

AN ACT concerning elections.

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

Section 5. The Election Code is amended by changing Sections 2A-1.2 and 2A-48 as follows:

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

Sec. 2A-1.2. Consolidated schedule of elections; offices
~~elections—offices~~ designated.

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

(1) Elector of President and Vice President of the United States. +

(2) United States Senator and United States Representative. +

(3) State Executive Branch elected officers. +

(4) State Senator and State Representative. +

(5) County elected officers, including State's Attorney, County Board member, County Commissioners, and elected President of the County Board or County Chief Executive. +

(6) Circuit Court Clerk. +

(7) Regional Superintendent of Schools, except in

counties or educational service regions in which that office has been abolished.†

(8) Judges of the Supreme, Appellate and Circuit Courts, on the question of retention, to fill vacancies and newly created judicial offices.†

(9) (Blank).†

(10) Trustee of the Metropolitan Water Reclamation Sanitary District of Greater Chicago, and elected Trustee of other Sanitary Districts.†

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

(12) Beginning on November 5, 2024, the elected members of the Chicago Board of Education; the election of members of the Chicago Board of Education shall be a nonpartisan election as provided for under this Code and may be conducted on a separate ballot.

(b) At the general primary election:

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

(2) in the appropriate even-numbered years the

political party offices of State central committeeperson, township committeeperson, ward committeeperson, and precinct committeeperson shall be filled and delegates and alternate delegates to the National nominating conventions shall be elected as may be required pursuant to this Code. In the even-numbered years in which a Presidential election is to be held, candidates in the Presidential preference primary shall also be on the ballot.

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

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

elected.

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

(1) Municipal officers, provided that in municipalities in which candidates for alderman or other municipal office are not permitted by law to be candidates of political parties, the runoff election where required by law, or the nonpartisan election where required by law, shall be held on the date of the consolidated election; and provided further, in the case of municipal officers provided for by an ordinance providing the form of government of the municipality pursuant to Section 7 of Article VII of the Constitution, such offices shall be filled by election or by runoff election as may be provided by such ordinance;

(2) Village and incorporated town library directors;

(3) City boards of stadium commissioners;

(4) Commissioners of park districts;

(5) Trustees of public library districts;

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

(7) Township officers, including township park commissioners, township library directors, and boards of managers of community buildings, and Multi-Township

Assessors;

(8) Highway commissioners and road district clerks;

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

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

(11) Forest preserve district commissioners elected under Section 3.5 of the Downstate Forest Preserve District Act;

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

(13) Members of Community College district boards;

(14) Trustees of Fire Protection Districts;

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

(16) Elected Trustees of Tuberculosis Sanitarium Districts;

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

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

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

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

(e) (Blank).

(f) At any election established in Section 2A-1.1, public questions may be submitted to voters pursuant to this Code and

any special election otherwise required or authorized by law or by court order may be conducted pursuant to this Code.

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

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

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

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

(Source: P.A. 100-1027, eff. 1-1-19; revised 12-14-20.)

(10 ILCS 5/2A-48) (from Ch. 46, par. 2A-48)

Sec. 2A-48. Chicago Board of Education and Board of School

Directors; member; time of election ~~Directors — Member — Time of Election.~~ Except as otherwise provided, a ~~A~~ member of a Board of School Directors or a member of an elected Board of Education, as the case may be, shall be elected at each consolidated election to succeed each incumbent member whose term ends before the following consolidated election. Beginning with the 2024 general election, the Chicago Board of Education elected members shall be elected as provided in subsection (b-15) of Section 34-3 of the School Code.

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

Section 10. The School Code is amended by changing Sections 34-3, 34-4, and 34-13.1 and by adding Sections 34-4.1, 34-18.67, 34-18.68, 34-18.69, and 34-21.9 as follows:

(105 ILCS 5/34-3) (from Ch. 122, par. 34-3)

Sec. 34-3. Chicago School Reform Board of Trustees; new Chicago Board of Education; members; term; vacancies.

(a) Within 30 days after the effective date of this amendatory Act of 1995, the terms of all members of the Chicago Board of Education holding office on that date are abolished and the Mayor shall appoint, without the consent or approval of the City Council, a 5 member Chicago School Reform Board of Trustees which shall take office upon the appointment of the fifth member. The Chicago School Reform Board of Trustees and its members shall serve until, and the terms of all members of

the Chicago School Reform Board of Trustees shall expire on, June 30, 1999 or upon the appointment of a new Chicago Board of Education as provided in subsection (b), whichever is later. Any vacancy in the membership of the Trustees shall be filled through appointment by the Mayor, without the consent or approval of the City Council, for the unexpired term. One of the members appointed by the Mayor to the Trustees shall be designated by the Mayor to serve as President of the Trustees. The Mayor shall appoint a full-time, compensated chief executive officer, and his or her compensation as such chief executive officer shall be determined by the Mayor. The Mayor, at his or her discretion, may appoint the President to serve simultaneously as the chief executive officer.

(b) This subsection applies until January 15, 2025. Within 30 days before the expiration of the terms of the members of the Chicago Reform Board of Trustees as provided in subsection (a), a new Chicago Board of Education consisting of 7 members shall be appointed by the Mayor to take office on the later of July 1, 1999 or the appointment of the seventh member. Three of the members initially so appointed under this subsection shall serve for terms ending June 30, 2002, 4 of the members initially so appointed under this subsection shall serve for terms ending June 30, 2003, and each member initially so appointed shall continue to hold office until his or her successor is appointed and qualified.

(b-5) On January 15, 2025, the terms of all members of the

Chicago Board of Education appointed under subsection (b) are abolished when the new board, consisting of 21 members, is appointed by the Mayor and elected by the electors of the school district as provided under subsections (b-10) and (b-15) and takes office.

(b-10) By December 16, 2024 for a term of office beginning on January 15, 2025, the Mayor shall appoint 10 Chicago Board of Education members, with the advice and consent of the City Council, to serve terms of 2 years. All appointed members shall serve until a successor is appointed or elected and qualified. Thereafter at the expiration of the term of any member a successor shall be elected ~~appointed by the Mayor~~ and shall hold office for a term of 4 years, from January 15 ~~July 1~~ of the year in which the term commences and until a successor is appointed or elected and qualified. Any vacancy in the appointed membership of the Chicago Board of Education shall be filled through appointment by the Mayor, with the consent of the Board, for the unexpired term. The terms of the 10 appointed members under this subsection shall end on January 14, 2027. By December 16, 2024 for a term of office beginning on January 15, 2025, the Mayor shall appoint a President of the Board, with the advice and consent of the City Council, for a term of 2 years. ~~No appointment to membership on the Chicago Board of Education that is made by the Mayor under this subsection shall require the approval of the City Council, whether the appointment is made for a full term or to fill a~~

~~vacancy for an unexpired term on the Board.~~ The board shall elect annually from its number a ~~president and~~ vice-president, in such manner and at such time as the board determines by its rules. The president elected by the voters and vice-president elected by the board ~~officers so elected~~ shall each perform the duties imposed upon their respective office by the rules of the board, provided that (i) the president shall preside at meetings of the board and shall only have voting rights to break a voting tie of the other Chicago Board of Education elected and appointed members ~~vote as any other member but have no power of veto,~~ and (ii) the vice president shall perform the duties of the president if that office is vacant or the president is absent or unable to act. Beginning with the 2026 general election, one member shall be elected at large and serve as the president of the board. After January 15, 2027, the president shall preside at meetings of the board and vote as any other member but have no power of veto. The secretary of the Board shall be selected by the Board and shall be an employee of the Board rather than a member of the Board, notwithstanding subsection (d) of Section 34-3.3. The duties of the secretary shall be imposed by the rules of the Board.

(b-15) Beginning with the 2024 general election, 10 members of the Chicago Board of Education shall be elected to serve a term of 4 years in office beginning on January 15, 2025. Beginning with the 2026 general election, 10 members of the Chicago Board of Education shall be elected to serve a term

of 4 years in office beginning on January 15, 2027. Whenever a vacancy of a Chicago Board of Education elected board member occurs, the President of the Board shall notify the Mayor of the vacancy within 7 days after its occurrence and shall, within 30 days, fill the vacancy for the remainder of the unexpired term by majority vote of the remaining board members. The successor shall have the same qualifications as his or her predecessor.

For purposes of elections conducted under this subsection, the City of Chicago shall be subdivided into electoral districts as provided under subsection (a) of Section 34-21.9. From January 15, 2025 to January 14, 2027, each district shall be represented by one elected member and one appointed member. After January 15, 2027, each district shall be represented by one elected member.

(b-30) No member shall have, or be an employee or owner of a company that has, a contract with the school district. No former officer, member, or employee of the board shall, within a period of one year immediately after termination of service on the board, knowingly accept employment or receive compensation or fees for services from a person or entity if the officer, member, or employee, during the year immediately preceding termination of service on the board, participated personally and substantially in the award of contracts with the board or the school district, or the issuance of contract change orders with the board or the school district, with a

cumulative value of \$25,000 or more to the person or entity, or its parent or subsidiary.

(c) The board may appoint a student to the board to serve in an advisory capacity. The student member shall serve for a term as determined by the board. The board may not grant the student member any voting privileges, but shall consider the student member as an advisor. The student member may not participate in or attend any executive session of the board.

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

(105 ILCS 5/34-4) (from Ch. 122, par. 34-4)

Sec. 34-4. Eligibility. To be eligible for election or appointment to the board, a person shall be a citizen of the United States, shall be a registered voter as provided in the Election Code, shall have been a resident of the city and, if applicable, the electoral district, for at least one year ~~3 years~~ immediately preceding his or her election or appointment, and shall not be a child sex offender as defined in Section 11-9.3 of the Criminal Code of 2012. A person is ineligible for election or appointment to the board if that person is an employee of the school district. All persons eligible for election to the board shall be nominated by a petition signed by no less than 250 voters residing within the electoral district on a petition in order to be placed on the ballot, except that persons eligible for election to the board at large shall be nominated by a petition signed by no less

than 2,500 voters residing within the city. Permanent removal from the city by any member of the board during his term of office constitutes a resignation therefrom and creates a vacancy in the board. Board ~~Except for the President of the Chicago School Reform Board of Trustees who may be paid compensation for his or her services as chief executive officer as determined by the Mayor as provided in subsection (a) of Section 34-3, board members shall serve without any compensation; provided, that board members shall be reimbursed for expenses incurred while in the performance of their duties upon submission of proper receipts or upon submission of a signed voucher in the case of an expense allowance evidencing the amount of such reimbursement or allowance to the president of the board for verification and approval. Board members ~~The board of education may continue to provide health care insurance coverage, employer pension contributions, employee pension contributions, and life insurance premium payments for an employee required to resign from an administrative, teaching, or career service position in order to qualify as a member of the board of education. They~~ shall not hold other public office under the Federal, State or any local government other than that of Director of the Regional Transportation Authority, member of the economic development commission of a city having a population exceeding 500,000, notary public or member of the National Guard, and by accepting any such office while members of the board, or by not resigning any such office~~

held at the time of being elected or appointed to the board within 30 days after such election or appointment, shall be deemed to have vacated their membership in the board.

(Source: P.A. 97-1150, eff. 1-25-13.)

(105 ILCS 5/34-4.1 new)

Sec. 34-4.1. Nomination petitions. In addition to the requirements of the general election law, the form of petitions under Section 34-4 of this Code shall be substantially as follows:

NOMINATING PETITIONS

(LEAVE OUT THE INAPPLICABLE PART.)

To the Board of Election Commissioners for the City of Chicago:

We the undersigned, being (... or more) of the voters residing within said district, hereby petition that ... who resides at ... in the City of Chicago shall be a candidate for the office of ... of the board of education (full term) (vacancy) to be voted for at the election to be held on (insert date).

Name: Address:

In the designation of the name of a candidate on a petition for nomination, the candidate's given name or names, initial or initials, a nickname by which the candidate is commonly known, or a combination thereof may be used in addition to the candidate's surname. If a candidate has changed his or her

name, whether by a statutory or common law procedure in Illinois or any other jurisdiction, within 3 years before the last day for filing the petition, then (i) the candidate's name on the petition must be followed by "formerly known as (list all prior names during the 3-year period) until name changed on (list date of each such name change)" and (ii) the petition must be accompanied by the candidate's affidavit stating the candidate's previous names during the period specified in clause (i) and the date or dates each of those names was changed; failure to meet these requirements shall be grounds for denying certification of the candidate's name for the ballot, but these requirements do not apply to name changes resulting from adoption to assume an adoptive parent's or parents' surname, marriage to assume a spouse's surname, or dissolution of marriage or declaration of invalidity of marriage to assume a former surname. No other designation, such as a political slogan, as defined by Section 7-17 of the Election Code, title or degree, or nickname suggesting or implying possession of a title, degree or professional status, or similar information may be used in connection with the candidate's surname.

All petitions for the nomination of members of a board of education shall be filed with the board of election commissioners of the jurisdiction in which the principal office of the school district is located within the time provided for by the general election law, except that

petitions for the nomination of members of the board of education for the March 15, 2022 election shall be prepared and certified on the same schedule as the petition schedule for the candidates for the General Assembly. The board of election commissioners shall receive and file only those petitions that include a statement of candidacy, the required number of voter signatures, the notarized signature of the petition circulator, and a receipt from the county clerk showing that the candidate has filed a statement of economic interest on or before the last day to file as required by the Illinois Governmental Ethics Act. The board of election commissioners may have petition forms available for issuance to potential candidates and may give notice of the petition filing period by publication in a newspaper of general circulation within the school district not less than 10 days prior to the first day of filing. The board of election commissioners shall make certification to the proper election authorities in accordance with the general election law.

The board of election commissioners of the jurisdiction in which the principal office of the school district is located shall notify the candidates for whom a petition for nomination is filed or the appropriate committee of the obligations under the Campaign Financing Act as provided in the general election law. Such notice shall be given on a form prescribed by the State Board of Elections and in accordance with the requirements of the general election law. The board of

election commissioners shall within 7 days of filing or on the last day for filing, whichever is earlier, acknowledge to the petitioner in writing the office's acceptance of the petition.

A candidate for membership on the board of education who has petitioned for nomination to fill a full term and to fill a vacant term to be voted upon at the same election must withdraw his or her petition for nomination from either the full term or the vacant term by written declaration.

Nomination petitions are not valid unless the candidate named therein files with the board of election commissioners a receipt from the county clerk showing that the candidate has filed a statement of economic interests as required by the Illinois Governmental Ethics Act. Such receipt shall be so filed either previously during the calendar year in which his or her nomination papers were filed or within the period for the filing of nomination papers in accordance with the general election law.

(105 ILCS 5/34-13.1)

Sec. 34-13.1. Inspector General.

(a) The Inspector General and his office in existence on the effective date of this amendatory Act of 1995 shall be transferred to the jurisdiction of the board upon appointment of the Chicago School Reform Board of Trustees. The Inspector General shall have the authority to conduct investigations into allegations of or incidents of waste, fraud, and

financial mismanagement in public education within the jurisdiction of the board by a local school council member or an employee, contractor, or member of the board or involving school projects managed or handled by the Public Building Commission. The Inspector General shall make recommendations to the board about the investigations. The Inspector General in office on the effective date of this amendatory Act of 1996 shall serve for a term expiring on June 30, 1998. His or her successors in office shall each be appointed by the Mayor, without the consent or approval of the City Council, for 4 year terms expiring on June 30th of an even numbered year; however, beginning January 15, 2025, successors shall be appointed by the board instead of the Mayor. If the Inspector General leaves office or if a vacancy in that office otherwise occurs, the Mayor shall appoint, without the consent or approval of the City Council, a successor to serve under this Section for the remainder of the unexpired term; however, beginning January 15, 2027, successors shall be appointed by the board instead of the Mayor. The Inspector General shall be independent of the operations of the board and the School Finance Authority, and shall perform other duties requested by the board.

(b) The Inspector General shall have access to all information and personnel necessary to perform the duties of the office. If the Inspector General determines that a possible criminal act has been committed or that special

expertise is required in the investigation, he or she shall immediately notify the Chicago Police Department and the Cook County State's Attorney. All investigations conducted by the Inspector General shall be conducted in a manner that ensures the preservation of evidence for use in criminal prosecutions.

(c) At all times the Inspector General shall be granted access to any building or facility that is owned, operated, or leased by the board, the Public Building Commission, or the city in trust and for the use and benefit of the schools of the district.

(d) The Inspector General shall have the power to subpoena witnesses and compel the production of books and papers pertinent to an investigation authorized by this Code. Any person who (1) fails to appear in response to a subpoena; (2) fails to answer any question; (3) fails to produce any books or papers pertinent to an investigation under this Code; or (4) knowingly gives false testimony during an investigation under this Code, is guilty of a Class A misdemeanor.

(e) The Inspector General shall provide to the board and the Illinois General Assembly a summary of reports and investigations made under this Section for the previous fiscal year no later than January 1 of each year, except that the Inspector General shall provide the summary of reports and investigations made under this Section for the period commencing July 1, 1998 and ending April 30, 1999 no later than May 1, 1999. The summaries shall detail the final disposition

of those recommendations. The summaries shall not contain any confidential or identifying information concerning the subjects of the reports and investigations. The summaries shall also include detailed recommended administrative actions and matters for consideration by the General Assembly.

(f) (Blank).

(g) (Blank).

(Source: P.A. 89-15, eff. 5-30-95; 89-698, eff. 1-14-97.)

(105 ILCS 5/34-18.67 new)

Sec. 34-18.67. Independent Financial Review. The Chicago Board of Education shall commission an independent review and report of the district's finances and entanglements with the City of Chicago. No later than June 30, 2025, the report shall be provided to the Governor, Illinois State Board of Education, Illinois General Assembly, the Mayor of the City of Chicago, and the Chicago Board of Education. The Illinois State Board of Education shall review the independent review and report and make recommendations to the legislature on the Chicago Board of Education's ability to operate with the financial resources available to it as an independent unit of local government.

(105 ILCS 5/34-18.68 new)

Sec. 34-18.68. Chicago Board of Education Non-Citizen Advisory Board.

(a) The Chicago Board of Education Diversity Advisory Board is created to provide non-citizen students with maximum opportunity for success during their elementary and secondary education experience.

(b) The Chicago Board of Education Non-Citizen Advisory Board is composed of individuals appointed by the Mayor to advise the Chicago Board of Education on but not limited to the following issues:

(1) Appropriate ways to create an equitable and inclusive learning environment for non-citizen students;

(2) Strengthening student, parent, and guardian privacy and confidentiality in school-related issues;

(3) Establishing appropriate communication methods between the district and non-citizen students to maximize interactions between the student's school, parents, and guardians;

(4) Ensuring principals and other district leaders learn and disseminate information on resources available to non-citizen students and their families;

(5) Developing appropriate methods by which non-citizen students are encouraged and supported to continue their education at an institution of higher education; and

(6) Providing the perspective of non-citizen families and students who are affected by Board actions, governance, policies, and procedures.

(105 ILCS 5/34-18.69 new)

Sec. 34-18.69. Moratorium on school closings, consolidations, and phase-outs. The Board shall not approve any school closings, consolidations, or phase-outs until the Board of Education is seated on January 15, 2025.

(105 ILCS 5/34-21.9 new)

Sec. 34-21.9. Creation of electoral districts; reapportionment of districts.

(a) For purposes of elections conducted pursuant to subsection (b-5) of Section 34-3, the City of Chicago shall be subdivided into 10 electoral districts for the 2024 elections and into 20 electoral districts for the 2026 elections after the effective date of this amendatory Act of the 102nd General Assembly by the General Assembly for seats on the Chicago Board of Education. The electoral districts must be drawn on or before February 1, 2022. Each district must be compact, contiguous, and substantially equal in population and consistent with the Illinois Voting Rights Act.

(b) In the year following each decennial census, the General Assembly shall redistrict the electoral districts to reflect the results of the decennial census consistent with the requirements in subsection (a). The reapportionment plan shall be completed and formally approved by the General Assembly not less than 90 days before the last date

established by law for the filing of nominating petitions for the second school board election after the decennial census year. If by reapportionment a board member no longer resides within the electoral district from which the member was elected, the member shall continue to serve in office until the expiration of the member's regular term. All new members shall be elected from the electoral districts as reapportioned.

Section 95. Rulemaking authority. The Chicago Board of Education may adopt rules necessary to implement the provisions of this Act.