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1 AMENDMENT TO HOUSE BILL 4608

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 4608 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Governmental Ethics Act is amended  
5 by changing Section 4A-101 as follows:

6 (5 ILCS 420/4A-101) (from Ch. 127, par. 604A-101)

7 Sec. 4A-101. Persons required to file. The following  
8 persons shall file verified written statements of economic  
9 interests, as provided in this Article:

10 (a) Members of the General Assembly and candidates for  
11 nomination or election to the General Assembly.

12 (b) Persons holding an elected office in the Executive  
13 Branch of this State or on the Board of Trustees of the  
14 University of Illinois, and candidates for nomination or  
15 election to these offices.

16 (c) Members of a Commission or Board created by the

1 Illinois Constitution, and candidates for nomination or  
2 election to such Commission or Board.

3 (d) Persons whose appointment to office is subject to  
4 confirmation by the Senate and persons appointed by the  
5 Governor to any other position on a board or commission  
6 described in subsection (a) of Section 15 of the  
7 Gubernatorial Boards and Commissions Act.

8 (e) Holders of, and candidates for nomination or  
9 election to, the office of judge or associate judge of the  
10 Circuit Court and the office of judge of the Appellate or  
11 Supreme Court.

12 (f) Persons who are employed by any branch, agency,  
13 authority or board of the government of this State,  
14 including but not limited to, the Illinois State Toll  
15 Highway Authority, the Illinois Housing Development  
16 Authority, the Illinois Community College Board, and  
17 institutions under the jurisdiction of the Board of  
18 Trustees of the University of Illinois, Board of Trustees  
19 of Southern Illinois University, Board of Trustees of  
20 Chicago State University, Board of Trustees of Eastern  
21 Illinois University, Board of Trustees of Governor's State  
22 University, Board of Trustees of Illinois State  
23 University, Board of Trustees of Northeastern Illinois  
24 University, Board of Trustees of Northern Illinois  
25 University, Board of Trustees of Western Illinois  
26 University, or Board of Trustees of the Illinois

1 Mathematics and Science Academy, and are compensated for  
2 services as employees and not as independent contractors  
3 and who:

4 (1) are, or function as, the head of a department,  
5 commission, board, division, bureau, authority or  
6 other administrative unit within the government of  
7 this State, or who exercise similar authority within  
8 the government of this State;

9 (2) have direct supervisory authority over, or  
10 direct responsibility for the formulation,  
11 negotiation, issuance or execution of contracts  
12 entered into by the State in the amount of \$5,000 or  
13 more;

14 (3) have authority for the issuance or  
15 promulgation of rules and regulations within areas  
16 under the authority of the State;

17 (4) have authority for the approval of  
18 professional licenses;

19 (5) have responsibility with respect to the  
20 financial inspection of regulated nongovernmental  
21 entities;

22 (6) adjudicate, arbitrate, or decide any judicial  
23 or administrative proceeding, or review the  
24 adjudication, arbitration or decision of any judicial  
25 or administrative proceeding within the authority of  
26 the State;

1           (7) have supervisory responsibility for 20 or more  
2 employees of the State;

3           (8) negotiate, assign, authorize, or grant naming  
4 rights or sponsorship rights regarding any property or  
5 asset of the State, whether real, personal, tangible,  
6 or intangible; or

7           (9) have responsibility with respect to the  
8 procurement of goods or services.

9           (g) Persons who are elected to office in a unit of  
10 local government, and candidates for nomination or  
11 election to that office, including regional  
12 superintendents of school districts.

13           (h) Persons appointed to the governing board of a unit  
14 of local government, or of a special district, and persons  
15 appointed to a zoning board, or zoning board of appeals, or  
16 to a regional, county, or municipal plan commission, or to  
17 a board of review of any county, and persons appointed to  
18 the Board of the Metropolitan Pier and Exposition Authority  
19 and any Trustee appointed under Section 22 of the  
20 Metropolitan Pier and Exposition Authority Act, and  
21 persons appointed to a board or commission of a unit of  
22 local government who have authority to authorize the  
23 expenditure of public funds. This subsection does not apply  
24 to members of boards or commissions who function in an  
25 advisory capacity.

26           (i) Persons who are employed by a unit of local

1 government and are compensated for services as employees  
2 and not as independent contractors and who:

3 (1) are, or function as, the head of a department,  
4 division, bureau, authority or other administrative  
5 unit within the unit of local government, or who  
6 exercise similar authority within the unit of local  
7 government;

8 (2) have direct supervisory authority over, or  
9 direct responsibility for the formulation,  
10 negotiation, issuance or execution of contracts  
11 entered into by the unit of local government in the  
12 amount of \$1,000 or greater;

13 (3) have authority to approve licenses and permits  
14 by the unit of local government; this item does not  
15 include employees who function in a ministerial  
16 capacity;

17 (4) adjudicate, arbitrate, or decide any judicial  
18 or administrative proceeding, or review the  
19 adjudication, arbitration or decision of any judicial  
20 or administrative proceeding within the authority of  
21 the unit of local government;

22 (5) have authority to issue or promulgate rules and  
23 regulations within areas under the authority of the  
24 unit of local government; or

25 (6) have supervisory responsibility for 20 or more  
26 employees of the unit of local government.

1           (j) Persons on the Board of Trustees of the Illinois  
2           Mathematics and Science Academy.

3           (k) Persons employed by a school district in positions  
4           that require that person to hold an administrative or a  
5           chief school business official endorsement.

6           (l) Special government agents. A "special government  
7           agent" is a person who is directed, retained, designated,  
8           appointed, or employed, with or without compensation, by or  
9           on behalf of a statewide executive branch constitutional  
10          officer to make an ex parte communication under Section  
11          5-50 of the State Officials and Employees Ethics Act or  
12          Section 5-165 of the Illinois Administrative Procedure  
13          Act.

14          (m) Members of the board of commissioners of any flood  
15          prevention district.

16          (n) Members of the board of any retirement system or  
17          investment board established under the Illinois Pension  
18          Code, if not required to file under any other provision of  
19          this Section.

20          (o) Members of the board of any pension fund  
21          established under the Illinois Pension Code, if not  
22          required to file under any other provision of this Section.

23          This Section shall not be construed to prevent any unit of  
24          local government from enacting financial disclosure  
25          requirements that mandate more information than required by  
26          this Act.

1 (Source: P.A. 95-719, eff. 5-21-08; 96-6, eff. 4-3-09; 96-543,  
2 eff. 8-17-09; 96-555, eff. 8-18-09; revised 9-21-09.)

3 Section 10. The Election Code is amended by changing  
4 Sections 2A-1.2, 7-1, 7-9, 22-1, 22-7, 23-1.1a, 23-1.2a, and  
5 23-1.13a and adding Section 2A-53.5 as follows:

6 (10 ILCS 5/2A-1.2) (from Ch. 46, par. 2A-1.2)

7 Sec. 2A-1.2. Consolidated Schedule of Elections - Offices  
8 Designated.

9 (a) At the general election in the appropriate  
10 even-numbered years, the following offices shall be filled or  
11 shall be on the ballot as otherwise required by this Code:

12 (1) Elector of President and Vice President of the  
13 United States;

14 (2) United States Senator and United States  
15 Representative;

16 (3) State Executive Branch elected officers;

17 (4) State Senator and State Representative;

18 (5) County elected officers, including State's  
19 Attorney, County Board member, County Commissioners, and  
20 elected President of the County Board or County Chief  
21 Executive;

22 (6) Circuit Court Clerk;

23 (7) Regional Superintendent of Schools, except in  
24 counties or educational service regions in which that

1 office has been abolished;

2 (8) Judges of the Supreme, Appellate and Circuit  
3 Courts, on the question of retention, to fill vacancies and  
4 newly created judicial offices;

5 (9) beginning at the general election in 2012, Trustee  
6 of the University of Illinois ~~(Blank)~~;

7 (10) Trustee of the Metropolitan Sanitary District of  
8 Chicago, and elected Trustee of other Sanitary Districts;

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

14 (b) At the general primary election:

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

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



1 be held, candidates in the Presidential preference primary  
2 shall also be on the ballot.

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

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

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

23 (1) Municipal officers, provided that in  
24 municipalities in which candidates for alderman or other  
25 municipal office are not permitted by law to be candidates  
26 of political parties, the runoff election where required by

1 law, or the nonpartisan election where required by law,  
2 shall be held on the date of the consolidated election; and  
3 provided further, in the case of municipal officers  
4 provided for by an ordinance providing the form of  
5 government of the municipality pursuant to Section 7 of  
6 Article VII of the Constitution, such offices shall be  
7 filled by election or by runoff election as may be provided  
8 by such ordinance;

9 (2) Village and incorporated town library directors;

10 (3) City boards of stadium commissioners;

11 (4) Commissioners of park districts;

12 (5) Trustees of public library districts;

13 (6) Special District elected officers, not otherwise  
14 designated in this section, where the statute creating or  
15 authorizing the creation of the district permits or  
16 requires election of candidates of political parties;

17 (7) Township officers, including township park  
18 commissioners, township library directors, and boards of  
19 managers of community buildings, and Multi-Township  
20 Assessors;

21 (8) Highway commissioners and road district clerks;

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

24 (10) The directors and chairman of the Chain O Lakes -  
25 Fox River Waterway Management Agency;

26 (11) Forest preserve district commissioners elected

1 under Section 3.5 of the Downstate Forest Preserve District  
2 Act;

3 (12) Elected members of school boards, school  
4 trustees, directors of boards of school directors,  
5 trustees of county boards of school trustees (except in  
6 counties or educational service regions having a  
7 population of 2,000,000 or more inhabitants) and members of  
8 boards of school inspectors, except school boards in school  
9 districts that adopt Article 33 of the School Code;

10 (13) Members of Community College district boards;

11 (14) Trustees of Fire Protection Districts;

12 (15) Commissioners of the Springfield Metropolitan  
13 Exposition and Auditorium Authority;

14 (16) Elected Trustees of Tuberculosis Sanitarium  
15 Districts;

16 (17) Elected Officers of special districts not  
17 otherwise designated in this Section for which the law  
18 governing those districts does not permit candidates of  
19 political parties.

20 (d) At the consolidated primary election in each  
21 odd-numbered year, candidates of political parties shall be  
22 nominated for those offices to be filled at the consolidated  
23 election in that year, except where pursuant to law nomination  
24 of candidates of political parties is made by caucus, and  
25 except those offices listed in paragraphs (12) through (17) of  
26 subsection (c).

1           At the consolidated primary election in the appropriate  
2 odd-numbered years, the mayor, clerk, treasurer, and aldermen  
3 shall be elected in municipalities in which candidates for  
4 mayor, clerk, treasurer, or alderman are not permitted by law  
5 to be candidates of political parties, subject to runoff  
6 elections to be held at the consolidated election as may be  
7 required by law, and municipal officers shall be nominated in a  
8 nonpartisan election in municipalities in which pursuant to law  
9 candidates for such office are not permitted to be candidates  
10 of political parties.

11           At the consolidated primary election in the appropriate  
12 odd-numbered years, municipal officers shall be nominated or  
13 elected, or elected subject to a runoff, as may be provided by  
14 an ordinance providing a form of government of the municipality  
15 pursuant to Section 7 of Article VII of the Constitution.

16           (e) (Blank).

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

21           Notwithstanding the regular dates for election of officers  
22 established in this Article, whenever a referendum is held for  
23 the establishment of a political subdivision whose officers are  
24 to be elected, the initial officers shall be elected at the  
25 election at which such referendum is held if otherwise so  
26 provided by law. In such cases, the election of the initial

1 officers shall be subject to the referendum.

2 Notwithstanding the regular dates for election of  
3 officials established in this Article, any community college  
4 district which becomes effective by operation of law pursuant  
5 to Section 6-6.1 of the Public Community College Act, as now or  
6 hereafter amended, shall elect the initial district board  
7 members at the next regularly scheduled election following the  
8 effective date of the new district.

9 (g) At any election established in Section 2A-1.1, if in  
10 any precinct there are no offices or public questions required  
11 to be on the ballot under this Code then no election shall be  
12 held in the precinct on that date.

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

15 (Source: P.A. 89-5, eff. 1-1-96; 89-95, eff. 1-1-96; 89-626,  
16 eff. 8-9-96; 90-358, eff. 1-1-98.)

17 (10 ILCS 5/2A-53.5 new)

18 Sec. 2A-53.5. University of Illinois; trustee; time of  
19 election. Trustees of the University of Illinois, other than  
20 the Governor, the faculty trustees, and the student trustees,  
21 shall be elected at the general election in 2012. Beginning  
22 with the general election in 2014, a trustee of the University  
23 of Illinois shall be elected at each general election to  
24 succeed each incumbent trustee whose term expires in January of  
25 the year next following that general election.

1 (10 ILCS 5/7-1) (from Ch. 46, par. 7-1)

2 Sec. 7-1. Application of Article.

3 (a) Except as otherwise provided in this Article, the  
4 nomination of all candidates for all elective State,  
5 congressional, judicial, and county officers, State's  
6 Attorneys (whether elected from a single county or from more  
7 than one county), city, village, and incorporated town and  
8 municipal officers, trustees of sanitary districts, township  
9 officers in townships of over 5,000 population coextensive with  
10 or included wholly within cities or villages not under the  
11 commission form of government, precinct, township, ward, and  
12 State central committeemen, and delegates and alternate  
13 delegates to national nominating conventions by all political  
14 parties, as defined in Section 7-2 of this Article 7, shall be  
15 made in the manner provided in this Article 7 and not  
16 otherwise. The nomination of candidates for electors of  
17 President and Vice President of the United States and for  
18 trustees of the University of Illinois shall be made only in  
19 the manner provided for in Section 7-9 of this Article.

20 (b) This Article 7 shall not apply to (i) the nomination of  
21 candidates for school elections and township elections, except  
22 in those townships specifically mentioned in subsection (a) and  
23 except in those cases in which a township central committee  
24 determines under Section 6A-2 of the Township Law of 1874 or  
25 Section 45-55 of the Township Code that its candidates for

1 township offices shall be nominated by primary in accordance  
2 with this Article, (ii) the nomination of park commissioners in  
3 park districts organized under the Park District Code, (iii)  
4 the nomination of officers of cities and villages organized  
5 under special charters, or (iv) the nomination of municipal  
6 officers for cities, villages, and incorporated towns with a  
7 population of 5,000 or less, except where a city, village, or  
8 incorporated town with a population of 5,000 or less has by  
9 ordinance determined that political parties shall nominate  
10 candidates for municipal office in the city, village, or  
11 incorporated town by primary in accordance with this Article.  
12 In that event, the municipal clerk shall certify the ordinance  
13 to the proper election officials no later than November 15 in  
14 the year preceding the consolidated primary election.

15 (c) The words "township officers" or "township offices"  
16 shall be construed, when used in this Article, to include  
17 supervisors.

18 (d) As provided in Sections 3.1-25-20 through 3.1-25-60 of  
19 the Illinois Municipal Code, a village may adopt a system of  
20 nonpartisan primary and general elections for the election of  
21 village officers.

22 (Source: P.A. 88-670, eff. 12-2-94; 89-5, eff. 1-1-96.)

23 (10 ILCS 5/7-9) (from Ch. 46, par. 7-9)

24 Sec. 7-9. County central committee; county and State  
25 conventions.

1           (a) On the 29th day next succeeding the primary at which  
2           committeemen are elected, the county central committee of each  
3           political party shall meet within the county and proceed to  
4           organize by electing from its own number a chairman and either  
5           from its own number, or otherwise, such other officers as such  
6           committee may deem necessary or expedient. Such meeting of the  
7           county central committee shall be known as the county  
8           convention.

9           The chairman of each county committee shall within 10 days  
10          after the organization, forward to the State Board of  
11          Elections, the names and post office addresses of the officers,  
12          precinct committeemen and representative committeemen elected  
13          by his political party.

14          The county convention of each political party shall choose  
15          delegates to the State convention of its party; but in any  
16          county having within its limits any city having a population of  
17          200,000, or over the delegates from such city shall be chosen  
18          by wards, the ward committeemen from the respective wards  
19          choosing the number of delegates to which such ward is entitled  
20          on the basis prescribed in paragraph (e) of this Section such  
21          delegates to be members of the delegation to the State  
22          convention from such county. In all counties containing a  
23          population of 2,000,000 or more outside of cities having a  
24          population of 200,000 or more, the delegates from each of the  
25          townships or parts of townships as the case may be shall be  
26          chosen by townships or parts of townships as the case may be,



1 the township committeemen from the respective townships or  
2 parts of townships as the case may be choosing the number of  
3 delegates to which such townships or parts of townships as the  
4 case may be are entitled, on the basis prescribed in paragraph  
5 (e) of this Section such delegates to be members of the  
6 delegation to the State convention from such county.

7 Each member of the State Central Committee of a political  
8 party which elects its members by Alternative B under paragraph  
9 (a) of Section 7-8 shall be a delegate to the State Convention,  
10 ex officio.

11 Each member of the State Central Committee of a political  
12 party which elects its members by Alternative B under paragraph  
13 (a) of Section 7-8 may appoint 2 delegates to the State  
14 Convention who must be residents of the member's Congressional  
15 District.

16 (b) State conventions shall be held within 180 days after  
17 the general primary in the year 2000 and every 4 years  
18 thereafter. In the year 1998, and every 4 years thereafter, the  
19 chairman of a State central committee may issue a call for a  
20 State convention within 180 days after the general primary.

21 The State convention of each political party has power to  
22 make nominations of candidates of its political party for the  
23 electors of President and Vice President of the United States  
24 and for trustees of the University of Illinois, ~~and~~ to adopt  
25 any party platform, and, to the extent determined by the State  
26 central committee as provided in Section 7-14, to choose and

1 select delegates and alternate delegates at large to national  
2 nominating conventions. The State Central Committee may adopt  
3 rules to provide for and govern the procedures of the State  
4 convention.

5 (c) The chairman and secretary of each State convention  
6 shall, within 2 days thereafter, transmit to the State Board of  
7 Elections of this State a certificate setting forth the names  
8 and addresses of all persons nominated by such State convention  
9 for electors of President and Vice President of the United  
10 States and for trustees of the University of Illinois, and of  
11 any persons selected by the State convention for delegates and  
12 alternate delegates at large to national nominating  
13 conventions; and the names of such candidates so chosen by such  
14 State convention for electors of President and Vice President  
15 of the United States and for trustees of the University of  
16 Illinois, shall be caused by the State Board of Elections to be  
17 printed upon the official ballot at the general election, in  
18 the manner required by law, and shall be certified to the  
19 various county clerks of the proper counties in the manner as  
20 provided in Section 7-60 of this Article 7 for the certifying  
21 of the names of persons nominated by any party for State  
22 offices. If and as long as this Act prescribes that the names  
23 of such electors be not printed on the ballot, then the names  
24 of such electors shall be certified in such manner as may be  
25 prescribed by the parts of this Act applicable thereto.

26 (d) Each convention may perform all other functions

1 inherent to such political organization and not inconsistent  
2 with this Article.

3 (e) At least 33 days before the date of a State convention,  
4 the chairman of the State central committee of each political  
5 party shall file in the principal office of the State Board of  
6 Elections a call for the State convention. Such call shall  
7 state, among other things, the time and place (designating the  
8 building or hall) for holding the State convention. Such call  
9 shall be signed by the chairman and attested by the secretary  
10 of the committee. In such convention each county shall be  
11 entitled to one delegate for each 500 ballots voted by the  
12 primary electors of the party in such county at the primary to  
13 be held next after the issuance of such call; and if in such  
14 county, less than 500 ballots are so voted or if the number of  
15 ballots so voted is not exactly a multiple of 500, there shall  
16 be one delegate for such group which is less than 500, or for  
17 such group representing the number of votes over the multiple  
18 of 500, which delegate shall have  $1/500$  of one vote for each  
19 primary vote so represented by him. The call for such  
20 convention shall set forth this paragraph (e) of Section 7-9 in  
21 full and shall direct that the number of delegates to be chosen  
22 be calculated in compliance herewith and that such number of  
23 delegates be chosen.

24 (f) All precinct, township and ward committeemen when  
25 elected as provided in this Section shall serve as though  
26 elected at large irrespective of any changes that may be made

1 in precinct, township or ward boundaries and the voting  
2 strength of each committeeman shall remain as provided in this  
3 Section for the entire time for which he is elected.

4 (g) The officers elected at any convention provided for in  
5 this Section shall serve until their successors are elected as  
6 provided in this Act.

7 (h) A special meeting of any central committee may be  
8 called by the chairman, or by not less than 25% of the members  
9 of such committee, by giving 5 days notice to members of such  
10 committee in writing designating the time and place at which  
11 such special meeting is to be held and the business which it is  
12 proposed to present at such special meeting.

13 (i) Except as otherwise provided in this Act, whenever a  
14 vacancy exists in the office of precinct committeeman because  
15 no one was elected to that office or because the precinct  
16 committeeman ceases to reside in the precinct or for any other  
17 reason, the chairman of the county central committee of the  
18 appropriate political party may fill the vacancy in such office  
19 by appointment of a qualified resident of the county and the  
20 appointed precinct committeeman shall serve as though elected;  
21 however, no such appointment may be made between the general  
22 primary election and the 30th day after the general primary  
23 election.

24 (j) If the number of Congressional Districts in the State  
25 of Illinois is reduced as a result of reapportionment of  
26 Congressional Districts following a federal decennial census,

1 the State Central Committeemen and Committeewomen of a  
2 political party which elects its State Central Committee by  
3 either Alternative A or by Alternative B under paragraph (a) of  
4 Section 7-8 who were previously elected shall continue to serve  
5 as if no reapportionment had occurred until the expiration of  
6 their terms.

7 (Source: P.A. 93-847, eff. 7-30-04.)

8 (10 ILCS 5/22-1) (from Ch. 46, par. 22-1)

9 Sec. 22-1. Abstracts of votes. Within 21 days after the  
10 close of the election at which candidates for offices  
11 hereinafter named in this Section are voted upon, the election  
12 authorities of the respective counties shall open the returns  
13 and make abstracts of the votes on a separate sheet for each of  
14 the following:

15 A. For Governor and Lieutenant Governor;

16 B. For State officers;

17 C. For presidential electors;

18 D. For United States Senators and Representatives to  
19 Congress;

20 E. For judges of the Supreme Court;

21 F. For judges of the Appellate Court;

22 G. For judges of the circuit court;

23 H. For Senators and Representatives to the General  
24 Assembly;

25 I. For State's Attorneys elected from 2 or more

1 counties;

2 J. For amendments to the Constitution, and for other  
3 propositions submitted to the electors of the entire State;

4 K. For county officers and for propositions submitted  
5 to the electors of the county only;

6 L. For Regional Superintendent of Schools;

7 M. For trustees of Sanitary Districts; ~~and~~

8 N. For Trustee of a Regional Board of School Trustees;  
9 and-

10 O. For trustees of the University of Illinois.

11 Each sheet shall report the returns by precinct or ward.

12 Multiple originals of each of the sheets shall be prepared  
13 and one of each shall be turned over to the chairman of the  
14 county central committee of each of the then existing  
15 established political parties, as defined in Section 10-2, or  
16 his duly authorized representative immediately after the  
17 completion of the entries on the sheets and before the totals  
18 have been compiled.

19 The foregoing abstracts shall be preserved by the election  
20 authority in its office.

21 Whenever any county clerk is unable to canvass the vote,  
22 the deputy county clerk or a designee of the county clerk shall  
23 serve in his or her place.

24 The powers and duties of the election authority canvassing  
25 the votes are limited to those specified in this Section.

26 No person who is shown by the election authority's

1 proclamation to have been elected at the consolidated election  
2 or general election as a write-in candidate shall take office  
3 unless that person has first filed with the certifying office  
4 or board a statement of candidacy pursuant to Section 7-10 or  
5 Section 10-5, a statement pursuant to Section 7-10.1, and a  
6 receipt for filing a statement of economic interests in  
7 relation to the unit of government to which he or she has been  
8 elected. For officers elected at the consolidated election, the  
9 certifying officer shall notify the election authority of the  
10 receipt of those documents, and the county clerk shall issue  
11 the certification of election under the provisions of Section  
12 22-18.

13 (Source: P.A. 94-645, eff. 8-22-05; 94-647, eff. 1-1-06;  
14 95-331, eff. 8-21-07.)

15 (10 ILCS 5/22-7) (from Ch. 46, par. 22-7)

16 Sec. 22-7. Canvass of votes; declaration and proclamation  
17 of result. The State Board of Elections<sup>7</sup> shall proceed<sub>4</sub> within  
18 31 days after the election, and sooner if all the returns are  
19 received, to canvass the votes given for United States Senators  
20 and Representatives to Congress, State executive officers,  
21 judges of the Supreme Court, judges of the Appellate Court,  
22 judges of the Circuit Court, Senators, Representatives to the  
23 General Assembly, State's Attorneys and Regional  
24 Superintendents of Schools elected from 2 or more counties, and  
25 trustees of the University of Illinois, respectively, and the

1 persons having the highest number of votes for the respective  
2 offices shall be declared duly elected, but if it appears that  
3 more than the number of persons to be elected have the highest  
4 and an equal number of votes for the same office, the electoral  
5 board shall decide by lot which of such persons shall be  
6 elected; and to each person duly elected, the Governor shall  
7 give a certificate of election or commission, as the case may  
8 require, and shall cause proclamation to be made of the result  
9 of the canvass, and they shall at the same time and in the same  
10 manner, canvass the vote cast upon amendments to the  
11 Constitution, and upon other propositions submitted to the  
12 electors of the entire State; and the Governor shall cause to  
13 be made such proclamation of the result of the canvass as the  
14 statutes elsewhere provide. The State Board of Elections shall  
15 transmit to the State Comptroller a list of the persons elected  
16 to the various offices. The State Board of Elections shall also  
17 transmit to the Supreme Court the names of persons elected to  
18 judgeships in adversary elections and the names of judges who  
19 fail to win retention in office.

20 No person who is shown by the canvassing board's  
21 proclamation to have been elected at the consolidated election  
22 or general election as a write-in candidate shall take office  
23 unless that person has first filed with the certifying office  
24 or board a statement of candidacy pursuant to Section 7-10 or  
25 Section 10-5, a statement pursuant to Section 7-10.1, and a  
26 receipt for filing a statement of economic interests in



1 relation to the unit of government to which he or she has been  
2 elected. For officers elected at the consolidated election, the  
3 certifying officer shall notify the election authority of the  
4 receipt of those documents, and the county clerk shall issue  
5 the certification of election under the provisions of Section  
6 22-18.

7 (Source: P.A. 93-847, eff. 7-30-04; 94-645, eff. 8-22-05.)

8 (10 ILCS 5/23-1.1a) (from Ch. 46, par. 23-1.1a)

9 Sec. 23-1.1a. Election contest - Statewide - Jurisdiction.  
10 The Supreme Court shall have jurisdiction over contests of the  
11 results of any election, including a primary, for an elected  
12 officer provided for in Article V of the Constitution and for  
13 trustee of the University of Illinois, and shall retain  
14 jurisdiction throughout the course of such election contests.

15 (Source: P.A. 89-5, eff. 1-1-96.)

16 (10 ILCS 5/23-1.2a) (from Ch. 46, par. 23-1.2a)

17 Sec. 23-1.2a. Election contest - Statewide offices - Who  
18 may contest - Time and place for filing - Fee. The results of  
19 an election, including a primary, for an elected executive  
20 officer provided for in Article V of the Constitution or for  
21 trustee of the University of Illinois may be challenged (1) by  
22 any candidate whose name was on the ballot for that office, (2)  
23 by any person who filed a declaration of intent to be a  
24 write-in candidate for that office, or (3) by any person who

1 voted in that election, provided that such person's challenge  
2 is supported by a verified petition signed by persons who voted  
3 in the election in a number no less than the largest number of  
4 signatures required to nominate a person to be a candidate of  
5 any political party which nominated a candidate for the office  
6 being contested.

7 Any person, including a candidate, qualified pursuant to  
8 this Section and desiring to contest the results of an election  
9 for such an office shall, within 15 days of the date of the  
10 official proclamation of results of such election, file a  
11 Petition of State Election Contest with the clerk of the  
12 Supreme Court together with a filing fee in the amount of  
13 \$10,000.

14 (Source: P.A. 89-5, eff. 1-1-96.)

15 (10 ILCS 5/23-1.13a) (from Ch. 46, par. 23-1.13a)

16 Sec. 23-1.13a. If any of the powers or duties to be  
17 exercised or performed by the Supreme Court under Sections  
18 23-1.1a through 23-1.12a may not constitutionally be exercised  
19 or performed by the Supreme Court by reason of jurisdictional  
20 limitations, then Sections 23-1.1a through 23-1.12a shall  
21 nonetheless continue to govern contests of elections for  
22 elected officers provided for in Article V of the Constitution  
23 and for trustees of the University of Illinois, and in such  
24 event the Supreme Court shall, pursuant to its general  
25 administrative and supervisory powers, assign to a circuit

1 court those adjudicatory powers and duties with respect to such  
2 a contest as may not be exercised or performed by the Supreme  
3 Court, subject to appropriate judicial review.

4 (Source: P.A. 89-5, eff. 1-1-96.)

5 Section 15. The University of Illinois Act is amended by  
6 changing Section 11 as follows:

7 (110 ILCS 305/11) (from Ch. 144, par. 32)

8 Sec. 11. No elected or selected member of the Board of  
9 Trustees shall receive any compensation for attending on the  
10 meetings of the Board, but they shall be reimbursed for their  
11 actual and necessary expenses while engaged in the performance  
12 of their duties. Expenses necessarily incurred by any  
13 non-voting faculty or student member may, at the discretion of  
14 the President of the Board, be provided for by advance payment  
15 to such member, who shall account therefor to the Board  
16 immediately after each meeting. At all the stated and other  
17 meetings of the Board of Trustees, called by the regent or  
18 corresponding secretary, or any 4 ~~5~~ members of the Board, a  
19 majority of the members shall constitute a quorum, provided all  
20 the members have been duly notified.

21 At each regular and special meeting that is open to the  
22 public, members of the public and employees of the University  
23 shall be afforded time, subject to reasonable constraints, to  
24 make comments to or ask questions of the Board.

1 (Source: P.A. 91-715, eff. 1-1-01.)

2 Section 20. The University of Illinois Trustees Act is  
3 amended by changing Sections 1 and 3 as follows:

4 (110 ILCS 310/1) (from Ch. 144, par. 41)

5 Sec. 1. Membership.

6 (a) Until all of the new members initially to be elected  
7 under this amendatory Act of the 96th General Assembly have  
8 taken office, the ~~The~~ Board of Trustees of the University of  
9 Illinois shall consist of the Governor, as a non-voting member  
10 except in the case of a tie, and at least 12 trustees, with 9-  
11 ~~Nine~~ trustees ~~shall be~~ appointed by the Governor, by and with  
12 the advice and consent of the Senate. The term of each  
13 appointed member of the Board of Trustees shall terminate when  
14 all of the new members initially to be elected under this  
15 amendatory Act of the 96th General Assembly have taken office.

16 Beginning on the date when all of the new members initially  
17 to be elected under this amendatory Act of the 96th General  
18 Assembly have taken office, the Board of Trustees shall consist  
19 of the Governor and at least 15 voting members. Seven of these  
20 members shall be elected in the manner provided by law, with 3  
21 members elected from the First Judicial District and one member  
22 elected from each of the 4 other judicial districts. These 7  
23 trustees shall initially be elected at the general election in  
24 2012. Beginning with the general election in 2014, a trustee

1 shall be elected at each general election to succeed each  
2 incumbent trustee whose term expires in January of the year  
3 next following that general election. A petition for nomination  
4 of a candidate for member of the Board of Trustees shall be  
5 signed by at least 0.5% of the total number of registered  
6 voters in the judicial district in which the person is a  
7 candidate for nomination. Six voting members of the Board of  
8 Trustees shall be appointed by the University of Illinois  
9 Alumni Association, one of whom must have an agricultural  
10 background. Upon appointment, these 6 members shall draw lots  
11 to determine the length of their respective initial terms. The  
12 initial terms shall be 2 members for a 2-year term, 2 members  
13 for a 4-year term, and 2 members for a 6-year term. Upon the  
14 expiration of each member's term, the University of Illinois  
15 Alumni Association shall appoint a replacement. The other  
16 trustees shall be faculty members and students, of whom one  
17 student and one faculty member shall be selected from each  
18 University campus.

19 (b) Each student trustee shall serve a term of one year,  
20 beginning on July 1 or on the date of his or her selection,  
21 whichever is later, and expiring on the next succeeding June  
22 30.

23 (c) Each trustee shall have all of the privileges of  
24 membership, except that only one student trustee and one  
25 faculty trustee shall have the right to cast a legally binding  
26 vote. One member of the student trustees and one member of the

1 faculty trustees shall ~~The Governor shall designate which one~~  
2 ~~of the student trustees shall~~ possess, for their ~~his or her~~  
3 entire term, the right to cast a legally binding vote. The  
4 voting member of the student trustees shall initially be  
5 selected by random lot by the student trustees to serve for his  
6 or her term. Each year, the voting member of the student  
7 trustees must be from a different campus. The campus with the  
8 voting student member shall rotate each year based on an order  
9 chosen by random lot. The voting member of the faculty trustees  
10 shall initially be selected by random lot by the faculty  
11 trustees to serve for his or her term. Each year, the voting  
12 member of the faculty trustees must be from a different campus.  
13 The campus with the voting faculty member shall rotate each  
14 year based on an order chosen by random lot. Each student and  
15 faculty trustee who does not possess the right to cast a  
16 legally binding vote shall have the right to cast an advisory  
17 vote and the right to make and second motions and to attend  
18 executive sessions.

19 (c-5) The non-voting student and faculty trustees and the  
20 Governor may cast advisory votes. The Governor may only cast a  
21 vote if there is a tie in voting by all the voting trustees.

22 (d) Each trustee shall be governed by the same conflict of  
23 interest standards. Pursuant to those standards, it shall not  
24 be a conflict of interest for a student trustee to vote on  
25 matters pertaining to students generally, such as tuition and  
26 fees, or for a faculty trustee to vote on matters pertaining to

1 faculty generally or specifically. However, it shall be a  
2 conflict of interest for a student trustee or faculty trustee  
3 to vote on faculty member tenure or promotion.

4 (e) Student trustees shall be chosen by campus-wide student  
5 election, ~~and the student trustee designated by the Governor to~~  
6 ~~possess a legally binding vote shall be one of the students~~  
7 ~~selected by this method~~. A student trustee who does not possess  
8 a legally binding vote on a measure at a meeting of the Board  
9 or any of its committees shall not be considered a trustee for  
10 the purpose of determining whether a quorum is present at the  
11 time that measure is voted upon. To be eligible for selection  
12 as a student trustee and to be eligible to remain as a voting  
13 or nonvoting student trustee, a student trustee must be a  
14 resident of this State, must have and maintain a grade point  
15 average that is equivalent to at least 2.5 on a 4.0 scale, and  
16 must be a full time student enrolled at all times during his or  
17 her term of office except for that part of the term which  
18 follows the completion of the last full regular semester of an  
19 academic year and precedes the first full regular semester of  
20 the succeeding academic year at the University (sometimes  
21 commonly referred to as the summer session or summer school).  
22 If a voting or nonvoting student trustee fails to continue to  
23 meet or maintain the residency, minimum grade point average, or  
24 enrollment requirement established by this Section, his or her  
25 membership on the Board shall be deemed to have terminated by  
26 operation of law.

1           If a voting student trustee resigns or otherwise ceases to  
2 serve on the Board, ~~the Governor shall, within 30 days,~~  
3 ~~designate one of the remaining student trustees~~ shall determine  
4 which one of them shall ~~to~~ possess the right to cast a legally  
5 binding vote for the remainder of his or her term. However, if  
6 a student trustee has served more than one term and during one  
7 of those terms, he or she was selected to possess a legally  
8 binding vote, then he or she is ineligible to be selected again  
9 to possess a legally binding vote. If the remaining student  
10 trustees fail to come to an agreement on which student trustee  
11 shall possess a legally binding vote, none of the remaining  
12 student trustees may possess a legally binding vote for the  
13 remainder of their term. If a nonvoting student trustee resigns  
14 or otherwise ceases to serve on the Board, the chief executive  
15 of the student government from that campus shall, within 30  
16 days, select a new nonvoting student trustee to serve for the  
17 remainder of the term.

18           (f) Until those members elected at the general election in  
19 2012 have taken office, no more than 5 of the 9 appointed  
20 trustees shall be affiliated with the same political party.  
21 ~~Each trustee appointed by the Governor must be a resident of~~  
22 ~~this State. A failure to meet or maintain this residency~~  
23 ~~requirement constitutes a resignation from and creates a~~  
24 ~~vacancy in the Board.~~ The term of office of each of these  
25 appointed trustees ~~trustee~~ shall be 6 years from the third  
26 Monday in January of each odd numbered year. The regular terms



1 of office of these ~~the~~ appointed trustees shall be staggered so  
2 that 3 terms expire in each odd-numbered year. Vacancies for  
3 these appointed trustees shall be filled for the unexpired term  
4 in the same manner as original appointments. If these vacancies  
5 ~~a vacancy~~ in membership occur ~~occurs~~ at a time when the Senate  
6 is not in session, the Governor shall make temporary  
7 appointments until the next meeting of the Senate, when he  
8 shall appoint persons to fill such memberships for the  
9 remainder of their respective terms. ~~If the Senate is not in~~  
10 ~~session when appointments for a full term are made,~~  
11 ~~appointments shall be made as in the case of vacancies.~~

12 The term of office of each elected trustee shall be 6 years  
13 from the third Monday in January next succeeding his or her  
14 election and until his or her successor is elected and  
15 qualified. However, the 3 members from the First Judicial  
16 District initially elected pursuant to this amendatory Act of  
17 the 96th General Assembly shall draw lots to determine one of  
18 their number to serve a one-year term, one of their number to  
19 serve a 3-year term, and one of their number to serve a 5-year  
20 term. The other 4 members initially elected pursuant to this  
21 amendatory Act of the 96th General Assembly shall draw lots to  
22 determine 2 of their number to serve a one-year term, one of  
23 their number to serve a 3-year term, and one of their number to  
24 serve a 5-year term. In case of a vacancy in an elected  
25 trustee's seat, the vacancy shall be filled by appointment by  
26 the Governor (i) for the unexpired term if 28 or fewer months

1 remain in the term or (ii) if more than 28 months remain in the  
2 term, until a trustee is elected at the next general election  
3 to serve for the unexpired term and is qualified.

4 (g) Each faculty trustee shall serve a term of one year,  
5 beginning on July 1 or on the date of his or her selection,  
6 whichever is later, and expiring on the next succeeding June  
7 30.

8 The faculty senate of each campus of the University shall  
9 select a faculty member of that campus to serve as a faculty  
10 trustee. To be eligible for selection as a faculty trustee and  
11 to be eligible to remain as a voting or nonvoting faculty  
12 trustee, a faculty trustee must be a resident of this State and  
13 must be employed as a full-time faculty member at that campus  
14 at all times during his or her term of office. If a voting or  
15 nonvoting faculty trustee fails to continue to meet or maintain  
16 the residency or employment requirement established by this  
17 Section, his or her membership on the Board shall be deemed to  
18 have terminated by operation of law.

19 If a voting faculty trustee resigns or otherwise ceases to  
20 serve on the Board, the remaining faculty trustees shall  
21 determine which one of them shall possess the right to cast a  
22 legally binding vote for the remainder of his or her term.  
23 However, if a faculty trustee has served more than one term and  
24 during one of those terms, he or she was selected to possess a  
25 legally binding vote, then he or she is ineligible to be  
26 selected again to possess a legally binding vote. If the

1 remaining faculty trustees fail to come to an agreement on  
2 which faculty trustee shall possess a legally binding vote,  
3 none of the remaining faculty trustees may possess a legally  
4 binding vote for the remainder of their term. If a nonvoting  
5 faculty trustee resigns or otherwise ceases to serve on the  
6 Board, the chief executive of the faculty senate from that  
7 campus shall, within 30 days, select a new nonvoting faculty  
8 trustee to serve for the remainder of the term.

9 A faculty trustee who does not possess a legally binding  
10 vote on a measure at a meeting of the Board or any of its  
11 committees shall not be considered a trustee for the purpose of  
12 determining whether a quorum is present at the time that  
13 measure is voted upon.

14 (h) Each elected or appointed trustee must be a resident of  
15 this State. To be an elected member, a person must also be a  
16 resident of the judicial district from which he or she was  
17 elected, and a person selected to fill a vacancy left by an  
18 elected member must be a resident of the judicial district from  
19 which the elected member was elected. A failure to meet or  
20 maintain these residency requirements constitutes a  
21 resignation from and creates a vacancy in the board.

22 (i) No action of the board shall be invalidated by reason  
23 of any vacancies on the board, or by reason of any failure to  
24 select student or faculty trustees.

25 (Source: P.A. 91-778, eff. 1-1-01; 91-798, eff. 7-9-00; 92-16,  
26 eff. 6-28-01.)

1 (110 ILCS 310/3) (from Ch. 144, par. 43)

2 Sec. 3. No member of such board shall hold or be employed  
3 in or appointed to any office or place under the authority of  
4 the board of which he is a member, nor shall any member of said  
5 board be directly or indirectly interested in any contract to  
6 be made by said board for any purpose whatever. This Section  
7 does not prohibit the faculty members of the board of trustees  
8 from maintaining normal faculty employment at the University of  
9 Illinois. This Section ~~section~~ does not prohibit the student  
10 members of the board of trustees from maintaining normal and  
11 official status as enrolled students or normal student  
12 employment at the University of Illinois.

13 (Source: P.A. 78-822.)

14 Section 99. Effective date. This Act takes effect upon  
15 becoming law."