



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB5223

Introduced 2/9/2024, by Rep. Sharon Chung

SYNOPSIS AS INTRODUCED:

10 ILCS 5/6A-1	from Ch. 46, par. 6A-1
10 ILCS 5/6A-1.5 new	
10 ILCS 5/6A-7	from Ch. 46, par. 6A-7

Amends the Election Code. Provides that any county in which there is a city, village, or incorporated town with a board of election commissioners may establish that municipal board of election commissioners as a county board of election commissioners if approved by a referendum of the electors of the county. Provides that any county with a population of less than 300,000 persons (rather than less than 200,000 but more than 175,000 persons) as of the 2020 (rather than 2010) federal decennial census in which a city, village, or incorporated town with a board of election commissioners is located may establish a county board of election commissioners by vote of the electors of the county. Provides that a county board of election commissioners may not be dissolved unless the dissolution is approved by a referendum of the electors of the county.

LRB103 36266 SPS 66363 b

1 AN ACT concerning elections.

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

4 Section 5. The Election Code is amended by changing
5 Sections 6A-1 and 6A-7 and by adding Section 6A-1.5 as
6 follows:

7 (10 ILCS 5/6A-1) (from Ch. 46, par. 6A-1)

8 Sec. 6A-1. County board of election commissioners.

9 (a) Any county in which there is no city, village or
10 incorporated town with a board of election commissioners may
11 establish a county board of election commissioners either (1)
12 by ordinance of the county board or (2) by vote of the electors
13 of the county in accordance with subsection (a) of Section
14 6A-2.

15 The fact that some territory in a county is within the
16 corporate limits of a city, village or incorporated town with
17 a board of election commissioners does not prevent that county
18 from establishing a county board of election commissioners in
19 accordance with this Article if no portion of such city,
20 village or incorporated town was within the county at the time
21 of the establishment of the board of election commissioners
22 for such city, village or incorporated town. If such a county
23 establishes a county board of election commissioners pursuant

1 to this Article, the county board of election commissioners
2 shall, with respect to the territory in the county within the
3 corporate limits of the city, village or incorporated town,
4 supersede the board of election commissioners of that city,
5 village or incorporated town.

6 (b) Any county with a population of more than 700,000
7 persons as of the 2010 federal decennial census that borders
8 another state and borders no more than 2 other Illinois
9 counties, shall be subject to a county board of election
10 commissioners beginning 90 days after the effective date of
11 this amendatory Act of the 98th General Assembly.

12 (c) Any county with a population of less than 300,000
13 ~~200,000 but more than 175,000~~ persons as of the 2020 ~~2010~~
14 federal decennial census in which a city, village, or
15 incorporated town with a board of election commissioners is
16 located may establish a county board of election commissioners
17 by vote of the electors of the county in accordance with
18 subsection (b) of Section 6A-2. If such a county establishes a
19 county board of election commissioners, the county board of
20 election commissioners, with respect to the territory in the
21 county within the corporate limits of the city, village, or
22 incorporated town, shall supersede the board of election
23 commissioners of that city, village, or incorporated town.

24 (Source: P.A. 98-115, eff. 7-29-13.)

1 Sec. 6A-1.5. Expansion of a municipal board of election
2 commissioners. Any county in which there is a city, village,
3 or incorporated town with a board of election commissioners
4 may establish that municipal board of election commissioners
5 as a county board of election commissioners. The municipal
6 board of election commissioners may not be established as a
7 county board of election commissioners until the question of
8 establishing the county board of election commissioners has
9 been submitted to the electors of the county in which the
10 municipality is located at a regular election and approved by
11 a majority of the electors voting on the question. The
12 election authority shall submit the question in substantially
13 the following form:

14 Shall the (name of municipality) board of election
15 commissioners be established as the (name of county) board
16 of election commissioners?

17 The election authority must record the votes as "Yes" or
18 "No".

19 If a majority of the electors voting on the question vote
20 in the affirmative, the municipal board of election
21 commissioners shall be established as the board of election
22 commissioners for the county in which the municipality is
23 located.

24 (10 ILCS 5/6A-7) (from Ch. 46, par. 6A-7)

25 Sec. 6A-7. Dissolution.

1 (a) Except as provided in subsection (b), any county which
2 has established a board of election commissioners may
3 subsequently vote to dissolve such board in the same manner as
4 provided in Article 6 for cities, villages, and incorporated
5 towns, except that the question of dissolving the board of
6 election commissioners shall be submitted to the electors of
7 the county at a regular election and approved by a majority of
8 the electors voting on the question. The question shall be in
9 substantially the following form: ~~the petition to the circuit~~
10 ~~court to submit to the vote of the electors of the county the~~
11 ~~proposition to dissolve the board of election commissioners~~
12 ~~shall be signed by at least 10% of the registered voters of the~~
13 ~~county.~~

14 Shall the (name of county) Board of Election
15 Commissioners be dissolved?

16 The election authority must record the votes as "Yes" or
17 "No".

18 If a majority of the electors voting on the question vote
19 in the affirmative, the county may dissolve the board of
20 election.

21 (b) A county board in a county that has established a
22 county board of election commissioners in accordance with
23 subsection (a) of Section 6A-1 of this Code may, by ordinance
24 or resolution, dissolve the county board of election
25 commissioners and transfer its functions to the county clerk.

26 (Source: P.A. 100-628, eff. 1-1-19; 101-81, eff. 7-12-19.)