



## 100TH GENERAL ASSEMBLY

### State of Illinois

2017 and 2018

**HB3846**

by Rep. Sam Yingling

#### SYNOPSIS AS INTRODUCED:

10 ILCS 5/2A-1.2 from Ch. 46, par. 2A-1.2  
55 ILCS 5/2-1003.5 new  
55 ILCS 5/2-4003.5 new

Amends the Counties Code. Provides that in counties where the county board chooses or elects one of its own members as chairman, the county may change to electing its county board chairman by a petition signed by 5% of the number of voters who voted at the last general election and then a referendum of the voters. Provides that if the referendum is approved, the county board chairman shall be elected at the general election next following the approval of the referendum and at the general election every 4 years thereafter. Amends the Election Code making conforming changes.

LRB100 10901 AWJ 21136 b

1 AN ACT concerning local government.

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 Section  
5 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;

17 (4) State Senator and State Representative;

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

22 (6) Circuit Court Clerk;

23 (7) Regional Superintendent of Schools, except in

1 counties or educational service regions in which that  
2 office has been abolished;

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

6 (9) (Blank);

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

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

14 (b) At the general primary election:

15 (1) in each even-numbered year candidates of political  
16 parties shall be nominated for those offices to be filled  
17 at the general election in that year, except where pursuant  
18 to law nomination of candidates of political parties is  
19 made by caucus.

20 (2) in the appropriate even-numbered years the  
21 political party offices of State central committeeman,  
22 township committeeman, ward committeeman, and precinct  
23 committeeman shall be filled and delegates and alternate  
24 delegates to the National nominating conventions shall be  
25 elected as may be required pursuant to this Code. In the  
26 even-numbered years in which a Presidential election is to

1 be held, candidates in the Presidential preference primary  
2 shall also be on the ballot.

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

16 (4) in each school district which has adopted the  
17 provisions of Article 33 of the School Code, successors to  
18 the members of the board of education whose terms expire in  
19 the year in which the general primary is held shall be  
20 elected.

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

23 (1) Municipal officers, provided that in  
24 municipalities in which candidates for alderman or other  
25 municipal office are not permitted by law to be candidates  
26 of political parties, the runoff election where required by

1 law, or the nonpartisan election where required by law,  
2 shall be held on the date of the consolidated election; and  
3 provided further, in the case of municipal officers  
4 provided for by an ordinance providing the form of  
5 government of the municipality pursuant to Section 7 of  
6 Article VII of the Constitution, such offices shall be  
7 filled by election or by runoff election as may be provided  
8 by such ordinance;

9 (2) Village and incorporated town library directors;

10 (3) City boards of stadium commissioners;

11 (4) Commissioners of park districts;

12 (5) Trustees of public library districts;

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

17 (7) Township officers, including township park  
18 commissioners, township library directors, and boards of  
19 managers of community buildings, and Multi-Township  
20 Assessors;

21 (8) Highway commissioners and road district clerks;

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

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

26 (11) Forest preserve district commissioners elected

1 under Section 3.5 of the Downstate Forest Preserve District  
2 Act;

3 (12) Elected members of school boards, school  
4 trustees, directors of boards of school directors,  
5 trustees of county boards of school trustees (except in  
6 counties or educational service regions having a  
7 population of 2,000,000 or more inhabitants) and members of  
8 boards of school inspectors, except school boards in school  
9 districts that adopt Article 33 of the School Code;

10 (13) Members of Community College district boards;

11 (14) Trustees of Fire Protection Districts;

12 (15) Commissioners of the Springfield Metropolitan  
13 Exposition and Auditorium Authority;

14 (16) Elected Trustees of Tuberculosis Sanitarium  
15 Districts;

16 (17) Elected Officers of special districts not  
17 otherwise designated in this Section for which the law  
18 governing those districts does not permit candidates of  
19 political parties.

20 (d) At the consolidated primary election in each  
21 odd-numbered year, candidates of political parties shall be  
22 nominated for those offices to be filled at the consolidated  
23 election in that year, except where pursuant to law nomination  
24 of candidates of political parties is made by caucus, and  
25 except those offices listed in paragraphs (12) through (17) of  
26 subsection (c).

1           At the consolidated primary election in the appropriate  
2 odd-numbered years, the mayor, clerk, treasurer, and aldermen  
3 shall be elected in municipalities in which candidates for  
4 mayor, clerk, treasurer, or alderman are not permitted by law  
5 to be candidates of political parties, subject to runoff  
6 elections to be held at the consolidated election as may be  
7 required by law, and municipal officers shall be nominated in a  
8 nonpartisan election in municipalities in which pursuant to law  
9 candidates for such office are not permitted to be candidates  
10 of political parties.

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

16           (e) (Blank).

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

21           Notwithstanding the regular dates for election of officers  
22 established in this Article, whenever a referendum is held for  
23 the establishment of a political subdivision whose officers are  
24 to be elected, the initial officers shall be elected at the  
25 election at which such referendum is held if otherwise so  
26 provided by law. In such cases, the election of the initial

1 officers shall be subject to the referendum.

2 Notwithstanding the regular dates for election of  
3 officials established in this Article, any community college  
4 district which becomes effective by operation of law pursuant  
5 to Section 6-6.1 of the Public Community College Act, as now or  
6 hereafter amended, shall elect the initial district board  
7 members at the next regularly scheduled election following the  
8 effective date of the new district.

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

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

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

17 Section 10. The Counties Code is amended by adding Sections  
18 2-1003.5 and 2-4003.5 as follows:

19 (55 ILCS 5/2-1003.5 new)

20 Sec. 2-1003.5. Election of board chairman. In counties  
21 where the county board chooses one of its members as chairman,  
22 the county may change to electing its county board chairman by  
23 petition and referendum of the voters. Upon the filing of a  
24 petition with the county board signed by 5% of the number of



1 voters who voted at the last general election, a referendum,  
2 subject to the requirements of 16-7 of the Election Code, shall  
3 be placed on the ballot at the next following general election  
4 in substantially the following form:

5 Shall the county board chairman be elected beginning  
6 with the general election next following this referendum  
7 and every 4 years thereafter?

8 The votes shall be recorded as "Yes" or "No". The referendum is  
9 approved when a majority of voters approve the referendum. If  
10 approved, the county board chairman shall be elected at the  
11 general election next following the approval of the referendum  
12 and at the general election every 4 years thereafter and shall  
13 serve until a successor is elected and qualified.

14 (55 ILCS 5/2-4003.5 new)

15 Sec. 2-4003.5. Election of board chairman. In counties  
16 where the county board elects one of its members as chairman,  
17 the county may change to electing its county board chairman by  
18 petition and referendum of the voters. Upon the filing of a  
19 petition with the county board signed by 5% of the number of  
20 voters who voted at the last general election, a referendum,  
21 subject to the requirements of 16-7 of the Election Code, shall  
22 be placed on the ballot at the next following general election  
23 in substantially the following form:

24 Shall the county board chairman be elected beginning  
25 with the general election next following this referendum

1 and every 4 years thereafter?

2 The votes shall be recorded as "Yes" or "No". The referendum is  
3 approved when a majority of voters approve the referendum. If  
4 approved, the county board chairman shall be elected at the  
5 general election next following the approval of the referendum  
6 and at the general election every 4 years thereafter and shall  
7 serve until a successor is elected and qualified.