



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

SB1526

Introduced 2/26/2021, by Sen. Omar Aquino

SYNOPSIS AS INTRODUCED:

10 ILCS 5/2A-1.2	from Ch. 46, par. 2A-1.2
10 ILCS 5/2A-52	from Ch. 46, par. 2A-52
110 ILCS 805/7-1	from Ch. 122, par. 107-1
110 ILCS 805/7-2	from Ch. 122, par. 107-2
110 ILCS 805/7-2.1 new	
110 ILCS 805/7-2.2 new	
110 ILCS 805/7-2.3 new	
110 ILCS 805/7-3	from Ch. 122, par. 107-3

Amends the Election Code. Provides for the election of the board of trustees of the City Colleges of Chicago, Illinois Community College District No. 508, at the general primary election in 2022 on a nonpartisan ballot. Provides that a member of the board of trustees shall be elected at each consolidated election thereafter. Makes related changes. Amends the Public Community College Act. Sets forth provisions concerning nominating petitions and ballots. Provides that the City of Chicago shall be subdivided into 20 trustee districts by the General Assembly for seats on the board of trustees, in addition to one at-large trustee. Provides that in the year following each decennial census, the General Assembly shall redistrict the trustee districts to reflect the results of each decennial census. Makes other changes. Effective immediately.

LRB102 15239 SMS 20594 b

FISCAL NOTE ACT
MAY APPLY

STATE MANDATES
ACT MAY REQUIRE
REIMBURSEMENT

1 AN ACT concerning education.

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
5 Sections 2A-1.2 and 2A-52 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 ~~elections—offices~~ 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 of the County Board or County Chief
21 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
5 and newly created judicial offices;

6 (9) (Blank);

7 (10) Trustee of the Metropolitan Water Reclamation
8 ~~Sanitary~~ District of Greater Chicago, and elected Trustee
9 of other Sanitary Districts;

10 (11) Special District elected officers, not otherwise
11 designated in this Section, where the statute creating or
12 authorizing the creation of the district requires an
13 annual election and permits or requires election of
14 candidates of political parties.

15 (b) At the general primary election:

16 (1) in each even-numbered year candidates of political
17 parties shall be nominated for those offices to be filled
18 at the general election in that year, except where
19 pursuant to law nomination of candidates of political
20 parties is made by caucus.

21 (2) in the appropriate even-numbered years the
22 political party offices of State central committeeperson,
23 township committeeperson, ward committeeperson, and
24 precinct committeeperson shall be filled and delegates and
25 alternate delegates to the National nominating conventions
26 shall be elected as may be required pursuant to this Code.

1 In the even-numbered years in which a Presidential
2 election is to be held, candidates in the Presidential
3 preference primary shall also be on the ballot.

4 (3) in each even-numbered year, where the municipality
5 has provided for annual elections to elect municipal
6 officers pursuant to Section 6(f) or Section 7 of Article
7 VII of the Constitution, pursuant to the Illinois
8 Municipal Code or pursuant to the municipal charter, the
9 offices of such municipal officers shall be filled at an
10 election held on the date of the general primary election,
11 provided that the municipal election shall be a
12 nonpartisan election where required by the Illinois
13 Municipal Code. For partisan municipal elections in
14 even-numbered years, a primary to nominate candidates for
15 municipal office to be elected at the general primary
16 election shall be held on the Tuesday 6 weeks preceding
17 that election.

18 (4) in each school district which has adopted the
19 provisions of Article 33 of the School Code, successors to
20 the members of the board of education whose terms expire
21 in the year in which the general primary is held shall be
22 elected.

23 (5) in the 2022 primary election, the members of the
24 Board of Trustees of the City Colleges of Chicago,
25 Illinois Community College District No. 508, shall be
26 elected to serve a term of 5 years; successors shall be

1 elected at the consolidated election under subsection (c)
2 to a term of 4 years as provided under Section 2A-48 of
3 this Code. The election of members of the Board of
4 Trustees of the City Colleges of Chicago held in 2022
5 shall be a nonpartisan election as provided for under this
6 Code and conducted on a nonpartisan ballot.

7 (c) At the consolidated election in the appropriate
8 odd-numbered years, the following offices shall be filled:

9 (1) Municipal officers, provided that in
10 municipalities in which candidates for alderman or other
11 municipal office are not permitted by law to be candidates
12 of political parties, the runoff election where required
13 by law, or the nonpartisan election where required by law,
14 shall be held on the date of the consolidated election;
15 and provided further, in the case of municipal officers
16 provided for by an ordinance providing the form of
17 government of the municipality pursuant to Section 7 of
18 Article VII of the Constitution, such offices shall be
19 filled by election or by runoff election as may be
20 provided by such ordinance;

21 (2) Village and incorporated town library directors;

22 (3) City boards of stadium commissioners;

23 (4) Commissioners of park districts;

24 (5) Trustees of public library districts;

25 (6) Special District elected officers, not otherwise
26 designated in this Section, where the statute creating or

1 authorizing the creation of the district permits or
2 requires election of candidates of political parties;

3 (7) Township officers, including township park
4 commissioners, township library directors, and boards of
5 managers of community buildings, and Multi-Township
6 Assessors;

7 (8) Highway commissioners and road district clerks;

8 (9) Members of school boards in school districts which
9 adopt Article 33 of the School Code;

10 (10) The directors and chair of the Chain O Lakes - Fox
11 River Waterway Management Agency;

12 (11) Forest preserve district commissioners elected
13 under Section 3.5 of the Downstate Forest Preserve
14 District Act;

15 (12) Elected members of school boards, school
16 trustees, directors of boards of school directors,
17 trustees of county boards of school trustees (except in
18 counties or educational service regions having a
19 population of 2,000,000 or more inhabitants) and members
20 of boards of school inspectors, except school boards in
21 school districts that adopt Article 33 of the School Code;

22 (13) Members of Community College district boards,
23 except as otherwise provided in paragraph (5) of
24 subsection (b);

25 (14) Trustees of Fire Protection Districts;

26 (15) Commissioners of the Springfield Metropolitan

1 Exposition and Auditorium Authority;

2 (16) Elected Trustees of Tuberculosis Sanitarium
3 Districts;

4 (17) Elected Officers of special districts not
5 otherwise designated in this Section for which the law
6 governing those districts does not permit candidates of
7 political parties.

8 (d) At the consolidated primary election in each
9 odd-numbered year, candidates of political parties shall be
10 nominated for those offices to be filled at the consolidated
11 election in that year, except where pursuant to law nomination
12 of candidates of political parties is made by caucus, and
13 except those offices listed in paragraphs (12) through (17) of
14 subsection (c).

15 At the consolidated primary election in the appropriate
16 odd-numbered years, the mayor, clerk, treasurer, and aldermen
17 shall be elected in municipalities in which candidates for
18 mayor, clerk, treasurer, or alderman are not permitted by law
19 to be candidates of political parties, subject to runoff
20 elections to be held at the consolidated election as may be
21 required by law, and municipal officers shall be nominated in
22 a nonpartisan election in municipalities in which pursuant to
23 law candidates for such office are not permitted to be
24 candidates of political parties.

25 At the consolidated primary election in the appropriate
26 odd-numbered years, municipal officers shall be nominated or

1 elected, or elected subject to a runoff, as may be provided by
2 an ordinance providing a form of government of the
3 municipality pursuant to Section 7 of Article VII of the
4 Constitution.

5 (e) (Blank).

6 (f) At any election established in Section 2A-1.1, public
7 questions may be submitted to voters pursuant to this Code and
8 any special election otherwise required or authorized by law
9 or by court order may be conducted pursuant to this Code.

10 Notwithstanding the regular dates for election of officers
11 established in this Article, whenever a referendum is held for
12 the establishment of a political subdivision whose officers
13 are to be elected, the initial officers shall be elected at the
14 election at which such referendum is held if otherwise so
15 provided by law. In such cases, the election of the initial
16 officers shall be subject to the referendum.

17 Notwithstanding the regular dates for election of
18 officials established in this Article, any community college
19 district which becomes effective by operation of law pursuant
20 to Section 6-6.1 of the Public Community College Act, as now or
21 hereafter amended, shall elect the initial district board
22 members at the next regularly scheduled election following the
23 effective date of the new district.

24 (g) At any election established in Section 2A-1.1, if in
25 any precinct there are no offices or public questions required
26 to be on the ballot under this Code then no election shall be

1 held in the precinct on that date.

2 (h) There may be conducted a referendum in accordance with
3 the provisions of Division 6-4 of the Counties Code.

4 (Source: P.A. 100-1027, eff. 1-1-19; revised 12-14-20.)

5 (10 ILCS 5/2A-52) (from Ch. 46, par. 2A-52)

6 Sec. 2A-52. Community College District - Member - Time of
7 Election. A member of the Board of a Community College
8 District shall be elected at each consolidated election to
9 succeed each elected incumbent member of the Board whose term
10 expires before the following consolidated election. However, a
11 member of the Board of Trustees of the City Colleges of
12 Chicago, Illinois Community College District No. 508, shall be
13 elected at each consolidated election beginning with the April
14 2023 election to succeed each incumbent member whose term ends
15 before the following consolidated election.

16 (Source: P.A. 90-358, eff. 1-1-98.)

17 Section 10. The Public Community College Act is amended by
18 changing Sections 7-1, 7-2, and 7-3 and by adding Sections
19 7-2.1, 7-2.2, and 7-2.3 as follows:

20 (110 ILCS 805/7-1) (from Ch. 122, par. 107-1)

21 Sec. 7-1. This Article applies only to community college
22 districts in cities having a population of 500,000 or more
23 inhabitants. Each such community college district shall

1 maintain a system of community colleges under the charge of a
2 board, ~~which is appointed~~ as provided in Section 7-2. Except
3 as otherwise provided in this Article, such a community
4 college district and its board have all the rights, duties,
5 powers and responsibilities and are subject to the same
6 limitations as are provided for other community college
7 districts in this Act, as now or hereafter amended.

8 (Source: P.A. 78-669.)

9 (110 ILCS 805/7-2) (from Ch. 122, par. 107-2)

10 Sec. 7-2. (a) This subsection (a) applies until March 21,
11 2022. The board shall consist of 7 members, appointed by the
12 mayor with the approval of the city council. Prior to the
13 expiration of the term of any member his successor shall be
14 appointed in like manner and shall hold office for a term of 3
15 years from July 1 of the year in which he is appointed and
16 until his successor is appointed and qualified. Any vacancy in
17 the membership of the board shall be filled through
18 appointment by the mayor, with the approval of the city
19 council, for the unexpired term. If any appointee fails to
20 qualify within 30 days after his appointment, the office shall
21 be filled by a new appointment for the unexpired term. To be
22 eligible for appointment to a board under this Section, a
23 person must possess the same qualifications and meet the same
24 requirements as are prescribed by this Act for members of an
25 elected board of a community college district.

1 (b) On March 21, 2022, notwithstanding the provisions of
2 Section 3-7 of this Act, the terms of all members of the board
3 appointed under subsection (a) are abolished when the new
4 board, consisting of 21 members, is elected by the electors of
5 the community college district as provided in this subsection
6 (b) and takes office.

7 Each member shall be elected for a term of 4 years,
8 commencing on the second Tuesday in May of the year in which
9 the member is elected, and until the member's successor is
10 elected and has qualified, except that members of the board
11 elected to terms commencing on March 21, 2022 shall commence
12 to serve for terms of 5 years and until the member's successor
13 is elected and has qualified. For purposes of elections
14 conducted pursuant to this subsection (b), the City of Chicago
15 shall be subdivided into 20 trustee districts by the General
16 Assembly for seats on the board, as provided under Section
17 7-2.3 of this Act. Each district shall be represented by a
18 member, and one member shall be elected at large and serve as
19 the president of the board. To be eligible for election or
20 appointment to a board under this Section, a person must
21 possess the same qualifications and meet the same requirements
22 as are prescribed by this Act for members of an elected board
23 of a community college district. A person is ineligible for
24 election or appointment to a board under this Section if that
25 person is an employee of a community college district within
26 the city.

1 (c) No member shall have or be an employee or owner of a
2 company that has a contract with a community college within
3 the city. No former officer, member, or employee of the board
4 shall, within a period of one year immediately after
5 termination of service on the board, knowingly accept
6 employment or receive compensation or fees for services from a
7 person or entity if the officer, member, or employee, during
8 the year immediately preceding termination of service on the
9 board, participated personally and substantially in the award
10 of contracts with the board, community college district, or
11 community colleges within the city, or the issuance of
12 contract change orders with the board or the community college
13 district, or community college within the city, with a
14 cumulative value of \$25,000 or more to the person, the entity,
15 or the entity's parent or subsidiary.

16 (d) Whenever a vacancy occurs, the remaining members shall
17 fill the vacancy, and the person so appointed shall serve
18 until a successor is elected at the next regular election for
19 board members and is certified in accordance with Sections
20 22-17 and 22-18 of the Election Code. If the remaining members
21 fail to fill the vacancy within 60 days after the vacancy
22 occurs, the chairman of the State Board shall fill that
23 vacancy, and the person so appointed shall serve until a
24 successor is elected at the next regular election for board
25 members and is certified in accordance with Sections 22-17 and
26 22-18 of the Election Code. The person appointed to fill a

1 vacancy shall have the same residential qualifications as his
 2 or her predecessor in office was required to have. However, in
 3 either instance, if the vacancy occurs with more than 28
 4 months remaining until the term expires, the appointed member
 5 shall serve only until a successor is elected and qualified at
 6 the next scheduled election.

7 (Source: P.A. 78-669.)

8 (110 ILCS 805/7-2.1 new)

9 Sec. 7-2.1. Nomination petitions. Notwithstanding Section
 10 3-7.10 of this Act, in addition to the requirements of the
 11 general election law, the form of petitions under this Section
 12 shall be substantially as follows:

13 NOMINATING PETITIONS

14 (LEAVE OUT THE INAPPLICABLE PART.)

15 To the Board of Election Commissioners for the City of
 16 Chicago:

17 We the undersigned, being (.... or more) of the voters
 18 residing within said district, hereby petition that who
 19 resides at in the City of Chicago shall be a candidate for
 20 the office of of the Board of Trustees of the City
 21 Colleges of Chicago, Illinois Community College District No.
 22 508, (full term) (vacancy) to be voted for at the election to
 23 be held on (insert date).

24 Name: Address:

25 In the designation of the name of a candidate on a petition

1 for nomination, the candidate's given name or names, initial
2 or initials, a nickname by which the candidate is commonly
3 known, or a combination thereof may be used in addition to the
4 candidate's surname. If a candidate has changed his or her
5 name, whether by a statutory or common law procedure in
6 Illinois or any other jurisdiction, within 3 years before the
7 last day for filing the petition, then (i) the candidate's
8 name on the petition must be followed by "formerly known as
9 (list all prior names during the 3-year period) until name
10 changed on (list date of each such name change)" and (ii) the
11 petition must be accompanied by the candidate's affidavit
12 stating the candidate's previous names during the period
13 specified in clause (i) and the date or dates each of those
14 names was changed; failure to meet these requirements shall be
15 grounds for denying certification of the candidate's name for
16 the ballot, but these requirements do not apply to name
17 changes resulting from adoption to assume an adoptive parent's
18 or parents' surname, marriage to assume a spouse's surname, or
19 dissolution of marriage or declaration of invalidity of
20 marriage to assume a former surname. No other designation,
21 such as a political slogan, as defined by Section 7-17 of the
22 Election Code, title or degree, or nickname suggesting or
23 implying possession of a title, degree or professional status,
24 or similar information may be used in connection with the
25 candidate's surname.

26 All petitions for the nomination of members of the board

1 shall be filed with the board of election commissioners of the
2 jurisdiction in which the principal office of the community
3 college district is located within the time provided for by
4 the general election law, except that petitions for the
5 nomination of members of the board for the March 20, 2022
6 election shall be prepared and certified on the same schedule
7 as the petition schedule for the candidates for the General
8 Assembly. The board of election commissioners shall receive
9 and file only those petitions that include a statement of
10 candidacy, the required number of voter signatures, the
11 notarized signature of the petition circulator, and a receipt
12 from the County Clerk showing that the candidate has filed a
13 statement of economic interest on or before the last day to
14 file as required by the Illinois Governmental Ethics Act. The
15 board of election commissioners may have petition forms
16 available for issuance to potential candidates and may give
17 notice of the petition filing period by publication in a
18 newspaper of general circulation within the community college
19 district not less than 10 days prior to the first day of
20 filing. The board of election commissioners shall make
21 certification to the proper election authorities in accordance
22 with the general election law.

23 The board of election commissioners of the jurisdiction in
24 which the principal office of the community college district
25 is located shall notify the candidates for whom a petition for
26 nomination is filed or the appropriate committee of the

1 obligations under the Campaign Financing Act as provided in
2 the general election law. Such notice shall be given on a form
3 prescribed by the State Board of Elections and in accordance
4 with the requirements of the general election law. The board
5 of election commissioners shall within 7 days of filing or on
6 the last day for filing, whichever is earlier, acknowledge to
7 the petitioner in writing the office's acceptance of the
8 petition.

9 A candidate for membership on the board who has petitioned
10 for nomination to fill a full term and to fill a vacant term to
11 be voted upon at the same election must withdraw his or her
12 petition for nomination from either the full term or the
13 vacant term by written declaration.

14 Nomination petitions are not valid unless the candidate
15 named therein files with the board of election commissioners a
16 receipt from the county clerk showing that the candidate has
17 filed a statement of economic interests as required by the
18 Illinois Governmental Ethics Act. Such receipt shall be so
19 filed either previously during the calendar year in which his
20 or her nomination papers were filed or within the period for
21 the filing of nomination papers in accordance with the general
22 election law.

23 (110 ILCS 805/7-2.2 new)

24 Sec. 7-2.2. Ballots. The board of election commissioners
25 of the jurisdiction in which the principal office of the

1 community college district is located shall conduct a lottery
2 to determine the ballot order of candidates for full terms in
3 the event of any simultaneous petition filings. Such candidate
4 lottery shall be conducted as follows:

5 All petitions filed by persons waiting in line as of 8:00
6 a.m. on the first day for filing, or as of the normal opening
7 hour of the office involved on such day, shall be deemed
8 simultaneously filed as of 8:00 a.m. or the normal opening
9 hour, as the case may be. Petitions filed by mail and received
10 after midnight of the first day for filing and in the first
11 mail delivery or pickup of that day shall be deemed
12 simultaneously filed as of 8:00 a.m. of that day or as of the
13 normal opening hour of such day, as the case may be. All
14 petitions received thereafter shall be deemed filed in the
15 order of actual receipt. However, 2 or more petitions filed
16 within the last hour of the filing deadline shall be deemed
17 filed simultaneously.

18 Where 2 or more petitions are received simultaneously for
19 the same office as of 8:00 a.m. on the first day for petition
20 filing or as of the normal opening hour of the office of the
21 board of election commissioners with whom such petitions are
22 filed, the board of election commissioners shall break ties
23 and determine the order of filing by means of a lottery or
24 other fair and impartial method of random selection. Such
25 lottery shall be conducted within 9 days following the last
26 day for petition filing and shall be open to the public. Seven

1 days written notice of the time and place of conducting such
2 random selection shall be given by the board of election
3 commissioners to all candidates who filed their petitions
4 simultaneously and to each organization of citizens within the
5 election jurisdiction that was entitled, under the general
6 election law, at the next preceding election, to have poll
7 watchers present on the day of election. The board of election
8 commissioners shall post in a conspicuous, open, and public
9 place, at the entrance of his or her office, notice of the time
10 and place of such lottery.

11 All candidates shall be certified in the order in which
12 their petitions have been filed and in the manner prescribed
13 by Section 10-15 of the Election Code. Where candidates have
14 filed simultaneously, they shall be certified in the order
15 prescribed by this Section and prior to candidates who filed
16 for the same office at a later time.

17 Where elections are conducted for unexpired terms, a
18 second lottery to determine ballot order shall be conducted
19 for candidates who simultaneously file petitions for such
20 unexpired terms. Such lottery shall be conducted in the same
21 manner as prescribed by this Section for full term candidates.

22 Ballots for the election of board members shall be in the
23 following form:

24 (BALLOT FORMAT

25 Ballot position for candidates shall be determined by the

1 order of petition filing or lottery held pursuant to this
2 Section.

3 The community college district is divided into 20 trustee
4 districts, each of which elects one member to the board and
5 votes on one member to serve at-large.)

6 OFFICIAL BALLOT

7 DISTRICT (1 through 20)

8 FOR MEMBERS OF THE BOARD OF TRUSTEES OF THE CITY COLLEGES OF

9 CHICAGO TO SERVE

10 A FULL 4-YEAR TERM

11 VOTE FOR ONE

12 ()

13 ()

14 ()

15 OFFICIAL BALLOT

16 AT LARGE

17 FOR MEMBERS OF THE BOARD OF TRUSTEES OF THE CITY COLLEGES OF

18 CHICAGO TO SERVE

19 A FULL 4-YEAR TERM

20 VOTE FOR ONE

21 ()

22 ()

23 ()

24 REVERSE SIDE:

25 OFFICIAL BALLOT

26 DISTRICT (1 through 20)

1 (Precinct name or number)
2 Community College District No., County,
3 Illinois
4 Election Tuesday (insert date)
5 (facsimile signature of Election Authority)
6 (County)

7 (110 ILCS 805/7-2.3 new)
8 Sec. 7-2.3. Creation of trustee districts; reapportionment
9 of districts.

10 (a) For purposes of elections conducted pursuant to
11 subsection (b) of Section 7-2 of this Act, the City of Chicago
12 shall be subdivided into 20 trustee districts after the
13 effective date of this amendatory Act of the 102nd General
14 Assembly by the General Assembly for seats on the board. The
15 trustee districts must be drawn on or before January 1, 2022.
16 Each trustee district must be compact, contiguous, and
17 substantially equal in population.

18 (b) In the year following each decennial census, the
19 General Assembly shall redistrict the trustee districts to
20 reflect the results of the decennial census consistent with
21 the requirements in subsection (a). The reapportionment plan
22 shall be completed and formally approved by the General
23 Assembly not less than 90 days before the last date
24 established by law for the filing of nominating petitions for
25 the second board election after the decennial census year. If

1 by reapportionment a board member no longer resides within the
2 trustee district from which the member was elected, the member
3 shall continue to serve in office until the expiration of the
4 member's regular term. All new members shall be elected from
5 the trustee districts as reapportioned.

6 (110 ILCS 805/7-3) (from Ch. 122, par. 107-3)

7 Sec. 7-3. The organization of the board and election of
8 officers for the a board ~~appointed under Section 7-2~~ shall be
9 conducted in accordance with the general election law and this
10 Act.

11 (Source: P.A. 81-1489.)

12 Section 99. Effective date. This Act takes effect upon
13 becoming law.