

THE POLICEMEN'S ANNUITY AND BENEFIT FUND of CHICAGO

REVISED RULES FOR CONDUCTING ELECTIONS

For the Purpose of Electing Members of The Retirement Board of the Policemen's Annuity and Benefit Fund of Chicago, in accordance with Section 40 ILCS 5/5-179 and 180.

As Amended May 27, 2021

THE RETIREMENT BOARD OF THE POLICEMEN'S ANNUITY AND BENEFIT FUND OF CHICAGO

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RULES FOR CONDUCTING ELECTIONS

The rules contained herein are established for the purpose of electing members of the Retirement Board of the Policemen’s Annuity and Benefit Fund of Chicago (“Retirement Board”), in accordance with 40 ILCS 5/5-179 and 180. The specific dates and schedule for each respective election will be established by the Board in accordance with these rules.

1. Timing of Regular Elections

Regular elections of members of the Retirement Board shall be held no later than the 30th day of October of any given election year in accordance with the procedures set forth herein.

2. Timing of Special Elections

Special elections to fill vacancies of any elected member of the Retirement Board shall be held at such times as the Retirement Board determines but within thirty (30) days following the occurrence of any such vacancy, in accordance with the procedures set forth herein.

3. Eligible Voters

3.1 Elections for Active Members. All members of the Chicago Police Department (“CPD”) employed by the City of Chicago on the day of any election and all police officers receiving disability benefits from the Policemen’s Annuity and Benefit Fund of Chicago (“Fund”) shall have a right to vote at such elections for active members of the Retirement Board.

3.2 Elections for Annuitant Member. The following persons shall have a right to vote in all elections for the annuitants’ representative member of the Retirement Board:

- a. All Annuitants of the Fund.
- b. The legal guardian of any child annuitant of the Fund whose parent or stepparent are not annuitants.
- c. The legal conservator of any incompetent annuitant.

4. Eligibility for Membership on the Retirement Board

Any person having a right to vote at any election shall be eligible to be a member of the Retirement Board and may become a candidate for the office to be filled; provided, however, persons under eighteen (18) years of age; persons having a right to vote in a representative capacity only; and those children described in 40 ILCS 5/5-152 shall not be eligible for such membership.

5. Petition for Candidacy on the Retirement Board

A person seeking to run as a candidate in any election must obtain the candidate petition from the office of the Retirement Board, 221 N LaSalle Street, Suite 1626, Chicago, Illinois 60601 or print it from the Fund website: www.chipabf.org. The petition will be available approximately twelve (12) weeks prior to the election date. The prospective candidate shall then personally file a completed

petition in the office of the Retirement Board in accordance with the published schedule for that specific election. Each page of the petition must bear an affidavit of the person in whose presence the petition was signed. The filing date will be approximately six (6) weeks prior to the election date.

Each active police member of the Retirement Board shall be elected from the member's own class of rank, as follows:

- A. Member from Rank of Investigator, Patrolman, or equivalent rank. One (1) member is to be elected from among active members of the CPD of the Rank of Investigator, Patrolman, or equivalent rank. The petition for each such candidate must be signed by fifty (50) persons duly qualified to vote for Policemen's Representative of the rank of Investigator, Patrolman, or equivalent rank.
- B. Member from Rank of Sergeant. One (1) member is to be elected from among active members of the CPD of the Rank of Sergeant. The petition for each such candidate must be signed by at least twenty five (25) persons duly qualified to vote for Policemen's Representative of the rank of Sergeant.
- C. Member from Rank of Lieutenant or Rank Superior to Lieutenant. One (1) member is to be elected from among active members of the CPD of the rank of Lieutenant, or rank superior to Lieutenant. The petition for each such candidate must be signed by twenty five (25) persons duly qualified to vote for the Rank of Lieutenant or Rank superior to Lieutenant.

The petition for Annuitant's Member must be signed by twenty-five (25) persons duly qualified to vote for Annuitants Representative.

On the first business day following the last day for filing nominating petitions, all petitions so filed shall be open to public inspection in the office of the Retirement Board, and the sufficiency of any petition may be challenged in writing on or before the second day following the last day for filing such petitions. In addition, any candidate may, in writing, withdraw his or her petition on or before the second day following the last day for filing petitions.

After the time to challenge the sufficiency of the petitions has expired, the Retirement Board shall rule on the sufficiency of all nominating petitions filed, and the findings of the Board, as to the sufficiency of any petition, shall be final.

Petition blanks shall be furnished by the Retirement Board without charge, shall be uniform in size and character and substantially in the following form:

FORM OF NOMINATING PETITIONS

A. FOR MEMBER OF THE RANK OF INVESTIGATOR, PATROLMAN OR EQUIVALENT RANK

We, the undersigned active Police Officers of the rank of Investigator, Patrolman or rank equivalent thereto, of the City of Chicago, do hereby petition that:

(Here insert name of Candidate, Rank, Unit, Home Address)

be designated as a candidate for Member of the Retirement Board of the Policemen’s Annuity and Benefit Fund of Chicago to be voted on at the election to be held on October __, 20__.

SIGNATURES

1. PRINTED NAME RESIDENCE ADDRESS SIGNATURE

(additional lines for Signatures)

AFFIDAVIT

State of Illinois

County of Cook

I, _____, being first duly sworn, on oath say that I am at least twenty-one years of age and an active member of the Police Department of the City of Chicago; that I reside at _____ Street, in the City of Chicago, Cook County, Illinois; that the above signatures were signed in my presence and are the genuine signatures of the signers; that to the best of my knowledge and belief the persons so signing said petition were at that time active members of the Police Department of the City of Chicago, of the rank of Investigator, Patrolman or rank equivalent thereto, and that their representative residences are correctly stated.

Subscribed and sworn to before me this ____ day of _____, 20__.

_____ Notary Public

B. FOR MEMBER OF THE RANK OF SERGEANT, OR LIEUTENANT AND ABOVE

Nominating petitions for Sergeant, or Lieutenant and above shall be in all respects similar to the above example, except that the language shall designate the appropriate rank.

C. FOR ANNUITANT MEMBER

We, the undersigned Annuitants of the Policemen’s Annuity and Benefit Fund of Chicago, do hereby petition that:

(Here insert name of Candidate, Rank, Unit, Home Address)

be designated as a candidate for Member of the Retirement Board of the Policemen's Annuity and Benefit Fund of Chicago to be voted on at the election to be held on October __, 20__.

SIGNATURES

1. PRINTED NAME RESIDENCE ADDRESS SIGNATURE

(additional lines for Signatures)

AFFIDAVIT

State of Illinois

County of Cook

I, _____, being first duly sworn, on oath say that I am at least twenty-one years of age and am an annuitant of the Policemen's Annuity and Benefit Fund of Chicago; that I reside at _____; that the above signatures were signed in my presence and are the genuine signatures of the signers; that to the best of my knowledge and belief the persons so signing said petition were at that time Annuitants of the Policemen's Annuity and Benefit Fund, and that their representative residences are correctly stated.

Subscribed and sworn to before me this ____ day of _____, 20__.

_____ Notary Public

No petition shall be rejected if the Retirement Board is satisfied by any evidence presented to it, or upon investigation made by it, that the signatures on said petition are the genuine signatures of members of the CPD of the appropriate class of rank or of annuitants as the case may be.

6. Name on Ballot

No candidate name shall be printed upon a ballot unless a petition has been filed as herein provided. The candidate's name shall be printed on the ballot as submitted on the petitions, whereas, an abbreviation of a name may be used. However, no nicknames, labels, titles, designations, or epithets may be added to a candidate's name or in lieu of a candidate's name.

If the Retirement Board authorizes an election by mail, a sufficient number of ballots shall be provided by the Retirement Board and only such ballots so provided shall be used in any election, which ballots shall be in substantially the following form:

7. Form of Ballots

A. FOR POLICEMEN’S REPRESENTATIVE OF INVESTIGATOR, PATROLMAN OR EQUIVALENT RANK

For One (1) Member of the Police Retirement Board to Represent Active Police Officers of the City of Chicago

For Member from the Rank of Investigator, Patrolman or equivalent rank.

(Vote for One)

_____ John Doe
Rank
Unit of Assignment

_____ Jane Doe
Rank
Unit of Assignment

B. FOR SERGEANT, OR LIEUTENANT AND ABOVE

Ballots for rank of Sergeant, and rank of Lieutenant or rank superior to Lieutenant shall be in all respects similar to the above example, except the language shall designate the appropriate Rank.

If the Retirement Board authorizes an election by mail, ballots for each rank class shall be printed on separate paper stock, each of a different color, to avoid mistakes in vote casting.

C. FOR ANNUITANT’S REPRESENTATIVE

The ballot for Annuitants’ Representative shall be printed in substantially the following form:

For One (1) Member of the Police Retirement Board to Represent the Annuitants of the Policemen’s Annuity and Benefit Fund of Chicago

(Vote for One)

_____ John Doe
Rank at Retirement
Unit of Assignment at Retirement

_____ Jane Doe
Rank at Retirement
Unit of Assignment at Retirement

8. Order of Filing

Candidates' position on the ballot sheet shall be determined by the order in which the petitions were filed. The filing of petitions shall be between 9:00 a.m. and 4:00 p.m., Monday through Friday at the offices of the Retirement Board based on the set election dates and schedule for the specific election. No candidate shall loiter in the public hallway or lobby of the offices of the Retirement Board prior to opening for business. If more than one interested candidate is present at 9:00 a.m. on a day petitions are accepted, then all candidates present at that time will be entered into a lottery to determine the order of filing unless the prospective candidates will agree to an order of filing. The lottery shall be conducted by an independent accounting firm as soon as practicable and the results shall be final.

9. Election Operations Oversight

Elections for representative members from the CPD and the annuitant representative will be supervised by an independent accounting firm or an Independent Election Administrator ("IEA") selected by the Board of Trustees. The balloting may be conducted through U.S. Mail or via an online election website and telephone election line.

A. Election through U.S. Mail

If the election is conducted through U.S. Mail, the independent accounting firm shall cause a voting unit to be mailed to each person entitled to vote approximately three (3) weeks prior to election day. A voting unit shall consist of the following: (a) ballot; (b) ballot envelope; (c) voting instructions and (d) return envelope. Every eligible voter choosing to vote shall after receiving the voting unit, comply with the instructions included with the voting unit, which should be consistent with these rules.

Ballots shall be returned to a Post Office Box established by the independent accounting firm. To be counted, a ballot must be received in the Post Office Box by 9:00 A.M. on Election Day.

B. Election via Online Website or Telephone Election Line

If the election is conducted via an Online Website or Telephone, an IEA shall administer the election. The IEA will be responsible for all duties concerning the running of the online and telephone election. The IEA shall use all reasonable procedures to ensure the online and telephone voting instructions are mailed through the U.S. Mail approximately one (1) week prior to the election period in a manner consistent with commonly accepted practices.

Notwithstanding any provisions in these rules the Retirement Board may establish expedited voting procedures whenever there is only one (1) candidate for the position.

10. Absentee Ballots

If the election is conducted through U.S. Mail, absentee ballots will be available to active police officers who will not be in the Chicago area during the mail ballot period. To obtain an absentee ballot such police officers must present to the independent accounting firm a letter signed by the Commanding officer stating that the officer will be out of the Chicago area for the entire mail ballot period of the election. The officer will then be given a ballot for the officer's class of rank which will be immediately marked and cast in a sealed ballot box provided for this purpose in the office of the independent accounting firm. Before voting the officer must sign a LIST OF PERSONS VOTING form and indicate the officer's unit number. LISTS OF PERSONS VOTING and letters from Commanding officers will be kept as certification of the right to vote.

11. Counting and Tabulating Ballots

A. Election through U.S. Mail

On the day of the election, members of the independent accounting firm shall commence counting the ballots, at which counting each candidate may have not more than two (2) watchers.

The independent accounting firm shall attend the details of counting and tabulating the ballots. No ballot shall be handled by anyone after the close of the polls, except in the presence of members of the independent accounting firm or in the presence of some person specially designated by the Retirement Board to canvass the ballots on behalf of the Retirement Board.

B. Election via Online Website or Telephone Election Line

The online and telephone election shall take place during a one (1) week election period prior to the 30th day of October. Each eligible voter shall be allowed one vote online or by telephone during that election period. Voting occurs when an eligible voter accesses either the Fund's election website or telephone line and finalizes their selection.

The IEA will staff a phone number to assist voters who are having difficulty accessing the Fund's election website and/or telephone line during the election period.

12. Notice of Election Results

In the event of an election through U.S. Mail, after the ballots have been counted and tabulated, the independent accounting firm will announce the totals to the Fund staff and others in attendance on Election Day.

In the event of an online and telephone election, the IEA will transmit vote totals to Fund staff immediately following closing of the polls at the end of the election period.

In addition, all candidates shall be notified by mail of the results of the canvass by the independent accounting firm or IEA, and the results shall be mailed to each Annuitant with the next annuity check issued.

13. Certified Election Results

The candidate receiving the highest number of votes at any election, as certified by The Retirement Board, shall be declared the winner.

14. Procedure to Contest Election Results

Any person wishing to contest the results of an election may do so by providing an affidavit to the Fund's office signed by the person or persons contesting any election and setting out the reasons why the declared result was inaccurate. The affidavit must be received within ten (10) days after the result of the canvass has been given the candidate(s). In the absence of such notice, all ballots shall be destroyed, and the election shall be final.

15. Election Expenses

All necessary expenses incident to conducting any election shall be paid by The Retirement Board of the Policemen's Annuity and Benefit Fund of Chicago.

16. Adoption of Rules

These rules shall be in force and effect from and after their adoption.