



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

HB3953

Introduced 1/10/2012, by Rep. Jack D. Franks

SYNOPSIS AS INTRODUCED:

10 ILCS 5/2A-1.2
55 ILCS 5/3-7005

from Ch. 46, par. 2A-1.2
from Ch. 34, par. 3-7005

Amends the Election Code. Provides that an elected Chairman of the County Board shall be on the ballot at the general election in the appropriate even-numbered years. Amends the Counties Code. Provides that the chairman of a county board in a county with a population of more than 300,000 inhabitants shall be elected by the voters, rather than by the county board members, beginning with the 2012 general election. Sets forth requirements concerning the length of terms and compensation.

LRB097 15750 KMW 60894 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

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 Chairman of the County Board or County
21 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 changing
18 Section 3-7005 as follows:

19 (55 ILCS 5/3-7005) (from Ch. 34, par. 3-7005)

20 Sec. 3-7005. Meetings. As soon as practicable after the
21 members of the Board have been appointed, they shall meet, upon
22 the call of the Sheriff, and shall organize by selecting a
23 chairman and a secretary. The initial chairman and secretary,
24 and their successors, shall be selected by the Board from among

1 its members for a term of 2 years or for the remainder of their
2 term of office as a member of the Board, whichever is the
3 shorter. Two members of the Board shall constitute a quorum for
4 the transaction of business, except that as additional members
5 are appointed under authority of this amendatory Act of 1997,
6 the number of members that must be present to constitute a
7 quorum shall be the number of members that constitute at least
8 40% of the Board. The Board shall hold regular quarterly
9 meetings and such other meetings as may be called by the
10 chairman.

11 Beginning with the 2012 general election, the chairman of
12 the Board in a county with a population of more than 300,000
13 inhabitants shall be elected, and the term of the existing
14 chairman as chairman shall end on December 31, 2012. The
15 elected chairman shall first take office on January 1, 2013.
16 The initial chairman elected shall serve a 2-year term. All
17 successor chairmen shall serve a 2-year term. The elected
18 chairman shall receive compensation pursuant to Section 3-7003
19 of this Code.

20 (Source: P.A. 90-447, eff. 8-16-97; 90-511, eff. 8-22-97;
21 90-655, eff. 7-30-98.)