

1 AN ACT concerning elections.

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 1A-8, 2A-1.1, 7-8, 8-4, and 9-10 as follows:

6 (10 ILCS 5/1A-8) (from Ch. 46, par. 1A-8)

7 Sec. 1A-8. The State Board of Elections shall exercise the
8 following powers and perform the following duties in addition
9 to any powers or duties otherwise provided for by law:

10 (1) Assume all duties and responsibilities of the State
11 Electoral Board and the Secretary of State as heretofore
12 provided in this Act;

13 (2) Disseminate information to and consult with
14 election authorities concerning the conduct of elections
15 and registration in accordance with the laws of this State
16 and the laws of the United States;

17 (3) Furnish to each election authority prior to each
18 primary and general election and any other election it
19 deems necessary, a manual of uniform instructions
20 consistent with the provisions of this Act which shall be
21 used by election authorities in the preparation of the
22 official manual of instruction to be used by the judges of
23 election in any such election. In preparing such manual,

1 the State Board shall consult with representatives of the
2 election authorities throughout the State. The State Board
3 may provide separate portions of the uniform instructions
4 applicable to different election jurisdictions which
5 administer elections under different options provided by
6 law. The State Board may by regulation require particular
7 portions of the uniform instructions to be included in any
8 official manual of instructions published by election
9 authorities. Any manual of instructions published by any
10 election authority shall be identical with the manual of
11 uniform instructions issued by the Board, but may be
12 adapted by the election authority to accommodate special or
13 unusual local election problems, provided that all manuals
14 published by election authorities must be consistent with
15 the provisions of this Act in all respects and must receive
16 the approval of the State Board of Elections prior to
17 publication; provided further that if the State Board does
18 not approve or disapprove of a proposed manual within 60
19 days of its submission, the manual shall be deemed
20 approved.

21 (4) Prescribe and require the use of such uniform
22 forms, notices, and other supplies not inconsistent with
23 the provisions of this Act as it shall deem advisable which
24 shall be used by election authorities in the conduct of
25 elections and registrations;

26 (5) Prepare and certify the form of ballot for any

1 proposed amendment to the Constitution of the State of
2 Illinois, or any referendum to be submitted to the electors
3 throughout the State or, when required to do so by law, to
4 the voters of any area or unit of local government of the
5 State;

6 (6) Require such statistical reports regarding the
7 conduct of elections and registration from election
8 authorities as may be deemed necessary;

9 (7) Review and inspect procedures and records relating
10 to conduct of elections and registration as may be deemed
11 necessary, and to report violations of election laws to the
12 appropriate State's Attorney;

13 (8) Recommend to the General Assembly legislation to
14 improve the administration of elections and registration;

15 (9) Adopt, amend or rescind rules and regulations in
16 the performance of its duties provided that all such rules
17 and regulations must be consistent with the provisions of
18 this Article 1A or issued pursuant to authority otherwise
19 provided by law;

20 (10) Determine the validity and sufficiency of
21 petitions filed under Article XIV, Section 3, of the
22 Constitution of the State of Illinois of 1970;

23 (11) Maintain in its principal office a research
24 library that includes, but is not limited to, abstracts of
25 votes by precinct for general primary elections and general
26 elections, current precinct maps and current precinct poll

1 lists from all election jurisdictions within the State. The
2 research library shall be open to the public during regular
3 business hours. Such abstracts, maps and lists shall be
4 preserved as permanent records and shall be available for
5 examination and copying at a reasonable cost;

6 (12) Supervise the administration of the registration
7 and election laws throughout the State;

8 (13) Obtain from the Department of Central Management
9 Services, under Section 405-250 of the Department of
10 Central Management Services Law (20 ILCS 405/405-250),
11 such use of electronic data processing equipment as may be
12 required to perform the duties of the State Board of
13 Elections and to provide election-related information to
14 candidates, public and party officials, interested civic
15 organizations and the general public in a timely and
16 efficient manner; and

17 (14) To take such action as may be necessary or
18 required to give effect to directions of the national
19 committee or State central committee of an established
20 political party under Sections 7-8, 7-11 and 7-14.1 or such
21 other provisions as may be applicable pertaining to the
22 selection of delegates and alternate delegates to an
23 established political party's national nominating
24 conventions or, notwithstanding any candidate
25 certification schedule contained within the Election Code,
26 the certification of the Presidential and Vice

1 Presidential candidate selected by the established
2 political party's national nominating convention ~~in 2004~~.

3 The Board may by regulation delegate any of its duties or
4 functions under this Article, except that final determinations
5 and orders under this Article shall be issued only by the
6 Board.

7 The requirement for reporting to the General Assembly shall
8 be satisfied by filing copies of the report with the Speaker,
9 the Minority Leader and the Clerk of the House of
10 Representatives and the President, the Minority Leader and the
11 Secretary of the Senate and the Legislative Research Unit, as
12 required by Section 3.1 of "An Act to revise the law in
13 relation to the General Assembly", approved February 25, 1874,
14 as amended, and filing such additional copies with the State
15 Government Report Distribution Center for the General Assembly
16 as is required under paragraph (t) of Section 7 of the State
17 Library Act.

18 (Source: P.A. 93-686, eff. 7-8-04.)

19 (10 ILCS 5/2A-1.1) (from Ch. 46, par. 2A-1.1)

20 Sec. 2A-1.1. All Elections - Consolidated Schedule. (a) In
21 even-numbered years, the general election shall be held on the
22 first Tuesday after the first Monday of November; and an
23 election to be known as the general primary election shall be
24 held on the first ~~third~~ Tuesday in February ~~March~~;

25 (b) In odd-numbered years, an election to be known as the

1 consolidated election shall be held on the first Tuesday in
2 April except as provided in Section 2A-1.1a of this Act; and an
3 election to be known as the consolidated primary election shall
4 be held on the last Tuesday in February.

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

6 (10 ILCS 5/7-8) (from Ch. 46, par. 7-8)

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

10 State Central Committee

11 (a) Within 30 days after the effective date of this
12 amendatory Act of 1983 the State central committee of each
13 political party shall certify to the State Board of Elections
14 which of the following alternatives it wishes to apply to the
15 State central committee of that party.

16 Alternative A. At the primary ~~held on the third Tuesday~~ in
17 ~~March~~ 1970~~7~~, and at the general primary election held every 4
18 years thereafter, each primary elector may vote for one
19 candidate of his party for member of the State central
20 committee for the congressional district in which he resides.
21 The candidate receiving the highest number of votes shall be
22 declared elected State central committeeman from the district.
23 A political party may, in lieu of the foregoing, by a majority
24 vote of delegates at any State convention of such party,
25 determine to thereafter elect the State central committeemen in

1 the manner following:

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

1 State central committeeman for that congressional district.

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

5 After the effective date of this amendatory Act of the 91st
6 General Assembly, whenever a vacancy occurs in the office of
7 Chairman of a State central committee, or at the end of the
8 term of office of Chairman, the State central committee of each
9 political party that has selected Alternative A shall elect a
10 Chairman who shall not be required to be a member of the State
11 Central Committee. The Chairman shall be a registered voter in
12 this State and of the same political party as the State central
13 committee.

14 Alternative B. Each congressional committee shall, within
15 30 days after the adoption of this alternative, appoint a
16 person of the sex opposite that of the incumbent member for
17 that congressional district to serve as an additional member of
18 the State central committee until his or her successor is
19 elected at the general primary election in 1986. Each
20 congressional committee shall make this appointment by voting
21 on the basis set forth in paragraph (e) of this Section. In
22 each congressional district at the general primary election
23 held in 1986 and every 4 years thereafter, the male candidate
24 receiving the highest number of votes of the party's male
25 candidates for State central committeeman, and the female
26 candidate receiving the highest number of votes of the party's

1 female candidates for State central committeewoman, shall be
2 declared elected State central committeeman and State central
3 committeewoman from the district. At the general primary
4 election held in 1986 and every 4 years thereafter, if all a
5 party's candidates for State central committeemen or State
6 central committeewomen from a congressional district are of the
7 same sex, the candidate receiving the highest number of votes
8 shall be declared elected a State central committeeman or State
9 central committeewoman from the district, and, because of a
10 failure to elect one male and one female to the committee, a
11 vacancy shall be declared to exist in the office of the second
12 member of the State central committee from the district. This
13 vacancy shall be filled by appointment by the congressional
14 committee of the political party, and the person appointed to
15 fill the vacancy shall be a resident of the congressional
16 district and of the sex opposite that of the committeeman or
17 committeewoman elected at the general primary election. Each
18 congressional committee shall make this appointment by voting
19 on the basis set forth in paragraph (e) of this Section.

20 The Chairman of a State central committee composed as
21 provided in this Alternative B must be selected from the
22 committee's members.

23 Except as provided for in Alternative A with respect to the
24 selection of the Chairman of the State central committee, under
25 both of the foregoing alternatives, the State central committee
26 of each political party shall be composed of members elected or

1 appointed from the several congressional districts of the
2 State, and of no other person or persons whomsoever. The
3 members of the State central committee shall, within 41 days
4 after each quadrennial election of the full committee, meet in
5 the city of Springfield and organize by electing a chairman,
6 and may at such time elect such officers from among their own
7 number (or otherwise), as they may deem necessary or expedient.
8 The outgoing chairman of the State central committee of the
9 party shall, 10 days before the meeting, notify each member of
10 the State central committee elected at the primary of the time
11 and place of such meeting. In the organization and proceedings
12 of the State central committee, each State central committeeman
13 and State central committeewoman shall have one vote for each
14 ballot voted in his or her congressional district by the
15 primary electors of his or her party at the primary election
16 immediately preceding the meeting of the State central
17 committee. Whenever a vacancy occurs in the State central
18 committee of any political party, the vacancy shall be filled
19 by appointment of the chairmen of the county central committees
20 of the political party of the counties located within the
21 congressional district in which the vacancy occurs and, if
22 applicable, the ward and township committeemen of the political
23 party in counties of 2,000,000 or more inhabitants located
24 within the congressional district. If the congressional
25 district in which the vacancy occurs lies wholly within a
26 county of 2,000,000 or more inhabitants, the ward and township

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

22 Ward, Township and Precinct Committeemen

23 (b) At the primary ~~held on the third Tuesday in March,~~
24 1972~~7~~ and at the general primary election every 4 years
25 thereafter, each primary elector in cities having a population
26 of 200,000 or over may vote for one candidate of his party in

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

1 party for such precinct. The official returns of the primary
2 shall show the name of the committeeman of each political
3 party.

4 Terms of Committeemen. All precinct committeemen elected
5 under the provisions of this Article shall continue as such
6 committeemen until the date of the primary to be held in the
7 second year after their election. Except as otherwise provided
8 in this Section for certain State central committeemen who have
9 2 year terms, all State central committeemen, township
10 committeemen and ward committeemen shall continue as such
11 committeemen until the date of primary to be held in the fourth
12 year after their election. However, a vacancy exists in the
13 office of precinct committeeman when a precinct committeeman
14 ceases to reside in the precinct in which he was elected and
15 such precinct committeeman shall thereafter neither have nor
16 exercise any rights, powers or duties as committeeman in that
17 precinct, even if a successor has not been elected or
18 appointed.

19 (c) The Multi-Township Central Committee shall consist of
20 the precinct committeemen of such party, in the multi-township
21 assessing district formed pursuant to Section 2-10 of the
22 Property Tax Code and shall be organized for the purposes set
23 forth in Section 45-25 of the Township Code. In the
24 organization and proceedings of the Multi-Township Central
25 Committee each precinct committeeman shall have one vote for
26 each ballot voted in his precinct by the primary electors of

1 his party at the primary at which he was elected.

2 County Central Committee

3 (d) The county central committee of each political party in
4 each county shall consist of the various township committeemen,
5 precinct committeemen and ward committeemen, if any, of such
6 party in the county. In the organization and proceedings of the
7 county central committee, each precinct committeeman shall
8 have one vote for each ballot voted in his precinct by the
9 primary electors of his party at the primary at which he was
10 elected; each township committeeman shall have one vote for
11 each ballot voted in his township or part of a township as the
12 case may be by the primary electors of his party at the primary
13 election for the nomination of candidates for election to the
14 General Assembly immediately preceding the meeting of the
15 county central committee; and in the organization and
16 proceedings of the county central committee, each ward
17 committeeman shall have one vote for each ballot voted in his
18 ward by the primary electors of his party at the primary
19 election for the nomination of candidates for election to the
20 General Assembly immediately preceding the meeting of the
21 county central committee.

22 Cook County Board of Review Election District Committee

23 (d-1) Each board of review election district committee of
24 each political party in Cook County shall consist of the
25 various township committeemen and ward committeemen, if any, of
26 that party in the portions of the county composing the board of

1 review election district. In the organization and proceedings
2 of each of the 3 election district committees, each township
3 committeeman shall have one vote for each ballot voted in his
4 or her township or part of a township, as the case may be, by
5 the primary electors of his or her party at the primary
6 election immediately preceding the meeting of the board of
7 review election district committee; and in the organization and
8 proceedings of each of the 3 election district committees, each
9 ward committeeman shall have one vote for each ballot voted in
10 his or her ward or part of that ward, as the case may be, by the
11 primary electors of his or her party at the primary election
12 immediately preceding the meeting of the board of review
13 election district committee.

14 Congressional Committee

15 (e) The congressional committee of each party in each
16 congressional district shall be composed of the chairmen of the
17 county central committees of the counties composing the
18 congressional district, except that in congressional districts
19 wholly within the territorial limits of one county, or partly
20 within 2 or more counties, but not coterminous with the county
21 lines of all of such counties, the precinct committeemen,
22 township committeemen and ward committeemen, if any, of the
23 party representing the precincts within the limits of the
24 congressional district, shall compose the congressional
25 committee. A State central committeeman in each district shall
26 be a member and the chairman or, when a district has 2 State

1 central committeemen, a co-chairman of the congressional
2 committee, but shall not have the right to vote except in case
3 of a tie.

4 In the organization and proceedings of congressional
5 committees composed of precinct committeemen or township
6 committeemen or ward committeemen, or any combination thereof,
7 each precinct committeeman shall have one vote for each ballot
8 voted in his precinct by the primary electors of his party at
9 the primary at which he was elected, each township committeeman
10 shall have one vote for each ballot voted in his township or
11 part of a township as the case may be by the primary electors
12 of his party at the primary election immediately preceding the
13 meeting of the congressional committee, and each ward
14 committeeman shall have one vote for each ballot voted in each
15 precinct of his ward located in such congressional district by
16 the primary electors of his party at the primary election
17 immediately preceding the meeting of the congressional
18 committee; and in the organization and proceedings of
19 congressional committees composed of the chairmen of the county
20 central committees of the counties within such district, each
21 chairman of such county central committee shall have one vote
22 for each ballot voted in his county by the primary electors of
23 his party at the primary election immediately preceding the
24 meeting of the congressional committee.

25 Judicial District Committee

26 (f) The judicial district committee of each political party

1 in each judicial district shall be composed of the chairman of
2 the county central committees of the counties composing the
3 judicial district.

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

11 Circuit Court Committee

12 (g) The circuit court committee of each political party in
13 each judicial circuit outside Cook County shall be composed of
14 the chairmen of the county central committees of the counties
15 composing the judicial circuit.

16 In the organization and proceedings of circuit court
17 committees, each chairman of a county central committee shall
18 have one vote for each ballot voted in his county by the
19 primary electors of his party at the primary election
20 immediately preceding the meeting of the circuit court
21 committee.

22 Judicial Subcircuit Committee

23 (g-1) The judicial subcircuit committee of each political
24 party in each judicial subcircuit in a judicial circuit divided
25 into subcircuits shall be composed of (i) the ward and township
26 committeemen of the townships and wards composing the judicial

1 subcircuit in Cook County and (ii) the precinct committeemen of
2 the precincts composing the judicial subcircuit in any county
3 other than 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 the
8 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 the
12 case may be, in the judicial subcircuit by the primary electors
13 of his party at the primary election immediately preceding the
14 meeting of the judicial subcircuit committee; and each ward
15 committeeman shall have one vote for each ballot voted in his
16 ward or part of a ward, as the case may be, in the judicial
17 subcircuit by the primary electors of his party at the primary
18 election immediately preceding the meeting of the judicial
19 subcircuit committee.

20 Municipal Central Committee

21 (h) The municipal central committee of each political party
22 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, township
26 or ward committeeman on the municipal central committee shall

1 be the same as his voting strength on the county central
2 committee.

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

19 Powers

20 (i) Each committee and its officers shall have the powers
21 usually exercised by such committees and by the officers
22 thereof, not inconsistent with the provisions of this Article.
23 The several committees herein provided for shall not have power
24 to delegate any of their powers, or functions to any other
25 person, officer or committee, but this shall not be construed
26 to prevent a committee from appointing from its own membership

1 proper and necessary subcommittees.

2 (j) The State central committee of a political party which
3 elects its members by Alternative B under paragraph (a) of this
4 Section shall adopt a plan to give effect to the delegate
5 selection rules of the national political party and file a copy
6 of such plan with the State Board of Elections when approved by
7 a national political party.

8 (k) For the purpose of the designation of a proxy by a
9 Congressional Committee to vote in place of an absent State
10 central committeeman or committeewoman at meetings of the State
11 central committee of a political party which elects its members
12 by Alternative B under paragraph (a) of this Section, the proxy
13 shall be appointed by the vote of the ward and township
14 committeemen, if any, of the wards and townships which lie
15 entirely or partially within the Congressional District from
16 which the absent State central committeeman or committeewoman
17 was elected and the vote of the chairmen of the county central
18 committees of those counties which lie entirely or partially
19 within that Congressional District and in which there are no
20 ward or township committeemen. When voting for such proxy the
21 county chairman, ward committeeman or township committeeman,
22 as the case may be shall have one vote for each ballot voted in
23 his county, ward or township, or portion thereof within the
24 Congressional District, by the primary electors of his party at
25 the primary at which he was elected. However, the absent State
26 central committeeman or committeewoman may designate a proxy

1 when permitted by the rules of a political party which elects
2 its members by Alternative B under paragraph (a) of this
3 Section.

4 Notwithstanding any law to the contrary, a person is
5 ineligible to hold the position of committeeperson in any
6 committee established pursuant to this Section if he or she is
7 statutorily ineligible to vote in a general election because of
8 conviction of a felony. When a committeeperson is convicted of
9 a felony, the position occupied by that committeeperson shall
10 automatically become vacant.

11 (Source: P.A. 93-541, eff. 8-18-03; 93-574, eff. 8-21-03;
12 93-847, eff. 7-30-04; 94-645, eff. 8-22-05.)

13 (10 ILCS 5/8-4) (from Ch. 46, par. 8-4)

14 Sec. 8-4. ~~The A primary shall be held on the third Tuesday~~
15 ~~in March of each even numbered year for the~~ nomination of
16 candidates for legislative offices shall be made at the general
17 primary election.

18 (Source: P.A. 82-750.)

19 (10 ILCS 5/9-10) (from Ch. 46, par. 9-10)

20 Sec. 9-10. Financial reports.

21 (a) The treasurer of every state political committee and
22 the treasurer of every local political committee shall file
23 with the Board, and the treasurer of every local political
24 committee shall file with the county clerk, reports of campaign

1 contributions, and semi-annual reports of campaign
2 contributions and expenditures on forms to be prescribed or
3 approved by the Board. The treasurer of every political
4 committee that acts as both a state political committee and a
5 local political committee shall file a copy of each report with
6 the State Board of Elections and the county clerk. Entities
7 subject to Section 9-7.5 shall file reports required by that
8 Section at times provided in this Section and are subject to
9 the penalties provided in this Section.

10 (b) This subsection does not apply with respect to general
11 primary elections. Reports of campaign contributions shall be
12 filed no later than the 15th day next preceding each election
13 ~~including a primary election~~ in connection with which the
14 political committee has accepted or is accepting contributions
15 or has made or is making expenditures. Such reports shall be
16 complete as of the 30th day next preceding each election
17 ~~including a primary election.~~ The Board shall assess a civil
18 penalty not to exceed \$5,000 for a violation of this
19 subsection, except that for State officers and candidates and
20 political committees formed for statewide office, the civil
21 penalty may not exceed \$10,000. The fine, however, shall not
22 exceed \$500 for a first filing violation for filing less than
23 10 days after the deadline. There shall be no fine if the
24 report is mailed and postmarked at least 72 hours prior to the
25 filing deadline. For the purpose of this subsection, "statewide
26 office" and "State officer" means the Governor, Lieutenant

1 Governor, Attorney General, Secretary of State, Comptroller,
2 and Treasurer. However, a continuing political committee that
3 does not make expenditures in excess of \$500 on behalf of or in
4 opposition to any candidate or public question on the ballot at
5 an election shall not be required to file the reports
6 ~~heretofore~~ prescribed in this subsection (b) and subsection
7 (b-5) but may file in lieu thereof a Statement of
8 Nonparticipation in the Election with the Board or the Board
9 and the county clerk ; except that if the political committee,
10 by the terms of its statement of organization filed in
11 accordance with this Article, is organized to support or oppose
12 a candidate or public question on the ballot at the next
13 election or primary, that committee must file reports required
14 by this subsection (b) and by subsection (b-5).

15 (b-5) Notwithstanding the provisions of subsection (b) and
16 Section 1.25 of the Statute on Statutes, any contribution of
17 more than \$500 received (i) with respect to elections other
18 than the general primary election, in the interim between the
19 last date of the period covered by the last report filed under
20 subsection (b) prior to the election and the date of the
21 election or (ii) with respect to general primary elections, in
22 the period beginning January 1 of the year of the general
23 primary election and prior to the date of the general primary
24 election shall be filed with and must actually be received by
25 the State Board of Elections within 2 business days after
26 receipt of such contribution. A continuing political committee

1 that does not support or oppose a candidate or public question
2 on the ballot at a general primary election and does not make
3 expenditures in excess of \$500 on behalf of or in opposition to
4 any candidate or public question on the ballot at the general
5 primary election shall not be required to file the report
6 prescribed in this subsection unless the committee makes an
7 expenditure in excess of \$500 on behalf of or in opposition to
8 any candidate or public question on the ballot at the general
9 primary election. The committee shall timely file the report
10 required under this subsection beginning with the date the
11 expenditure that triggered participation was made. The State
12 Board shall allow filings of reports of contributions of more
13 than \$500 under this subsection (b-5) by political committees
14 that are not required to file electronically to be made by
15 facsimile transmission. For the purpose of this subsection, a
16 contribution is considered received on the date the public
17 official, candidate, or political committee (or equivalent
18 person in the case of a reporting entity other than a political
19 committee) actually receives it or, in the case of goods or
20 services, 2 business days after the date the public official,
21 candidate, committee, or other reporting entity receives the
22 certification required under subsection (b) of Section 9-6.
23 Failure to report each contribution is a separate violation of
24 this subsection. In the final disposition of any matter by the
25 Board on or after the effective date of this amendatory Act of
26 the 93rd General Assembly, the Board may impose fines for

1 violations of this subsection not to exceed 100% of the total
2 amount of the contributions that were untimely reported, but in
3 no case when a fine is imposed shall it be less than 10% of the
4 total amount of the contributions that were untimely reported.
5 When considering the amount of the fine to be imposed, the
6 Board shall consider, but is not limited to, the following
7 factors:

8 (1) whether in the Board's opinion the violation was
9 committed inadvertently, negligently, knowingly, or
10 intentionally;

11 (2) the number of days the contribution was reported
12 late; and

13 (3) past violations of Sections 9-3 and 9-10 of this
14 Article by the committee.

15 (c) In addition to such reports the treasurer of every
16 political committee shall file semi-annual reports of campaign
17 contributions and expenditures no later than July 20th ~~31st~~,
18 covering the period from January 1st through June 30th
19 immediately preceding, and no later than January 20th ~~31st~~,
20 covering the period from July 1st through December 31st of the
21 preceding calendar year. Reports of contributions and
22 expenditures must be filed to cover the prescribed time periods
23 even though no contributions or expenditures may have been
24 received or made during the period. The Board shall assess a
25 civil penalty not to exceed \$5,000 for a violation of this
26 subsection, except that for State officers and candidates and

1 political committees formed for statewide office, the civil
2 penalty may not exceed \$10,000. The fine, however, shall not
3 exceed \$500 for a first filing violation for filing less than
4 10 days after the deadline. There shall be no fine if the
5 report is mailed and postmarked at least 72 hours prior to the
6 filing deadline. For the purpose of this subsection, "statewide
7 office" and "State officer" means the Governor, Lieutenant
8 Governor, Attorney General, Secretary of State, Comptroller,
9 and Treasurer.

10 (c-5) A political committee that acts as either (i) a State
11 and local political committee or (ii) a local political
12 committee and that files reports electronically under Section
13 9-28 is not required to file copies of the reports with the
14 appropriate county clerk if the county clerk has a system that
15 permits access to, and duplication of, reports that are filed
16 with the State Board of Elections. A State and local political
17 committee or a local political committee shall file with the
18 county clerk a copy of its statement of organization pursuant
19 to Section 9-3.

20 (d) A copy of each report or statement filed under this
21 Article shall be preserved by the person filing it for a period
22 of two years from the date of filing.

23 (Source: P.A. 93-574, eff. 8-21-03; 93-615, eff. 11-19-03;
24 94-645, eff. 8-22-05.)

25 Section 10. The General Assembly Compensation Act is

1 amended by changing Section 4 as follows:

2 (25 ILCS 115/4) (from Ch. 63, par. 15.1)

3 Sec. 4. Office allowance. Beginning July 1, 2001, each
4 member of the House of Representatives is authorized to approve
5 the expenditure of not more than \$61,000 per year and each
6 member of the Senate is authorized to approve the expenditure
7 of not more than \$73,000 per year to pay for "personal
8 services", "contractual services", "commodities", "printing",
9 "travel", "operation of automotive equipment",
10 "telecommunications services", as defined in the State Finance
11 Act, and the compensation of one or more legislative assistants
12 authorized pursuant to this Section, in connection with his or
13 her legislative duties and not in connection with any political
14 campaign. On July 1, 2002 and on July 1 of each year
15 thereafter, the amount authorized per year under this Section
16 for each member of the Senate and each member of the House of
17 Representatives shall be increased by a percentage increase
18 equivalent to the lesser of (i) the increase in the designated
19 cost of living index or (ii) 5%. The designated cost of living
20 index is the index known as the "Employment Cost Index, Wages
21 and Salaries, By Occupation and Industry Groups: State and
22 Local Government Workers: Public Administration" as published
23 by the Bureau of Labor Statistics of the U.S. Department of
24 Labor for the calendar year immediately preceding the year of
25 the respective July 1st increase date. The increase shall be

1 added to the then current amount, and the adjusted amount so
2 determined shall be the annual amount beginning July 1 of the
3 increase year until July 1 of the next year. No increase under
4 this provision shall be less than zero.

5 A member may purchase office equipment if the member
6 certifies to the Secretary of the Senate or the Clerk of the
7 House, as applicable, that the purchase price, whether paid in
8 lump sum or installments, amounts to less than would be charged
9 for renting or leasing the equipment over its anticipated
10 useful life. All such equipment must be purchased through the
11 Secretary of the Senate or the Clerk of the House, as
12 applicable, for proper identification and verification of
13 purchase.

14 Each member of the General Assembly is authorized to employ
15 one or more legislative assistants, who shall be solely under
16 the direction and control of that member, for the purpose of
17 assisting the member in the performance of his or her official
18 duties. A legislative assistant may be employed pursuant to
19 this Section as a full-time employee, part-time employee, or
20 contractual employee, at the discretion of the member. If
21 employed as a State employee, a legislative assistant shall
22 receive employment benefits on the same terms and conditions
23 that apply to other employees of the General Assembly. Each
24 member shall adopt and implement personnel policies for
25 legislative assistants under his or her direction and control
26 relating to work time requirements, documentation for

1 reimbursement for travel on official State business,
2 compensation, and the earning and accrual of State benefits for
3 those legislative assistants who may be eligible to receive
4 those benefits. The policies shall also require legislative
5 assistants to periodically submit time sheets documenting, in
6 quarter-hour increments, the time spent each day on official
7 State business. The policies shall require the time sheets to
8 be submitted on paper, electronically, or both and to be
9 maintained in either paper or electronic format by the
10 applicable fiscal office for a period of at least 2 years.
11 Contractual employees may satisfy the time sheets requirement
12 by complying with the terms of their contract, which shall
13 provide for a means of compliance with this requirement. A
14 member may satisfy the requirements of this paragraph by
15 adopting and implementing the personnel policies promulgated
16 by that member's legislative leader under the State Officials
17 and Employees Ethics Act with respect to that member's
18 legislative assistants.

19 As used in this Section the term "personal services" shall
20 include contributions of the State under the Federal Insurance
21 Contribution Act and under Article 14 of the Illinois Pension
22 Code. As used in this Section the term "contractual services"
23 shall not include improvements to real property unless those
24 improvements are the obligation of the lessee under the lease
25 agreement. Beginning July 1, 1989, as used in the Section, the
26 term "travel" shall be limited to travel in connection with a

1 member's legislative duties and not in connection with any
2 political campaign. Beginning on the effective date of this
3 amendatory Act of the 93rd General Assembly, as used in this
4 Section, the term "printing" includes, but is not limited to,
5 newsletters, brochures, certificates, congratulatory mailings,
6 greeting or welcome messages, anniversary or birthday cards,
7 and congratulations for prominent achievement cards. As used in
8 this Section, the term "printing" includes fees for
9 non-substantive resolutions charged by the Clerk of the House
10 of Representatives under subsection (c-5) of Section 1 of the
11 Legislative Materials Act. No newsletter or brochure that is
12 paid for, in whole or in part, with funds provided under this
13 Section may be printed or mailed during a period beginning
14 December 15 ~~February 1~~ of the year preceding ~~of~~ a general
15 primary election and ending the day after the general primary
16 election and during a period beginning September 1 of the year
17 of a general election and ending the day after the general
18 election, except that such a newsletter or brochure may be
19 mailed during those times if it is mailed to a constituent in
20 response to that constituent's inquiry concerning the needs of
21 that constituent or questions raised by that constituent.
22 Nothing in this Section shall be construed to authorize
23 expenditures for lodging and meals while a member is in
24 attendance at sessions of the General Assembly.

25 Any utility bill for service provided to a member's
26 district office for a period including portions of 2

1 consecutive fiscal years may be paid from funds appropriated
2 for such expenditure in either fiscal year.

3 If a vacancy occurs in the office of Senator or
4 Representative in the General Assembly, any office equipment in
5 the possession of the vacating member shall transfer to the
6 member's successor; if the successor does not want such
7 equipment, it shall be transferred to the Secretary of the
8 Senate or Clerk of the House of Representatives, as the case
9 may be, and if not wanted by other members of the General
10 Assembly then to the Department of Central Management Services
11 for treatment as surplus property under the State Property
12 Control Act. Each member, on or before June 30th of each year,
13 shall conduct an inventory of all equipment purchased pursuant
14 to this Act. Such inventory shall be filed with the Secretary
15 of the Senate or the Clerk of the House, as the case may be.
16 Whenever a vacancy occurs, the Secretary of the Senate or the
17 Clerk of the House, as the case may be, shall conduct an
18 inventory of equipment purchased.

19 In the event that a member leaves office during his or her
20 term, any unexpended or unobligated portion of the allowance
21 granted under this Section shall lapse. The vacating member's
22 successor shall be granted an allowance in an amount, rounded
23 to the nearest dollar, computed by dividing the annual
24 allowance by 365 and multiplying the quotient by the number of
25 days remaining in the fiscal year.

26 From any appropriation for the purposes of this Section for

1 a fiscal year which overlaps 2 General Assemblies, no more than
2 1/2 of the annual allowance per member may be spent or
3 encumbered by any member of either the outgoing or incoming
4 General Assembly, except that any member of the incoming
5 General Assembly who was a member of the outgoing General
6 Assembly may encumber or spend any portion of his annual
7 allowance within the fiscal year.

8 The appropriation for the annual allowances permitted by
9 this Section shall be included in an appropriation to the
10 President of the Senate and to the Speaker of the House of
11 Representatives for their respective members. The President of
12 the Senate and the Speaker of the House shall voucher for
13 payment individual members' expenditures from their annual
14 office allowances to the State Comptroller, subject to the
15 authority of the Comptroller under Section 9 of the State
16 Comptroller Act.

17 (Source: P.A. 93-615, eff. 11-19-03; 93-617, eff. 12-9-03.)

18 Section 15. The Legislative Commission Reorganization Act
19 of 1984 is amended by changing Section 9-2.5 as follows:

20 (25 ILCS 130/9-2.5)

21 Sec. 9-2.5. Newsletters and brochures. The Legislative
22 Printing Unit may not print for any member of the General
23 Assembly any newsletters or brochures during the period
24 beginning December 15 ~~February 1~~ of the year preceding ~~of~~ a

1 general primary election and ending the day after the general
2 primary election and during a period beginning September 1 of
3 the year of a general election and ending the day after the
4 general election. A member of the General Assembly may not
5 mail, during a period beginning December 15 ~~February 1~~ of the
6 year preceding ~~of~~ a general primary election and ending the day
7 after the general primary election and during a period
8 beginning September 1 of the year of a general election and
9 ending the day after the general election, any newsletters or
10 brochures that were printed, at any time, by the Legislative
11 Printing Unit, except that such a newsletter or brochure may be
12 mailed during those times if it is mailed to a constituent in
13 response to that constituent's inquiry concerning the needs of
14 that constituent or questions raised by that constituent.

15 (Source: P.A. 93-615, eff. 11-19-03; 93-617, eff. 12-9-03.)

16 Section 20. The School Code is amended by changing Section
17 33-1 as follows:

18 (105 ILCS 5/33-1) (from Ch. 122, par. 33-1)

19 Sec. 33-1. Board of Education - Election - Terms. In all
20 school districts, including special charter districts having a
21 population of 100,000 and not more than 500,000, which adopt
22 this Article, as hereinafter provided, there shall be
23 maintained a system of free schools in charge of a board of
24 education, which shall be a body politic and corporate by the

1 name of "Board of Education of the City of....". The board
2 shall consist of 7 members elected by the voters of the
3 district. Except as provided in Section 33-1b of this Act, the
4 regular election for members of the board shall be held at the
5 consolidated election ~~on the first Tuesday of April~~ in odd
6 numbered years and at the general primary election ~~on the third~~
7 ~~Tuesday of March~~ in even numbered years. The law governing the
8 registration of voters for the primary election shall apply to
9 the regular election. At the first regular election 7 persons
10 shall be elected as members of the board. The person who
11 receives the greatest number of votes shall be elected for a
12 term of 5 years. The 2 persons who receive the second and third
13 greatest number of votes shall be elected for a term of 4
14 years. The person who receives the fourth greatest number of
15 votes shall be elected for a term of 3 years. The 2 persons who
16 receive the fifth and sixth greatest number of votes shall be
17 elected for a term of 2 years. The person who receives the
18 seventh greatest number of votes shall be elected for a term of
19 1 year. Thereafter, at each regular election for members of the
20 board, the successors of the members whose terms expire in the
21 year of election shall be elected for a term of 5 years. All
22 terms shall commence on July 1 next succeeding the elections.
23 Any vacancy occurring in the membership of the board shall be
24 filled by appointment until the next regular election for
25 members of the board.

26 In any school district which has adopted this Article, a

1 proposition for the election of board members by school board
2 district rather than at large may be submitted to the voters of
3 the district at the regular school election of any year in the
4 manner provided in Section 9-22. If the proposition is approved
5 by a majority of those voting on the propositions, the board
6 shall divide the school district into 7 school board districts
7 as provided in Section 9-22. At the regular school election in
8 the year following the adoption of such proposition, one member
9 shall be elected from each school board district, and the 7
10 members so elected shall, by lot, determine one to serve for
11 one year, 2 for 2 years, one for 3 years, 2 for 4 years, and one
12 for 5 years. Thereafter their respective successors shall be
13 elected for terms of 5 years. The terms of all incumbent
14 members expire July 1 of the year following the adoption of
15 such a proposition.

16 Any school district which has adopted this Article may, by
17 referendum in accordance with Section 33-1a, adopt the method
18 of electing members of the board of education provided in that
19 Section.

20 Reapportionment of the voting districts provided for in
21 this Article or created pursuant to a court order, shall be
22 completed pursuant to Section 33-1c.

23 A board of education may appoint a student to the board to
24 serve in an advisory capacity. The student member shall serve
25 for a term as determined by the board. The board may not grant
26 the student member any voting privileges, but shall consider

1 the student member as an advisor. The student member may not
2 participate in or attend any executive session of the board.

3 (Source: P.A. 94-231, eff. 7-14-05.)

4 Section 99. Effective date. This Act takes effect upon
5 becoming law.