

1                                    AMENDMENT TO SENATE BILL 75

2            AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 75, AS AMENDED, by  
3 replacing everything after the enacting clause with the  
4 following:

5            "Section 5. The Election Code is amended by changing  
6 Sections 7-7 and 7-8 as follows:

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

8            Sec. 7-7. For the purpose of making nominations in  
9 certain instances as provided in this Article and this Act,  
10 the following committees are authorized and shall constitute  
11 the central or managing committees of each political party,  
12 viz: A State central committee, a congressional committee for  
13 each congressional district, a county central committee for  
14 each county, a municipal central committee for each city,  
15 incorporated town or village, a ward committeeman for each  
16 ward in cities containing a population of 500,000 or more; a  
17 township committeeman for each township or part of a township  
18 that lies outside of cities having a population of 200,000 or  
19 more, in counties having a population of 2,000,000 or more; a  
20 precinct committeeman for each precinct in counties having a  
21 population of less than 2,000,000; a county board district  
22 committee for each county board district created under

1 Division 2-3 of the Counties Code; a State's Attorney  
 2 committee for each group of 2 or more counties which jointly  
 3 elect a State's Attorney; a Superintendent of Multi-County  
 4 Educational Service Region committee for each group of 2 or  
 5 more counties which jointly elect a Superintendent of a  
 6 Multi-County Educational Service Region; and a judicial  
 7 subcircuit committee in a judicial circuit divided into  
 8 subcircuits Cook-County for each judicial subcircuit in that  
 9 circuit Cook-County.

10 (Source: P.A. 87-1052.)

11 (10 ILCS 5/7-8) (from Ch. 46, par. 7-8)

12 Sec. 7-8. The State central committee shall be composed  
 13 of one or two members from each congressional district in the  
 14 State and shall be elected as follows:

15 State Central Committee

16 (a) Within 30 days after the effective date of this  
 17 amendatory Act of 1983 the State central committee of each  
 18 political party shall certify to the State Board of Elections  
 19 which of the following alternatives it wishes to apply to the  
 20 State central committee of that party.

21 Alternative A. At the primary held on the third Tuesday  
 22 in March 1970, and at the primary held every 4 years  
 23 thereafter, each primary elector may vote for one candidate  
 24 of his party for member of the State central committee for  
 25 the congressional district in which he resides. The  
 26 candidate receiving the highest number of votes shall be  
 27 declared elected State central committeeman from the  
 28 district. A political party may, in lieu of the foregoing, by  
 29 a majority vote of delegates at any State convention of such  
 30 party, determine to thereafter elect the State central  
 31 committeemen in the manner following:

32 At the county convention held by such political party  
 33 State central committeemen shall be elected in the same

1 manner as provided in this Article for the election of  
2 officers of the county central committee, and such election  
3 shall follow the election of officers of the county central  
4 committee. Each elected ward, township or precinct  
5 committeeman shall cast as his vote one vote for each ballot  
6 voted in his ward, township, part of a township or precinct  
7 in the last preceding primary election of his political  
8 party. In the case of a county lying partially within one  
9 congressional district and partially within another  
10 congressional district, each ward, township or precinct  
11 committeeman shall vote only with respect to the  
12 congressional district in which his ward, township, part of a  
13 township or precinct is located. In the case of a  
14 congressional district which encompasses more than one  
15 county, each ward, township or precinct committeeman residing  
16 within the congressional district shall cast as his vote one  
17 vote for each ballot voted in his ward, township, part of a  
18 township or precinct in the last preceding primary election  
19 of his political party for one candidate of his party for  
20 member of the State central committee for the congressional  
21 district in which he resides and the Chairman of the county  
22 central committee shall report the results of the election to  
23 the State Board of Elections. The State Board of Elections  
24 shall certify the candidate receiving the highest number of  
25 votes elected State central committeeman for that  
26 congressional district.

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

30 After the effective date of this amendatory Act of the  
31 91st General Assembly, whenever a vacancy occurs in the  
32 office of Chairman of a State central committee, or at the  
33 end of the term of office of Chairman, the State central  
34 committee of each political party that has selected

1 Alternative A shall elect a Chairman who shall not be  
2 required to be a member of the State Central Committee. The  
3 Chairman shall be a registered voter in this State and of the  
4 same political party as the State central committee.

5 Alternative B. Each congressional committee shall,  
6 within 30 days after the adoption of this alternative,  
7 appoint a person of the sex opposite that of the incumbent  
8 member for that congressional district to serve as an  
9 additional member of the State central committee until his or  
10 her successor is elected at the general primary election in  
11 1986. Each congressional committee shall make this  
12 appointment by voting on the basis set forth in paragraph (e)  
13 of this Section. In each congressional district at the  
14 general primary election held in 1986 and every 4 years  
15 thereafter, the male candidate receiving the highest number  
16 of votes of the party's male candidates for State central  
17 committeeman, and the female candidate receiving the highest  
18 number of votes of the party's female candidates for State  
19 central committeewoman, shall be declared elected State  
20 central committeeman and State central committeewoman from  
21 the district. At the general primary election held in 1986  
22 and every 4 years thereafter, if all a party's candidates for  
23 State central committeemen or State central committeewomen  
24 from a congressional district are of the same sex, the  
25 candidate receiving the highest number of votes shall be  
26 declared elected a State central committeeman or State  
27 central committeewoman from the district, and, because of a  
28 failure to elect one male and one female to the committee, a  
29 vacancy shall be declared to exist in the office of the  
30 second member of the State central committee from the  
31 district. This vacancy shall be filled by appointment by the  
32 congressional committee of the political party, and the  
33 person appointed to fill the vacancy shall be a resident of  
34 the congressional district and of the sex opposite that of

1 the committeeman or committeewoman elected at the general  
2 primary election. Each congressional committee shall make  
3 this appointment by voting on the basis set forth in  
4 paragraph (e) of this Section.

5 The Chairman of a State central committee composed as  
6 provided in this Alternative B must be selected from the  
7 committee's members.

8 Except as provided for in Alternative A with respect to  
9 the selection of the Chairman of the State central committee,  
10 under both of the foregoing alternatives, the State central  
11 committee of each political party shall be composed of  
12 members elected or appointed from the several congressional  
13 districts of the State, and of no other person or persons  
14 whomsoever. The members of the State central committee  
15 shall, within 30 days after each quadrennial election of the  
16 full committee, meet in the city of Springfield and organize  
17 by electing a chairman, and may at such time elect such  
18 officers from among their own number (or otherwise), as they  
19 may deem necessary or expedient. The outgoing chairman of the  
20 State central committee of the party shall, 10 days before  
21 the meeting, notify each member of the State central  
22 committee elected at the primary of the time and place of  
23 such meeting. In the organization and proceedings of the  
24 State central committee, each State central committeeman and  
25 State central committeewoman shall have one vote for each  
26 ballot voted in his or her congressional district by the  
27 primary electors of his or her party at the primary election  
28 immediately preceding the meeting of the State central  
29 committee. Whenever a vacancy occurs in the State central  
30 committee of any political party, the vacancy shall be filled  
31 by appointment of the chairmen of the county central  
32 committees of the political party of the counties located  
33 within the congressional district in which the vacancy occurs  
34 and, if applicable, the ward and township committeemen of the

1 political party in counties of 2,000,000 or more inhabitants  
2 located within the congressional district. If the  
3 congressional district in which the vacancy occurs lies  
4 wholly within a county of 2,000,000 or more inhabitants, the  
5 ward and township committeemen of the political party in that  
6 congressional district shall vote to fill the vacancy. In  
7 voting to fill the vacancy, each chairman of a county central  
8 committee and each ward and township committeeman in counties  
9 of 2,000,000 or more inhabitants shall have one vote for each  
10 ballot voted in each precinct of the congressional district  
11 in which the vacancy exists of his or her county, township,  
12 or ward cast by the primary electors of his or her party at  
13 the primary election immediately preceding the meeting to  
14 fill the vacancy in the State central committee. The person  
15 appointed to fill the vacancy shall be a resident of the  
16 congressional district in which the vacancy occurs, shall be  
17 a qualified voter, and, in a committee composed as provided  
18 in Alternative B, shall be of the same sex as his or her  
19 predecessor. A political party may, by a majority vote of the  
20 delegates of any State convention of such party, determine to  
21 return to the election of State central committeeman and  
22 State central committeewoman by the vote of primary electors.  
23 Any action taken by a political party at a State convention  
24 in accordance with this Section shall be reported to the  
25 State Board of Elections by the chairman and secretary of  
26 such convention within 10 days after such action.

27 Ward, Township and Precinct Committeemen

28 (b) At the primary held on the third Tuesday in March,  
29 1972, and every 4 years thereafter, each primary elector in  
30 cities having a population of 200,000 or over may vote for  
31 one candidate of his party in his ward for ward committeeman.  
32 Each candidate for ward committeeman must be a resident of  
33 and in the ward where he seeks to be elected ward  
34 committeeman. The one having the highest number of votes

1 shall be such ward committeeman of such party for such ward.  
2 At the primary election held on the third Tuesday in March,  
3 1970, and every 4 years thereafter, each primary elector in  
4 counties containing a population of 2,000,000 or more,  
5 outside of cities containing a population of 200,000 or more,  
6 may vote for one candidate of his party for township  
7 committeeman. Each candidate for township committeeman must  
8 be a resident of and in the township or part of a township  
9 (which lies outside of a city having a population of 200,000  
10 or more, in counties containing a population of 2,000,000 or  
11 more), and in which township or part of a township he seeks  
12 to be elected township committeeman. The one having the  
13 highest number of votes shall be such township committeeman  
14 of such party for such township or part of a township. At the  
15 primary held on the third Tuesday in March, 1970 and every 2  
16 years thereafter, each primary elector, except in counties  
17 having a population of 2,000,000 or over, may vote for one  
18 candidate of his party in his precinct for precinct  
19 committeeman. Each candidate for precinct committeeman must  
20 be a bona fide resident of the precinct where he seeks to be  
21 elected precinct committeeman. The one having the highest  
22 number of votes shall be such precinct committeeman of such  
23 party for such precinct. The official returns of the primary  
24 shall show the name of the committeeman of each political  
25 party.

26 Terms of Committeemen. All precinct committeemen elected  
27 under the provisions of this Article shall continue as such  
28 committeemen until the date of the primary to be held in the  
29 second year after their election. Except as otherwise  
30 provided in this Section for certain State central  
31 committeemen who have 2 year terms, all State central  
32 committeemen, township committeemen and ward committeemen  
33 shall continue as such committeemen until the date of primary  
34 to be held in the fourth year after their election. However,

1 a vacancy exists in the office of precinct committeeman when  
2 a precinct committeeman ceases to reside in the precinct in  
3 which he was elected and such precinct committeeman shall  
4 thereafter neither have nor exercise any rights, powers or  
5 duties as committeeman in that precinct, even if a successor  
6 has not been elected or appointed.

7 (c) The Multi-Township Central Committee shall consist  
8 of the precinct committeemen of such party, in the  
9 multi-township assessing district formed pursuant to Section  
10 2-10 of the Property Tax Code and shall be organized for the  
11 purposes set forth in Section 45-25 of the Township Code. In  
12 the organization and proceedings of the Multi-Township  
13 Central Committee each precinct committeeman shall have one  
14 vote for each ballot voted in his precinct by the primary  
15 electors of his party at the primary at which he was elected.

16 County Central Committee

17 (d) The county central committee of each political party  
18 in each county shall consist of the various township  
19 committeemen, precinct committeemen and ward committeemen, if  
20 any, of such party in the county. In the organization and  
21 proceedings of the county central committee, each precinct  
22 committeeman shall have one vote for each ballot voted in his  
23 precinct by the primary electors of his party at the primary  
24 at which he was elected; each township committeeman shall  
25 have one vote for each ballot voted in his township or part  
26 of a township as the case may be by the primary electors of  
27 his party at the primary election for the nomination of  
28 candidates for election to the General Assembly immediately  
29 preceding the meeting of the county central committee; and in  
30 the organization and proceedings of the county central  
31 committee, each ward committeeman shall have one vote for  
32 each ballot voted in his ward by the primary electors of his  
33 party at the primary election for the nomination of  
34 candidates for election to the General Assembly immediately



1 preceding the meeting of the county central committee.

2 Congressional Committee

3 (e) The congressional committee of each party in each  
4 congressional district shall be composed of the chairmen of  
5 the county central committees of the counties composing the  
6 congressional district, except that in congressional  
7 districts wholly within the territorial limits of one county,  
8 or partly within 2 or more counties, but not coterminous with  
9 the county lines of all of such counties, the precinct  
10 committeemen, township committeemen and ward committeemen, if  
11 any, of the party representing the precincts within the  
12 limits of the congressional district, shall compose the  
13 congressional committee. A State central committeeman in each  
14 district shall be a member and the chairman or, when a  
15 district has 2 State central committeemen, a co-chairman of  
16 the congressional committee, but shall not have the right to  
17 vote except in case of a tie.

18 In the organization and proceedings of congressional  
19 committees composed of precinct committeemen or township  
20 committeemen or ward committeemen, or any combination  
21 thereof, each precinct committeeman shall have one vote for  
22 each ballot voted in his precinct by the primary electors of  
23 his party at the primary at which he was elected, each  
24 township committeeman shall have one vote for each ballot  
25 voted in his township or part of a township as the case may  
26 be by the primary electors of his party at the primary  
27 election immediately preceding the meeting of the  
28 congressional committee, and each ward committeeman shall  
29 have one vote for each ballot voted in each precinct of his  
30 ward located in such congressional district by the primary  
31 electors of his party at the primary election immediately  
32 preceding the meeting of the congressional committee; and in  
33 the organization and proceedings of congressional committees  
34 composed of the chairmen of the county central committees of

1 the counties within such district, each chairman of such  
 2 county central committee shall have one vote for each ballot  
 3 voted in his county by the primary electors of his party at  
 4 the primary election immediately preceding the meeting of the  
 5 congressional committee.

6 Judicial District Committee

7 (f) The judicial district committee of each political  
 8 party in each judicial district shall be composed of the  
 9 chairman of the county central committees of the counties  
 10 composing the judicial district.

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

18 Circuit Court Committee

19 (g) The circuit court committee of each political party  
 20 in each judicial circuit outside Cook County shall be  
 21 composed of the chairmen of the county central committees of  
 22 the counties composing the judicial circuit.

23 In the organization and proceedings of circuit court  
 24 committees, each chairman of a county central committee shall  
 25 have one vote for each ballot voted in his county by the  
 26 primary electors of his party at the primary election  
 27 immediately preceding the meeting of the circuit court  
 28 committee.

29 Judicial Subcircuit Committee

30 (g-1) The judicial subcircuit committee of each  
 31 political party in each judicial subcircuit in a judicial  
 32 circuit divided into subcircuits Cook--County shall be  
 33 composed of (i) the ward and township committeemen of the  
 34 townships and wards composing the judicial subcircuit in Cook

1 County and (ii) the precinct committeemen of the precincts  
2 composing the judicial subcircuit in any county other than  
3 Cook County.

4 In the organization and proceedings of each judicial  
5 subcircuit committee, each township committeeman shall have  
6 one vote for each ballot voted in his township or part of a  
7 township, as the case may be, in the judicial subcircuit by  
8 the primary electors of his party at the primary election  
9 immediately preceding the meeting of the judicial subcircuit  
10 committee; each precinct committeeman shall have one vote for  
11 each ballot voted in his precinct or part of a precinct, as  
12 the case may be, in the judicial subcircuit by the primary  
13 electors of his party at the primary election immediately  
14 preceding the meeting of the judicial subcircuit committee;  
15 and each ward committeeman shall have one vote for each  
16 ballot voted in his ward or part of a ward, as the case may  
17 be, in the judicial subcircuit by the primary electors of his  
18 party at the primary election immediately preceding the  
19 meeting of the judicial subcircuit committee.

20 Municipal Central Committee

21 (h) The municipal central committee of each political  
22 party shall be composed of the precinct, township or ward  
23 committeemen, as the case may be, of such party representing  
24 the precincts or wards, embraced in such city, incorporated  
25 town or village. The voting strength of each precinct,  
26 township or ward committeeman on the municipal central  
27 committee shall be the same as his voting strength on the  
28 county central committee.

29 For political parties, other than a statewide political  
30 party, established only within a municipality or township,  
31 the municipal or township managing committee shall be  
32 composed of the party officers of the local established  
33 party. The party officers of a local established party shall  
34 be as follows: the chairman and secretary of the caucus for

1 those municipalities and townships authorized by statute to  
2 nominate candidates by caucus shall serve as party officers  
3 for the purpose of filling vacancies in nomination under  
4 Section 7-61; for municipalities and townships authorized by  
5 statute or ordinance to nominate candidates by petition and  
6 primary election, the party officers shall be the party's  
7 candidates who are nominated at the primary. If no party  
8 primary was held because of the provisions of Section 7-5,  
9 vacancies in nomination shall be filled by the party's  
10 remaining candidates who shall serve as the party's officers.

11 Powers

12 (i) Each committee and its officers shall have the  
13 powers usually exercised by such committees and by the  
14 officers thereof, not inconsistent with the provisions of  
15 this Article. The several committees herein provided for  
16 shall not have power to delegate any of their powers, or  
17 functions to any other person, officer or committee, but this  
18 shall not be construed to prevent a committee from appointing  
19 from its own membership proper and necessary subcommittees.

20 (j) The State central committee of a political party  
21 which elects its members by Alternative B under paragraph (a)  
22 of this Section shall adopt a plan to give effect to the  
23 delegate selection rules of the national political party and  
24 file a copy of such plan with the State Board of Elections  
25 when approved by a national political party.

26 (k) For the purpose of the designation of a proxy by a  
27 Congressional Committee to vote in place of an absent State  
28 central committeeman or committeewoman at meetings of the  
29 State central committee of a political party which elects its  
30 members by Alternative B under paragraph (a) of this Section,  
31 the proxy shall be appointed by the vote of the ward and  
32 township committeemen, if any, of the wards and townships  
33 which lie entirely or partially within the Congressional  
34 District from which the absent State central committeeman or

1     committeewoman was elected and the vote of the chairmen of  
2     the county central committees of those counties which lie  
3     entirely or partially within that Congressional District and  
4     in which there are no ward or township committeemen. When  
5     voting for such proxy the county chairman, ward committeeman  
6     or township committeeman, as the case may be shall have one  
7     vote for each ballot voted in his county, ward or township,  
8     or portion thereof within the Congressional District, by the  
9     primary electors of his party at the primary at which he was  
10    elected. However, the absent State central committeeman or  
11    committeewoman may designate a proxy when permitted by the  
12    rules of a political party which elects its members by  
13    Alternative B under paragraph (a) of this Section.

14    (Source: P.A. 90-627, eff. 7-10-98; 91-426, eff. 8-6-99.)

15           Section 10. The Circuit Courts Act is amended by changing  
16    Sections 1 and 2 and by adding Sections 2f-1, 2f-2, 2f-4, and  
17    2f-5 as follows:

18           (705 ILCS 35/1) (from Ch. 37, par. 72.1)

19           Sec. 1. Judicial circuits created. The county of Cook  
20    shall be one judicial circuit and the State of Illinois,  
21    exclusive of the county of Cook, shall be and is divided into  
22    judicial circuits as follows:

23           First Circuit--The counties of Alexander, Pulaski,  
24    Massac, Pope, Johnson, Union, Jackson, Williamson and Saline.

25           Second Circuit--The counties of Hardin, Gallatin, White,  
26    Hamilton, Franklin, Wabash, Edwards, Wayne, Jefferson,  
27    Richland, Lawrence and Crawford.

28           Third Circuit--The counties of Madison and Bond.

29           Fourth Circuit--The counties of Clinton, Marion, Clay,  
30    Fayette, Effingham, Jasper, Montgomery, Shelby and Christian.

31           Fifth Circuit--The counties of Vermilion, Edgar, Clark,  
32    Cumberland and Coles.

1 Sixth Circuit--The counties of Champaign, Douglas,  
2 Moultrie, Macon, DeWitt and Piatt.

3 Seventh Circuit--The counties of Sangamon, Macoupin,  
4 Morgan, Scott, Greene and Jersey.

5 Eighth Circuit--The counties of Adams, Schuyler, Mason,  
6 Cass, Brown, Pike, Calhoun and Menard.

7 Ninth Circuit--The counties of Knox, Warren, Henderson,  
8 Hancock, McDonough and Fulton.

9 Tenth Circuit--The counties of Peoria, Marshall, Putnam,  
10 Stark and Tazewell.

11 Eleventh Circuit--The counties of McLean, Livingston,  
12 Logan, Ford and Woodford.

13 Twelfth Circuit--The county of Will.

14 Thirteenth Circuit--The counties of Bureau, LaSalle and  
15 Grundy.

16 Fourteenth Circuit--The counties of Rock Island, Mercer,  
17 Whiteside and Henry.

18 Fifteenth Circuit--The counties of JoDaviess, Stephenson,  
19 Carroll, Ogle and Lee.

20 Sixteenth Circuit--The counties of Kane, DeKalb and  
21 Kendall.

22 Seventeenth Circuit--The counties of Winnebago and Boone.

23 Eighteenth Circuit--The county of DuPage.

24 Nineteenth Circuit--Before December 4, 2006, the counties  
25 of Lake and McHenry. On and after December 4, 2006, the  
26 County of Lake.

27 Twentieth Circuit--The counties of Randolph, Monroe, St.  
28 Clair, Washington and Perry.

29 Twenty-first Circuit--The counties of Iroquois and  
30 Kankakee.

31 Twenty-second Circuit--On and after December 4, 2006, the  
32 County of McHenry.

33 (Source: P.A. 84-1030.)

1 (705 ILCS 35/2) (from Ch. 37, par. 72.2)

2 Sec. 2. Circuit judges shall be elected at the general  
3 elections and for terms as provided in Article VI of the  
4 Illinois Constitution. Ninety-four circuit judges shall be  
5 elected in the Circuit of Cook County and 3 circuit judges  
6 shall be elected in each of the other circuits, but in  
7 circuits other than Cook County containing a population of  
8 230,000 or more inhabitants and in which there is included a  
9 county containing a population of 200,000 or more  
10 inhabitants, or in circuits other than Cook County containing  
11 a population of 270,000 or more inhabitants, according to the  
12 last preceding federal census and in the circuit where the  
13 seat of State government is situated at the time fixed by law  
14 for the nomination of judges of the Circuit Court in such  
15 circuit and in any circuit which meets the requirements set  
16 out in Section 2a of this Act, 4 circuit judges shall be  
17 elected in the manner provided by law. In circuits other  
18 than Cook County in which each county in the circuit has a  
19 population of 475,000 or more, 4 circuit judges shall be  
20 elected in addition to the 4 circuit judges provided for in  
21 this Section. In any circuit composed of 2 counties having a  
22 total population of 350,000 or more, one circuit judge shall  
23 be elected in addition to the 4 circuit judges provided for  
24 in this Section.

25 Notwithstanding the provisions of this Section or any  
26 other law, the number of at large judgeships of the 12th  
27 judicial circuit may be reduced by one or 2 judgeships as  
28 provided in subsection (a-10) of Section 2f-4.

29 The several judges of the circuit courts of this State,  
30 before entering upon the duties of their office, shall take  
31 and subscribe the following oath or affirmation, which shall  
32 be filed in the office of the Secretary of State:

33 "I do solemnly swear (or affirm, as the case may be) that  
34 I will support the constitution of the United States, and the

1 constitution of the State of Illinois, and that I will  
2 faithfully discharge the duties of judge of.... court,  
3 according to the best of my ability."

4 One of the 3 additional circuit judgeships authorized by  
5 this amendatory Act in circuits other than Cook County in  
6 which each county in the circuit has a population of 475,000  
7 or more may be filled when this Act becomes law. The 2  
8 remaining circuit judgeships in such circuits shall not be  
9 filled until on or after July 1, 1977.

10 (Source: P.A. 86-786; 86-1478.)

11 (705 ILCS 35/2f-1 new)

12 Sec. 2f-1. 19th and 22nd judicial circuits.

13 (a) On December 4, 2006, the 19th judicial circuit is  
14 divided into the 19th and 22nd judicial circuits as provided  
15 in Section 1 of the Circuit Courts Act. This division does  
16 not invalidate any action taken by the 19th judicial circuit  
17 or any of its judges, officers, employees, or agents before  
18 December 4, 2006. This division does not affect any person's  
19 rights, obligations, or duties, including applicable civil  
20 and criminal penalties, arising out of any action taken by  
21 the 19th judicial circuit or any of its judges, officers,  
22 employees, or agents before December 4, 2006.

23 (b) Of the 7 circuit judgeships elected at large in the  
24 19th circuit before the general election in 2006, the Supreme  
25 Court shall assign 5 to the 19th circuit and 2 to the 22nd  
26 circuit, based on residency of the circuit judges then  
27 holding those judgeships. The 5 assigned to the 19th circuit  
28 shall continue to be elected at large. The 2 assigned to the  
29 22nd circuit shall continue to be elected at large.

30 (c) The 6 resident judgeships elected from Lake County  
31 before the general election in 2006 shall become resident  
32 judgeships in the 19th circuit on December 4, 2006, and the 3  
33 resident judgeships elected from McHenry County before the



1 general election in 2006 shall become resident judgeships in  
2 the 22nd circuit on December 4, 2006.

3 (d) On December 4, 2006, the Supreme Court shall  
4 allocate the associate judgeships of the 19th circuit before  
5 that date between the 19th and 22nd circuits based on the  
6 population of those circuits.

7 (e) On December 4, 2006, the Supreme Court shall  
8 allocate personnel, books, records, documents, property (real  
9 and personal), funds, assets, liabilities, and pending  
10 matters concerning the 19th circuit before that date between  
11 the 19th and 22nd circuits based on the population and  
12 staffing needs of those circuits and the efficient and proper  
13 administration of the judicial system. The rights of  
14 employees under applicable collective bargaining agreements  
15 are not affected by this amendatory Act of the 93rd General  
16 Assembly.

17 (f) The judgeships set forth in this Section include the  
18 judgeships authorized under Sections 2g, 2h, and 2j. The  
19 judgeships authorized in those Sections are not in addition  
20 to those set forth in this Section.

21 (705 ILCS 35/2f-2 new)

22 Sec. 2f-2. 19th judicial circuit; subcircuits.

23 (a) The 19th circuit shall be divided into 6  
24 subcircuits. The subcircuits shall be compact, contiguous,  
25 and substantially equal in population. The General Assembly  
26 by law shall create the subcircuits on or before February 1,  
27 2004, using population data as determined by the 2000 federal  
28 census, and shall determine a numerical order for the 6  
29 subcircuits. That numerical order shall be the basis for the  
30 order in which resident judgeships are assigned to the  
31 subcircuits. Once a resident judgeship is assigned to a  
32 subcircuit, it shall continue to be assigned to that  
33 subcircuit for all purposes.

1       (b) The 19th circuit shall have a total of 6 resident  
2 judgeships.

3       (c) The Supreme Court shall allot (i) all vacancies in  
4 resident judgeships of the 19th circuit existing on or  
5 occurring on or after the effective date of this amendatory  
6 Act of the 93rd General Assembly and not filled at the 2004  
7 general election and (ii) the resident judgeships of the 19th  
8 circuit filled at the 2004 general election as those  
9 judgeships thereafter become vacant, for election from the  
10 various subcircuits until there is one resident judge to be  
11 elected from each subcircuit. No resident judge of the 19th  
12 circuit serving on the effective date of this amendatory Act  
13 of the 93rd General Assembly shall be required to change his  
14 or her residency in order to continue serving in office or to  
15 seek retention in office as resident judgeships are allotted  
16 by the Supreme Court in accordance with this Section.

17       (d) A resident judge of a subcircuit must reside in the  
18 subcircuit and must continue to reside in that subcircuit as  
19 long as he or she holds that office.

20       (e) Vacancies in resident judgeships of the 19th circuit  
21 shall be filled in the manner provided in Article VI of the  
22 Illinois Constitution.

23       (705 ILCS 35/2f-4 new)

24       Sec. 2f-4. 12th circuit; subcircuits; additional judges.

25       (a) The 12th circuit shall be divided into 5  
26 subcircuits. The subcircuits shall be compact, contiguous,  
27 and substantially equal in population. The General Assembly  
28 by law shall create the subcircuits on or before February 1,  
29 2004, using population data as determined by the 2000 federal  
30 census, and shall determine a numerical order for the 5  
31 subcircuits. That numerical order shall be the basis for the  
32 order in which resident judgeships are assigned to the  
33 subcircuits. Once a resident judgeship is assigned to a

1 subcircuit, it shall continue to be assigned to that  
2 subcircuit for all purposes.

3 (a-5) Two of the 12th circuit's associate judgeships  
4 shall be allotted as 12th circuit resident judgeships under  
5 subsection (c) as those associate judgeships are converted to  
6 resident judgeships in accordance with Section 2 of the  
7 Associate Judges Act.

8 (a-10) Of the 12th circuit's 10 existing circuit  
9 judgeships (8 at large and 2 resident), 2 shall be allotted  
10 as 12th circuit resident judgeships under subsection (c) as  
11 the first 2 of any of those at large and resident judgeships  
12 become vacant on or after the effective date of this  
13 amendatory Act of the 93rd General Assembly. As used in this  
14 subsection, a vacancy does not include the expiration of a  
15 term of an at large or resident judge who seeks retention in  
16 that office at the next term.

17 (b) The 12th circuit shall have one additional resident  
18 judgeship, as well as its 2 existing resident judgeships, 8  
19 at large judgeships, and 2 former associate judgeships, for a  
20 total of 13 judgeships available to be allotted to the 5  
21 subcircuit resident judgeships. The additional resident  
22 judgeship created by this amendatory Act of the 93rd General  
23 Assembly shall be filled by election beginning at the general  
24 election in 2006. After the subcircuits are created by law,  
25 the Supreme Court shall fill by appointment the additional  
26 resident judgeship created by this amendatory Act of the 93rd  
27 General Assembly until the 2006 general election.

28 (c) The Supreme Court shall allot (i) the additional  
29 resident judgeship of the 12th circuit created by this  
30 amendatory Act of the 93rd General Assembly, (ii) the first 2  
31 vacancies in the at large and resident judgeships of the 12th  
32 circuit as provided in subsection (a-10), and (iii) 2  
33 associate judgeships of the 12th circuit as they are  
34 converted to resident judgeships as provided in subsection

1 (a-5), for election from the various subcircuits until there  
2 is one resident judge to be elected from each subcircuit. No  
3 at large or resident judge of the 12th circuit serving on the  
4 effective date of this amendatory Act of the 93rd General  
5 Assembly shall be required to change his or her residency in  
6 order to continue serving in office or to seek retention in  
7 office as at large or resident judgeships are allotted by the  
8 Supreme Court in accordance with this Section.

9 (d) A resident judge of a subcircuit must reside in the  
10 subcircuit and must continue to reside in that subcircuit as  
11 long as he or she holds that office.

12 (e) Vacancies in resident judgeships of the 12th circuit  
13 shall be filled in the manner provided in Article VI of the  
14 Illinois Constitution.

15 (705 ILCS 35/2f-5 new)

16 Sec. 2f-5. 22nd circuit; subcircuits.

17 (a) The 22nd circuit shall be divided into 3  
18 subcircuits. The subcircuits shall be compact, contiguous,  
19 and substantially equal in population. The General Assembly  
20 by law shall create the subcircuits on or before February 1,  
21 2004, using population data as determined by the 2000 federal  
22 census, and shall determine a numerical order for the 3  
23 subcircuits. That numerical order shall be the basis for the  
24 order in which resident judgeships are assigned to the  
25 subcircuits. Once a resident judgeship is assigned to a  
26 subcircuit, it shall continue to be assigned to that  
27 subcircuit for all purposes.

28 (b) The 22nd circuit shall have a total of 3 resident  
29 judgeships.

30 (c) The Supreme Court shall allot (i) all vacancies in  
31 resident judgeships of the 22nd circuit existing on or  
32 occurring on or after the effective date of this amendatory  
33 Act of the 93rd General Assembly and not filled at the 2004

1 general election and (ii) the resident judgeships of the 22nd  
 2 circuit filled at the 2004 general election as those  
 3 judgeships thereafter become vacant, for election from the  
 4 various subcircuits until there is one resident judge to be  
 5 elected from each subcircuit. No resident judge of the 22nd  
 6 circuit serving on the effective date of this amendatory Act  
 7 of the 93rd General Assembly shall be required to change his  
 8 or her residency in order to continue serving in office or to  
 9 seek retention in office as resident judgeships are allotted  
 10 by the Supreme Court in accordance with this Section.

11 (d) A resident judge of a subcircuit must reside in the  
 12 subcircuit and must continue to reside in that subcircuit as  
 13 long as he or she holds that office.

14 (e) Vacancies in resident judgeships of the 22nd circuit  
 15 shall be filled in the manner provided in Article VI of the  
 16 Illinois Constitution.

17 Section 15. The Judicial Vacancies Act is amended by  
 18 changing Section 2 as follows:

19 (705 ILCS 40/2) (from Ch. 37, par. 72.42)

20 Sec. 2. (a) Except as provided in paragraphs (1), (2),  
 21 (3), and (4), and (5) of this subsection (a), vacancies in  
 22 the office of a resident circuit judge in any county or in  
 23 any unit or subcircuit of any circuit shall not be filled.

24 (1) If in any county of less than 45,000  
 25 inhabitants there remains in office no other resident  
 26 judge following the occurrence of a vacancy, such vacancy  
 27 shall be filled.

28 (2) If in any county of 45,000 or more but less  
 29 than 60,000 inhabitants there remains in office only one  
 30 resident judge following the occurrence of a vacancy,  
 31 such vacancy shall be filled.

32 (3) If in any county of 60,000 or more inhabitants,

1 other than the County of Cook or as provided in paragraph  
2 (5), there remain in office no more than 2 resident  
3 judges following the occurrence of a vacancy, such  
4 vacancy shall be filled.

5 (4) The County of Cook shall have 165 resident  
6 judges on and after the effective date of this amendatory  
7 Act of 1990. Of those resident judgeships, (i) 56 shall  
8 be those authorized before the effective date of this  
9 amendatory Act of 1990 from the unit of the Circuit of  
10 Cook County within Chicago, (ii) 27 shall be those  
11 authorized before the effective date of this amendatory  
12 Act of 1990 from the unit of the Circuit of Cook County  
13 outside Chicago, (iii) 12 shall be additional resident  
14 judgeships first elected at the general election in  
15 November of 1992, (iv) 10 shall be additional resident  
16 judgeships first elected at the general election in  
17 November of 1994, and (v) 60 shall be additional resident  
18 judgeships to be authorized one each for each reduction  
19 upon vacancy in the office of associate judge in the  
20 Circuit of Cook County as those vacancies exist or occur  
21 on and after the effective date of this amendatory Act of  
22 1990 and as those vacancies are determined under  
23 subsection (b) of Section 2 of the Associate Judges Act  
24 until the total resident judgeships authorized under this  
25 item (v) is 60. Seven of the 12 additional resident  
26 judgeships provided in item (iii) may be filled by  
27 appointment by the Supreme Court during the period  
28 beginning on the effective date of this amendatory Act of  
29 1990 and ending 60 days before the primary election in  
30 March of 1992; those judicial appointees shall serve  
31 until the first Monday in December of 1992. Five of the  
32 12 additional resident judgeships provided in item (iii)  
33 may be filled by appointment by the Supreme Court during  
34 the period beginning July 1, 1991 and ending 60 days

1 before the primary election in March of 1992; those  
2 judicial appointees shall serve until the first Monday in  
3 December of 1992. Five of the 10 additional resident  
4 judgeships provided in item (iv) may be filled by  
5 appointment by the Supreme Court during the period  
6 beginning July 1, 1992 and ending 60 days before the  
7 primary election in March of 1994; those judicial  
8 appointees shall serve until the first Monday in December  
9 of 1994. The remaining 5 of the 10 additional resident  
10 judgeships provided in item (iv) may be filled by  
11 appointment by the Supreme Court during the period  
12 beginning July 1, 1993 and ending 60 days before the  
13 primary election in March of 1994; those judicial  
14 appointees shall serve until the first Monday in December  
15 1994. The additional resident judgeships created upon  
16 vacancy in the office of associate judge provided in item  
17 (v) may be filled by appointment by the Supreme Court  
18 beginning on the effective date of this amendatory Act of  
19 1990; but no additional resident judgeships created upon  
20 vacancy in the office of associate judge provided in item  
21 (v) shall be filled during the 59 day period before the  
22 next primary election to nominate judges. The Circuit of  
23 Cook County shall be divided into units to be known as  
24 subcircuits as provided in Section 2f of the Circuit  
25 Courts Act. A vacancy in the office of resident judge of  
26 the Circuit of Cook County existing on or occurring on or  
27 after the effective date of this amendatory Act of 1990,  
28 but before the date the subcircuits are created by law,  
29 shall be filled by appointment by the Supreme Court from  
30 the unit within Chicago or the unit outside Chicago, as  
31 the case may be, in which the vacancy occurs and filled  
32 by election from the subcircuit to which it is allotted  
33 under Section 2f of the Circuit Courts Act. A vacancy in  
34 the office of resident judge of the Circuit of Cook

1 County existing on or occurring on or after the date the  
2 subcircuits are created by law shall be filled by  
3 appointment by the Supreme Court and by election from the  
4 subcircuit to which it is allotted under Section 2f of  
5 the Circuit Courts Act.

6 (5) Resident judges in the 12th, 19th, and 22nd  
7 judicial circuits are as provided in Sections 2f-1, 2f-2,  
8 2f-4, and 2f-5 of the Circuit Courts Act.

9 (b) Nothing in paragraphs (2) or (3) of subsection (a)  
10 of this Section shall be construed to require or permit in  
11 any county a greater number of resident judges than there  
12 were resident associate judges on January 1, 1967.

13 (c) Vacancies authorized to be filled by this Section 2  
14 shall be filled in the manner provided in Article VI of the  
15 Constitution.

16 (d) A person appointed to fill a vacancy in the office  
17 of circuit judge shall be, at the time of appointment, a  
18 resident of the subcircuit from which the person whose  
19 vacancy is being filled was elected if the vacancy occurred  
20 in a circuit divided into subcircuits Cook-County. If a  
21 vacancy in the office of circuit judge occurred in a circuit  
22 not divided into subcircuits other-than-Cook-County, a person  
23 appointed to fill the vacancy shall be, at the time of  
24 appointment, a resident of the circuit from which the person  
25 whose vacancy is being filled was elected. Except as  
26 provided in Sections 2f-1, 2f-2, 2f-4, and 2f-5 of the  
27 Circuit Courts Act, if a vacancy occurred in the office of a  
28 resident circuit judge, a person appointed to fill the  
29 vacancy shall be, at the time of appointment, a resident of  
30 the county from which the person whose vacancy is being  
31 filled was elected.

32 (Source: P.A. 90-342, eff. 8-8-97.)

33 Section 20. The Associate Judges Act is amended by



1 changing Section 2 as follows:

2 (705 ILCS 45/2) (from Ch. 37, par. 160.2)

3 Sec. 2. (a) The maximum number of associate judges  
4 authorized for each circuit is the greater of the applicable  
5 minimum number specified in this Section or one for each  
6 35,000 or fraction thereof in population as determined by the  
7 last preceding Federal census, except for circuits with a  
8 population of more than 3,000,000 where the maximum number of  
9 associate judges is one for each 29,000 or fraction thereof  
10 in population as determined by the last preceding federal  
11 census, reduced in circuits of less than 200,000 inhabitants  
12 by the number of resident circuit judges elected in the  
13 circuit in excess of one per county. In addition, in  
14 circuits of 1,000,000 or more inhabitants, there shall be one  
15 additional associate judge authorized for each municipal  
16 district of the circuit court. The number of associate judges  
17 to be appointed in each circuit, not to exceed the maximum  
18 authorized, shall be determined from time to time by the  
19 Circuit Court. The minimum number of associate judges  
20 authorized for any circuit consisting of a single county  
21 shall be 14, except that the minimum in the 22nd circuit  
22 shall be 8. The minimum number of associate judges  
23 authorized for any circuit consisting of 2 counties with a  
24 combined population of at least 275,000 but less than 300,000  
25 shall be 10. The minimum number of associate judges  
26 authorized for any circuit with a population of at least  
27 303,000 but not more than 309,000 shall be 10. The minimum  
28 number of associate judges authorized for any circuit with a  
29 population of at least 329,000, but not more than 335,000  
30 shall be 11. The minimum number of associate judges  
31 authorized for any circuit with a population of at least  
32 173,000 shall be 5. As used in this Section, the term  
33 "resident circuit judge" has the meaning given it in the

1 Judicial Vacancies Act.

2 (b) The maximum number of associate judges authorized  
3 under subsection (a) for a circuit with a population of more  
4 than 3,000,000 shall be reduced as provided in this  
5 subsection (b). For each vacancy that exists on or occurs on  
6 or after the effective date of this amendatory Act of 1990,  
7 that maximum number shall be reduced by one until the total  
8 number of associate judges authorized under subsection (a) is  
9 reduced by 60. A vacancy exists or occurs when an associate  
10 judge dies, resigns, retires, is removed, or is not  
11 reappointed upon expiration of his or her term; a vacancy  
12 does not exist or occur at the expiration of a term if the  
13 associate judge is reappointed.

14 (c) The maximum number of associate judges authorized  
15 under subsection (a) for the 12th judicial circuit shall be  
16 reduced as provided in this subsection (c). For each vacancy  
17 that exists on or occurs after the effective date of this  
18 amendatory Act of the 93rd General Assembly, that maximum  
19 number shall be reduced by one until the total number of  
20 associate judges authorized under subsection (a) is reduced  
21 by 2. A vacancy exists or occurs when (i) a new associate  
22 judgeship has been authorized under subsection (a) for the  
23 12th judicial circuit, but has not been filled by appointment  
24 or (ii) an associate judge dies, resigns, retires, is  
25 removed, or is not reappointed upon expiration of his or her  
26 term. A vacancy does not exist or occur at the expiration of  
27 a term if the associate judge is reappointed.

28 (Source: P.A. 92-17, eff. 6-28-01.)

29 Section 99. Effective date. This Act takes effect upon  
30 becoming law."