



Sen. Linda Holmes

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LRB100 11203 RJF 23415 a

1 AMENDMENT TO SENATE BILL 1459

2 AMENDMENT NO. _____. Amend Senate Bill 1459 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Notary Public Act is amended by
5 changing Sections 1-104, 3-101, 3-102, 6-101, 6-102, 6-103,
6 6-104, and 6-105 and by adding Section 6-102.5 as follows:

7 (5 ILCS 312/1-104) (from Ch. 102, par. 201-104)

8 Sec. 1-104. Notary Public and Notarization Defined.

9 (a) The terms "notary public" and "notary" are used
10 interchangeably to mean any individual appointed and
11 commissioned to perform notarial acts, and include electronic
12 notaries public performing notarial acts, except where
13 expressly provided otherwise.

14 (a-5) "Electronic notary public" means any individual
15 appointed and commissioned to perform notarial acts involving
16 electronic documents.

1 (b) "Notarization" means the performance of a notarial act.

2 (b-5) "Electronic notarization" means the performance of a
3 notarial act involving electronic documents.

4 (c) "Accredited immigration representative" means a
5 not-for-profit organization recognized by the Board of
6 Immigration Appeals under 8 C.F.R. 292.2(a) and employees of
7 those organizations accredited under 8 C.F.R. 292.2(d).

8 (Source: P.A. 93-1001, eff. 8-23-04.)

9 (5 ILCS 312/3-101) (from Ch. 102, par. 203-101)

10 Sec. 3-101. Official Seal and Signature.

11 (a) Except as provided under subsection (a-5) of this
12 Section, each ~~Each~~ notary public shall, upon receiving the
13 commission from the county clerk, obtain an official rubber
14 stamp seal with which the notary shall authenticate his
15 official acts. The rubber stamp seal shall contain the
16 following information:

17 (1) the words "Official Seal";

18 (2) the notary's official name;

19 (3) the words "Notary Public", "State of Illinois", and
20 "My commission expires _____ (commission expiration
21 date)"; and

22 (4) a serrated or milled edge border in a rectangular
23 form not more than one inch in height by two and one-half
24 inches in length surrounding the information.

25 (a-5) Each electronic notary public shall also, upon

1 receiving his or her commission, obtain an official electronic
2 seal with which the notary shall authenticate his or her
3 official acts. The electronic seal shall contain the
4 information required under subsection (a) of this Section, and
5 be approved for use by the Secretary of State.

6 For the purposes of this Act, "electronic seal" means
7 information within a notarized electronic document that
8 confirms the notary's name, jurisdiction, and commission
9 expiration date, and generally corresponds to information in
10 notary seals used on paper documents as provided under
11 subsection (a) of this Section.

12 (b) At the time of the notarial act, a notary public shall
13 officially sign every notary certificate and affix the rubber
14 stamp seal clearly and legibly using black ink, so that it is
15 capable of photographic reproduction. The illegibility of any
16 of the information required by this Section does not affect the
17 validity of a transaction.

18 This subsection does not apply on or after July 1, 2013.
19 (Source: P.A. 95-988, eff. 6-1-09.)

20 (5 ILCS 312/3-102) (from Ch. 102, par. 203-102)

21 Sec. 3-102. Notarial Record; Residential Real Property
22 Transactions.

23 (a) This Section shall apply to every notarial act in
24 Illinois involving a document of conveyance that transfers or
25 purports to transfer title to residential real property located

1 in Cook County. If the subject of the notarial act under this
2 Section is performed by way of electronic notarization, that
3 document and the notarization thereof shall conform to the
4 requirements of this Section as much as practicable with regard
5 to electronic documents. The Secretary of State shall adopt any
6 other rules necessary to the performance of electronic
7 notarization under this Section.

8 (b) As used in this Section, the following terms shall have
9 the meanings ascribed to them:

10 (1) "Document of Conveyance" shall mean a written
11 instrument that transfers or purports to transfer title
12 effecting a change in ownership to Residential Real
13 Property, excluding:

14 (i) court-ordered and court-authorized conveyances
15 of Residential Real Property, including without
16 limitation, quit-claim deeds executed pursuant to a
17 marital settlement agreement incorporated into a
18 judgment of dissolution of marriage, and transfers in
19 the administration of a probate estate;

20 (ii) judicial sale deeds relating to Residential
21 Real Property, including without limitation, sale
22 deeds issued pursuant to proceedings to foreclose a
23 mortgage or execute on a levy to enforce a judgment;

24 (iii) deeds transferring ownership of Residential
25 Real Property to a trust where the beneficiary is also
26 the grantor;

1 (iv) deeds from grantors to themselves that are
2 intended to change the nature or type of tenancy by
3 which they own Residential Real Property;

4 (v) deeds from a grantor to the grantor and another
5 natural person that are intended to establish a tenancy
6 by which the grantor and the other natural person own
7 Residential Real Property;

8 (vi) deeds executed to the mortgagee in lieu of
9 foreclosure of a mortgage; and

10 (vii) deeds transferring ownership to a revocable
11 or irrevocable grantor trust where the beneficiary
12 includes the grantor.

13 (2) "Financial Institution" shall mean a State or
14 federally chartered bank, savings and loan association,
15 savings bank, credit union, or trust company.

16 (3) "Notarial Record" shall mean the written document
17 created in conformity with this Section by a notary in
18 connection with Documents of Conveyance.

19 (4) "Residential Real Property" shall mean a building
20 or buildings located in Cook County, Illinois and
21 containing one to 4 dwelling units or an individual
22 residential condominium unit.

23 (5) "Title Insurance Agent" shall have the meaning
24 ascribed to it under the Title Insurance Act.

25 (6) "Title Insurance Company" shall have the meaning
26 ascribed to it under the Title Insurance Act.

1 (c) A notary appointed and commissioned as a notary in
2 Illinois shall, in addition to compliance with other provisions
3 of this Act, create a Notarial Record of each notarial act
4 performed in connection with a Document of Conveyance. The
5 Notarial Record shall contain:

6 (1) The date of the notarial act;

7 (2) The type, title, or a description of the Document
8 of Conveyance being notarized, and the property index
9 number ("PIN") used to identify the Residential Real
10 Property for assessment or taxation purposes and the common
11 street address for the Residential Real Property that is
12 the subject of the Document of Conveyance;

13 (3) The signature, printed name, and residence street
14 address of each person whose signature is the subject of
15 the notarial act and a certification by the person that the
16 property is Residential Real Property as defined in this
17 Section, which states "The undersigned grantor hereby
18 certifies that the real property identified in this
19 Notarial Record is Residential Real Property as defined in
20 the Illinois Notary Public Act".

21 (4) A description of the satisfactory evidence
22 reviewed by the notary to determine the identity of the
23 person whose signature is the subject of the notarial act;

24 (5) The date of notarization, the fee charged for the
25 notarial act, the Notary's home or business phone number,
26 the Notary's residence street address, the Notary's

1 commission expiration date, the correct legal name of the
2 Notary's employer or principal, and the business street
3 address of the Notary's employer or principal; and

4 (6) The notary public shall require the person signing
5 the Document of Conveyance (including an agent acting on
6 behalf of a principal under a duly executed power of
7 attorney), whose signature is the subject of the notarial
8 act, to place his or her right thumbprint on the Notarial
9 Record. If the right thumbprint is not available, then the
10 notary shall have the party use his or her left thumb, or
11 any available finger, and shall so indicate on the Notarial
12 Record. If the party signing the document is physically
13 unable to provide a thumbprint or fingerprint, the notary
14 shall so indicate on the Notarial Record and shall also
15 provide an explanation of that physical condition. The
16 notary may obtain the thumbprint by any means that reliably
17 captures the image of the finger in a physical or
18 electronic medium.

19 (d) If a notarial act under this Section is performed by a
20 notary who is a principal, employee, or agent of a Title
21 Insurance Company, Title Insurance Agent, Financial
22 Institution, or attorney at law, the notary shall deliver the
23 original Notarial Record to the notary's employer or principal
24 within 14 days after the performance of the notarial act for
25 retention for a period of 7 years as part of the employer's or
26 principal's business records. In the event of a sale or merger

1 of any of the foregoing entities or persons, the successor or
2 assignee of the entity or person shall assume the
3 responsibility to maintain the Notarial Record for the balance
4 of the 7-year business records retention period. Liquidation or
5 other cessation of activities in the ordinary course of
6 business by any of the foregoing entities or persons shall
7 relieve the entity or person from the obligation to maintain
8 Notarial Records after delivery of Notarial Records to the
9 Recorder of Deeds of Cook County, Illinois.

10 (e) If a notarial act is performed by a notary who is not a
11 principal, employee, or agent of a Title Insurance Company,
12 Title Insurance Agent, Financial Institution, or attorney at
13 law, the notary shall deliver the original Notarial Record
14 within 14 days after the performance of the notarial act to the
15 Recorder of Deeds of Cook County, Illinois for retention for a
16 period of 7 years, accompanied by a filing fee of \$5.

17 (f) The Notarial Record required under subsection (c) of
18 this Section shall be created and maintained for each person
19 whose signature is the subject of a notarial act regarding a
20 Document of Conveyance and shall be in substantially the
21 following form:

22 **NOTARIAL RECORD - RESIDENTIAL REAL PROPERTY TRANSACTIONS**

23 Date Notarized:

24 Fee: \$

1 The undersigned grantor hereby certifies that the real property
2 identified in this Notarial Record is Residential Real Property
3 as defined in the Illinois Notary Public Act.

4 Grantor's (Signer's) Printed Name:

5 Grantor's (Signer's) Signature:

6 Grantor's (Signer's) Residential Street Address, City, State,
7 and Zip:

8 Type or Name of Document of Conveyance:

9 PIN No. of Residential Real Property:

10 Common Street Address of Residential Real Property:

11 Thumbprint or Fingerprint:

12 Description of Means of Identification:

13 Additional Comments:

14 Name of Notary Printed:

15 Notary Phone Number:

1 Commission Expiration Date:

2 Residential Street Address of Notary, City, State, and Zip:

3 Name of Notary's Employer or Principal:

4 Business Street Address of Notary's Employer or Principal,
5 City, State, and Zip:

6 (g) No copies of the original Notarial Record may be made
7 or retained by the Notary. The Notary's employer or principal
8 may retain copies of the Notarial Records as part of its
9 business records, subject to applicable privacy and
10 confidentiality standards.

11 (h) The failure of a notary to comply with the procedure
12 set forth in this Section shall not affect the validity of the
13 Residential Real Property transaction in connection to which
14 the Document of Conveyance is executed, in the absence of
15 fraud.

16 (i) The Notarial Record or other medium containing the
17 thumbprint or fingerprint required by subsection (c)(6) shall
18 be made available or disclosed only upon receipt of a subpoena
19 duly authorized by a court of competent jurisdiction. Such
20 Notarial Record or other medium shall not be subject to
21 disclosure under the Freedom of Information Act and shall not

1 be made available to any other party, other than a party in
2 succession of interest to the party maintaining the Notarial
3 Record or other medium pursuant to subsection (d) or (e).

4 (j) In the event there is a breach in the security of a
5 Notarial Record maintained pursuant to subsections (d) and (e)
6 by the Recorder of Deeds of Cook County, Illinois, the Recorder
7 shall notify the person identified as the "signer" in the
8 Notarial Record at the signer's residential street address set
9 forth in the Notarial Record. "Breach" shall mean unauthorized
10 acquisition of the fingerprint data contained in the Notarial
11 Record that compromises the security, confidentiality, or
12 integrity of the fingerprint data maintained by the Recorder.
13 The notification shall be in writing and made in the most
14 expedient time possible and without unreasonable delay,
15 consistent with any measures necessary to determine the scope
16 of the breach and restore the reasonable security,
17 confidentiality, and integrity of the Recorder's data system.

18 (k) Subsections (a) through (i) shall not apply on and
19 after July 1, 2018.

20 (Source: P.A. 97-508, eff. 8-23-11; 98-29, eff. 6-21-13.)

21 (5 ILCS 312/6-101) (from Ch. 102, par. 206-101)

22 Sec. 6-101. Definitions.

23 (a) "Notarial act" means any act that a notary public of
24 this State is authorized to perform and includes taking an
25 acknowledgment, administering an oath or affirmation, taking a

1 verification upon oath or affirmation, and witnessing or
2 attesting a signature.

3 (a-5) "Electronic notarial act" means any act that a notary
4 public of this State may perform under subsection (a) of this
5 Section that involves electronic documents.

6 (a-7) "Electronic signature" means an electronic sound,
7 symbol, or process attached to or logically associated with an
8 electronic document and executed or adopted by a person with
9 the intent to sign the document.

10 (a-9) "Electronic notarial certificate" means the portion
11 of a notarized electronic document that is completed by the
12 notary public, bears the notary's electronic signature, title,
13 commission expiration date, and other required information
14 concerning the date and place of the electronic notarization,
15 and states the facts attested to or certified by the notary in
16 a particular notarization.

17 (b) "Acknowledgment" means a declaration by a person that
18 the person has executed an instrument for the purposes stated
19 therein and, if the instrument is executed in a representative
20 capacity, that the person signed the instrument with proper
21 authority and executed it as the act of the person or entity
22 represented and identified therein.

23 (c) "Verification upon oath or affirmation" means a
24 declaration that a statement is true made by a person upon oath
25 or affirmation.

26 (d) "In a representative capacity" means:

1 (1) for and on behalf of a corporation, partnership,
2 trust, or other entity, as an authorized officer, agent,
3 partner, trustee, or other representative;

4 (2) as a public officer, personal representative,
5 guardian, or other representative, in the capacity recited
6 in the instrument;

7 (3) as an attorney in fact for a principal; or

8 (4) in any other capacity as an authorized
9 representative of another.

10 (Source: P.A. 84-322.)

11 (5 ILCS 312/6-102) (from Ch. 102, par. 206-102)

12 Sec. 6-102. Notarial Acts.

13 (a) In taking an acknowledgment, the notary public must
14 determine, either from personal knowledge or from satisfactory
15 evidence, that the person appearing before the notary and
16 making the acknowledgment is the person whose true signature is
17 on the instrument.

18 (b) In taking a verification upon oath or affirmation, the
19 notary public must determine, either from personal knowledge or
20 from satisfactory evidence, that the person appearing before
21 the notary and making the verification is the person whose true
22 signature is on the statement verified.

23 (c) In witnessing or attesting a signature, the notary
24 public must determine, either from personal knowledge or from
25 satisfactory evidence, that the signature is that of the person

1 appearing before the notary and named therein.

2 (d) A notary public has satisfactory evidence that a person
3 is the person whose true signature is on a document if that
4 person:

5 (1) is personally known to the notary;

6 (2) is identified upon the oath or affirmation of a
7 credible witness personally known to the notary; or

8 (3) is identified on the basis of identification
9 documents. Identification documents are documents that are
10 valid at the time of the notarial act, issued by a state
11 agency, federal government agency, or consulate, and
12 bearing the photographic image of the individual's face and
13 signature of the individual.

14 (e) The provisions of this Section do not apply to
15 electronic notarial acts as provided under Section 6-102.5.

16 (Source: P.A. 97-397, eff. 1-1-12; 98-29, eff. 6-21-13.)

17 (5 ILCS 312/6-102.5 new)

18 Sec. 6-102.5. Electronic Notarial Acts and Notarization.

19 (a) The Secretary of State shall develop standards for
20 electronic notarial acts and notarization, and the Department
21 of Innovation and Technology shall provide assistance to the
22 Secretary relating to the equipment, security, and
23 technological aspects of the electronic notarization
24 standards.

25 (b) In addition to the requirements of Section 2-102, an

1 applicant to become an electronic notary public shall submit a
2 registration form established by the Secretary for registering
3 and being commissioned as an electronic notary public, which
4 shall include:

5 1. the applicant's full legal and official notary
6 names;

7 2. a general description of the technology or
8 technologies the registrant will use to create an
9 electronic signature in performing official acts;

10 3. certification of compliance with electronic notary
11 standards developed under subsection (a);

12 4. the electronic mail address of the registrant; and

13 5. any other information the Secretary may deem
14 necessary.

15 (c) The registration form provided under this Section shall
16 (i) be signed by the applicant using the electronic signature
17 described in the form; (ii) include any decrypting
18 instructions, codes, keys, or software that allow the
19 registration to be read; and (iii) be transmitted
20 electronically to the Secretary.

21 (d) Upon being commissioned as an electronic notary public,
22 a person may perform the notarial acts specified under
23 subsection (a) of Section 6-101. In the case of an electronic
24 notarization, satisfactory evidence of identity of the person
25 for whom the notarial act is being performed may be based upon
26 video and audio conference technology that permits the notary

1 to communicate with and identify that person at the time of the
2 notarial act, provided that such identification is confirmed by
3 (i) personal knowledge; (ii) an antecedent in-person identity
4 proofing process; or (iii) any other form of confirmation as
5 may be required by the Secretary.

6 (5 ILCS 312/6-103) (from Ch. 102, par. 206-103)

7 Sec. 6-103. Certificate of Notarial Acts.

8 (a) A notarial act must be evidenced by a certificate
9 signed and dated by the notary public. The certificate must
10 include identification of the jurisdiction in which the
11 notarial act is performed and the official seal of office.

12 (a-5) An electronic notarial act must be evidenced by an
13 electronic notarial certificate with an electronic signature
14 and dated by the electronic notary public. The certificate must
15 include identification of the jurisdiction in which the
16 notarial act is performed and the official electronic seal of
17 office.

18 (b) A certificate of a notarial act or an electronic
19 notarial certificate is sufficient if it meets the requirements
20 of subsections ~~subsection~~ (a) or (a-5) and it:

21 (1) is in the short form set forth in Section 6-105;

22 (2) is in a form otherwise prescribed by the law of
23 this State; or

24 (3) sets forth the actions of the notary public and
25 those are sufficient to meet the requirements of the

1 designated notarial act.

2 (Source: P.A. 84-322.)

3 (5 ILCS 312/6-104) (from Ch. 102, par. 206-104)

4 Sec. 6-104. Acts Prohibited.

5 (a) A notary public shall not use any name or initial in
6 signing certificates other than that by which the notary was
7 commissioned.

8 (b) A notary public shall not acknowledge any instrument in
9 which the notary's name appears as a party to the transaction.

10 (c) A notary public shall not affix his signature to a
11 blank form of affidavit or certificate of acknowledgment and
12 deliver that form to another person with intent that it be used
13 as an affidavit or acknowledgment.

14 (d) A notary public shall not take the acknowledgment of or
15 administer an oath to any person whom the notary actually knows
16 to have been adjudged mentally ill by a court of competent
17 jurisdiction and who has not been restored to mental health as
18 a matter of record.

19 (e) A notary public shall not take the acknowledgment of
20 any person who is blind until the notary has read the
21 instrument to such person.

22 (f) A notary public shall not take the acknowledgment of
23 any person who does not speak or understand the English
24 language, unless the nature and effect of the instrument to be
25 notarized is translated into a language which the person does

1 understand.

2 (g) A notary public shall not change anything in a written
3 instrument after it has been signed by anyone.

4 (h) No notary public shall be authorized to prepare any
5 legal instrument, or fill in the blanks of an instrument, other
6 than a notary certificate; however, this prohibition shall not
7 prohibit an attorney, who is also a notary public, from
8 performing notarial acts for any document prepared by that
9 attorney.

10 (i) If a notary public accepts or receives any money from
11 any one to whom an oath has been administered or on behalf of
12 whom an acknowledgment has been taken for the purpose of
13 transmitting or forwarding such money to another and willfully
14 fails to transmit or forward such money promptly, the notary is
15 personally liable for any loss sustained because of such
16 failure. The person or persons damaged by such failure may
17 bring an action to recover damages, together with interest and
18 reasonable attorney fees, against such notary public or his
19 bondsmen.

20 (j) An electronic notary public shall not take the
21 acknowledgement of any person certifying nominating petitions
22 for political party candidates, judicial office candidates, or
23 any office subject to the provisions of the Election Code.

24 (Source: P.A. 85-421.)

25 (5 ILCS 312/6-105) (from Ch. 102, par. 206-105)

1 Sec. 6-105. Short Forms. The following short form
 2 certificates of notarial acts are sufficient for the purposes
 3 indicated. Such forms may be made available in electronic form
 4 for use in electronic notarial acts.

5 (a) For an acknowledgment in an individual capacity:

6 State of _____

7 County of _____

8 This instrument was acknowledged before me on
 9 _____ (date) by _____ (name/s of person/s).

10

11

12

(Signature of Notary Public)

13

(Seal)

14 (b) For an acknowledgment in a representative capacity:

15 State of _____

16 County of _____

17 This instrument was acknowledged before me on
 18 _____ (date) by _____ (name/s of person/s) as
 19 _____ (type of authority, e.g.,
 20 officer, trustee, etc.) of _____ (name of
 21 party on behalf of whom instrument was executed).

22

23

1 (Signature of Notary Public)

2 (Seal)

3 (c) For a verification upon oath or affirmation:

4 State of _____

5 County of _____

6 Signed and sworn (or affirmed) to before me on
7 _____ (date) by _____ (name/s of person/s
8 making statement).

9
10 _____

11 (Signature of Notary Public)

12 (Seal)

13 (d) For witnessing or attesting a signature:

14 State of _____

15 County of _____

16 Signed or attested before me on _____ (date) by
17 _____ (name/s of person/s).

18
19 _____

20 (Signature of Notary Public)

21 (Seal)

22 (Source: P.A. 84-322.)

1 Section 10. The Election Code is amended by changing
2 Sections 7-10, 8-8, and 10-4 as follows:

3 (10 ILCS 5/7-10) (from Ch. 46, par. 7-10)

4 Sec. 7-10. Form of petition for nomination. The name of no
5 candidate for nomination, or State central committeeman, or
6 township committeeman, or precinct committeeman, or ward
7 committeeman or candidate for delegate or alternate delegate to
8 national nominating conventions, shall be printed upon the
9 primary ballot unless a petition for nomination has been filed
10 in his behalf as provided in this Article in substantially the
11 following form:

12 We, the undersigned, members of and affiliated with the
13 party and qualified primary electors of the party, in
14 the of, in the county of and State of Illinois,
15 do hereby petition that the following named person or persons
16 shall be a candidate or candidates of the party for the
17 nomination for (or in case of committeemen for election to) the
18 office or offices hereinafter specified, to be voted for at the
19 primary election to be held on (insert date).

20	Name	Office	Address
21	John Jones	Governor	Belvidere, Ill.
22	Jane James	Lieutenant Governor	Peoria, Ill.
23	Thomas Smith	Attorney General	Oakland, Ill.

1 Name..... Address.....

2 State of Illinois)

3) ss.

4 County of.....)

5 I,, do hereby certify that I reside at No.
6 street, in the of, county of, and State of
7, that I am 18 years of age or older, that I am a citizen
8 of the United States, and that the signatures on this sheet
9 were signed in my presence, and are genuine, and that to the
10 best of my knowledge and belief the persons so signing were at
11 the time of signing the petitions qualified voters of the
12 party, and that their respective residences are correctly
13 stated, as above set forth.

14

15 Subscribed and sworn to before me on (insert date).

16

17 Each sheet of the petition other than the statement of
18 candidacy and candidate's statement shall be of uniform size
19 and shall contain above the space for signatures an appropriate
20 heading giving the information as to name of candidate or
21 candidates, in whose behalf such petition is signed; the
22 office, the political party represented and place of residence;
23 and the heading of each sheet shall be the same.

24 Such petition shall be signed by qualified primary electors

1 residing in the political division for which the nomination is
2 sought in their own proper persons only and opposite the
3 signature of each signer, his residence address shall be
4 written or printed. The residence address required to be
5 written or printed opposite each qualified primary elector's
6 name shall include the street address or rural route number of
7 the signer, as the case may be, as well as the signer's county,
8 and city, village or town, and state. However the county or
9 city, village or town, and state of residence of the electors
10 may be printed on the petition forms where all of the electors
11 signing the petition reside in the same county or city, village
12 or town, and state. Standard abbreviations may be used in
13 writing the residence address, including street number, if any.
14 At the bottom of each sheet of such petition shall be added a
15 circulator statement signed by a person 18 years of age or
16 older who is a citizen of the United States, stating the street
17 address or rural route number, as the case may be, as well as
18 the county, city, village or town, and state; and certifying
19 that the signatures on that sheet of the petition were signed
20 in his or her presence and certifying that the signatures are
21 genuine; and either (1) indicating the dates on which that
22 sheet was circulated, or (2) indicating the first and last
23 dates on which the sheet was circulated, or (3) certifying that
24 none of the signatures on the sheet were signed more than 90
25 days preceding the last day for the filing of the petition and
26 certifying that to the best of his or her knowledge and belief

1 the persons so signing were at the time of signing the
2 petitions qualified voters of the political party for which a
3 nomination is sought. Such statement shall be sworn to before
4 some officer authorized to administer oaths in this State, but
5 such statement shall not be sworn to by using an electronic
6 notary public as defined in Section 1-104 of the Illinois
7 Notary Public Act.

8 No petition sheet shall be circulated more than 90 days
9 preceding the last day provided in Section 7-12 for the filing
10 of such petition.

11 The person circulating the petition, or the candidate on
12 whose behalf the petition is circulated, may strike any
13 signature from the petition, provided that:

14 (1) the person striking the signature shall initial the
15 petition at the place where the signature is struck; and

16 (2) the person striking the signature shall sign a
17 certification listing the page number and line number of
18 each signature struck from the petition. Such
19 certification shall be filed as a part of the petition.

20 Such sheets before being filed shall be neatly fastened
21 together in book form, by placing the sheets in a pile and
22 fastening them together at one edge in a secure and suitable
23 manner, and the sheets shall then be numbered consecutively.
24 The sheets shall not be fastened by pasting them together end
25 to end, so as to form a continuous strip or roll. All petition
26 sheets which are filed with the proper local election

1 officials, election authorities or the State Board of Elections
2 shall be the original sheets which have been signed by the
3 voters and by the circulator thereof, and not photocopies or
4 duplicates of such sheets. Each petition must include as a part
5 thereof, a statement of candidacy for each of the candidates
6 filing, or in whose behalf the petition is filed. This
7 statement shall set out the address of such candidate, the
8 office for which he is a candidate, shall state that the
9 candidate is a qualified primary voter of the party to which
10 the petition relates and is qualified for the office specified
11 (in the case of a candidate for State's Attorney it shall state
12 that the candidate is at the time of filing such statement a
13 licensed attorney-at-law of this State), shall state that he
14 has filed (or will file before the close of the petition filing
15 period) a statement of economic interests as required by the
16 Illinois Governmental Ethics Act, shall request that the
17 candidate's name be placed upon the official ballot, and shall
18 be subscribed and sworn to by such candidate before some
19 officer authorized to take acknowledgment of deeds in the State
20 and shall be in substantially the following form:

21 Statement of Candidacy

22	Name	Address	Office	District	Party
23	John Jones	102 Main St.	Governor	Statewide	Republican
24		Belvidere,			
25		Illinois			

1 State of Illinois)

2) ss.

3 County of

4 I,, being first duly sworn, say that I reside at

5 Street in the city (or village) of, in the county of,

6 State of Illinois; that I am a qualified voter therein and am a

7 qualified primary voter of the party; that I am a

8 candidate for nomination (for election in the case of

9 committeeman and delegates and alternate delegates) to the

10 office of to be voted upon at the primary election to be

11 held on (insert date); that I am legally qualified (including

12 being the holder of any license that may be an eligibility

13 requirement for the office I seek the nomination for) to hold

14 such office and that I have filed (or I will file before the

15 close of the petition filing period) a statement of economic

16 interests as required by the Illinois Governmental Ethics Act

17 and I hereby request that my name be printed upon the official

18 primary ballot for nomination for (or election to in the case

19 of committeemen and delegates and alternate delegates) such

20 office.

21 Signed

22 Subscribed and sworn to (or affirmed) before me by,

23 who is to me personally known, on (insert date).

24 Signed

25 (Official Character)

26 (Seal, if officer has one.)

1 The petitions, when filed, shall not be withdrawn or added
2 to, and no signatures shall be revoked except by revocation
3 filed in writing with the State Board of Elections, election
4 authority or local election official with whom the petition is
5 required to be filed, and before the filing of such petition.
6 Whoever forges the name of a signer upon any petition required
7 by this Article is deemed guilty of a forgery and on conviction
8 thereof shall be punished accordingly.

9 A candidate for the offices listed in this Section must
10 obtain the number of signatures specified in this Section on
11 his or her petition for nomination.

12 (a) Statewide office or delegate to a national nominating
13 convention. If a candidate seeks to run for statewide office or
14 as a delegate or alternate delegate to a national nominating
15 convention elected from the State at-large, then the
16 candidate's petition for nomination must contain at least 5,000
17 but not more than 10,000 signatures.

18 (b) Congressional office or congressional delegate to a
19 national nominating convention. If a candidate seeks to run for
20 United States Congress or as a congressional delegate or
21 alternate congressional delegate to a national nominating
22 convention elected from a congressional district, then the
23 candidate's petition for nomination must contain at least the
24 number of signatures equal to 0.5% of the qualified primary
25 electors of his or her party in his or her congressional

1 district. In the first primary election following a
2 redistricting of congressional districts, a candidate's
3 petition for nomination must contain at least 600 signatures of
4 qualified primary electors of the candidate's political party
5 in his or her congressional district.

6 (c) County office. If a candidate seeks to run for any
7 countywide office, including but not limited to county board
8 chairperson or county board member, elected on an at-large
9 basis, in a county other than Cook County, then the candidate's
10 petition for nomination must contain at least the number of
11 signatures equal to 0.5% of the qualified electors of his or
12 her party who cast votes at the last preceding general election
13 in his or her county. If a candidate seeks to run for county
14 board member elected from a county board district, then the
15 candidate's petition for nomination must contain at least the
16 number of signatures equal to 0.5% of the qualified primary
17 electors of his or her party in the county board district. In
18 the first primary election following a redistricting of county
19 board districts or the initial establishment of county board
20 districts, a candidate's petition for nomination must contain
21 at least the number of signatures equal to 0.5% of the
22 qualified electors of his or her party in the entire county who
23 cast votes at the last preceding general election divided by
24 the total number of county board districts comprising the
25 county board; provided that in no event shall the number of
26 signatures be less than 25.

1 (d) County office; Cook County only.

2 (1) If a candidate seeks to run for countywide office
3 in Cook County, then the candidate's petition for
4 nomination must contain at least the number of signatures
5 equal to 0.5% of the qualified electors of his or her party
6 who cast votes at the last preceding general election in
7 Cook County.

8 (2) If a candidate seeks to run for Cook County Board
9 Commissioner, then the candidate's petition for nomination
10 must contain at least the number of signatures equal to
11 0.5% of the qualified primary electors of his or her party
12 in his or her county board district. In the first primary
13 election following a redistricting of Cook County Board of
14 Commissioners districts, a candidate's petition for
15 nomination must contain at least the number of signatures
16 equal to 0.5% of the qualified electors of his or her party
17 in the entire county who cast votes at the last preceding
18 general election divided by the total number of county
19 board districts comprising the county board; provided that
20 in no event shall the number of signatures be less than 25.

21 (3) If a candidate seeks to run for Cook County Board
22 of Review Commissioner, which is elected from a district
23 pursuant to subsection (c) of Section 5-5 of the Property
24 Tax Code, then the candidate's petition for nomination must
25 contain at least the number of signatures equal to 0.5% of
26 the total number of registered voters in his or her board

1 of review district in the last general election at which a
2 commissioner was regularly scheduled to be elected from
3 that board of review district. In no event shall the number
4 of signatures required be greater than the requisite number
5 for a candidate who seeks countywide office in Cook County
6 under subsection (d)(1) of this Section. In the first
7 primary election following a redistricting of Cook County
8 Board of Review districts, a candidate's petition for
9 nomination must contain at least 4,000 signatures or at
10 least the number of signatures required for a countywide
11 candidate in Cook County, whichever is less, of the
12 qualified electors of his or her party in the district.

13 (e) Municipal or township office. If a candidate seeks to
14 run for municipal or township office, then the candidate's
15 petition for nomination must contain at least the number of
16 signatures equal to 0.5% of the qualified primary electors of
17 his or her party in the municipality or township. If a
18 candidate seeks to run for alderman of a municipality, then the
19 candidate's petition for nomination must contain at least the
20 number of signatures equal to 0.5% of the qualified primary
21 electors of his or her party of the ward. In the first primary
22 election following redistricting of aldermanic wards or
23 trustee districts of a municipality or the initial
24 establishment of wards or districts, a candidate's petition for
25 nomination must contain the number of signatures equal to at
26 least 0.5% of the total number of votes cast for the candidate

1 of that political party who received the highest number of
2 votes in the entire municipality at the last regular election
3 at which an officer was regularly scheduled to be elected from
4 the entire municipality, divided by the number of wards or
5 districts. In no event shall the number of signatures be less
6 than 25.

7 (f) State central committeeperson. If a candidate seeks to
8 run for State central committeeperson, then the candidate's
9 petition for nomination must contain at least 100 signatures of
10 the primary electors of his or her party of his or her
11 congressional district.

12 (g) Sanitary district trustee. If a candidate seeks to run
13 for trustee of a sanitary district in which trustees are not
14 elected from wards, then the candidate's petition for
15 nomination must contain at least the number of signatures equal
16 to 0.5% of the primary electors of his or her party from the
17 sanitary district. If a candidate seeks to run for trustee of a
18 sanitary district in which trustees are elected from wards,
19 then the candidate's petition for nomination must contain at
20 least the number of signatures equal to 0.5% of the primary
21 electors of his or her party in the ward of that sanitary
22 district. In the first primary election following
23 redistricting of sanitary districts elected from wards, a
24 candidate's petition for nomination must contain at least the
25 signatures of 150 qualified primary electors of his or her ward
26 of that sanitary district.

1 (h) Judicial office. If a candidate seeks to run for
2 judicial office in a district, then the candidate's petition
3 for nomination must contain the number of signatures equal to
4 0.4% of the number of votes cast in that district for the
5 candidate for his or her political party for the office of
6 Governor at the last general election at which a Governor was
7 elected, but in no event less than 500 signatures. If a
8 candidate seeks to run for judicial office in a circuit or
9 subcircuit, then the candidate's petition for nomination must
10 contain the number of signatures equal to 0.25% of the number
11 of votes cast for the judicial candidate of his or her
12 political party who received the highest number of votes at the
13 last general election at which a judicial officer from the same
14 circuit or subcircuit was regularly scheduled to be elected,
15 but in no event less than 1,000 signatures in circuits and
16 subcircuits located in the First Judicial District or 500
17 signatures in every other Judicial District.

18 (i) Precinct, ward, and township committeeperson. If a
19 candidate seeks to run for precinct committeeperson, then the
20 candidate's petition for nomination must contain at least 10
21 signatures of the primary electors of his or her party for the
22 precinct. If a candidate seeks to run for ward committeeperson,
23 then the candidate's petition for nomination must contain no
24 less than the number of signatures equal to 10% of the primary
25 electors of his or her party of the ward, but no more than 16%
26 of those same electors; provided that the maximum number of

1 signatures may be 50 more than the minimum number, whichever is
2 greater. If a candidate seeks to run for township
3 committeeperson, then the candidate's petition for nomination
4 must contain no less than the number of signatures equal to 5%
5 of the primary electors of his or her party of the township,
6 but no more than 8% of those same electors; provided that the
7 maximum number of signatures may be 50 more than the minimum
8 number, whichever is greater.

9 (j) State's attorney or regional superintendent of schools
10 for multiple counties. If a candidate seeks to run for State's
11 attorney or regional Superintendent of Schools who serves more
12 than one county, then the candidate's petition for nomination
13 must contain at least the number of signatures equal to 0.5% of
14 the primary electors of his or her party in the territory
15 comprising the counties.

16 (k) Any other office. If a candidate seeks any other
17 office, then the candidate's petition for nomination must
18 contain at least the number of signatures equal to 0.5% of the
19 registered voters of the political subdivision, district, or
20 division for which the nomination is made or 25 signatures,
21 whichever is greater.

22 For purposes of this Section the number of primary electors
23 shall be determined by taking the total vote cast, in the
24 applicable district, for the candidate for that political party
25 who received the highest number of votes, statewide, at the
26 last general election in the State at which electors for

1 President of the United States were elected. For political
2 subdivisions, the number of primary electors shall be
3 determined by taking the total vote cast for the candidate for
4 that political party who received the highest number of votes
5 in the political subdivision at the last regular election at
6 which an officer was regularly scheduled to be elected from
7 that subdivision. For wards or districts of political
8 subdivisions, the number of primary electors shall be
9 determined by taking the total vote cast for the candidate for
10 that political party who received the highest number of votes
11 in the ward or district at the last regular election at which
12 an officer was regularly scheduled to be elected from that ward
13 or district.

14 A "qualified primary elector" of a party may not sign
15 petitions for or be a candidate in the primary of more than one
16 party.

17 The changes made to this Section of this amendatory Act of
18 the 93rd General Assembly are declarative of existing law,
19 except for item (3) of subsection (d).

20 Petitions of candidates for nomination for offices herein
21 specified, to be filed with the same officer, may contain the
22 names of 2 or more candidates of the same political party for
23 the same or different offices. In the case of the offices of
24 Governor and Lieutenant Governor, a joint petition including
25 one candidate for each of those offices must be filed.

26 (Source: P.A. 96-1018, eff. 1-1-11; 97-81, eff. 7-5-11.)

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

2 Sec. 8-8. Form of petition for nomination. The name of no
3 candidate for nomination shall be printed upon the primary
4 ballot unless a petition for nomination shall have been filed
5 in his behalf as provided for in this Section. Each such
6 petition shall include as a part thereof the oath required by
7 Section 7-10.1 of this Act and a statement of candidacy by the
8 candidate filing or in whose behalf the petition is filed. This
9 statement shall set out the address of such candidate, the
10 office for which he is a candidate, shall state that the
11 candidate is a qualified primary voter of the party to which
12 the petition relates, is qualified for the office specified and
13 has filed a statement of economic interests as required by the
14 Illinois Governmental Ethics Act, shall request that the
15 candidate's name be placed upon the official ballot and shall
16 be subscribed and sworn by such candidate before some officer
17 authorized to take acknowledgment of deeds in this State and
18 may be in substantially the following form:

19 State of Illinois)

20) ss.

21 County

22 I,, being first duly sworn, say that I reside at
23 street in the city (or village of) in the county of
24 State of Illinois; that I am a qualified voter therein and am a
25 qualified primary voter of party; that I am a candidate

1 for nomination to the office of to be voted upon at the
2 primary election to be held on (insert date); that I am legally
3 qualified to hold such office and that I have filed a statement
4 of economic interests as required by the Illinois Governmental
5 Ethics Act and I hereby request that my name be printed upon
6 the official primary ballot for nomination for such office.

7 Signed

8 Subscribed and sworn to (or affirmed) before me by,
9 who is to me personally known, on (insert date).

10 Signed (Official Character)

11 (Seal if officer has one.)

12 The receipt issued by the Secretary of State indicating
13 that the candidate has filed the statement of economic
14 interests required by the Illinois Governmental Ethics Act must
15 be filed with the petitions for nomination as provided in
16 subsection (8) of Section 7-12 of this Code.

17 All petitions for nomination for the office of State
18 Senator shall be signed by at least 1,000 but not more than
19 3,000 of the qualified primary electors of the candidate's
20 party in his legislative district.

21 All petitions for nomination for the office of
22 Representative in the General Assembly shall be signed by at
23 least 500 but not more than 1,500 of the qualified primary
24 electors of the candidate's party in his or her representative
25 district.

26 Opposite the signature of each qualified primary elector

1 who signs a petition for nomination for the office of State
2 Representative or State Senator such elector's residence
3 address shall be written or printed. The residence address
4 required to be written or printed opposite each qualified
5 primary elector's name shall include the street address or
6 rural route number of the signer, as the case may be, as well
7 as the signer's county and city, village or town.

8 For the purposes of this Section, the number of primary
9 electors shall be determined by taking the total vote cast, in
10 the applicable district, for the candidate for such political
11 party who received the highest number of votes, state-wide, at
12 the last general election in the State at which electors for
13 President of the United States were elected.

14 A "qualified primary elector" of a party may not sign
15 petitions for or be a candidate in the primary of more than one
16 party.

17 In the affidavit at the bottom of each sheet, the petition
18 circulator, who shall be a person 18 years of age or older who
19 is a citizen of the United States, shall state his or her
20 street address or rural route number, as the case may be, as
21 well as his or her county, city, village or town, and state;
22 and shall certify that the signatures on that sheet of the
23 petition were signed in his or her presence; and shall certify
24 that the signatures are genuine; and shall certify that to the
25 best of his or her knowledge and belief the persons so signing
26 were at the time of signing the petition qualified primary

1 voters for which the nomination is sought. Such statement shall
2 be sworn to before some officer authorized to administer oaths
3 in this State, but such statement shall not be sworn to by
4 using an electronic notary public as defined in Section 1-104
5 of the Illinois Notary Public Act.

6 In the affidavit at the bottom of each petition sheet, the
7 petition circulator shall either (1) indicate the dates on
8 which he or she circulated that sheet, or (2) indicate the
9 first and last dates on which the sheet was circulated, or (3)
10 certify that none of the signatures on the sheet were signed
11 more than 90 days preceding the last day for the filing of the
12 petition. No petition sheet shall be circulated more than 90
13 days preceding the last day provided in Section 8-9 for the
14 filing of such petition.

15 All petition sheets which are filed with the State Board of
16 Elections shall be the original sheets which have been signed
17 by the voters and by the circulator, and not photocopies or
18 duplicates of such sheets.

19 The person circulating the petition, or the candidate on
20 whose behalf the petition is circulated, may strike any
21 signature from the petition, provided that:

22 (1) the person striking the signature shall initial the
23 petition at the place where the signature is struck; and

24 (2) the person striking the signature shall sign a
25 certification listing the page number and line number of
26 each signature struck from the petition. Such

1 certification shall be filed as a part of the petition.

2 (Source: P.A. 97-81, eff. 7-5-11.)

3 (10 ILCS 5/10-4) (from Ch. 46, par. 10-4)

4 Sec. 10-4. Form of petition for nomination. All petitions
5 for nomination under this Article 10 for candidates for public
6 office in this State, shall in addition to other requirements
7 provided by law, be as follows: Such petitions shall consist of
8 sheets of uniform size and each sheet shall contain, above the
9 space for signature, an appropriate heading, giving the
10 information as to name of candidate or candidates in whose
11 behalf such petition is signed; the office; the party; place of
12 residence; and such other information or wording as required to
13 make same valid, and the heading of each sheet shall be the
14 same. Such petition shall be signed by the qualified voters in
15 their own proper persons only, and opposite the signature of
16 each signer his residence address shall be written or printed.
17 The residence address required to be written or printed
18 opposite each qualified primary elector's name shall include
19 the street address or rural route number of the signer, as the
20 case may be, as well as the signer's county, and city, village
21 or town, and state. However, the county or city, village or
22 town, and state of residence of such electors may be printed on
23 the petition forms where all of the electors signing the
24 petition reside in the same county or city, village or town,
25 and state. Standard abbreviations may be used in writing the

1 residence address, including street number, if any. No
2 signature shall be valid or be counted in considering the
3 validity or sufficiency of such petition unless the
4 requirements of this Section are complied with. At the bottom
5 of each sheet of such petition shall be added a circulator's
6 statement, signed by a person 18 years of age or older who is a
7 citizen of the United States; stating the street address or
8 rural route number, as the case may be, as well as the county,
9 city, village or town, and state; certifying that the
10 signatures on that sheet of the petition were signed in his or
11 her presence; certifying that the signatures are genuine; and
12 either (1) indicating the dates on which that sheet was
13 circulated, or (2) indicating the first and last dates on which
14 the sheet was circulated, or (3) certifying that none of the
15 signatures on the sheet were signed more than 90 days preceding
16 the last day for the filing of the petition; and certifying
17 that to the best of his knowledge and belief the persons so
18 signing were at the time of signing the petition duly
19 registered voters under Articles 4, 5 or 6 of the Code of the
20 political subdivision or district for which the candidate or
21 candidates shall be nominated, and certifying that their
22 respective residences are correctly stated therein. Such
23 statement shall be sworn to before some officer authorized to
24 administer oaths in this State, but such statement shall not be
25 sworn to by using an electronic notary public as defined in
26 Section 1-104 of the Illinois Notary Public Act. No petition

1 sheet shall be circulated more than 90 days preceding the last
2 day provided in Section 10-6 for the filing of such petition.
3 Such sheets, before being presented to the electoral board or
4 filed with the proper officer of the electoral district or
5 division of the state or municipality, as the case may be,
6 shall be neatly fastened together in book form, by placing the
7 sheets in a pile and fastening them together at one edge in a
8 secure and suitable manner, and the sheets shall then be
9 numbered consecutively. The sheets shall not be fastened by
10 pasting them together end to end, so as to form a continuous
11 strip or roll. All petition sheets which are filed with the
12 proper local election officials, election authorities or the
13 State Board of Elections shall be the original sheets which
14 have been signed by the voters and by the circulator, and not
15 photocopies or duplicates of such sheets. A petition, when
16 presented or filed, shall not be withdrawn, altered, or added
17 to, and no signature shall be revoked except by revocation in
18 writing presented or filed with the officers or officer with
19 whom the petition is required to be presented or filed, and
20 before the presentment or filing of such petition. Whoever
21 forges any name of a signer upon any petition shall be deemed
22 guilty of a forgery, and on conviction thereof, shall be
23 punished accordingly. The word "petition" or "petition for
24 nomination", as used herein, shall mean what is sometimes known
25 as nomination papers, in distinction to what is known as a
26 certificate of nomination. The words "political division for

1 which the candidate is nominated", or its equivalent, shall
2 mean the largest political division in which all qualified
3 voters may vote upon such candidate or candidates, as the state
4 in the case of state officers; the township in the case of
5 township officers et cetera. Provided, further, that no person
6 shall circulate or certify petitions for candidates of more
7 than one political party, or for an independent candidate or
8 candidates in addition to one political party, to be voted upon
9 at the next primary or general election, or for such candidates
10 and parties with respect to the same political subdivision at
11 the next consolidated election.

12 (Source: P.A. 98-756, eff. 7-16-14.)".