



93RD GENERAL ASSEMBLY
State of Illinois
2003 and 2004
HB4199

Introduced 1/26/2004, by Jay C. Hoffman

SYNOPSIS AS INTRODUCED:

10 ILCS 5/7-8

from Ch. 46, par. 7-8

Amends the Election Code. Provides that a political party's nominating committee may not delegate to a subcommittee its power to select candidates to fill ballot vacancies.

LRB093 19276 JAM 45011 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 Section
5 7-8 as follows:

6 (10 ILCS 5/7-8) (from Ch. 46, par. 7-8)

7 Sec. 7-8. The State central committee shall be composed of
8 one or two members from each congressional district in the
9 State and shall be elected as follows:

10 State Central Committee

11 (a) Within 30 days after the effective date of this
12 amendatory Act of 1983 the State central committee of each
13 political party shall certify to the State Board of Elections
14 which of the following alternatives it wishes to apply to the
15 State central committee of that party.

16 Alternative A. At the primary held on the third Tuesday in
17 March 1970, and at the primary held every 4 years thereafter,
18 each primary elector may vote for one candidate of his party
19 for member of the State central committee for the congressional
20 district in which he resides. The candidate receiving the
21 highest number of votes shall be declared elected State central
22 committeeman from the district. A political party may, in lieu
23 of the foregoing, by a majority vote of delegates at any State
24 convention of such party, determine to thereafter elect the
25 State central committeemen in the manner following:

26 At the county convention held by such political party State
27 central committeemen shall be elected in the same manner as
28 provided in this Article for the election of officers of the
29 county central committee, and such election shall follow the
30 election of officers of the county central committee. Each
31 elected ward, township or precinct committeeman shall cast as
32 his vote one vote for each ballot voted in his ward, township,

1 part of a township or precinct in the last preceding primary
2 election of his political party. In the case of a county lying
3 partially within one congressional district and partially
4 within another congressional district, each ward, township or
5 precinct committeeman shall vote only with respect to the
6 congressional district in which his ward, township, part of a
7 township or precinct is located. In the case of a congressional
8 district which encompasses more than one county, each ward,
9 township or precinct committeeman residing within the
10 congressional district shall cast as his vote one vote for each
11 ballot voted in his ward, township, part of a township or
12 precinct in the last preceding primary election of his
13 political party for one candidate of his party for member of
14 the State central committee for the congressional district in
15 which he resides and the Chairman of the county central
16 committee shall report the results of the election to the State
17 Board of Elections. The State Board of Elections shall certify
18 the candidate receiving the highest number of votes elected
19 State central committeeman for that congressional district.

20 The State central committee shall adopt rules to provide
21 for and govern the procedures to be followed in the election of
22 members of the State central committee.

23 After the effective date of this amendatory Act of the 91st
24 General Assembly, whenever a vacancy occurs in the office of
25 Chairman of a State central committee, or at the end of the
26 term of office of Chairman, the State central committee of each
27 political party that has selected Alternative A shall elect a
28 Chairman who shall not be required to be a member of the State
29 Central Committee. The Chairman shall be a registered voter in
30 this State and of the same political party as the State central
31 committee.

32 Alternative B. Each congressional committee shall, within
33 30 days after the adoption of this alternative, appoint a
34 person of the sex opposite that of the incumbent member for
35 that congressional district to serve as an additional member of
36 the State central committee until his or her successor is

1 elected at the general primary election in 1986. Each
2 congressional committee shall make this appointment by voting
3 on the basis set forth in paragraph (e) of this Section. In
4 each congressional district at the general primary election
5 held in 1986 and every 4 years thereafter, the male candidate
6 receiving the highest number of votes of the party's male
7 candidates for State central committeeman, and the female
8 candidate receiving the highest number of votes of the party's
9 female candidates for State central committeewoman, shall be
10 declared elected State central committeeman and State central
11 committeewoman from the district. At the general primary
12 election held in 1986 and every 4 years thereafter, if all a
13 party's candidates for State central committeemen or State
14 central committeewomen from a congressional district are of the
15 same sex, the candidate receiving the highest number of votes
16 shall be declared elected a State central committeeman or State
17 central committeewoman from the district, and, because of a
18 failure to elect one male and one female to the committee, a
19 vacancy shall be declared to exist in the office of the second
20 member of the State central committee from the district. This
21 vacancy shall be filled by appointment by the congressional
22 committee of the political party, and the person appointed to
23 fill the vacancy shall be a resident of the congressional
24 district and of the sex opposite that of the committeeman or
25 committeewoman elected at the general primary election. Each
26 congressional committee shall make this appointment by voting
27 on the basis set forth in paragraph (e) of this Section.

28 The Chairman of a State central committee composed as
29 provided in this Alternative B must be selected from the
30 committee's members.

31 Except as provided for in Alternative A with respect to the
32 selection of the Chairman of the State central committee, under
33 both of the foregoing alternatives, the State central committee
34 of each political party shall be composed of members elected or
35 appointed from the several congressional districts of the
36 State, and of no other person or persons whomsoever. The

1 members of the State central committee shall, within 30 days
2 after each quadrennial election of the full committee, meet in
3 the city of Springfield and organize by electing a chairman,
4 and may at such time elect such officers from among their own
5 number (or otherwise), as they may deem necessary or expedient.
6 The outgoing chairman of the State central committee of the
7 party shall, 10 days before the meeting, notify each member of
8 the State central committee elected at the primary of the time
9 and place of such meeting. In the organization and proceedings
10 of the State central committee, each State central committeeman
11 and State central committeewoman shall have one vote for each
12 ballot voted in his or her congressional district by the
13 primary electors of his or her party at the primary election
14 immediately preceding the meeting of the State central
15 committee. Whenever a vacancy occurs in the State central
16 committee of any political party, the vacancy shall be filled
17 by appointment of the chairmen of the county central committees
18 of the political party of the counties located within the
19 congressional district in which the vacancy occurs and, if
20 applicable, the ward and township committeemen of the political
21 party in counties of 2,000,000 or more inhabitants located
22 within the congressional district. If the congressional
23 district in which the vacancy occurs lies wholly within a
24 county of 2,000,000 or more inhabitants, the ward and township
25 committeemen of the political party in that congressional
26 district shall vote to fill the vacancy. In voting to fill the
27 vacancy, each chairman of a county central committee and each
28 ward and township committeeman in counties of 2,000,000 or more
29 inhabitants shall have one vote for each ballot voted in each
30 precinct of the congressional district in which the vacancy
31 exists of his or her county, township, or ward cast by the
32 primary electors of his or her party at the primary election
33 immediately preceding the meeting to fill the vacancy in the
34 State central committee. The person appointed to fill the
35 vacancy shall be a resident of the congressional district in
36 which the vacancy occurs, shall be a qualified voter, and, in a

1 committee composed as provided in Alternative B, shall be of
2 the same sex as his or her predecessor. A political party may,
3 by a majority vote of the delegates of any State convention of
4 such party, determine to return to the election of State
5 central committeeman and State central committeewoman by the
6 vote of primary electors. Any action taken by a political party
7 at a State convention in accordance with this Section shall be
8 reported to the State Board of Elections by the chairman and
9 secretary of such convention within 10 days after such action.

10 Ward, Township and Precinct Committeemen

11 (b) At the primary held on the third Tuesday in March,
12 1972, and every 4 years thereafter, each primary elector in
13 cities having a population of 200,000 or over may vote for one
14 candidate of his party in his ward for ward committeeman. Each
15 candidate for ward committeeman must be a resident of and in
16 the ward where he seeks to be elected ward committeeman. The
17 one having the highest number of votes shall be such ward
18 committeeman of such party for such ward. At the primary
19 election held on the third Tuesday in March, 1970, and every 4
20 years thereafter, each primary elector in counties containing a
21 population of 2,000,000 or more, outside of cities containing a
22 population of 200,000 or more, may vote for one candidate of
23 his party for township committeeman. Each candidate for
24 township committeeman must be a resident of and in the township
25 or part of a township (which lies outside of a city having a
26 population of 200,000 or more, in counties containing a
27 population of 2,000,000 or more), and in which township or part
28 of a township he seeks to be elected township committeeman. The
29 one having the highest number of votes shall be such township
30 committeeman of such party for such township or part of a
31 township. At the primary held on the third Tuesday in March,
32 1970 and every 2 years thereafter, each primary elector, except
33 in counties having a population of 2,000,000 or over, may vote
34 for one candidate of his party in his precinct for precinct
35 committeeman. Each candidate for precinct committeeman must be
36 a bona fide resident of the precinct where he seeks to be

1 elected precinct committeeman. The one having the highest
2 number of votes shall be such precinct committeeman of such
3 party for such precinct. The official returns of the primary
4 shall show the name of the committeeman of each political
5 party.

6 Terms of Committeemen. All precinct committeemen elected
7 under the provisions of this Article shall continue as such
8 committeemen until the date of the primary to be held in the
9 second year after their election. Except as otherwise provided
10 in this Section for certain State central committeemen who have
11 2 year terms, all State central committeemen, township
12 committeemen and ward committeemen shall continue as such
13 committeemen until the date of primary to be held in the fourth
14 year after their election. However, a vacancy exists in the
15 office of precinct committeeman when a precinct committeeman
16 ceases to reside in the precinct in which he was elected and
17 such precinct committeeman shall thereafter neither have nor
18 exercise any rights, powers or duties as committeeman in that
19 precinct, even if a successor has not been elected or
20 appointed.

21 (c) The Multi-Township Central Committee shall consist of
22 the precinct committeemen of such party, in the multi-township
23 assessing district formed pursuant to Section 2-10 of the
24 Property Tax Code and shall be organized for the purposes set
25 forth in Section 45-25 of the Township Code. In the
26 organization and proceedings of the Multi-Township Central
27 Committee each precinct committeeman shall have one vote for
28 each ballot voted in his precinct by the primary electors of
29 his party at the primary at which he was elected.

30 County Central Committee

31 (d) The county central committee of each political party in
32 each county shall consist of the various township committeemen,
33 precinct committeemen and ward committeemen, if any, of such
34 party in the county. In the organization and proceedings of the
35 county central committee, each precinct committeeman shall
36 have one vote for each ballot voted in his precinct by the

1 primary electors of his party at the primary at which he was
2 elected; each township committeeman shall have one vote for
3 each ballot voted in his township or part of a township as the
4 case may be by the primary electors of his party at the primary
5 election for the nomination of candidates for election to the
6 General Assembly immediately preceding the meeting of the
7 county central committee; and in the organization and
8 proceedings of the county central committee, each ward
9 committeeman shall have one vote for each ballot voted in his
10 ward by the primary electors of his party at the primary
11 election for the nomination of candidates for election to the
12 General Assembly immediately preceding the meeting of the
13 county central committee.

14 Cook County Board of Review Election District Committee

15 (d-1) Each board of review election district committee of
16 each political party in Cook County shall consist of the
17 various township committeemen and ward committeemen, if any, of
18 that party in the portions of the county composing the board of
19 review election district. In the organization and proceedings
20 of each of the 3 election district committees, each township
21 committeeman shall have one vote for each ballot voted in his
22 or her township or part of a township, as the case may be, by
23 the primary electors of his or her party at the primary
24 election immediately preceding the meeting of the board of
25 review election district committee; and in the organization and
26 proceedings of each of the 3 election district committees, each
27 ward committeeman shall have one vote for each ballot voted in
28 his or her ward or part of that ward, as the case may be, by the
29 primary electors of his or her party at the primary election
30 immediately preceding the meeting of the board of review
31 election district committee.

32 Congressional Committee

33 (e) The congressional committee of each party in each
34 congressional district shall be composed of the chairmen of the
35 county central committees of the counties composing the
36 congressional district, except that in congressional districts

1 wholly within the territorial limits of one county, or partly
2 within 2 or more counties, but not coterminous with the county
3 lines of all of such counties, the precinct committeemen,
4 township committeemen and ward committeemen, if any, of the
5 party representing the precincts within the limits of the
6 congressional district, shall compose the congressional
7 committee. A State central committeeman in each district shall
8 be a member and the chairman or, when a district has 2 State
9 central committeemen, a co-chairman of the congressional
10 committee, but shall not have the right to vote except in case
11 of a tie.

12 In the organization and proceedings of congressional
13 committees composed of precinct committeemen or township
14 committeemen or ward committeemen, or any combination thereof,
15 each precinct committeeman shall have one vote for each ballot
16 voted in his precinct by the primary electors of his party at
17 the primary at which he was elected, each township committeeman
18 shall have one vote for each ballot voted in his township or
19 part of a township as the case may be by the primary electors
20 of his party at the primary election immediately preceding the
21 meeting of the congressional committee, and each ward
22 committeeman shall have one vote for each ballot voted in each
23 precinct of his ward located in such congressional district by
24 the primary electors of his party at the primary election
25 immediately preceding the meeting of the congressional
26 committee; and in the organization and proceedings of
27 congressional committees composed of the chairmen of the county
28 central committees of the counties within such district, each
29 chairman of such county central committee shall have one vote
30 for each ballot voted in his county by the primary electors of
31 his party at the primary election immediately preceding the
32 meeting of the congressional committee.

33 Judicial District Committee

34 (f) The judicial district committee of each political party
35 in each judicial district shall be composed of the chairman of
36 the county central committees of the counties composing the

1 judicial district.

2 In the organization and proceedings of judicial district
3 committees composed of the chairmen of the county central
4 committees of the counties within such district, each chairman
5 of such county central committee shall have one vote for each
6 ballot voted in his county by the primary electors of his party
7 at the primary election immediately preceding the meeting of
8 the judicial district committee.

9 Circuit Court Committee

10 (g) The circuit court committee of each political party in
11 each judicial circuit outside Cook County shall be composed of
12 the chairmen of the county central committees of the counties
13 composing the judicial circuit.

14 In the organization and proceedings of circuit court
15 committees, each chairman of a county central committee shall
16 have one vote for each ballot voted in his county by the
17 primary electors of his party at the primary election
18 immediately preceding the meeting of the circuit court
19 committee.

20 Judicial Subcircuit Committee

21 (g-1) The judicial subcircuit committee of each political
22 party in each judicial subcircuit in a judicial circuit divided
23 into subcircuits shall be composed of (i) the ward and township
24 committeemen of the townships and wards composing the judicial
25 subcircuit in Cook County and (ii) the precinct committeemen of
26 the precincts composing the judicial subcircuit in any county
27 other than Cook County.

28 In the organization and proceedings of each judicial
29 subcircuit committee, each township committeeman shall have
30 one vote for each ballot voted in his township or part of a
31 township, as the case may be, in the judicial subcircuit by the
32 primary electors of his party at the primary election
33 immediately preceding the meeting of the judicial subcircuit
34 committee; each precinct committeeman shall have one vote for
35 each ballot voted in his precinct or part of a precinct, as the
36 case may be, in the judicial subcircuit by the primary electors

1 of his party at the primary election immediately preceding the
2 meeting of the judicial subcircuit committee; and each ward
3 committeeman shall have one vote for each ballot voted in his
4 ward or part of a ward, as the case may be, in the judicial
5 subcircuit by the primary electors of his party at the primary
6 election immediately preceding the meeting of the judicial
7 subcircuit committee.

8 Municipal Central Committee

9 (h) The municipal central committee of each political party
10 shall be composed of the precinct, township or ward
11 committeemen, as the case may be, of such party representing
12 the precincts or wards, embraced in such city, incorporated
13 town or village. The voting strength of each precinct, township
14 or ward committeeman on the municipal central committee shall
15 be the same as his voting strength on the county central
16 committee.

17 For political parties, other than a statewide political
18 party, established only within a municipality or township, the
19 municipal or township managing committee shall be composed of
20 the party officers of the local established party. The party
21 officers of a local established party shall be as follows: the
22 chairman and secretary of the caucus for those municipalities
23 and townships authorized by statute to nominate candidates by
24 caucus shall serve as party officers for the purpose of filling
25 vacancies in nomination under Section 7-61; for municipalities
26 and townships authorized by statute or ordinance to nominate
27 candidates by petition and primary election, the party officers
28 shall be the party's candidates who are nominated at the
29 primary. If no party primary was held because of the provisions
30 of Section 7-5, vacancies in nomination shall be filled by the
31 party's remaining candidates who shall serve as the party's
32 officers.

33 Powers

34 (i) Each committee and its officers shall have the powers
35 usually exercised by such committees and by the officers
36 thereof, not inconsistent with the provisions of this Article.

1 The several committees herein provided for shall not have power
2 to delegate any of their powers, or functions to any other
3 person, officer or committee, but this shall not be construed
4 to prevent a committee from appointing from its own membership
5 proper and necessary subcommittees, except that the power to
6 fill vacancies pursuant to Section 7-61 may not be delegated to
7 a subcommittee.

8 (j) The State central committee of a political party which
9 elects its members by Alternative B under paragraph (a) of this
10 Section shall adopt a plan to give effect to the delegate
11 selection rules of the national political party and file a copy
12 of such plan with the State Board of Elections when approved by
13 a national political party.

14 (k) For the purpose of the designation of a proxy by a
15 Congressional Committee to vote in place of an absent State
16 central committeeman or committeewoman at meetings of the State
17 central committee of a political party which elects its members
18 by Alternative B under paragraph (a) of this Section, the proxy
19 shall be appointed by the vote of the ward and township
20 committeemen, if any, of the wards and townships which lie
21 entirely or partially within the Congressional District from
22 which the absent State central committeeman or committeewoman
23 was elected and the vote of the chairmen of the county central
24 committees of those counties which lie entirely or partially
25 within that Congressional District and in which there are no
26 ward or township committeemen. When voting for such proxy the
27 county chairman, ward committeeman or township committeeman,
28 as the case may be shall have one vote for each ballot voted in
29 his county, ward or township, or portion thereof within the
30 Congressional District, by the primary electors of his party at
31 the primary at which he was elected. However, the absent State
32 central committeeman or committeewoman may designate a proxy
33 when permitted by the rules of a political party which elects
34 its members by Alternative B under paragraph (a) of this
35 Section.

36 (Source: P.A. 93-541, eff. 8-18-03; 93-574, eff. 8-21-03;

1 revised 9-22-03.)