**Section 1540.330 Board Elections**

In accordance with the Illinois Pension Code, an election for 2 trustees, one contributing member with at least 8 years of creditable service and one annuitant who has been an annuitant for at least one full year, will be held every 5 years beginning in 1986 and an election for 4 trustees, three contributing members with at least 8 years of creditable service and one annuitant who has been an annuitant for at least one full year, will be held every 5 years beginning in 2009.

a) Definitions of Terms

For purposes of this Section, the following definitions shall apply:

"Annuitant" − Any annuitant, as defined in Section 14-103.07 of the Code.

"Annuitant who has been an annuitant for at least one full year" means an annuitant who has received at least 12 monthly installments of their retirement annuity on or before the date upon which the annuitant is sworn into office as a trustee.

"Code" means the Illinois Pension Code [40 ILCS 5].

"Contributing member " − Any member of the System, as defined in Section 14-103.06 of the Code who is currently contributing to the System.

"Contributing member with at least 8 years of creditable service" – Any contributing member who, on or before the date upon which they are sworn into office as a trustee, has obtained at least 8 years of creditable service, as defined in Section 14-103.15 of the Code.

b) Nominations

Qualified persons for the position of Contributing Member Trustee or Annuitant Trustee shall file a Statement of Candidacy and a trustee petition on a form prescribed by the Board, in accordance with the Code. Petitions shall be signed by not fewer than 400 contributing members for a Contributing Member Trustee candidate and by not fewer than 100 annuitants for an Annuitant Trustee candidate and indicate the addresses of the signators opposite their names. Nominating petitions shall be circulated and certified only by contributing members or annuitants for each respective trustee candidate. Forms shall be secured from the Executive Secretary and filed in accordance with the Calendar (see subsections (f) and (i)). Trustee petitions and the Statement of Candidacy must be filed at the System's Springfield office, 2101 South Veterans Parkway, Springfield, Illinois, in person or by mail during the office hours of 8:00 a.m. to 4:30 p.m.

c) Lottery for Ballot Position

All petitions filed on or before the first day for filing shall be deemed filed as of 8:00 a.m. on the first day. All petitions received thereafter shall be deemed as filed in the order of actual receipt. Where 2 or more petitions are received simultaneously for the same office, the State Employees' Retirement Board, with whom petitions are filed, shall break ties and determine the order of filing, by means of a lottery.

d) Procedures on Objections

The Board of Trustees of the System shall review and rule on all written petitions filed objecting to any candidate's qualifications as outlined in Section 14-134 of the Code. Petitions objecting shall be made in accordance with 80 Ill. Adm. Code 1540.270(d)(3). Nomination papers shall be deemed valid unless objections are received by the System in writing within 5 days after the last day for filing nomination papers. Not later than 12:00 noon on the next business day, after receipt of the objector's petition, the Executive Secretary shall deliver or transmit the nomination papers and original objector's petition to the Chairman of the Board and a copy of the objector's petition to the candidate whose nomination papers are the subject of the objection. Not later than 12:00 noon on the second business day after receipt of the objector's petition, the Chairman of the Board shall call for a meeting to consider the petition by giving notice to each of the members of the Board, the objector and candidate. The meeting of the Board shall not be less than 3 nor more than 5 days after receipt of objector's petition by the Chairman of the Board.

e) Elections

After the Executive Secretary has certified the candidates, separate ballots shall be prepared for the Contributing Member Trustee and for the Annuitant Trustee. Candidate position shall be in the order that the petitions are filed, or as determined by the lottery. Ballots will be mailed on election day to all qualified Contributing Members and Annuitants. All ballots must be returned, sealed in the envelope provided, so as to be received by May 30 of the election year. In order to be eligible to vote, a contributing member must make contributions during the first payroll period in March of the election year. In order to be eligible to vote, an annuitant must receive a retirement annuity for March of each election year.

f) Calendar of Events

1) Beginning in 1986 and every 5 years thereafter, and in 2014 and every 5 years thereafter, the following timelines shall apply:

A) JANUARY 2 − Forms available from the Executive Secretary for Statement of Candidacy and petitions.

B) JANUARY 15 − Last day Executive Secretary shall publish in a newsletter the dates and times when candidates may receive petitions. The pre-filing notice must also include the time and location of the filing period for nominating petitions.

C) FEBRUARY 11 − First day for candidates to file nomination papers for trustee offices in the office of the Executive Secretary.

D) FEBRUARY 19 − Last day for candidates to file nomination papers for trustee offices in the office of the Executive Secretary.

E) FEBRUARY 24 −

i) Last day for filing objections to the nomination papers of candidates for the office of trustees in the office of the Executive Secretary.

ii) Notice shall be given by telephone, facsimile or electronically of the time and place for conducting a lottery when 2 or more petitions are received simultaneously for the same office. Notice shall be given by the Executive Secretary to all candidates involved in the lottery.

F) FEBRUARY 28 − Lottery shall be conducted by the Executive Secretary when 2 or more petitions are received simultaneously for the same office.

G) MARCH 1 − Last day for candidates to withdraw their candidacy in the office of the Executive Secretary.

H) MAY 1 − or, if Sunday, then May 2 − Election

I) MAY 30 − Last day all voted ballots shall be received by the Board or its designate.

J) JUNE 6 − Last day for canvassing of election results by the Board or its designated agent.

K) JUNE 18 − Last day for the Board to proclaim the results of the election and to issue the certificates of election to the winners.

2) If any of these dates falls on a Saturday, Sunday or holiday, the next succeeding business day for the System shall be the effective date.

g) Ballot Security

Upon receiving the official voted ballots, they shall be secured in a locked location until the canvassing begins.

h) Board Notification

1) The Board or its designated agent shall canvass the ballots and certify the results. Each candidate may have two observers present during the ballot canvassing.

2) The candidate or candidates receiving the most votes for the office of Contributing Member Trustee will be declared the winner. The candidate receiving the most votes for the office of the Annuitant Trustee will be declared the winner.

3) If a candidate should become ineligible for office after the submission of the Statement of Candidacy and petitions, but before the election, the Board shall notify the candidate of the ineligibility and remove the candidate's name from the ballot. If a candidate should become ineligible for office after the mailing of ballots, the candidate's votes will not be counted and the eligible candidate receiving the most votes shall be declared the winner.

4) Ballots will be retained for 60 days following the certification. The ballots can then be destroyed, unless litigation is pending.

5) In case of a tie vote between 2 or more candidates, the Board shall determine the winner by means of a lottery to break the tie.

6) The Board will proclaim the results of the election and issue Certificates of Election to the winners.

i) Special Election Calendar of Events

The special election to be held in 2009 to fill the 4 new elected trustee positions shall be subject to the same procedures outlined in this Section, except as may need to be modified to comply with the following calendar for the special election:

1) APRIL 16 − First day for candidates to file nomination papers for trustees offices in the office of the Executive Secretary.

2) MAY 11 − Last day for candidates to file nomination papers for trustees offices in the office of the Executive Secretary.

3) MAY 15 − Lottery shall be conducted by the Executive Secretary when 2 or more petitions are received simultaneously for the same office.

4) JUNE 1 − Election

5) JUNE 26 − Last day all voted ballots shall be received by the Board or its designate.

6) JULY 2 − Last day for canvassing of election results by the Board or its designated agent and for the Board to proclaim the results of the election and to issue the certificates of election to the winners.

(Source: Amended at 45 Ill. Reg. 6848, effective May 24, 2021)