions
2 for the second board election after the decennial census year.
3 If by reapportionment a board member no longer resides within
4 the trustee district from which the member was elected, the
5 member shall continue to serve in office until the expiration
6 of the member's regular term. All new members shall be elected
7 from the trustee districts as reapportioned.

8 (110 ILCS 805/7-3) (from Ch. 122, par. 107-3)

9 Sec. 7-3. The organization of the board and election of
10 officers for the a board ~~appointed under Section 7-2~~ shall be
11 conducted in accordance with the general election law and this
12 Act.

13 (Source: P.A. 81-1489.)

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