



**94TH GENERAL ASSEMBLY**  
**State of Illinois**  
**2005 and 2006**  
**SB0204**

Introduced 2/2/2005, by Sen. Martin A. Sandoval

**SYNOPSIS AS INTRODUCED:**

10 ILCS 5/10-9

from Ch. 46, par. 10-9

Amends the Election Code. Eliminates the township officers electoral board and the educational officers electoral board. Requires the county officers electoral board to hear and pass upon objections to nominations of candidates for township offices, school district offices, and community college district offices.

LRB094 05130 JAM 35170 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 10-9 as follows:

6 (10 ILCS 5/10-9) (from Ch. 46, par. 10-9)

7 Sec. 10-9. The following electoral boards are designated  
8 for the purpose of hearing and passing upon the objector's  
9 petition described in Section 10-8.

10 1. The State Board of Elections will hear and pass upon  
11 objections to the nominations of candidates for State offices,  
12 nominations of candidates for congressional, legislative and  
13 judicial offices of districts or circuits situated in more than  
14 one county, nominations of candidates for the offices of  
15 State's attorney or regional superintendent of schools to be  
16 elected from more than one county, and petitions for proposed  
17 amendments to the Constitution of the State of Illinois as  
18 provided for in Section 3 of Article XIV of the Constitution.

19 2. The county officers electoral board to hear and pass  
20 upon objections to the nominations of candidates for county  
21 offices, for congressional, legislative, ~~and~~ judicial, school  
22 district, and community college district offices of a district  
23 or circuit coterminous with or less than a county, for school  
24 trustees to be voted for by the electors of the county or by  
25 the electors of a township of the county, for township offices  
26 for a township of the county, for the office of multi-township  
27 assessor where candidates for such office are nominated in  
28 accordance with this Code, and for all special district  
29 offices, shall be composed of the county clerk, or an assistant  
30 designated by the county clerk, the State's attorney of the  
31 county or an Assistant State's Attorney designated by the  
32 State's Attorney, and the clerk of the circuit court, or an

1 assistant designated by the clerk of the circuit court, of the  
2 county, of whom the county clerk or his designee shall be the  
3 chairman, except that in any county which has established a  
4 county board of election commissioners that board shall  
5 constitute the county officers electoral board ex-officio.

6 3. The municipal officers electoral board to hear and pass  
7 upon objections to the nominations of candidates for officers  
8 of municipalities shall be composed of the mayor or president  
9 of the board of trustees of the city, village or incorporated  
10 town, and the city, village or incorporated town clerk, and one  
11 member of the city council or board of trustees, that member  
12 being designated who is eligible to serve on the electoral  
13 board and has served the greatest number of years as a member  
14 of the city council or board of trustees, of whom the mayor or  
15 president of the board of trustees shall be the chairman.

16 4. (Blank.) ~~The township officers electoral board to pass~~  
17 ~~upon objections to the nominations of township officers shall~~  
18 ~~be composed of the township supervisor, the town clerk, and~~  
19 ~~that eligible town trustee elected in the township who has had~~  
20 ~~the longest term of continuous service as town trustee, of whom~~  
21 ~~the township supervisor shall be the chairman.~~

22 5. (Blank.) ~~The education officers electoral board to hear~~  
23 ~~and pass upon objections to the nominations of candidates for~~  
24 ~~offices in school or community college districts shall be~~  
25 ~~composed of the presiding officer of the school or community~~  
26 ~~college district board, who shall be the chairman, the~~  
27 ~~secretary of the school or community college district board and~~  
28 ~~the eligible elected school or community college board member~~  
29 ~~who has the longest term of continuous service as a board~~  
30 ~~member.~~

31 6. In all cases, however, where the Congressional or  
32 Legislative district is wholly within the jurisdiction of a  
33 board of election commissioners and in all cases where the  
34 school district or special district is wholly within the  
35 jurisdiction of a municipal board of election commissioners and  
36 in all cases where the municipality or township is wholly or

1 partially within the jurisdiction of a municipal board of  
2 election commissioners, the board of election commissioners  
3 shall ex-officio constitute the electoral board.

4 For special districts, including townships and school and  
5 community college districts, situated in more than one county,  
6 the county officers electoral board of the county in which the  
7 principal office of the district is located has jurisdiction to  
8 hear and pass upon objections. For purposes of this Section,  
9 "special districts" means all political subdivisions other  
10 than counties and, ~~municipalities, townships and school and~~  
11 ~~community college districts.~~

12 In the event that any member of the appropriate board is a  
13 candidate for the office with relation to which the objector's  
14 petition is filed, he shall not be eligible to serve on that  
15 board and shall not act as a member of the board and his place  
16 shall be filled as follows:

17 a. In the county officers electoral board by the county  
18 treasurer, and if he or she is ineligible to serve, by the  
19 sheriff of the county.

20 b. In the municipal officers electoral board by the  
21 eligible elected city council or board of trustees member  
22 who has served the second greatest number of years as a  
23 city council or board of trustees member.

24 ~~c. In the township officers electoral board by the~~  
25 ~~eligible elected town trustee who has had the second~~  
26 ~~longest term of continuous service as a town trustee.~~

27 ~~d. In the education officers electoral board by the~~  
28 ~~eligible elected school or community college district~~  
29 ~~board member who has had the second longest term of~~  
30 ~~continuous service as a board member.~~

31 In the event that the chairman of the electoral board is  
32 ineligible to act because of the fact that he is a candidate  
33 for the office with relation to which the objector's petition  
34 is filed, then the substitute chosen under the provisions of  
35 this Section shall be the chairman; In this case, the officer  
36 or board with whom the objector's petition is filed, shall

1 transmit the certificate of nomination or nomination papers as  
2 the case may be, and the objector's petition to the substitute  
3 chairman of the electoral board.

4 When 2 or more eligible individuals, by reason of their  
5 terms of service on a city council or board of trustees,  
6 ~~township board of trustees, or school or community college~~  
7 ~~district board,~~ qualify to serve on an electoral board, the one  
8 to serve shall be chosen by lot.

9 Any vacancies on an electoral board not otherwise filled  
10 pursuant to this Section shall be filled by public members  
11 appointed by the Chief Judge of the Circuit Court for the  
12 county wherein the electoral board hearing is being held upon  
13 notification to the Chief Judge of such vacancies. The Chief  
14 Judge shall be so notified by a member of the electoral board  
15 or the officer or board with whom the objector's petition was  
16 filed. In the event that none of the individuals designated by  
17 this Section to serve on the electoral board are eligible, the  
18 chairman of an electoral board shall be designated by the Chief  
19 Judge.

20 (Source: P.A. 87-570.)