



Sen. David Koehler

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09700SB1838sam001

LRB097 10187 PJG 58846 a

1 AMENDMENT TO SENATE BILL 1838

2 AMENDMENT NO. _____. Amend Senate Bill 1838 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Election Code is amended by changing
5 Sections 6A-1, 6A-2, 6A-4, and 6A-5 and by adding Section
6 6-19.5 as follows:

7 (10 ILCS 5/6-19.5 new)

8 Sec. 6-19.5. Rejection of Article by superseding county
9 board of election commissioners. In addition to any other
10 method of rejection provided in this Article, when a county
11 board of election commissioners is established in accordance
12 with subsection (b) of Section 6A-1 in a county in which is
13 located any portion of a municipality with a municipal board of
14 election commissioners, the application of the provisions of
15 this Article to the territory of that municipality located
16 within that county is rejected.

1 (10 ILCS 5/6A-1) (from Ch. 46, par. 6A-1)

2 Sec. 6A-1. Adoption of Article.

3 (a) Any county in which there is no city, village or
4 incorporated town with a board of election commissioners may
5 establish a county board of election commissioners either (1)
6 by ordinance of the county board or (2) by vote of the electors
7 of the county in accordance with subsection (a) of Section
8 6A-2.

9 The fact that some territory in a county is within the
10 corporate limits of a city, village or incorporated town with a
11 board of election commissioners does not prevent that county
12 from establishing a county board of election commissioners in
13 accordance with this Article if no portion of such city,
14 village or incorporated town was within the county at the time
15 of the establishment of the board of election commissioners for
16 such city, village or incorporated town. If such a county
17 establishes a county board of election commissioners pursuant
18 to this Article, the county board of election commissioners
19 shall, with respect to the territory in the county within the
20 corporate limits of the city, village or incorporated town,
21 supersede the board of election commissioners of that city,
22 village or incorporated town.

23 (b) Any county with a population of less than 200,000 but
24 more than 175,000 persons as of the 2010 federal census in
25 which a city, village, or incorporated town with a board of

1 election commissioners is located may establish a county board
2 of election commissioners by vote of the electors of the county
3 in accordance with subsection (b) of Section 6A-2. If such a
4 county establishes a county board of election commissioners,
5 the county board of election commissioners, with respect to the
6 territory in the county within the corporate limits of the
7 city, village, or incorporated town, shall supersede the board
8 of election commissioners of that city, village, or
9 incorporated town.

10 (Source: P.A. 81-1433.)

11 (10 ILCS 5/6A-2) (from Ch. 46, par. 6A-2)

12 Sec. 6A-2. Submission to voters.

13 (a) Whenever registered voters in a ~~the~~ county described in
14 subsection (a) of Section 6A-1, numbering at least 1,000 or 1/8
15 of the number voting at the last preceding general election in
16 the county, whichever is less, petition the circuit court to
17 submit to the electors of the county a proposition to establish
18 a county board of election commissioners, the circuit court
19 shall cause such proposition to be submitted to the electors of
20 the county at the next succeeding general election.

21 (b) After approval and certification by the county board of
22 a county described in subsection (b) of Section 6A-2, the
23 proposition to establish a county board of election
24 commissioners shall be submitted to the electors of that county
25 at the next possible general election.

1 (c) The proposition shall be submitted in the same manner
2 as provided in Article 6 for the adoption of Articles 6, 14 and
3 18 by cities, villages and incorporated towns, except that the
4 question shall be stated: "Shall a board of election
5 commissioners be established for County?"

6 (Source: P.A. 78-465.)

7 (10 ILCS 5/6A-4) (from Ch. 46, par. 6A-4)

8 Sec. 6A-4. Transfer of records. Upon the opening of the
9 office of the county board of election commissioners, the
10 county clerk and any municipal board of election commissioners
11 in the county shall turn over to such county board all registry
12 books, registration record cards, poll books, tally sheets and
13 ballot boxes and all other books, forms, blanks and stationery
14 of every description in the clerk's or municipal board's
15 possession ~~his hands~~ in any way relating to elections or the
16 holding of elections in the county and any unused
17 appropriations related to elections or the holding of elections
18 in the county. Thereupon, all functions, powers and duties of
19 the county clerk, ~~or~~ the county board, or the municipal board
20 relating to elections in that county are transferred to the
21 county board of election commissioners.

22 (Source: P.A. 78-465.)

23 (10 ILCS 5/6A-5) (from Ch. 46, par. 6A-5)

24 Sec. 6A-5. The provisions of Articles 6, 14 and 18 of this

1 Act relating to boards of election commissioners in cities,
2 villages and incorporated towns shall, insofar as they can be
3 made applicable, apply to and govern county boards of election
4 commissioners established pursuant to this Article. For a
5 county described in subsection (b) of Section 6A-2, the board
6 of election commissioners shall be composed of 5 members
7 appointed by the circuit court of the county, at least 2
8 members shall reside in the municipality that had a board of
9 election commissioners superseded by subsection (b) of Section
10 6A-2 and shall be selected from the 2 leading political parties
11 of the State, one from each of those parties, and at least 2
12 members shall reside outside of such municipality but within
13 the county and shall be selected from the 2 leading political
14 parties of the State, one from each of those parties. A deputy
15 registrar serving as such by virtue of his status as a
16 municipal clerk, or a duly authorized deputy of a municipal
17 clerk, of a municipality the territory of which lies in more
18 than one county, where one such county is governed by a county
19 board of election commissioners established pursuant to this
20 Article, may accept the registration of any qualified resident
21 of the municipality, regardless of which county the resident,
22 municipal clerk or the duly authorized deputy of the municipal
23 clerk lives in. The annual budget for a county board of
24 election commissioners shall be determined by the county board
25 of that county. However, the county board, in fixing the
26 compensation of the members of the county board of election

1 commissioners and of the executive director and assistant
2 executive director, is not subject to the limitations of
3 Section 6-70 and may provide for either an annual salary or a
4 per diem compensation.

5 (Source: P.A. 85-958.)

6 Section 99. Effective date. This Act takes effect upon
7 becoming law."