



## 101ST GENERAL ASSEMBLY

### State of Illinois

2019 and 2020

HB2954

by Rep. Tim Butler

#### SYNOPSIS AS INTRODUCED:

10 ILCS 5/7-12	from Ch. 46, par. 7-12
10 ILCS 5/10-6	from Ch. 46, par. 10-6
10 ILCS 5/10-6.2	from Ch. 46, par. 10-6.2
10 ILCS 5/10-7	from Ch. 46, par. 10-7
10 ILCS 5/10-8	from Ch. 46, par. 10-8
10 ILCS 5/10-9	from Ch. 46, par. 10-9
10 ILCS 5/10-10	from Ch. 46, par. 10-10
10 ILCS 5/10-11	from Ch. 46, par. 10-11
10 ILCS 5/10-15	from Ch. 46, par. 10-15
60 ILCS 1/150-15	
65 ILCS 5/3.1-20-45	
65 ILCS 5/3.1-25-20	from Ch. 24, par. 3.1-25-20
65 ILCS 5/4-3-7	from Ch. 24, par. 4-3-7
110 ILCS 805/3-7.10	from Ch. 122, par. 103-7.10

Amends the Election Code. Provides that a petition for nomination for a municipal or township office shall be filed in the office of the county clerk of the county in which the seat of the township or municipality is located (rather than in the office of the local election official). Makes conforming changes throughout the Code and in the Township Code, the Illinois Municipal Code, and the Public Community College Act. Makes other changes.

LRB101 09120 SMS 54214 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 7-12, 10-6, 10-6.2, 10-7, 10-8, 10-9, 10-10, 10-11,  
6 and 10-15 as follows:

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

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

10 (1) Where the nomination is to be made for a State,  
11 congressional, or judicial office, or for any office a  
12 nomination for which is made for a territorial division or  
13 district which comprises more than one county or is partly  
14 in one county and partly in another county or counties,  
15 then, except as otherwise provided in this Section, such  
16 petition for nomination shall be filed in the principal  
17 office of the State Board of Elections not more than 113  
18 and not less than 106 days prior to the date of the  
19 primary, but, in the case of petitions for nomination to  
20 fill a vacancy by special election in the office of  
21 representative in Congress from this State, such petition  
22 for nomination shall be filed in the principal office of  
23 the State Board of Elections not more than 85 days and not

1 less than 82 days prior to the date of the primary.

2 Where a vacancy occurs in the office of Supreme,  
3 Appellate or Circuit Court Judge within the 3-week period  
4 preceding the 106th day before a general primary election,  
5 petitions for nomination for the office in which the  
6 vacancy has occurred shall be filed in the principal office  
7 of the State Board of Elections not more than 92 nor less  
8 than 85 days prior to the date of the general primary  
9 election.

10 Where the nomination is to be made for delegates or  
11 alternate delegates to a national nominating convention,  
12 then such petition for nomination shall be filed in the  
13 principal office of the State Board of Elections not more  
14 than 113 and not less than 106 days prior to the date of  
15 the primary; provided, however, that if the rules or  
16 policies of a national political party conflict with such  
17 requirements for filing petitions for nomination for  
18 delegates or alternate delegates to a national nominating  
19 convention, the chair of the State central committee of  
20 such national political party shall notify the Board in  
21 writing, citing by reference the rules or policies of the  
22 national political party in conflict, and in such case the  
23 Board shall direct such petitions to be filed in accordance  
24 with the delegate selection plan adopted by the state  
25 central committee of such national political party.

26 (2) Where the nomination is to be made for a county

1 office or trustee of a sanitary district then such petition  
2 shall be filed in the office of the county clerk not more  
3 than 113 nor less than 106 days prior to the date of the  
4 primary.

5 (3) Where the nomination is to be made for a municipal  
6 or township office, such petitions for nomination shall be  
7 filed in the office of the county clerk of the county in  
8 which the seat of the township or municipality is located  
9 ~~local election official~~, not more than 99 nor less than 92  
10 days prior to the date of the primary; provided, where a  
11 municipality's or township's boundaries are coextensive  
12 with or are entirely within the jurisdiction of a municipal  
13 board of election commissioners, the petitions shall be  
14 filed in the office of such board; and provided, that  
15 petitions for the office of multi-township assessor shall  
16 be filed with the 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 113 nor less  
20 than 106 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 113 nor less than 106 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 specify  
2           the place where filings shall be made and upon receipt  
3           shall endorse thereon the day and hour on which each  
4           petition was filed. All petitions filed by persons waiting  
5           in line as of 8:00 a.m. on the first day for filing, or as  
6           of the normal opening hour of the office involved on such  
7           day, shall be deemed filed as of 8:00 a.m. or the normal  
8           opening hour, as the case may be. Petitions filed by mail  
9           and received after midnight of the first day for filing and  
10          in the first mail delivery or pickup of that day shall be  
11          deemed as filed as of 8:00 a.m. of that day or as of the  
12          normal opening hour of such day, as the case may be. All  
13          petitions received thereafter shall be deemed as filed in  
14          the order of actual receipt. However, 2 or more petitions  
15          filed within the last hour of the filing deadline shall be  
16          deemed filed simultaneously. Where 2 or more petitions are  
17          received simultaneously, the State Board of Elections or  
18          the various election authorities ~~or local election~~  
19          ~~officials~~ with whom such petitions are filed shall break  
20          ties and determine the order of filing, by means of a  
21          lottery or other fair and impartial method of random  
22          selection approved by the State Board of Elections. Such  
23          lottery shall be conducted within 9 days following the last  
24          day for petition filing and shall be open to the public.  
25          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 the  
7 next preceding election, to have pollwatchers present on  
8 the day of election. The State Board of Elections or  
9 election authority ~~or local election official~~ shall post in  
10 a conspicuous, open and public place, at the entrance of  
11 the office, notice of the time and place of such lottery.  
12 The State Board of Elections shall adopt rules and  
13 regulations governing the procedures for the conduct of  
14 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 of  
23 the obligation to file statements of organization, reports  
24 of campaign contributions, and annual reports of campaign  
25 contributions and expenditures under Article 9 of this Act.  
26 Such notice shall be given in the manner prescribed by

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

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

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



1 office in a political party is not incompatible with any  
2 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 to  
20 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 the

1 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 be  
6 uncontested where not more than the number of persons to be  
7 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 to  
15 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 State Board of Elections or the election  
19 authority ~~local election official~~ with whom nomination  
20 papers for such office are filed, a primary ballot shall be  
21 prepared and a primary shall be held for that office. Such  
22 statement or notice shall be filed on or before the date  
23 established in this Article for certifying candidates for  
24 the primary ballot. Such statement or notice shall contain  
25 (i) the name and address of the person intending to become  
26 a write-in candidate, (ii) a statement that the person is a

1 qualified primary elector of the political party from whom  
2 the nomination is sought, (iii) a statement that the person  
3 intends to become a write-in candidate for the party's  
4 nomination, and (iv) the office the person is seeking as a  
5 write-in candidate. An election authority shall have no  
6 duty to conduct a primary and prepare a primary ballot for  
7 any office for which the nomination is uncontested unless a  
8 statement or notice meeting the requirements of this  
9 Section is filed 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 or 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 or appropriate election  
18 authority ~~or local election official~~ that he or she may  
19 cancel prior sets of petitions. If the candidate notifies  
20 the State Board of Elections or appropriate election  
21 authority ~~or local election official~~, the last set of  
22 petitions filed shall be the only petitions to be  
23 considered valid by the State Board of Elections or  
24 election authority ~~or local election official~~. If the  
25 candidate fails to notify the State Board of Elections or ~~or~~  
26 election authority, ~~or local election official~~ then only

1 the first set of petitions filed shall be valid and all  
2 subsequent petitions shall be 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) Notwithstanding the provisions of any other  
7 statute, all nominating petitions shall be filed with  
8 either the State Board of Elections or the appropriate  
9 election authority.

10 (Source: P.A. 99-221, eff. 7-31-15; 100-1027, eff. 1-1-19.)

11 (10 ILCS 5/10-6) (from Ch. 46, par. 10-6)

12 Sec. 10-6. Time and manner of filing. Certificates of  
13 nomination and nomination papers for the nomination of  
14 candidates for offices to be filled by electors of the entire  
15 State, or any district not entirely within a county, or for  
16 congressional, state legislative or judicial offices, shall be  
17 presented to the principal office of the State Board of  
18 Elections not more than 141 nor less than 134 days previous to  
19 the day of election for which the candidates are nominated. The  
20 State Board of Elections shall endorse the certificates of  
21 nomination or nomination papers, as the case may be, and the  
22 date and hour of presentment to it. Except as otherwise  
23 provided in this Section ~~section~~, all other certificates for  
24 the nomination of candidates shall be filed with the county  
25 clerk of the respective counties not more than 141 but at least

1 134 days previous to the day of such election. Certificates of  
2 nomination and nomination papers for the nomination of  
3 candidates for school district offices to be filled at  
4 consolidated elections shall be filed with the county clerk or  
5 county board of election commissioners of the county in which  
6 the principal office of the school district is located not more  
7 than 113 nor less than 106 days before the consolidated  
8 election. Certificates of nomination and nomination papers for  
9 the nomination of candidates for the other offices of political  
10 subdivisions to be filled at regular elections other than the  
11 general election shall be filed with the county clerk of the  
12 respective county ~~local election official of such subdivision:~~

13 (1) (Blank);

14 (2) not more than 113 nor less than 106 days prior to  
15 the consolidated election; or

16 (3) not more than 113 nor less than 106 days prior to  
17 the general primary in the case of municipal offices to be  
18 filled at the general primary election; or

19 (4) not more than 99 nor less than 92 days before the  
20 consolidated primary in the case of municipal offices to be  
21 elected on a nonpartisan basis pursuant to law (including  
22 without limitation, those municipal offices subject to  
23 Articles 4 and 5 of the Municipal Code); or

24 (5) not more than 113 nor less than 106 days before the  
25 municipal primary in even numbered years for such  
26 nonpartisan municipal offices where annual elections are

1 provided; or

2 (6) in the case of petitions for the office of  
3 multi-township assessor, such petitions shall be filed  
4 with the election authority not more than 113 nor less than  
5 106 days before the consolidated election.

6 However, where a political subdivision's boundaries are  
7 co-extensive with or are entirely within the jurisdiction of a  
8 municipal board of election commissioners, the certificates of  
9 nomination and nomination papers for candidates for such  
10 political subdivision offices shall be filed in the office of  
11 such Board.

12 (Source: P.A. 98-691, eff. 7-1-14; 99-522, eff. 6-30-16.)

13 (10 ILCS 5/10-6.2) (from Ch. 46, par. 10-6.2)

14 Sec. 10-6.2. The State Board of Elections or the election  
15 authority ~~or the local election official~~ with whom petitions  
16 for nomination are filed pursuant to this Article 10 shall  
17 specify the place where filings shall be made and upon receipt  
18 shall endorse thereon the day and the hour at which each  
19 petition was filed. Except as provided by Article 9 of The  
20 School Code, all petitions filed by persons waiting in line as  
21 of 8:00 a.m. on the first day for filing, or as of the normal  
22 opening hour of the office involved on such day, shall be  
23 deemed filed as of 8:00 a.m. or the normal opening hour, as the  
24 case may be. Petitions filed by mail and received after  
25 midnight of the first day for filing and in the first mail

1 delivery or pickup of that day shall be deemed filed as of 8:00  
2 a.m. of that day or as of the normal opening hour of such day,  
3 as the case may be. All petitions received thereafter shall be  
4 deemed filed in the order of actual receipt. However, 2 or more  
5 petitions filed within the last hour of the filing deadline  
6 shall be deemed filed simultaneously. Where 2 or more petitions  
7 are received simultaneously, the State Board of Elections or  
8 the election authority ~~or the local election official~~ with whom  
9 such petitions are filed shall break ties and determine the  
10 order of filing by means of a lottery or other fair and  
11 impartial method of random selection approved by the State  
12 Board of Elections. Such lottery shall be conducted within 9  
13 days following the last day for petition filing and shall be  
14 open to the public. Seven days written notice of the time and  
15 place of conducting such random selection shall be given~~r~~ by  
16 the State Board of Elections or~~r~~ the election authority~~r~~ ~~or~~  
17 ~~local election official~~, to the Chair of each political party,  
18 and to each organization of citizens within the election  
19 jurisdiction which was entitled, under this Code, at the next  
20 preceding election, to have pollwatchers present on the day of  
21 election. The State Board of Elections or~~r~~ the election  
22 authority ~~or local election official~~ shall post in a  
23 conspicuous, open and public place, at the entrance of the  
24 office, notice of the time and place of such lottery. The State  
25 Board of Elections shall adopt rules and regulations governing  
26 the procedures for the conduct of such lottery. All candidates

1 shall be certified in the order in which their petitions have  
2 been filed and in the manner prescribed by Section 10-14 and  
3 10-15 of this Article. Where candidates have filed  
4 simultaneously, they shall be certified in the order determined  
5 by lot and prior to candidates who filed for the same office or  
6 offices at a later time. Certificates of nomination filed  
7 within the period prescribed in Section 10-6(2) for candidates  
8 nominated by caucus for township or municipal offices shall be  
9 subject to the ballot placement lottery for established  
10 political parties prescribed in Section 7-60 of this Code.

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



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

2 (Source: P.A. 100-1027, eff. 1-1-19.)

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

4 Sec. 10-7. Any person whose name has been presented as a  
5 candidate, including nonpartisan and independent candidates,  
6 may cause his or her name to be withdrawn from any such  
7 nomination by his request in writing, signed by him and duly  
8 acknowledged before an officer qualified to take  
9 acknowledgment of deeds, and presented to the principal office  
10 or permanent branch office of the State Board of Elections ~~or~~  
11 the appropriate election authority, ~~or the local election~~  
12 ~~official, as the case may be,~~ not later than the date for  
13 certification of candidates for the ballot. No name so  
14 withdrawn shall be printed upon the ballots under the party  
15 appellation or title from which the candidate has withdrawn his  
16 or her name. If such a request for withdrawal is received after  
17 the date for certification of the candidates for the ballot,  
18 then the votes cast for the withdrawn candidate are invalid and  
19 shall not be reported by the State Board of Elections or  
20 election authority. If the name of the same person has been  
21 presented as a candidate for 2 or more offices which are  
22 incompatible so that the same person could not serve in more  
23 than one of such offices if elected, that person must withdraw  
24 as a candidate for all but one of such offices within the 5  
25 business days following the last day for petition filing. If he

1 or she fails to withdraw as a candidate for all but one of such  
2 offices within such time, his or her name shall not be  
3 certified, nor printed on the ballot, for any office. However,  
4 nothing in this section shall be construed as precluding a  
5 judge who is seeking retention in office from also being a  
6 candidate for another judicial office. Except as otherwise  
7 herein provided, in case the certificate of nomination or  
8 petition as provided for in this Article shall contain or  
9 exhibit the name of any candidate for any office upon more than  
10 one of said certificates or petitions (for the same office),  
11 then and in that case the State Board of Elections or election  
12 authority ~~or local election official, as the case may be,~~ shall  
13 immediately notify said candidate of said fact and that his or  
14 her name appears unlawfully upon more than one of said  
15 certificates or petitions and that within 3 days from the  
16 receipt of said notification, said candidate must elect as to  
17 which of said political party appellations or groups he or she  
18 desires his or her name to appear and remain under upon said  
19 ballot, and if said candidate refuses, fails or neglects to  
20 make such election, then and in that case the State Board of  
21 Elections or election authority ~~or local election official, as~~  
22 ~~the case may be,~~ shall permit the name of said candidate to  
23 appear or be printed or placed upon said ballot only under the  
24 political party appellation or group appearing on the  
25 certificate of nomination or petition, as the case may be,  
26 first filed, and shall strike or cause to be stricken the name

1 of said candidate from all certificates of nomination and  
2 petitions filed after the first such certificate of nomination  
3 or petition.

4 Whenever the name of a candidate for an office is withdrawn  
5 from a new political party petition, it shall constitute a  
6 vacancy in nomination for that office which may be filled in  
7 accordance with Section 10-11 of this Article; provided, that  
8 if the names of all candidates for all offices on a new  
9 political party petition are withdrawn or such petition is  
10 declared invalid by an electoral board or upon judicial review,  
11 no vacancies in nomination for those offices shall exist and  
12 the filing of any notice or resolution purporting to fill  
13 vacancies in nomination shall have no legal effect.

14 Whenever the name of an independent candidate for an office  
15 is withdrawn or an independent candidate's petition is declared  
16 invalid by an electoral board or upon judicial review, no  
17 vacancy in nomination for that office shall exist and the  
18 filing of any notice or resolution purporting to fill a vacancy  
19 in nomination shall have no legal effect.

20 All certificates of nomination and nomination papers when  
21 presented or filed shall be open, under proper regulation, to  
22 public inspection, and the State Board of Elections and the  
23 several election authorities ~~and local election officials~~  
24 having charge of nomination papers shall preserve the same in  
25 their respective offices not less than 6 months.

26 (Source: P.A. 98-115, eff. 7-29-13; 98-1171, eff. 6-1-15.)

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

2 Sec. 10-8. Certificates of nomination and nomination  
3 papers, and petitions to submit public questions to a  
4 referendum, being filed as required by this Code, and being in  
5 apparent conformity with the provisions of this Act, shall be  
6 deemed to be valid unless objection thereto is duly made in  
7 writing within 5 business days after the last day for filing  
8 the certificate of nomination or nomination papers or petition  
9 for a public question, with the following exceptions:

10 A. In the case of petitions to amend Article IV of the  
11 Constitution of the State of Illinois, there shall be a  
12 period of 35 business days after the last day for the  
13 filing of such petitions in which objections can be filed.

14 B. In the case of petitions for advisory questions of  
15 public policy to be submitted to the voters of the entire  
16 State, there shall be a period of 35 business days after  
17 the last day for the filing of such petitions in which  
18 objections can be filed.

19 Any legal voter of the political subdivision or district in  
20 which the candidate or public question is to be voted on, or  
21 any legal voter in the State in the case of a proposed  
22 amendment to Article IV of the Constitution or an advisory  
23 public question to be submitted to the voters of the entire  
24 State, having objections to any certificate of nomination or  
25 nomination papers or petitions filed, shall file an objector's

1 petition together with 2 copies thereof in the principal office  
2 or the permanent branch office of the State Board of Elections,~~7~~  
3 or in the office of the election authority ~~or local election~~  
4 ~~official~~ with whom the certificate of nomination, nomination  
5 papers or petitions are on file. Objection petitions that do  
6 not include 2 copies thereof, shall not be accepted. In the  
7 case of nomination papers or certificates of nomination, the  
8 State Board of Elections or~~7~~ election authority ~~or local~~  
9 ~~election official~~ shall note the day and hour upon which such  
10 objector's petition is filed, and shall, not later than 12:00  
11 noon on the second business day after receipt of the petition,  
12 transmit by registered mail or receipted personal delivery the  
13 certificate of nomination or nomination papers and the original  
14 objector's petition to the chair of the proper electoral board  
15 designated in Section 10-9 hereof, or his or her authorized  
16 agent, and shall transmit a copy by registered mail or  
17 receipted personal delivery of the objector's petition, to the  
18 candidate whose certificate of nomination or nomination papers  
19 are objected to, addressed to the place of residence designated  
20 in said certificate of nomination or nomination papers. In the  
21 case of objections to a petition for a proposed amendment to  
22 Article IV of the Constitution or for an advisory public  
23 question to be submitted to the voters of the entire State, the  
24 State Board of Elections shall note the day and hour upon which  
25 such objector's petition is filed and shall transmit a copy of  
26 the objector's petition by registered mail or receipted

1 personal delivery to the person designated on a certificate  
2 attached to the petition as the principal proponent of such  
3 proposed amendment or public question, or as the proponents'  
4 attorney, for the purpose of receiving notice of objections. In  
5 the case of objections to a petition for a public question, to  
6 be submitted to the voters of a political subdivision, or  
7 district thereof, the election authority ~~or local election~~  
8 ~~official~~ with whom such petition is filed shall note the day  
9 and hour upon which such objector's petition was filed, and  
10 shall, not later than 12:00 noon on the second business day  
11 after receipt of the petition, transmit by registered mail or  
12 receipted personal delivery the petition for the public  
13 question and the original objector's petition to the chair of  
14 the proper electoral board designated in Section 10-9 hereof,  
15 or his or her authorized agent, and shall transmit a copy by  
16 registered mail or receipted personal delivery, of the  
17 objector's petition to the person designated on a certificate  
18 attached to the petition as the principal proponent of the  
19 public question, or as the proponent's attorney, for the  
20 purposes of receiving notice of objections.

21 The objector's petition shall give the objector's name and  
22 residence address, and shall state fully the nature of the  
23 objections to the certificate of nomination or nomination  
24 papers or petitions in question, and shall state the interest  
25 of the objector and shall state what relief is requested of the  
26 electoral board.

1           The provisions of this Section and of Sections 10-9, 10-10  
2 and 10-10.1 shall also apply to and govern objections to  
3 petitions for nomination filed under Article 7 or Article 8,  
4 except as otherwise provided in Section 7-13 for cases to which  
5 it is applicable, and also apply to and govern petitions for  
6 the submission of public questions under Article 28.

7           (Source: P.A. 100-1027, eff. 1-1-19.)

8           (10 ILCS 5/10-9) (from Ch. 46, par. 10-9)

9           Sec. 10-9. The following electoral boards are designated  
10 for the purpose of hearing and passing upon the objector's  
11 petition described in Section 10-8.

12           1. The State Board of Elections will hear and pass upon  
13 objections to the nominations of candidates for State  
14 offices, nominations of candidates for congressional or  
15 legislative offices that are in more than one county or are  
16 wholly located within a single county with a population of  
17 less than 3,000,000 and judicial offices of districts,  
18 subcircuits, or circuits situated in more than one county,  
19 nominations of candidates for the offices of State's  
20 attorney or regional superintendent of schools to be  
21 elected from more than one county, and petitions for  
22 proposed amendments to the Constitution of the State of  
23 Illinois as provided for in Section 3 of Article XIV of the  
24 Constitution.

25           2. The county officers electoral board of a county with

1 a population of less than 3,000,000 to hear and pass upon  
2 objections to the nominations of candidates for county  
3 offices and judicial offices of a district, subcircuit, or  
4 circuit coterminous with or less than a county, for any  
5 school district offices, for the office of multi-township  
6 assessor where candidates for such office are nominated in  
7 accordance with this Code, and for all special district  
8 offices, shall be composed of the county clerk, or an  
9 assistant designated by the county clerk, the State's  
10 attorney of the county or an Assistant State's Attorney  
11 designated by the State's Attorney, and the clerk of the  
12 circuit court, or an assistant designated by the clerk of  
13 the circuit court, of the county, of whom the county clerk  
14 or his or her designee shall be the chair, except that in  
15 any county which has established a county board of election  
16 commissioners that board shall constitute the county  
17 officers electoral board ex-officio. If a school district  
18 is located in 2 or more counties, the county officers  
19 electoral board of the county in which the principal office  
20 of the school district is located shall hear and pass upon  
21 objections to nominations of candidates for school  
22 district office in that school district.

23 2.5. The county officers electoral board of a county  
24 with a population of 3,000,000 or more to hear and pass  
25 upon objections to the nominations of candidates for county  
26 offices, candidates for congressional and legislative



1 offices if the district is wholly within a county with a  
2 population of 3,000,000 or more, unless the district is  
3 wholly or partially within the jurisdiction of a municipal  
4 board of election commissioners, and judicial offices of a  
5 district, subcircuit, or circuit coterminous with or less  
6 than a county, for any school district offices, for the  
7 office of multi-township assessor where candidates for  
8 such office are nominated in accordance with this Code, and  
9 for all special district offices, shall be composed of the  
10 county clerk, or an assistant designated by the county  
11 clerk, the State's Attorney of the county or an Assistant  
12 State's Attorney designated by the State's Attorney, and  
13 the clerk of the circuit court, or an assistant designated  
14 by the clerk of the circuit court, of the county, of whom  
15 the county clerk or his or her designee shall be the chair,  
16 except that, in any county which has established a county  
17 board of election commissioners, that board shall  
18 constitute the county officers electoral board ex-officio.  
19 If a school district is located in 2 or more counties, the  
20 county officers electoral board of the county in which the  
21 principal office of the school district is located shall  
22 hear and pass upon objections to nominations of candidates  
23 for school district office in that school district.

24 3. Objections to the nomination of candidates for  
25 officers of municipalities, officers of townships, and  
26 offices in community college districts shall be heard by

1       the county officers electoral board in the county where the  
2       municipality, township, or community college district is  
3       situated. Where a municipality, township, or community  
4       college district is situated in 2 or more counties, the  
5       county officers electoral board of the county in which the  
6       principal office of the municipality, township, or  
7       community college is located shall hear and pass upon  
8       objections to nominations of candidates in that  
9       municipality, township, or community college district. The  
10       ~~municipal officers electoral board to hear and pass upon~~  
11       ~~objections to the nominations of candidates for officers of~~  
12       ~~municipalities shall be composed of the mayor or president~~  
13       ~~of the board of trustees of the city, village or~~  
14       ~~incorporated town, and the city, village or incorporated~~  
15       ~~town clerk, and one member of the city council or board of~~  
16       ~~trustees, that member being designated who is eligible to~~  
17       ~~serve on the electoral board and has served the greatest~~  
18       ~~number of years as a member of the city council or board of~~  
19       ~~trustees, of whom the mayor or president of the board of~~  
20       ~~trustees shall be the chair.~~

21       4. (Blank). ~~The township officers electoral board to~~  
22       ~~pass upon objections to the nominations of township~~  
23       ~~officers shall be composed of the township supervisor, the~~  
24       ~~town clerk, and that eligible town trustee elected in the~~  
25       ~~township who has had the longest term of continuous service~~  
26       ~~as town trustee, of whom the township supervisor shall be~~

1 ~~the chair.~~

2 5. (Blank). ~~The education officers electoral board to~~  
3 ~~hear and pass upon objections to the nominations of~~  
4 ~~candidates for offices in community college districts~~  
5 ~~shall be composed of the presiding officer of the community~~  
6 ~~college district board, who shall be the chair, the~~  
7 ~~secretary of the community college district board and the~~  
8 ~~eligible elected community college board member who has the~~  
9 ~~longest term of continuous service as a board member.~~

10 6. In all cases, however, where the Congressional,  
11 Legislative, or Representative district is wholly or  
12 partially within the jurisdiction of a single municipal  
13 board of election commissioners in Cook County and in all  
14 cases where the school district or special district is  
15 wholly within the jurisdiction of a municipal board of  
16 election commissioners and in all cases where the  
17 municipality or township is wholly or partially within the  
18 jurisdiction of a municipal board of election  
19 commissioners, the board of election commissioners shall  
20 ex-officio constitute the electoral board.

21 For special districts situated in more than one county, the  
22 county officers electoral board of the county in which the  
23 principal office of the district is located has jurisdiction to  
24 hear and pass upon objections. For purposes of this Section,  
25 "special districts" means all political subdivisions other  
26 than counties, municipalities, townships and school and

1 community college districts.

2 In the event that any member of the appropriate board is a  
3 candidate for the office with relation to which the objector's  
4 petition is filed, he or she shall not be eligible to serve on  
5 that board and shall not act as a member of the board and the  
6 county treasurer shall serve in his or her place. If the county  
7 treasurer is ineligible to serve, the sheriff of the county  
8 shall serve in his or her place. ~~his place shall be filled as~~  
9 ~~follows:~~

10 ~~a. In the county officers electoral board by the county~~  
11 ~~treasurer, and if he or she is ineligible to serve, by the~~  
12 ~~sheriff of the county.~~

13 ~~b. In the municipal officers electoral board by the~~  
14 ~~eligible elected city council or board of trustees member~~  
15 ~~who has served the second greatest number of years as a~~  
16 ~~city council or board of trustees member.~~

17 ~~c. In the township officers electoral board by the~~  
18 ~~eligible elected town trustee who has had the second~~  
19 ~~longest term of continuous service as a town trustee.~~

20 ~~d. In the education officers electoral board by the~~  
21 ~~eligible elected community college district board member~~  
22 ~~who has had the second longest term of continuous service~~  
23 ~~as a board member.~~

24 In the event that the chair of the electoral board is  
25 ineligible to act because of the fact that he or she is a  
26 candidate for the office with relation to which the objector's

1 petition is filed, then the substitute chosen under the  
2 provisions of this Section shall be the chair; In this case,  
3 the officer or board with whom the objector's petition is  
4 filed, shall transmit the certificate of nomination or  
5 nomination papers as the case may be, and the objector's  
6 petition to the substitute chair of the electoral board.

7 When 2 or more eligible individuals, by reason of their  
8 terms of service on a city council or board of trustees,  
9 township board of trustees, or community college district  
10 board, qualify to serve on an electoral board, the one to serve  
11 shall be chosen by lot.

12 Any vacancies on an electoral board not otherwise filled  
13 pursuant to this Section shall be filled by public members  
14 appointed by the Chief Judge of the Circuit Court for the  
15 county wherein the electoral board hearing is being held upon  
16 notification to the Chief Judge of such vacancies. The Chief  
17 Judge shall be so notified by a member of the electoral board  
18 or the officer or board with whom the objector's petition was  
19 filed. In the event that none of the individuals designated by  
20 this Section to serve on the electoral board are eligible, the  
21 chair of an electoral board shall be designated by the Chief  
22 Judge.

23 (Source: P.A. 100-1027, eff. 1-1-19.)

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

25 Sec. 10-10. Within 24 hours after the receipt of the

1 certificate of nomination or nomination papers or proposed  
2 question of public policy, as the case may be, and the  
3 objector's petition, the chair of the electoral board other  
4 than the State Board of Elections shall send a call by  
5 registered or certified mail to each of the members of the  
6 electoral board, ~~and~~ to the objector who filed the objector's  
7 petition, and either to the candidate whose certificate of  
8 nomination or nomination papers are objected to or to the  
9 principal proponent or attorney for proponents of a question of  
10 public policy, ~~as the case may be,~~ whose petitions are objected  
11 to, and shall also cause the sheriff of the county or counties  
12 in which such officers and persons reside to serve a copy of  
13 such call upon each of such officers and persons, which call  
14 shall set out the fact that the electoral board is required to  
15 meet to hear and pass upon the objections to nominations made  
16 for the office, designating it, and shall state the day, hour  
17 and place at which the electoral board shall meet for the  
18 purpose, which place shall be in the county court house in the  
19 county ~~in the case~~ of the County Officers Electoral Board, ~~the~~  
20 ~~Municipal Officers Electoral Board, the Township Officers~~  
21 ~~Electoral Board or the Education Officers Electoral Board,~~  
22 ~~except that the Municipal Officers Electoral Board, the~~  
23 ~~Township Officers Electoral Board, and the Education Officers~~  
24 ~~Electoral Board may meet at the location where the governing~~  
25 ~~body of the municipality, township, or community college~~  
26 ~~district, respectively, holds its regularly scheduled~~

1 ~~meetings, if that location is available;~~ provided that voter  
2 records may be removed from the offices of an election  
3 authority only at the discretion and under the supervision of  
4 the election authority. In those cases where the State Board of  
5 Elections is the electoral board designated under Section 10-9,  
6 the chair of the State Board of Elections shall, within 24  
7 hours after the receipt of the certificate of nomination or  
8 nomination papers or petitions for a proposed amendment to  
9 Article IV of the Constitution or proposed statewide question  
10 of public policy, send a call by registered or certified mail  
11 to the objector who files the objector's petition, and either  
12 to the candidate whose certificate of nomination or nomination  
13 papers are objected to or to the principal proponent or  
14 attorney for proponents of the proposed Constitutional  
15 amendment or statewide question of public policy and shall  
16 state the day, hour, and place at which the electoral board  
17 shall meet for the purpose, which place may be in the Capitol  
18 Building or in the principal or permanent branch office of the  
19 State Board of Elections. The day of the meeting shall not be  
20 less than 3 nor more than 5 days after the receipt of the  
21 certificate of nomination or nomination papers and the  
22 objector's petition by the chair of the electoral board.

23 The electoral board shall have the power to administer  
24 oaths and to subpoena and examine witnesses and, at the request  
25 of either party and only upon a vote by a majority of its  
26 members, may authorize the chair to issue subpoenas requiring

1 the attendance of witnesses and subpoenas duces tecum requiring  
2 the production of such books, papers, records and documents as  
3 may be evidence of any matter under inquiry before the  
4 electoral board, in the same manner as witnesses are subpoenaed  
5 in the circuit court ~~Circuit Court~~.

6 Service of such subpoenas shall be made by any sheriff or  
7 other person in the same manner as in cases in such court and  
8 the fees of such sheriff shall be the same as is provided by  
9 law, and shall be paid by the objector or candidate who causes  
10 the issuance of the subpoena. In case any person so served  
11 shall knowingly neglect or refuse to obey any such subpoena, or  
12 to testify, the electoral board shall at once file a petition  
13 in the circuit court of the county in which such hearing is to  
14 be heard, or has been attempted to be heard, setting forth the  
15 facts, of such knowing refusal or neglect, and accompanying the  
16 petition with a copy of the citation and the answer, if one has  
17 been filed, together with a copy of the subpoena and the return  
18 of service thereon, and shall apply for an order of court  
19 requiring such person to attend and testify, and forthwith  
20 produce books and papers, before the electoral board. Any  
21 circuit court of the state, excluding the judge who is sitting  
22 on the electoral board, upon such showing shall order such  
23 person to appear and testify, and to forthwith produce such  
24 books and papers, before the electoral board at a place to be  
25 fixed by the court. If such person shall knowingly fail or  
26 refuse to obey such order of the court without lawful excuse,



1 the court shall punish him or her by fine and imprisonment, as  
2 the nature of the case may require and may be lawful in cases  
3 of contempt of court.

4 The electoral board on the first day of its meeting shall  
5 adopt rules of procedure for the introduction of evidence and  
6 the presentation of arguments and may, in its discretion,  
7 provide for the filing of briefs by the parties to the  
8 objection or by other interested persons.

9 In the event of a State Electoral Board hearing on  
10 objections to a petition for an amendment to Article IV of the  
11 Constitution pursuant to Section 3 of Article XIV of the  
12 Constitution, or to a petition for a question of public policy  
13 to be submitted to the voters of the entire State, the  
14 certificates of the county clerks and boards of election  
15 commissioners showing the results of the random sample of  
16 signatures on the petition shall be prima facie valid and  
17 accurate, and shall be presumed to establish the number of  
18 valid and invalid signatures on the petition sheets reviewed in  
19 the random sample, as prescribed in Section 28-11 and 28-12 of  
20 this Code. Either party, however, may introduce evidence at  
21 such hearing to dispute the findings as to particular  
22 signatures. In addition to the foregoing, in the absence of  
23 competent evidence presented at such hearing by a party  
24 substantially challenging the results of a random sample, or  
25 showing a different result obtained by an additional sample,  
26 this certificate of a county clerk or board of election

1 commissioners shall be presumed to establish the ratio of valid  
2 to invalid signatures within the particular election  
3 jurisdiction.

4 The electoral board shall take up the question as to  
5 whether or not the certificate of nomination or nomination  
6 papers or petitions are in proper form, and whether or not they  
7 were filed within the time and under the conditions required by  
8 law, and whether or not they are the genuine certificate of  
9 nomination or nomination papers or petitions which they purport  
10 to be, and whether or not in the case of the certificate of  
11 nomination in question it represents accurately the decision of  
12 the caucus or convention issuing it, and in general shall  
13 decide whether or not the certificate of nomination or  
14 nominating papers or petitions on file are valid or whether the  
15 objections thereto should be sustained and the decision of a  
16 majority of the electoral board shall be final subject to  
17 judicial review as provided in Section 10-10.1. The electoral  
18 board must state its findings in writing and must state in  
19 writing which objections, if any, it has sustained. A copy of  
20 the decision shall be served upon the parties to the  
21 proceedings in open proceedings before the electoral board. If  
22 a party does not appear for receipt of the decision, the  
23 decision shall be deemed to have been served on the absent  
24 party on the date when a copy of the decision is personally  
25 delivered or on the date when a copy of the decision is  
26 deposited in the United States mail, in a sealed envelope or

1 package, with postage prepaid, addressed to each party affected  
2 by the decision or to such party's attorney of record, if any,  
3 at the address on record for such person in the files of the  
4 electoral board.

5       Upon the expiration of the period within which a proceeding  
6 for judicial review must be commenced under Section 10-10.1,  
7 the electoral board shall, unless a proceeding for judicial  
8 review has been commenced within such period, transmit, by  
9 registered or certified mail, a certified copy of its ruling,  
10 together with the original certificate of nomination or  
11 nomination papers or petitions and the original objector's  
12 petition, to the officer or board with whom the certificate of  
13 nomination or nomination papers or petitions, as objected to,  
14 were on file, and such officer or board shall abide by and  
15 comply with the ruling so made to all intents and purposes.

16 (Source: P.A. 99-78, eff. 7-20-15; 99-642, eff. 7-28-16;  
17 100-1027, eff. 1-1-19.)

18       (10 ILCS 5/10-11) (from Ch. 46, par. 10-11)

19       Sec. 10-11. Any vacancy in the nomination of a new  
20 political party candidate occurring prior to the date of  
21 certification of candidates for the ballot by the certifying  
22 board or officer must be filled prior to the date of  
23 certification. The resolution to fill such vacancy shall be  
24 sent by U.S. mail or personal delivery to the certifying  
25 officer or board within 3 days of the action by which the

1 vacancy was filled; provided, if such resolution is sent by  
2 mail and the U.S. postmark on the envelope containing such  
3 resolution is dated prior to the expiration of such 3 day  
4 limit, the notice or resolution shall be deemed filed within  
5 such 3 day limit. Failure to so transmit the notice or  
6 resolution within the time specified in this Section shall  
7 authorize the certifying officer or board to certify the  
8 original candidate. Vacancies shall be filled by the new  
9 political party officers.

10 Any vacancy in nomination occurring after certification  
11 but prior to 15 days before a regular election shall be filled  
12 by the new political party officers within 8 days after the  
13 event creating the vacancy in the manner heretofore prescribed.

14 The resolution to fill a vacancy in nomination shall be  
15 duly acknowledged before an officer qualified to take  
16 acknowledgements of deeds and shall include, upon its face, the  
17 following information:

18 (a) the name of the original nominee and the office  
19 vacated;

20 (b) the date on which the vacancy occurred;

21 (c) the name and address of the nominee selected to fill  
22 the vacancy and the date of selection.

23 The resolution to fill a vacancy in nomination shall be  
24 accompanied by a Statement of Candidacy, as prescribed in  
25 Section 10-5, completed by the selected nominee and a receipt  
26 indicating that such nominee has filed a statement of economic

1 interests as required by the Illinois Governmental Ethics Act.

2 The provisions of Sections 10-8 through 10-10.1 relating to  
3 objections to certificates of nomination and nomination  
4 papers, hearings on objections, and judicial review, shall  
5 apply to and govern objections to resolutions for filling a  
6 vacancy in nomination.

7 Any vacancy in nomination occurring 15 days or less before  
8 a regular election shall not be filled. In this event the  
9 certification of the original candidate shall stand and his or  
10 her name shall appear on the official ballot to be voted at the  
11 election.

12 A vacancy in nomination occurs when a candidate who has  
13 been nominated under the provisions of Section 10-2 dies before  
14 the election, or declines the nomination; provided that  
15 nomination may become vacant for other reasons.

16 However, the provisions of this Section shall not apply to  
17 any vacancy in nomination for a municipal office for which the  
18 Municipal Code, as now or hereafter amended, provides a  
19 different method for filling such vacancy, and the applicable  
20 provision of the Municipal Code shall govern in such cases.

21 Any vacancy in a nomination by caucus of an established  
22 political party for a township or municipal office shall be  
23 filled in accordance with Section 7-61 of this Code.

24 For purposes of this Section, the words "certify" and  
25 "certification" shall refer to the act of officially declaring  
26 the names of candidates entitled to be printed upon the

1 official ballot at an election and directing election  
2 authorities to place the names of such candidates upon the  
3 official ballot. "Certifying officers or board" shall refer to  
4 the ~~local election official~~, election authority or the State  
5 Board of Elections, ~~as the case may be~~, with whom nomination  
6 papers, certificates of nomination papers, and resolutions to  
7 fill vacancies in nomination are filed and whose duty it is to  
8 "certify" candidates.

9 (Source: P.A. 84-757.)

10 (10 ILCS 5/10-15) (from Ch. 46, par. 10-15)

11 Sec. 10-15. Not less than 68 days before the date of the  
12 consolidated and nonpartisan elections, each election  
13 authority ~~local election official~~ with whom certificates of  
14 nomination or nominating petitions have been filed shall  
15 certify ~~to each election authority having jurisdiction over any~~  
16 ~~of the territory of his political subdivision~~ the names of all  
17 candidates entitled to be printed on the ballot for offices of  
18 the that political subdivisions for which the election  
19 authority has jurisdiction ~~subdivision~~ to be voted upon at such  
20 election and ~~direct the election authority to~~ place upon the  
21 official ballot for such election the names of such candidates  
22 in the same manner and in the same order as shown upon the  
23 certification.

24 The ~~local~~ election authority or election authorities  
25 ~~officials~~ shall certify such candidates for each office in the

1 order in which such candidates' certificates of nomination or  
2 nominating petitions were filed ~~in his office~~. However, subject  
3 to appeal, the names of candidates whose petitions have been  
4 held invalid by the appropriate electoral board provided in  
5 Section 10-9 of this Act shall not be so certified. The  
6 certification shall be modified as necessary to comply with the  
7 requirements of any other statute or any ordinance adopted  
8 pursuant to Article VII of the Constitution prescribing  
9 specific provisions for nonpartisan elections, including  
10 without limitation Articles 4 and 5 of "The Municipal Code" or  
11 Article 9 of The School Code.

12 In every instance where applicable, the following shall  
13 also be indicated in the certification:

14 (1) The political party affiliation, if any, of the  
15 candidates for the respective offices;

16 (2) Where there is to be more than one candidate  
17 elected to an office from a political subdivision or  
18 district;

19 (3) Where a voter has the right to vote for more than  
20 one candidate for an office;

21 (4) The terms of the office to be on the ballot, when a  
22 vacancy is to be filled for less than a full term, or when  
23 offices of a particular subdivision to be on the ballot at  
24 the same election are to be filled for different terms;

25 (5) The territory in which a candidate is required by  
26 law to reside, when such residency requirement is not

1 identical to the territory of the political subdivision  
2 from which the candidate is to be elected or nominated;

3 (6) Where a candidate's nominating papers or petitions  
4 have been objected to and the objection has been sustained  
5 by the electoral board established in Section 10-10, the  
6 words "OBJECTION SUSTAINED" shall be placed under the title  
7 of the office being sought by the candidate and the name of  
8 the aggrieved candidate shall not appear; and

9 (7) Where a candidate's nominating papers or petitions  
10 have been objected to and the decision of the electoral  
11 board established in Section 10-10 is either unknown or  
12 known to be in judicial review, the words "OBJECTION  
13 PENDING" shall be placed under the title of the office  
14 being sought by the candidate and next to the name of the  
15 candidate.

16 For the consolidated election, and for the general primary  
17 in the case of certain municipalities having annual elections,  
18 the candidates of new political parties shall be placed on the  
19 ballot for such elections after the established political party  
20 candidates and in the order of new political party petition  
21 filings.

22 The ~~local~~ election authority or election authorities  
23 ~~official~~ shall issue an amended certification whenever it is  
24 discovered that the original certification is in error.

25 (Source: P.A. 95-699, eff. 11-9-07; 96-1008, eff. 7-6-10.)



1 Section 10. The Township Code is amended by changing  
2 Section 150-15 as follows:

3 (60 ILCS 1/150-15)

4 Sec. 150-15. Board of managers; election; organization;  
5 salary.

6 (a) The community building or buildings, if authorized at  
7 an election, shall be under the care and supervision of a board  
8 of managers. The board of managers shall consist of 3 persons  
9 who are registered to vote from a residence in the township.  
10 Each member of the board of managers may be paid a salary not  
11 to exceed \$25 per day or \$500 per year, as determined by the  
12 township board, for attendance at township meetings and  
13 business travel pertaining to official duties.

14 (b) The first board of managers shall be elected at the  
15 regular election at which the referendum for the first issue of  
16 bonds for the establishment of a community building or  
17 buildings is authorized by the voters. Three managers shall be  
18 elected at the time of the regular township election provided  
19 in the general election law and until their successors are  
20 elected and qualified.

21 (c) Candidates for the board of managers shall be nominated  
22 by a petition signed by 10 registered voters of the township  
23 and filed with the appropriate election authority ~~township~~  
24 ~~clerk~~ within the time prescribed by the general election law.  
25 The election authority ~~township clerk~~ shall certify the names

1 of the candidates as prescribed by the general election law ~~to~~  
2 ~~the proper election authorities~~. The election shall be  
3 conducted in the manner prescribed by the general election law.  
4 The 3 candidates receiving the highest number of votes,  
5 respectively, shall be declared elected and shall assume the  
6 duties of their office on the first Monday of the month  
7 following their election.

8 (d) Within 10 days after assuming office, the board of  
9 managers shall meet and organize. One member shall be elected  
10 chairman and one member shall be elected clerk of the board. A  
11 majority of the board shall constitute a quorum for the  
12 transaction of business. If a vacancy occurs on the board, the  
13 vacancy shall be filled by the remaining managers within 60  
14 days by the appointment of a person who is qualified to be a  
15 manager. The person appointed shall serve the remainder of the  
16 unexpired term.

17 (Source: P.A. 86-283; 88-62.)

18 Section 15. The Illinois Municipal Code is amended by  
19 changing Sections 3.1-20-45, 3.1-25-20, and 4-3-7 as follows:

20 (65 ILCS 5/3.1-20-45)

21 Sec. 3.1-20-45. Nonpartisan primary elections; uncontested  
22 office. A city incorporated under this Code that elects  
23 municipal officers at nonpartisan primary and general  
24 elections shall conduct the elections as provided in the

1 Election Code, except that no office for which nomination is  
2 uncontested shall be included on the primary ballot and no  
3 primary shall be held for that office. For the purposes of this  
4 Section, an office is uncontested when not more than 4 persons  
5 to be nominated for each office have timely filed valid  
6 nominating papers seeking nomination for the election to that  
7 office.

8 Notwithstanding the preceding paragraph, when a person (i)  
9 who has not timely filed valid nomination papers and (ii) who  
10 intends to become a write-in candidate for nomination for any  
11 office for which nomination is uncontested files a written  
12 statement or notice of that intent with the proper election  
13 authority ~~official~~ with whom the nomination papers for that  
14 office are filed, if the write-in candidate becomes the fifth  
15 candidate filed, a primary ballot must be prepared and a  
16 primary must be held for the office. The statement or notice  
17 must be filed on or before the 61st day before the consolidated  
18 primary election. The statement must contain (i) the name and  
19 address of the person intending to become a write-in candidate,  
20 (ii) a statement that the person intends to become a write-in  
21 candidate, and (iii) the office the person is seeking as a  
22 write-in candidate. An election authority has no duty to  
23 conduct a primary election or prepare a primary ballot unless a  
24 statement meeting the requirements of this paragraph is filed  
25 in a timely manner.

26 If there is a primary election, then candidates shall be

1 placed on the ballot for the next succeeding general municipal  
2 election in the following manner:

3 (1) If one officer is to be elected, then the 2  
4 candidates who receive the highest number of votes shall be  
5 placed on the ballot for the next succeeding general  
6 municipal election.

7 (2) If 2 aldermen are to be elected at large, then the  
8 4 candidates who receive the highest number of votes shall  
9 be placed on the ballot for the next succeeding general  
10 municipal election.

11 (3) If 3 aldermen are to be elected at large, then the  
12 6 candidates who receive the highest number of votes shall  
13 be placed on the ballot for the next succeeding general  
14 municipal election.

15 The name of a write-in candidate may not be placed on the  
16 ballot for the next succeeding general municipal election  
17 unless he or she receives a number of votes in the primary  
18 election that equals or exceeds the number of signatures  
19 required on a petition for nomination for that office or that  
20 exceeds the number of votes received by at least one of the  
21 candidates whose names were printed on the primary ballot for  
22 nomination for or election to the same office.

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

24 (65 ILCS 5/3.1-25-20) (from Ch. 24, par. 3.1-25-20)

25 Sec. 3.1-25-20. Primary election. A village incorporated

1 under this Code shall nominate and elect candidates for  
2 president and trustees in nonpartisan primary and general  
3 elections as provided in Sections 3.1-25-20 through 3.1-25-55  
4 until the electors of the village vote to require the partisan  
5 election of the president and trustees at a referendum in the  
6 manner provided in Section 3.1-25-65 after January 1, 1992. The  
7 provisions of Sections 3.1-25-20 through 3.1-25-55 shall apply  
8 to all villages incorporated under this Code that have operated  
9 under those Sections without the adoption of those provisions  
10 by the referendum provided in Section 3.1-25-60 as well as  
11 those villages that have adopted those provisions by the  
12 referendum provided in Section 3.1-25-60 until the electors of  
13 those villages vote to require the partisan election of the  
14 president and trustees in the manner provided in Section  
15 3.1-25-65. Villages that have nominated and elected candidates  
16 for president and trustees in partisan elections prior to  
17 January 1, 1992, may continue to hold partisan elections  
18 without conducting a referendum in the manner provided in  
19 Section 3.1-25-65. All candidates for nomination to be voted  
20 for at all general municipal elections at which a president or  
21 trustees, or both, are to be elected under this Article shall  
22 be nominated from the village at large by a primary election.

23 Notwithstanding any other provision of law, no primary  
24 shall be held in any village when the nomination for every  
25 office to be voted upon by the electors of the village is  
26 uncontested. If the nomination of candidates is uncontested as

1 to one or more, but not all, of the offices to be voted upon by  
2 the electors of the village, then a primary must be held in the  
3 village, provided that the primary ballot shall not include  
4 those offices in the village for which the nomination is  
5 uncontested. For the purposes of this Section, an office is  
6 uncontested when not more than the number of persons to be  
7 nominated to the office have timely filed valid nominating  
8 papers seeking nomination for election to that office.

9 Notwithstanding the preceding paragraph, when a person (i)  
10 who has not timely filed valid nomination papers and (ii) who  
11 intends to become a write-in candidate for nomination for any  
12 office for which nomination is uncontested files a written  
13 statement or notice of that intent with the proper election  
14 authority ~~official~~ with whom the nomination papers for that  
15 office are filed, a primary ballot must be prepared and a  
16 primary must be held for the office. The statement or notice  
17 must be filed on or before the 61st day before the consolidated  
18 primary election. The statement must contain (i) the name and  
19 address of the person intending to become a write-in candidate,  
20 (ii) a statement that the person intends to become a write-in  
21 candidate, and (iii) the office the person is seeking as a  
22 write-in candidate. An election authority has no duty to  
23 conduct a primary election or prepare a primary ballot unless a  
24 statement meeting the requirements of this paragraph is filed  
25 in a timely manner.

26 Only the names of those persons nominated in the manner

1 prescribed in Sections 3.1-25-20 through 3.1-25-65 shall be  
2 placed on the ballot at the general municipal election. The  
3 proper election authority ~~village clerk~~ shall certify the  
4 offices to be filled and the candidates for those offices ~~to~~  
5 ~~the proper election authority~~ as provided in the general  
6 election law. A primary for those offices, if required, shall  
7 be held in accordance with the general election law.

8 (Source: P.A. 91-57, eff. 6-30-99.)

9 (65 ILCS 5/4-3-7) (from Ch. 24, par. 4-3-7)

10 Sec. 4-3-7. Any person desiring to become a candidate for  
11 nomination for mayor or commissioner shall file with the county  
12 ~~municipal~~ clerk of the county in which the seat of the  
13 municipality is located, or, in those municipalities having a  
14 board of election commissioners, with the clerk of that board,  
15 a statement of his or her candidacy, in the form provided in  
16 the general election law. This statement shall be filed at the  
17 time provided in the general election law.

18 This statement shall be sworn (or affirmed) before an  
19 officer, in which the person making the statement resides,  
20 authorized to administer oaths. If the municipality has voted,  
21 as provided in Section 4-3-19, to require candidates for  
22 commissioner to run for a specific office, a statement of  
23 candidacy for commissioner shall specify whether the candidacy  
24 is for commissioner of accounts and finances, commissioner of  
25 public health and safety, commissioner of streets and public

1 improvements, or commissioner of public property. No person  
2 shall file statements of candidacy for both mayor and  
3 commissioner or for more than one of the commissioner offices.

4 Any person having filed as a candidate for mayor or  
5 commissioner may withdraw within the time provided in the  
6 general election law.

7 (Source: P.A. 81-1490.)

8 Section 20. The Public Community College Act is amended by  
9 changing Section 3-7.10 as follows:

10 (110 ILCS 805/3-7.10) (from Ch. 122, par. 103-7.10)

11 Sec. 3-7.10. Nominations for members of the board shall be  
12 made by a petition signed by at least 50 voters or 10% of the  
13 voters, whichever is less, residing within the district and  
14 shall be filed with the appropriate election authority  
15 ~~secretary of the board~~. In addition to the requirements of the  
16 general election law, the form of such petitions shall be  
17 substantially as follows:

18 NOMINATING PETITIONS

19 To the Secretary of the Board of Trustees of Community  
20 College District No. ....:

21 We the undersigned, being (.... or more) (or 10% or more)  
22 of the voters residing within said district, hereby petition  
23 that .... who resides at .... in the (city or village) of ....  
24 in Township .... (or who resides outside any city, village or



1 incorporated town and in Township ....) in said district shall  
2 be a candidate for the office of .... of the Board of Trustees  
3 (full term) (vacancy) to be voted for at the election to be  
4 held on (insert date).

5 Name:

Address:

6 Nomination papers filed under this Section are not valid  
7 unless the candidate named therein files ~~with the secretary of~~  
8 ~~the board~~ a receipt ~~from the county clerk~~ showing that the  
9 candidate has filed a statement of economic interests as  
10 required by the Illinois Governmental Ethics Act. Such receipt  
11 shall be so filed either previously during the calendar year in  
12 which his or her nomination papers were filed or within the  
13 period for the filing of nomination papers in accordance with  
14 the general election law.

15 The secretary of the board shall notify each candidate, or  
16 the appropriate committee, for whom a petition for nomination  
17 has been filed of their obligations under the Campaign  
18 Financing Act, as required by the general election law. Such  
19 notice shall be given on a form prescribed by the State Board  
20 of Elections and in accordance with the requirements of the  
21 general election law.

22 All petitions for the nomination of members of a board of  
23 trustees shall be filed with the secretary of the board within  
24 the time provided for by the general election law. Said  
25 secretary shall make certification to the proper election

1 authority in accordance with the requirements of the general  
2 election law. If the secretary is an incumbent board member  
3 seeking reelection, a disinterested person must be a witness to  
4 the filing of his or her petition. It is the duty of the  
5 secretary to provide candidates with petition forms and  
6 statements of candidacy.

7 The secretary shall within 7 days of filing or on the last  
8 day for filing, whichever is earlier, acknowledge to the  
9 petitioner in writing his or her acceptance of the petition.

10 In all newly organized districts the petition for the  
11 nomination of candidates for members of the board at the first  
12 election shall be addressed to and filed with the regional  
13 superintendent in the manner specified for the petitions for  
14 candidates of a community college board. For such election the  
15 regional superintendent shall fulfill all duties otherwise  
16 assigned to the secretary of the board.

17 (Source: P.A. 91-357, eff. 7-29-99.)