

# SB1717



## 104TH GENERAL ASSEMBLY

### State of Illinois

2025 and 2026

SB1717

Introduced 2/5/2025, by Sen. Michael E. Hastings

#### SYNOPSIS AS INTRODUCED:

10 ILCS 5/7-12

from Ch. 46, par. 7-12

Amends the Election Code. Provides that the State Board of Elections and the various election authorities and local election officials with whom petitions for nomination are filed shall: (i) create a form for a prospective candidate to request a petition for nomination; (ii) provide a prospective candidate with a petition for nomination within 24 hours after receiving a completed request form; (iii) timestamp when a completed petition for nomination is filed; and (iv) make publicly available a list of filed petitions for nomination that shall be preserved for a period of not less than 6 months.

LRB104 10200 SPS 20274 b

A BILL FOR

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 Section 7-12 as follows:

6 (10 ILCS 5/7-12) (from Ch. 46, par. 7-12)

7 Sec. 7-12. All petitions for nomination shall be filed by  
8 mail or in person as follows:

9 (1) Except as otherwise provided in this Code, where  
10 the nomination is to be made for a State, congressional,  
11 or judicial office, or for any office a nomination for  
12 which is made for a territorial division or district which  
13 comprises more than one county or is partly in one county  
14 and partly in another county or counties (including the  
15 Fox Metro Water Reclamation District), then, except as  
16 otherwise provided in this Section, such petition for  
17 nomination shall be filed in the principal office of the  
18 State Board of Elections not more than 141 and not less  
19 than 134 days prior to the date of the primary, but, in the  
20 case of petitions for nomination to fill a vacancy by  
21 special election in the office of representative in  
22 Congress from this State, such petition for nomination  
23 shall be filed in the principal office of the State Board

1 of Elections not more than 85 days and not less than 82  
2 days prior to the date of the primary.

3 Where a vacancy occurs in the office of Supreme,  
4 Appellate or Circuit Court Judge within the 3-week period  
5 preceding the 134th day before a general primary election,  
6 petitions for nomination for the office in which the  
7 vacancy has occurred shall be filed in the principal  
8 office of the State Board of Elections not more than 120  
9 nor less than 113 days prior to the date of the general  
10 primary election.

11 Where the nomination is to be made for delegates or  
12 alternate delegates to a national nominating convention,  
13 then such petition for nomination shall be filed in the  
14 principal office of the State Board of Elections not more  
15 than 141 and not less than 134 days prior to the date of  
16 the primary; provided, however, that if the rules or  
17 policies of a national political party conflict with such  
18 requirements for filing petitions for nomination for  
19 delegates or alternate delegates to a national nominating  
20 convention, the chair of the State central committee of  
21 such national political party shall notify the Board in  
22 writing, citing by reference the rules or policies of the  
23 national political party in conflict, and in such case the  
24 Board shall direct such petitions to be filed in  
25 accordance with the delegate selection plan adopted by the  
26 state central committee of such national political party.

1           (2) Where the nomination is to be made for a county  
2 office or trustee of a sanitary district then such  
3 petition shall be filed in the office of the county clerk  
4 not more than 141 nor less than 134 days prior to the date  
5 of the primary.

6           (3) Where the nomination is to be made for a municipal  
7 or township office, such petitions for nomination shall be  
8 filed in the office of the local election official, not  
9 more than 127 nor less than 120 days prior to the date of  
10 the primary; provided, where a municipality's or  
11 township's boundaries are coextensive with or are entirely  
12 within the jurisdiction of a municipal board of election  
13 commissioners, the petitions shall be filed in the office  
14 of such board; and provided, that petitions for the office  
15 of multi-township assessor shall be filed with the  
16 election authority.

17           (4) The petitions of candidates for State central  
18 committeeperson shall be filed in the principal office of  
19 the State Board of Elections not more than 141 nor less  
20 than 134 days prior to the date of the primary.

21           (5) Petitions of candidates for precinct, township or  
22 ward committeepersons shall be filed in the office of the  
23 county clerk not more than 141 nor less than 134 days prior  
24 to the date of the primary.

25           (6) The State Board of Elections and the various  
26 election authorities and local election officials with

1       whom such petitions for nominations are filed shall  
2       specify the place where filings shall be made and upon  
3       receipt shall endorse thereon the day and hour on which  
4       each petition was filed. All petitions filed by persons  
5       waiting in line as of 8:00 a.m. on the first day for  
6       filing, or as of the normal opening hour of the office  
7       involved on such day, shall be deemed filed as of 8:00 a.m.  
8       or the normal opening hour, as the case may be. Petitions  
9       filed by mail and received after midnight of the first day  
10      for filing and in the first mail delivery or pickup of that  
11      day shall be deemed as filed as of 8:00 a.m. of that day or  
12      as of the normal opening hour of such day, as the case may  
13      be. All petitions received thereafter shall be deemed as  
14      filed in the order of actual receipt. However, 2 or more  
15      petitions filed within the last hour of the filing  
16      deadline shall be deemed filed simultaneously. Where 2 or  
17      more petitions are received simultaneously, the State  
18      Board of Elections or the various election authorities or  
19      local election officials with whom such petitions are  
20      filed shall break ties and determine the order of filing,  
21      by means of a lottery or other fair and impartial method of  
22      random selection approved by the State Board of Elections.  
23      Such lottery shall be conducted within 9 days following  
24      the last day for petition filing and shall be open to the  
25      public. Seven days written notice of the time and place of  
26      conducting such random selection shall be given by the

1 State Board of Elections to the chair of the State central  
2 committee of each established political party, and by each  
3 election authority or local election official, to the  
4 County Chair of each established political party, and to  
5 each organization of citizens within the election  
6 jurisdiction which was entitled, under this Article, at  
7 the next preceding election, to have pollwatchers present  
8 on the day of election. The State Board of Elections,  
9 election authority or local election official shall post  
10 in a conspicuous, open and public place, at the entrance  
11 of the office, notice of the time and place of such  
12 lottery. The State Board of Elections shall adopt rules  
13 and regulations governing the procedures for the conduct  
14 of such lottery. All candidates shall be certified in the  
15 order in which their petitions have been filed. Where  
16 candidates have filed simultaneously, they shall be  
17 certified in the order determined by lot and prior to  
18 candidates who filed for the same office at a later time.

19 (7) The State Board of Elections or the appropriate  
20 election authority or local election official with whom  
21 such a petition for nomination is filed shall notify the  
22 person for whom a petition for nomination has been filed  
23 of the obligation to file statements of organization,  
24 reports of campaign contributions, and quarterly reports  
25 of campaign contributions and expenditures under Article 9  
26 of this Code. Such notice shall be given in the manner

1           prescribed by paragraph (7) of Section 9-16 of this Code.

2           (8) Nomination papers filed under this Section are not  
3           valid if the candidate named therein fails to file a  
4           statement of economic interests as required by the  
5           Illinois Governmental Ethics Act in relation to his  
6           candidacy with the appropriate officer by the end of the  
7           period for the filing of nomination papers unless he has  
8           filed a statement of economic interests in relation to the  
9           same governmental unit with that officer within a year  
10          preceding the date on which such nomination papers were  
11          filed. If the nomination papers of any candidate and the  
12          statement of economic interests of that candidate are not  
13          required to be filed with the same officer, the candidate  
14          must file with the officer with whom the nomination papers  
15          are filed a receipt from the officer with whom the  
16          statement of economic interests is filed showing the date  
17          on which such statement was filed. Such receipt shall be  
18          so filed not later than the last day on which nomination  
19          papers may be filed.

20          (9) Except as otherwise provided in this Code, any  
21          person for whom a petition for nomination, or for  
22          committeeperson or for delegate or alternate delegate to a  
23          national nominating convention has been filed may cause  
24          his name to be withdrawn by request in writing, signed by  
25          him and duly acknowledged before an officer qualified to  
26          take acknowledgments of deeds, and filed in the principal

1 or permanent branch office of the State Board of Elections  
2 or with the appropriate election authority or local  
3 election official, not later than the date of  
4 certification of candidates for the consolidated primary  
5 or general primary ballot. No names so withdrawn shall be  
6 certified or printed on the primary ballot. If petitions  
7 for nomination have been filed for the same person with  
8 respect to more than one political party, his name shall  
9 not be certified nor printed on the primary ballot of any  
10 party. If petitions for nomination have been filed for the  
11 same person for 2 or more offices which are incompatible  
12 so that the same person could not serve in more than one of  
13 such offices if elected, that person must withdraw as a  
14 candidate for all but one of such offices within the 5  
15 business days following the last day for petition filing.  
16 A candidate in a judicial election may file petitions for  
17 nomination for only one vacancy in a subcircuit and only  
18 one vacancy in a circuit in any one filing period, and if  
19 petitions for nomination have been filed for the same  
20 person for 2 or more vacancies in the same circuit or  
21 subcircuit in the same filing period, his or her name  
22 shall be certified only for the first vacancy for which  
23 the petitions for nomination were filed. If he fails to  
24 withdraw as a candidate for all but one of such offices  
25 within such time his name shall not be certified, nor  
26 printed on the primary ballot, for any office. For the

1           purpose of the foregoing provisions, an office in a  
2           political party is not incompatible with any other office.

3           (10)(a) Notwithstanding the provisions of any other  
4           statute, no primary shall be held for an established  
5           political party in any township, municipality, or ward  
6           thereof, where the nomination of such party for every  
7           office to be voted upon by the electors of such township,  
8           municipality, or ward thereof, is uncontested. Whenever a  
9           political party's nomination of candidates is uncontested  
10          as to one or more, but not all, of the offices to be voted  
11          upon by the electors of a township, municipality, or ward  
12          thereof, then a primary shall be held for that party in  
13          such township, municipality, or ward thereof; provided  
14          that the primary ballot shall not include those offices  
15          within such township, municipality, or ward thereof, for  
16          which the nomination is uncontested. For purposes of this  
17          Article, the nomination of an established political party  
18          of a candidate for election to an office shall be deemed to  
19          be uncontested where not more than the number of persons  
20          to be nominated have timely filed valid nomination papers  
21          seeking the nomination of such party for election to such  
22          office.

23          (b) Notwithstanding the provisions of any other  
24          statute, no primary election shall be held for an  
25          established political party for any special primary  
26          election called for the purpose of filling a vacancy in

1 the office of representative in the United States Congress  
2 where the nomination of such political party for said  
3 office is uncontested. For the purposes of this Article,  
4 the nomination of an established political party of a  
5 candidate for election to said office shall be deemed to  
6 be uncontested where not more than the number of persons  
7 to be nominated have timely filed valid nomination papers  
8 seeking the nomination of such established party for  
9 election to said office. This subsection (b) shall not  
10 apply if such primary election is conducted on a regularly  
11 scheduled election day.

12 (c) Notwithstanding the provisions in subparagraph (a)  
13 and (b) of this paragraph (10), whenever a person who has  
14 not timely filed valid nomination papers and who intends  
15 to become a write-in candidate for a political party's  
16 nomination for any office for which the nomination is  
17 uncontested files a written statement or notice of that  
18 intent with the local election official where the  
19 candidate is seeking to appear on the ballot, a primary  
20 ballot shall be prepared and a primary shall be held for  
21 that office. Such statement or notice shall be filed on or  
22 before the date established in this Article for certifying  
23 candidates for the primary ballot. Such statement or  
24 notice shall contain (i) the name and address of the  
25 person intending to become a write-in candidate, (ii) a  
26 statement that the person is a qualified primary elector

1 of the political party from whom the nomination is sought,  
2 (iii) a statement that the person intends to become a  
3 write-in candidate for the party's nomination, and (iv)  
4 the office the person is seeking as a write-in candidate.  
5 An election authority shall have no duty to conduct a  
6 primary and prepare a primary ballot for any office for  
7 which the nomination is uncontested unless a statement or  
8 notice meeting the requirements of this Section is filed  
9 in a timely manner.

10 (11) If multiple sets of nomination papers are filed  
11 for a candidate to the same office, the State Board of  
12 Elections, appropriate election authority or local  
13 election official where the petitions are filed shall  
14 within 2 business days notify the candidate of his or her  
15 multiple petition filings and that the candidate has 3  
16 business days after receipt of the notice to notify the  
17 State Board of Elections, appropriate election authority  
18 or local election official that he or she may cancel prior  
19 sets of petitions. If the candidate notifies the State  
20 Board of Elections, appropriate election authority or  
21 local election official, the last set of petitions filed  
22 shall be the only petitions to be considered valid by the  
23 State Board of Elections, election authority or local  
24 election official. If the candidate fails to notify the  
25 State Board of Elections, election authority or local  
26 election official then only the first set of petitions

1 filed shall be valid and all subsequent petitions shall be  
2 void.

3 (12) All nominating petitions shall be available for  
4 public inspection and shall be preserved for a period of  
5 not less than 6 months.

6 (13) The State Board of Elections and the various  
7 election authorities and local election officials with  
8 whom such petitions for nomination are filed shall: (i)  
9 create a form that is not associated with the Freedom of  
10 Information Act for a prospective candidate to request a  
11 petition for nomination; (ii) provide a prospective  
12 candidate with a petition for nomination within 24 hours  
13 after receiving a completed request form; (iii) timestamp  
14 when a completed petition for nomination is filed; and  
15 (iv) make publicly available a list of filed petitions for  
16 nomination that shall be preserved for a period of not  
17 less than 6 months.

18 (Source: P.A. 102-15, eff. 6-17-21; 102-687, eff. 12-17-21;  
19 103-586, eff. 5-3-24; 103-600, eff. 7-1-24.)