



Executive Committee

Filed: 3/11/2009

09600HB0365ham001

LRB096 05682 JAM 23647 a

1 AMENDMENT TO HOUSE BILL 365

2 AMENDMENT NO. _____. Amend House Bill 365 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Election Code is amended by changing
5 Sections 2A-1, 2A-3, 19A-15, and 25-8 as follows:

6 (10 ILCS 5/2A-1) (from Ch. 46, par. 2A-1)

7 (Text of Section WITH the changes made by P.A. 89-719,
8 which has been held unconstitutional)

9 Sec. 2A-1. All Elections - Governed by this Code -
10 Construction of Article 2A.

11 (a) No public question may be submitted to any voters in
12 this State, nor may any person be nominated for public office
13 or elected to public or political party office in this State
14 except pursuant to this Code, notwithstanding the provisions of
15 any other statute or municipal charter. However, this Code
16 shall not apply to elections for officers or public questions

1 of local school councils established pursuant to Chapter 34 of
2 the School Code, soil and water conservation districts or
3 drainage districts, except as specifically made applicable by
4 another statute.

5 (b) All elections in this State shall be held in accordance
6 with the consolidated schedule of elections established in
7 Sections 2A-1.1 and 2A-1.2. No election may be held on any date
8 other than a date on which an election is scheduled under
9 Section 2A-1.1, except a special election pursuant to Section
10 25-8, special elections to fill congressional vacancies held
11 pursuant to writs of election issued by the Governor, judicial
12 elections to fill vacancies in the office of Supreme Court
13 Judge held pursuant to writs of election issued by the Governor
14 under subsection (a-5) of Section 2A-9, township referenda and
15 votes of the town electors held at the annual town meeting,
16 emergency referenda approved pursuant to Section 2A-1.4,
17 special elections held between January 1, 1995 and July 1, 1995
18 under Section 34-53 of the School Code, and city, village or
19 incorporated town primary elections in even-numbered years
20 expressly authorized in this Article to provide for annual
21 partisan elections.

22 (c) At the respective elections established in Section
23 2A-1.1, candidates shall be elected to office, nominated for
24 election thereto or placed on the ballot as otherwise required
25 by this Code, and public questions may be submitted, as
26 specified in Section 2A-1.2.

1 (d) If the requirements of Section 2A-1.2 conflict with any
2 specific provision of Sections 2A-2 through 2A-54, as applied
3 to any office or election, the requirements of Section 2A-1.2
4 prevail, and shall be enforced by the State Board of Elections.

5 (e) In the event any court of competent jurisdiction
6 declares an election void, the court may order another election
7 without regard to the schedule of elections set forth in this
8 Article.

9 (Source: P.A. 89-719, eff. 3-7-97.)

10 (Text of Section WITHOUT the changes made by P.A. 89-719,
11 which has been held unconstitutional)

12 Sec. 2A-1. All Elections - Governed by this Code -
13 Construction of Article 2A.

14 (a) No public question may be submitted to any voters in
15 this State, nor may any person be nominated for public office
16 or elected to public or political party office in this State
17 except pursuant to this Code, notwithstanding the provisions of
18 any other statute or municipal charter. However, this Code
19 shall not apply to elections for officers or public questions
20 of local school councils established pursuant to Chapter 34 of
21 the School Code, soil and water conservation districts or
22 drainage districts, except as specifically made applicable by
23 another statute.

24 (b) All elections in this State shall be held in accordance
25 with the consolidated schedule of elections established in

1 Sections 2A-1.1 and 2A-1.2. No election may be held on any date
2 other than a date on which an election is scheduled under
3 Section 2A-1.1, except a special election pursuant to Section
4 25-8, special elections to fill congressional vacancies held
5 pursuant to writs of election issued by the Governor, township
6 referenda and votes of the town electors held at the annual
7 town meeting, emergency referenda approved pursuant to Section
8 2A-1.4, special elections held between January 1, 1995 and July
9 1, 1995 under Section 34-53 of the School Code, and city,
10 village or incorporated town primary elections in
11 even-numbered years expressly authorized in this Article to
12 provide for annual partisan elections.

13 (c) At the respective elections established in Section
14 2A-1.1, candidates shall be elected to office, nominated for
15 election thereto or placed on the ballot as otherwise required
16 by this Code, and public questions may be submitted, as
17 specified in Section 2A-1.2.

18 (d) If the requirements of Section 2A-1.2 conflict with any
19 specific provision of Sections 2A-2 through 2A-54, as applied
20 to any office or election, the requirements of Section 2A-1.2
21 prevail, and shall be enforced by the State Board of Elections.

22 (e) In the event any court of competent jurisdiction
23 declares an election void, the court may order another election
24 without regard to the schedule of elections set forth in this
25 Article.

26 (Source: P.A. 88-511.)

1 (10 ILCS 5/2A-3) (from Ch. 46, par. 2A-3)

2 Sec. 2A-3. United States Senator - Time of Election. A
3 United States Senator shall be elected at the general election
4 immediately preceding the expiration of the term of an
5 incumbent United States Senator from this State. A vacancy in
6 the office of United States Senator filled by temporary
7 appointment made prior to the effective date of this amendatory
8 Act of the 96th General Assembly shall be filled as provided in
9 Section 25-8.

10 (Source: P.A. 80-936.)

11 (10 ILCS 5/19A-15)

12 Sec. 19A-15. Period for early voting; hours.

13 (a) The period for early voting by personal appearance
14 begins the 22nd day preceding a general primary, consolidated
15 primary, consolidated election, ~~or~~ general election, or
16 special election conducted pursuant to Section 25-8 and extends
17 through the 5th day before election day.

18 (b) A permanent polling place for early voting must remain
19 open during the hours of 8:30 a.m. to 4:30 p.m., or 9:00 a.m.
20 to 5:00 p.m., on weekdays and 9:00 a.m. to 12:00 p.m. on
21 Saturdays, Sundays, and holidays.

22 (Source: P.A. 94-645, eff. 8-22-05.)

23 (10 ILCS 5/25-8) (from Ch. 46, par. 25-8)

1 Sec. 25-8. Vacancy in the office of United States Senator.

2 (a) When a vacancy shall occur in the office of United
3 States Senator from this state, the Governor shall make
4 temporary appointment to fill such vacancy until the next
5 election of representatives in Congress, at which time such
6 vacancy shall be filled by election, and the senator so elected
7 shall take office as soon thereafter as he shall receive his
8 certificate of election.

9 (b) If the regular election described in subsection (a) to
10 fill a vacancy for which a temporary appointment was made prior
11 to the effective date of this amendatory Act of the 96th
12 General Assembly is scheduled to occur more than 180 days after
13 the effective date of this amendatory Act of the 96th General
14 Assembly, the Governor shall issue a writ of election within 5
15 days after the effective date of this amendatory Act of the
16 96th General Assembly to the State Board of Elections
17 appointing a day within 115 days to hold a special election to
18 fill such vacancy. The term of the person with the temporary
19 appointment shall expire upon certification of the results of a
20 special election conducted pursuant to this subsection. The
21 person elected pursuant to this subsection shall take office as
22 soon as he or she receives a certificate of election.

23 (Source: Laws 1943, vol. 2, p. 1.)

24 Section 99. Effective date. This Act takes effect upon
25 becoming law."