# 103RD GENERAL ASSEMBLY <br> State of Illinois <br> 2023 and 2024 <br> SB2831 

Introduced 1/19/2024, by Sen. Andrew S. Chesney

## SYNOPSIS AS INTRODUCED:

10 ILCS 5/7-8
730 ILCS 5/5-5-5
from Ch. 46, par. 7-8
from Ch. 38, par. 1005-5-5

Amends the Election Code. Provides that a person is ineligible to hold the position of committeeperson in any specified committee or any other elected or appointed committee position, including, but not limited to, local, county, or State chairperson, if he or she has ever been convicted of a felony, unless he or she has received a pardon for the offense from the Governor or the President of the United States. Provides that when a committeeperson or a person holding any other elected or appointed committee position (rather than a committeeperson) is convicted of a felony, the position occupied by that committeeperson shall automatically become vacant. Amends the Unified Code of Corrections to make a conforming change. Effective immediately.

LRB103 36667 SPS 66776 b

## A BILL FOR

AN ACT concerning elections.

# Be it enacted by the People of the State of Illinois, represented in the General Assembly: 

Section 5. The Election Code is amended by changing Section 7-8 as follows:
(10 ILCS 5/7-8) (from Ch. 46, par. 7-8)
Sec. 7-8. The State central committee shall be composed of one or two members from each congressional district in the State and shall be elected as follows:

State Central Committee
(a) Within 30 days after January 1, 1984 (the effective date of Public Act 83-33), the State central committee of each political party shall certify to the State Board of Elections which of the following alternatives it wishes to apply to the State central committee of that party.

Alternative A. At the primary in 1970 and at the general primary election held every 4 years thereafter, each primary elector may vote for one candidate of his party for member of the State central committee for the congressional district in which he resides. The candidate receiving the highest number of votes shall be declared elected State central committeeperson from the district. A political party may, in lieu of the foregoing, by a majority vote of delegates at any

State convention of such party, determine to thereafter elect the State central committeepersons in the manner following:

At the county convention held by such political party, State central committeepersons shall be elected in the same manner as provided in this Article for the election of officers of the county central committee, and such election shall follow the election of officers of the county central committee. Each elected ward, township or precinct committeeperson shall cast as his vote one vote for each ballot voted in his ward, township, part of a township or precinct in the last preceding primary election of his political party. In the case of a county lying partially within one congressional district and partially within another congressional district, each ward, township or precinct committeeperson shall vote only with respect to the congressional district in which his ward, township, part of a township or precinct is located. In the case of $a$ congressional district which encompasses more than one county, each ward, township or precinct committeeperson residing within the congressional district shall cast as his vote one vote for each ballot voted in his ward, township, part of a township or precinct in the last preceding primary election of his political party for one candidate of his party for member of the State central committee for the congressional district in which he resides and the chair of the county central committee shall report the results of the election to the

State Board of Elections. The State Board of Elections shall certify the candidate receiving the highest number of votes elected State central committeeperson for that congressional district.

The State central committee shall adopt rules to provide for and govern the procedures to be followed in the election of members of the State central committee.

After August 6, 1999 (the effective date of Public Act 91-426), whenever a vacancy occurs in the office of Chair of a State central committee, or at the end of the term of office of Chair, the State central committee of each political party that has selected Alternative A shall elect a Chair who shall not be required to be a member of the State Central Committee. The Chair shall be a registered voter in this State and of the same political party as the State central committee.

Alternative B. Each congressional committee shall, within 30 days after the adoption of this alternative, appoint a person of a different gender than that of the incumbent member for that congressional district to serve as an additional member of the State central committee until the member's successor is elected at the general primary election in 1986. Each congressional committee shall make this appointment by voting on the basis set forth in paragraph (e) of this Section. In each congressional district at the general primary election held in 1986 and every 4 years thereafter, the person receiving the highest number of votes for state central
committeeperson, and the person of a different gender receiving the highest number of votes, shall be declared elected State central committeepersons from the district. At the general primary election held in 1986 and every 4 years thereafter, if all a party's candidates for State central committeeperson from a congressional district are of the same gender, the candidate receiving the highest number of votes shall be declared elected a State central committeeperson from the district, and, because of a failure to elect 2 persons from different genders to the committee, a vacancy shall be declared to exist in the office of the second member of the State central committee from the district. This vacancy shall be filled by appointment by the congressional committee of the political party, and the person appointed to fill the vacancy shall be a resident of the congressional district and of $a$ different gender than the committeeperson elected at the general primary election. Each congressional committee shall make this appointment by voting on the basis set forth in paragraph (e) of this Section.

The Chair of a State central committee composed as provided in this Alternative $B$ must be selected from the committee's members.

Beginning on the effective date of this amendatory Act of the lo3rd General Assembly, a State central committee organized under Alternative $B$ shall include as an honorary member any person affiliated with the same political party and
serving as the Governor, President of the Senate, and the Speaker of the House of Representatives.

Except as provided for in Alternative A with respect to the selection of the Chair of the State central committee and for in Alternative $B$ with respect to the President of the Senate and the Speaker of the House of Representatives, under both of the foregoing alternatives, the state central committee of each political party shall be composed of members elected or appointed from the several congressional districts of the State, and of no other person or persons whomsoever. The members of the State central committee shall, within 41 days after each quadrennial election of the full committee, meet in the city of Springfield and organize by electing a Chair, and may at such time elect such officers from among their own number (or otherwise), as they may deem necessary or expedient. The outgoing chair of the State central committee of the party shall, 10 days before the meeting, notify each member of the State central committee elected at the primary of the time and place of such meeting. In the organization and proceedings of the State central committee, the 2 elected or appointed committeepersons shall each have one vote for each ballot voted in their congressional district by the primary electors of the committeepersons' party at the primary election immediately preceding the meeting of the state central committee. Whenever a vacancy occurs in the state central committee of any political party, the vacancy shall be
filled by appointment of the chairmen of the county central committees of the political party of the counties located within the congressional district in which the vacancy occurs and, if applicable, the ward and township committeepersons of the political party in counties of $2,000,000$ or more inhabitants located within the congressional district. If the congressional district in which the vacancy occurs lies wholly within a county of $2,000,000$ or more inhabitants, the ward and township committeepersons of the political party in that congressional district shall vote to fill the vacancy. In voting to fill the vacancy, each chair of a county central committee and each ward and township committeeperson in counties of $2,000,000$ or more inhabitants shall have one vote for each ballot voted in each precinct of the congressional district in which the vacancy exists of the chair's or committeeperson's county, township, or ward cast by the primary electors of the chair's or committeeperson's party at the primary election immediately preceding the meeting to fill the vacancy in the State central committee. The person appointed to fill the vacancy shall be a resident of the congressional district in which the vacancy occurs, shall be a qualified voter, and, in a committee composed as provided in Alternative B, shall be of the same gender as the appointee's predecessor. A political party may, by a majority vote of the delegates of any State convention of such party, determine to return to the election of state central committeepersons by
the vote of primary electors. Any action taken by a political party at a State convention in accordance with this Section shall be reported to the State Board of Elections by the chair and secretary of such convention within 10 days after such action.

Ward, Township and Precinct Committeepersons
(b) At the primary in 1972 and at the general primary election every 4 years thereafter, each primary elector in cities having a population of 200,000 or over may vote for one candidate of his party in his ward for ward committeeperson. Each candidate for ward committeeperson must be a resident of and in the ward where he seeks to be elected ward committeeperson. The one having the highest number of votes shall be such ward committeeperson of such party for such ward. At the primary election in 1970 and at the general primary election every 4 years thereafter, each primary elector in counties containing a population of $2,000,000$ or more, outside of cities containing a population of 200,000 or more, may vote for one candidate of his party for township committeeperson. Each candidate for township committeeperson must be a resident of and in the township or part of a township (which lies outside of a city having a population of 200,000 or more, in counties containing a population of $2,000,000$ or more), and in which township or part of a township he seeks to be elected township committeeperson. The one having the highest number of votes shall be such township committeeperson
of such party for such township or part of a township. At the primary in 1970 and at the general primary election every 2 years thereafter, each primary elector, except in counties having a population of $2,000,000$ or over, may vote for one candidate of his party in his precinct for precinct committeeperson. Each candidate for precinct committeeperson must be a bona fide resident of the precinct where he seeks to be elected precinct committeeperson. The one having the highest number of votes shall be such precinct committeeperson of such party for such precinct. The official returns of the primary shall show the name of the committeeperson of each political party.

Terms of Committeepersons. All precinct committeepersons elected under the provisions of this Article shall continue as such committeepersons until the date of the primary to be held in the second year after their election. Except as otherwise provided in this Section for certain State central committeepersons who have 2 year terms, all State central committeepersons, township committeepersons and ward committeepersons shall continue as such committeepersons until the date of primary to be held in the fourth year after their election. However, a vacancy exists in the office of precinct committeeperson when a precinct committeeperson ceases to reside in the precinct in which he was elected and such precinct committeeperson shall thereafter neither have nor exercise any rights, powers or duties as committeeperson in
that precinct, even if a successor has not been elected or appointed.
(c) The Multi-Township Central Committee shall consist of the precinct committeepersons of such party, in the multi-township assessing district formed pursuant to Section 2-10 of the Property Tax Code and shall be organized for the purposes set forth in Section 45-25 of the Township Code. In the organization and proceedings of the Multi-Township Central Committee each precinct committeeperson shall have one vote for each ballot voted in his precinct by the primary electors of his party at the primary at which he was elected. County Central Committee
(d) The county central committee of each political party in each county shall consist of the various township committeepersons, precinct committeepersons and ward committeepersons, if any, of such party in the county. In the organization and proceedings of the county central committee, each precinct committeeperson shall have one vote for each ballot voted in his precinct by the primary electors of his party at the primary at which he was elected; each township committeeperson shall have one vote for each ballot voted in his township or part of a township as the case may be by the primary electors of his party at the primary election for the nomination of candidates for election to the General Assembly immediately preceding the meeting of the county central committee; and in the organization and proceedings of the
county central committee, each ward committeeperson shall have one vote for each ballot voted in his ward by the primary electors of his party at the primary election for the nomination of candidates for election to the General Assembly immediately preceding the meeting of the county central committee.

Cook County Board of Review Election District Committee
(d-1) Each board of review election district committee of each political party in Cook County shall consist of the various township committeepersons and ward committeepersons, if any, of that party in the portions of the county composing the board of review election district. In the organization and proceedings of each of the 3 election district committees, each township committeeperson shall have one vote for each ballot voted in the committeeperson's township or part of a township, as the case may be, by the primary electors of the committeeperson's party at the primary election immediately preceding the meeting of the board of review election district committee; and in the organization and proceedings of each of the 3 election district committees, each ward committeeperson shall have one vote for each ballot voted in the committeeperson's ward or part of that ward, as the case may be, by the primary electors of the committeeperson's party at the primary election immediately preceding the meeting of the board of review election district committee.
(e) The congressional committee of each party in each congressional district shall be composed of the chairmen of the county central committees of the counties composing the congressional district, except that in congressional districts wholly within the territorial limits of one county, the precinct committeepersons, township committeepersons and ward committeepersons, if any, of the party representing the precincts within the limits of the congressional district, shall compose the congressional committee. A State central committeeperson in each district shall be a member and the chair or, when a district has 2 State central committeepersons, a co-chairperson of the congressional committee, but shall not have the right to vote except in case of a tie.

In the organization and proceedings of congressional committees composed of precinct committeepersons or township committeepersons or ward committeepersons, or any combination thereof, each precinct committeeperson shall have one vote for each ballot voted in his precinct by the primary electors of his party at the primary at which he was elected, each township committeeperson shall have one vote for each ballot voted in his township or part of a township as the case may be by the primary electors of his party at the primary election immediately preceding the meeting of the congressional committee, and each ward committeeperson shall have one vote for each ballot voted in each precinct of his ward located in
such congressional district by the primary electors of his party at the primary election immediately preceding the meeting of the congressional committee; and in the organization and proceedings of congressional committees composed of the chairmen of the county central committees of the counties within such district, each chair of such county central committee shall have one vote for each ballot voted in his county by the primary electors of his party at the primary election immediately preceding the meeting of the congressional committee.

## Judicial District Committee

(f) The judicial district committee of each political party in each judicial district shall be composed of the chair of the county central committees of the counties composing the judicial district.

In the organization and proceedings of judicial district committees composed of the chairmen of the county central committees of the counties within such district, each chair of such county central committee shall have one vote for each ballot voted in his county by the primary electors of his party at the primary election immediately preceding the meeting of the judicial district committee.

Circuit Court Committee
(g) The circuit court committee of each political party in each judicial circuit outside Cook County shall be composed of the chairmen of the county central committees of the counties
composing the judicial circuit.
In the organization and proceedings of circuit court committees, each chair of a county central committee shall have one vote for each ballot voted in his county by the primary electors of his party at the primary election immediately preceding the meeting of the circuit court committee.

Judicial Subcircuit Committee
(g-1) The judicial subcircuit committee of each political party in each judicial subcircuit in a judicial circuit divided into subcircuits shall be composed of (i) the ward and township committeepersons of the townships and wards composing the judicial subcircuit in Cook County and (ii) the precinct committeepersons of the precincts composing the judicial subcircuit in any county other than Cook County.

In the organization and proceedings of each judicial subcircuit committee, each township committeeperson shall have one vote for each ballot voted in his township or part of a township, as the case may be, in the judicial subcircuit by the primary electors of his party at the primary election immediately preceding the meeting of the judicial subcircuit committee; each precinct committeeperson shall have one vote for each ballot voted in his precinct or part of a precinct, as the case may be, in the judicial subcircuit by the primary electors of his party at the primary election immediately preceding the meeting of the judicial subcircuit committee;
and each ward committeeperson shall have one vote for each ballot voted in his ward or part of a ward, as the case may be, in the judicial subcircuit by the primary electors of his party at the primary election immediately preceding the meeting of the judicial subcircuit committee.

## Municipal Central Committee

(h) The municipal central committee of each political party shall be composed of the precinct, township or ward committeepersons, as the case may be, of such party representing the precincts or wards, embraced in such city, incorporated town or village. The voting strength of each precinct, township or ward committeeperson on the municipal central committee shall be the same as his voting strength on the county central committee.

For political parties, other than a statewide political party, established only within a municipality or township, the municipal or township managing committee shall be composed of the party officers of the local established party. The party officers of a local established party shall be as follows: the chair and secretary of the caucus for those municipalities and townships authorized by statute to nominate candidates by caucus shall serve as party officers for the purpose of filling vacancies in nomination under Section 7-61; for municipalities and townships authorized by statute or ordinance to nominate candidates by petition and primary election, the party officers shall be the party's candidates
who are nominated at the primary. If no party primary was held because of the provisions of Section 7-5, vacancies in nomination shall be filled by the party's remaining candidates who shall serve as the party's officers.

## Powers

(i) Each committee and its officers shall have the powers usually exercised by such committees and by the officers thereof, not inconsistent with the provisions of this Article. The several committees herein provided for shall not have power to delegate any of their powers, or functions to any other person, officer or committee, but this shall not be construed to prevent a committee from appointing from its own membership proper and necessary subcommittees.
(j) The State central committee of a political party which elects its members by Alternative $B$ under paragraph (a) of this Section shall adopt a plan to give effect to the delegate selection rules of the national political party and file a copy of such plan with the State Board of Elections when approved by a national political party.
(k) For the purpose of the designation of a proxy by a Congressional Committee to vote in place of an absent State central committeeperson at meetings of the State central committee of a political party which elects its members by Alternative $B$ under paragraph (a) of this Section, the proxy shall be appointed by the vote of the ward and township committeepersons, if any, of the wards and townships which lie
entirely or partially within the Congressional District from which the absent State central committeeperson was elected and the vote of the chairmen of the county central committees of those counties which lie entirely or partially within that Congressional District and in which there are no ward or township committeepersons. When voting for such proxy, the county chair, ward committeeperson or township committeeperson, as the case may be, shall have one vote for each ballot voted in his county, ward or township, or portion thereof within the Congressional District, by the primary electors of his party at the primary at which he was elected. However, the absent State central committeeperson may designate a proxy when permitted by the rules of a political party which elects its members by Alternative $B$ under paragraph (a) of this Section.

Notwithstanding any law to the contrary, a person is ineligible to hold the position of committeeperson in any committee established pursuant to this Section or any other elected or appointed committee position, including, but not limited to, local, county, or State chairperson, if he or she has ever been convicted of a felony, unless he or she has received a pardon for the offense from the Governor or the President of the United States is statutorily ineligible to vete in a genexal election because of eonvietion of a felony. When a committeeperson or a person holding any other elected or appointed committee position is convicted of a felony, the
position occupied by that committeeperson shall automatically become vacant.
(Source: P.A. 102-15, eff. 7-1-23; 103-467, eff. 8-4-23.)

Section 10. The Unified Code of Corrections is amended by changing Section 5-5-5 as follows:
(730 ILCS 5/5-5-5) (from Ch. 38, par. 1005-5-5)
Sec. 5-5-5. Loss and restoration of rights.
(a) Conviction and disposition shall not entail the loss by the defendant of any civil rights, except under this Section and Sections 7-8, 29-6, and 29-10 of The Election Code, as now or hereafter amended.
(b) A person convicted of a felony shall be ineligible to hold an office created by the Constitution of this State until the completion of his sentence.
(b-5) Notwithstanding any other provision of law, a person convicted of a felony, bribery, perjury, or other infamous crime for an offense committed on or after the effective date of this amendatory Act of the 103rd General Assembly and committed while he or she was serving as a public official in this State is ineligible to hold any local public office or any office created by the Constitution of this State unless the person's conviction is reversed, the person is again restored to such rights by the terms of a pardon for the offense, the person has received a restoration of rights by the Governor,
or the person's rights are otherwise restored by law.
(c) A person sentenced to imprisonment shall lose his right to vote until released from imprisonment.
(d) On completion of sentence of imprisonment or upon discharge from probation, conditional discharge or periodic imprisonment, or at any time thereafter, all license rights and privileges granted under the authority of this State which have been revoked or suspended because of conviction of an offense shall be restored unless the authority having jurisdiction of such license rights finds after investigation and hearing that restoration is not in the public interest. This paragraph (d) shall not apply to the suspension or revocation of a license to operate a motor vehicle under the Illinois Vehicle Code.
(e) Upon a person's discharge from incarceration or parole, or upon a person's discharge from probation or at any time thereafter, the committing court may enter an order certifying that the sentence has been satisfactorily completed when the court believes it would assist in the rehabilitation of the person and be consistent with the public welfare. Such order may be entered upon the motion of the defendant or the State or upon the court's own motion.
(f) Upon entry of the order, the court shall issue to the person in whose favor the order has been entered a certificate stating that his behavior after conviction has warranted the issuance of the order.
(g) This Section shall not affect the right of a defendant to collaterally attack his conviction or to rely on it in bar of subsequent proceedings for the same offense.
(h) No application for any license specified in subsection (i) of this Section granted under the authority of this State shall be denied by reason of an eligible offender who has obtained a certificate of relief from disabilities, as defined in Article 5.5 of this Chapter, having been previously convicted of one or more criminal offenses, or by reason of a finding of lack of "good moral character" when the finding is based upon the fact that the applicant has previously been convicted of one or more criminal offenses, unless:
(1) there is a direct relationship between one or more of the previous criminal offenses and the specific license sought; or
(2) the issuance of the license would involve an unreasonable risk to property or to the safety or welfare of specific individuals or the general public. In making such a determination, the licensing agency shall consider the following factors:
(1) the public policy of this State, as expressed in Article 5.5 of this Chapter, to encourage the licensure and employment of persons previously convicted of one or more criminal offenses;
(2) the specific duties and responsibilities necessarily related to the license being sought;
(3) the bearing, if any, the criminal offenses or offenses for which the person was previously convicted will have on his or her fitness or ability to perform one or more such duties and responsibilities;
(4) the time which has elapsed since the occurrence of the criminal offense or offenses;
(5) the age of the person at the time of occurrence of the criminal offense or offenses;
(6) the seriousness of the offense or offenses;
(7) any information produced by the person or produced on his or her behalf in regard to his or her rehabilitation and good conduct, including a certificate of relief from disabilities issued to the applicant, which certificate shall create a presumption of rehabilitation in regard to the offense or offenses specified in the certificate; and
(8) the legitimate interest of the licensing agency in protecting property, and the safety and welfare of specific individuals or the general public.
(i) A certificate of relief from disabilities shall be issued only for a license or certification issued under the following Acts:
(1) the Animal Welfare Act; except that a certificate of relief from disabilities may not be granted to provide for the issuance or restoration of a license under the Animal Welfare Act for any person convicted of violating Section 3, $3.01,3.02,3.03,3.03-1$, or 4.01 of the Humane

Care for Animals Act or Section $26-5$ or $48-1$ of the Criminal Code of 1961 or the Criminal Code of 2012;
(2) the Illinois Athletic Trainers Practice Act;
(3) the Barber, Cosmetology, Esthetics, Hair Braiding, and Nail Technology Act of 1985;
(4) the Boiler and Pressure Vessel Repairer Regulation Act;
(5) the Boxing and Full-contact Martial Arts Act;
(6) the Illinois Certified Shorthand Reporters Act of 1984;
(7) the Illinois Farm Labor Contractor Certification Act;
(8) the Registered Interior Designers Act;
(9) the Illinois Professional Land Surveyor Act of 1989;
(10) the Landscape Architecture Registration Act;
(11) the Marriage and Family Therapy Licensing Act;
(12) the Private Employment Agency Act;
(13) the Professional Counselor and Clinical Professional Counselor Licensing and Practice Act;
(14) the Real Estate License Act of 2000;
(15) the Illinois Roofing Industry Licensing Act;
(16) the Professional Engineering Practice Act of 1989;
(17) the Water Well and Pump Installation Contractor's License Act;
(18) the Electrologist Licensing Act;
(19) the Auction License Act;
(20) the Illinois Architecture Practice Act of 1989;
(21) the Dietitian Nutritionist Practice Act;
(22) the Environmental Health Practitioner Licensing Act;
(23) the Funeral Directors and Embalmers Licensing Code;
(24) (blank);
(25) the Professional Geologist Licensing Act;
(26) the Illinois Public Accounting Act; and
(27) the Structural Engineering Practice Act of 1989. (Source: P.A. 102-284, eff. 8-6-21; 103-562, eff. 11-17-23.)
 becoming law.

