



Elementary Secondary Education Committee

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LRB095 08077 NHT 32822 a

1 AMENDMENT TO HOUSE BILL 1143

2 AMENDMENT NO. _____. Amend House Bill 1143 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Election Code is amended by changing
5 Section 11-4.1 as follows:

6 (10 ILCS 5/11-4.1) (from Ch. 46, par. 11-4.1)

7 Sec. 11-4.1. (a) In appointing polling places under this
8 Article, the county board or board of election commissioners
9 shall, insofar as they are convenient and available, use
10 schools and other public buildings as polling places.

11 (b) Upon request of the county board or board of election
12 commissioners, the proper agency of government (including
13 school districts and units of local government) shall make a
14 public building under its control available for use as a
15 polling place on an election day and for a reasonably necessary
16 time before and after election day, without charge. If the

1 county board or board of election commissioners chooses a
2 school to be a polling place, then the school district must
3 make the school available for use as a polling place. However,
4 for the day of the election, a school district shall close the
5 school ~~may choose to (i) keep the school open or (ii) hold a~~
6 ~~teachers institute on that day.~~

7 (c) A government agency which makes a public building under
8 its control available for use as a polling place shall ensure
9 the portion of the building to be used as the polling place is
10 accessible to handicapped and elderly voters.

11 (Source: P.A. 92-465, eff. 8-22-01.)

12 Section 10. The School Code is amended by changing Sections
13 22-21 and 24-2 as follows:

14 (105 ILCS 5/22-21) (from Ch. 122, par. 22-21)

15 Sec. 22-21. Elections-Use of school buildings.

16 (a) Every school board shall offer to the appropriate
17 officer or board having responsibility for providing polling
18 places for elections the use of any and all buildings under its
19 jurisdiction for any and all elections to be held, if so
20 requested by such appropriate officer or board.

21 (b) Election officers shall place 2 or more cones, small
22 United States national flags, or some other marker a distance
23 of 100 horizontal feet from each entrance to the room used by
24 voters to engage in voting, which shall be known as the polling

1 room. If the polling room is located within a building that is
2 a public or private school and the distance of 100 horizontal
3 feet ends within the interior of the building, then the markers
4 shall be placed outside of the building at each entrance used
5 by voters to enter that building on the grounds adjacent to the
6 thoroughfare or walkway. If the polling room is located within
7 a public or private school building with 2 or more floors and
8 the polling room is located on the ground floor, then the
9 markers shall be placed 100 horizontal feet from each entrance
10 to the polling room used by voters to engage in voting. If the
11 polling room is located in a public or private school building
12 with 2 or more floors and the polling room is located on a
13 floor above or below the ground floor, then the markers shall
14 be placed a distance of 100 feet from the nearest elevator or
15 staircase used by voters on the ground floor to access the
16 floor where the polling room is located. The area within where
17 the markers are placed shall be known as a campaign free zone,
18 and electioneering is prohibited pursuant to this subsection.

19 Notwithstanding any other provision of this Code, the area
20 on polling place property beyond the campaign free zone,
21 whether publicly or privately owned, is a public forum for the
22 time that the polls are open on an election day. At the request
23 of election officers any publicly owned building must be made
24 available for use as a polling place. A person shall have the
25 right to congregate and engage in electioneering on any polling
26 place property while the polls are open beyond the campaign

1 free zone, including but not limited to, the placement of
2 temporary signs. This subsection shall be construed liberally
3 in favor of persons engaging in electioneering on all polling
4 place property beyond the campaign free zone for the time that
5 the polls are open on an election day.

6 (c) If a school is designated as a polling place, then the
7 school board shall close that school on the day of the election
8 and the school board may close any other schools that same day.

9 (Source: P.A. 93-574, eff. 8-21-03.)

10 (105 ILCS 5/24-2) (from Ch. 122, par. 24-2)

11 Sec. 24-2. Holidays. Teachers shall not be required to
12 teach on Saturdays; nor shall teachers or other school
13 employees, other than noncertificated school employees whose
14 presence is necessary because of an emergency or for the
15 continued operation and maintenance of school facilities or
16 property, be required to work on legal school holidays, which
17 are January 1, New Year's Day; the third Monday in January, the
18 Birthday of Dr. Martin Luther King, Jr.; February 12, the
19 Birthday of President Abraham Lincoln; the first Monday in
20 March (to be known as Casimir Pulaski's birthday); Good Friday;
21 the day designated as Memorial Day by federal law; July 4,
22 Independence Day; the first Monday in September, Labor Day; the
23 second Monday in October, Columbus Day; November 11, Veteran's
24 Day; the Thursday in November commonly called Thanksgiving Day;
25 and December 25, Christmas Day. School boards may grant special

1 holidays whenever in their judgment such action is advisable,
2 ~~except that no school board or board of education may designate~~
3 ~~or observe as a special holiday on which teachers or other~~
4 ~~school employees are not required to work the days on which~~
5 ~~general elections for members of the Illinois House of~~
6 ~~Representatives are held.~~ No deduction shall be made from the
7 time or compensation of a school employee on account of any
8 legal or special holiday.

9 Commemorative holidays, which recognize specified
10 patriotic, civic, cultural or historical persons, activities,
11 or events, are regular school days. Commemorative holidays are:
12 January 28 (to be known as Christa McAuliffe Day and observed
13 as a commemoration of space exploration), February 15 (the
14 birthday of Susan B. Anthony), March 29 (Viet Nam War Veterans
15 Day), September 11 (September 11th Day of Remembrance), the
16 school day immediately preceding Veteran's Day (Korean War
17 Veterans Day), October 1 (Recycling Day), December 7 (Pearl
18 Harbor Veterans Day) and any day so appointed by the President
19 or Governor. School boards may establish commemorative
20 holidays whenever in their judgment such action is advisable.
21 School boards shall include instruction relative to
22 commemorated persons, activities, or events on the
23 commemorative holiday or at any other time during the school
24 year and at any point in the curriculum when such instruction
25 may be deemed appropriate. The State Board of Education shall
26 prepare and make available to school boards instructional

1 materials relative to commemorated persons, activities, or
2 events which may be used by school boards in conjunction with
3 any instruction provided pursuant to this paragraph.

4 City of Chicago School District 299 shall observe March 4
5 of each year as a commemorative holiday. This holiday shall be
6 known as Mayors' Day which shall be a day to commemorate and be
7 reminded of the past Chief Executive Officers of the City of
8 Chicago, and in particular the late Mayor Richard J. Daley and
9 the late Mayor Harold Washington. If March 4 falls on a
10 Saturday or Sunday, Mayors' Day shall be observed on the
11 following Monday.

12 (Source: P.A. 92-704, eff. 7-19-02.)".