

# HB0195



## 95TH GENERAL ASSEMBLY

### State of Illinois

2007 and 2008

HB0195

Introduced 1/19/2007, by Rep. Dan Brady

#### SYNOPSIS AS INTRODUCED:

10 ILCS 5/8-8

from Ch. 46, par. 8-8

Amends the Election Code. Provides that the State Board of Elections shall not accept for filing any petition for nomination for State Senator or Representative if the petition contains less than 10% of the number of signatures required by the Code. Effective immediately.

LRB095 04289 JAM 24330 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 Section  
5 8-8 as follows:

6 (10 ILCS 5/8-8) (from Ch. 46, par. 8-8)

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

1 State of Illinois)

2 ) ss.

3 County .....

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

5 street in the city (or village of) .... in the county of ....

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

7 qualified primary voter of .... party; that I am a candidate

8 for nomination to the office of .... to be voted upon at the

9 primary election to be held on (insert date); that I am legally

10 qualified to hold such office and that I have filed a statement

11 of economic interests as required by the Illinois Governmental

12 Ethics Act and I hereby request that my name be printed upon

13 the official primary ballot for nomination for such office.

14 Signed .....

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

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

17 Signed .... (Official Character)

18 (Seal if officer has one.)

19 The receipt issued by the Secretary of State indicating

20 that the candidate has filed the statement of economic

21 interests required by the Illinois Governmental Ethics Act must

22 be filed with the petitions for nomination as provided in

23 subsection (8) of Section 7-12 of this Code.

24 All petitions for nomination for the office of State

25 Senator shall be signed by 1% or 1,000 , whichever is greater,

26 of the qualified primary electors of the candidate's party in

1 his legislative district, except that for the first primary  
2 following a redistricting of legislative districts, such  
3 petitions shall be signed by at least 1,000 qualified primary  
4 electors of the candidate's party in his legislative district.

5 All petitions for nomination for the office of  
6 Representative in the General Assembly shall be signed by at  
7 least 1% or 500 , whichever is greater, of the qualified  
8 primary electors of the candidate's party in his or her  
9 representative district, except that for the first primary  
10 following a redistricting of representative districts such  
11 petitions shall be signed by at least 500 qualified primary  
12 electors of the candidate's party in his or her representative  
13 district.

14 The State Board of Elections shall not accept for filing  
15 any petition for nomination for the office of State Senator or  
16 Representative in the General Assembly if the petition contains  
17 less than 10% of the number of signatures required by this  
18 Section.

19 Opposite the signature of each qualified primary elector  
20 who signs a petition for nomination for the office of State  
21 Representative or State Senator such elector's residence  
22 address shall be written or printed. The residence address  
23 required to be written or printed opposite each qualified  
24 primary elector's name shall include the street address or  
25 rural route number of the signer, as the case may be, as well  
26 as the signer's county and city, village or town.

1           For the purposes of this Section, the number of primary  
2 electors shall be determined by taking the total vote cast, in  
3 the applicable district, for the candidate for such political  
4 party who received the highest number of votes, state-wide, at  
5 the last general election in the State at which electors for  
6 President of the United States were elected.

7           A "qualified primary elector" of a party may not sign  
8 petitions for or be a candidate in the primary of more than one  
9 party.

10           In the affidavit at the bottom of each sheet, the petition  
11 circulator, who shall be a person 18 years of age or older who  
12 is a citizen of the United States, shall state his or her  
13 street address or rural route number, as the case may be, as  
14 well as his or her county, city, village or town, and state;  
15 and shall certify that the signatures on that sheet of the  
16 petition were signed in his or her presence; and shall certify  
17 that the signatures are genuine; and shall certify that to the  
18 best of his or her knowledge and belief the persons so signing  
19 were at the time of signing the petition qualified primary  
20 voters for which the nomination is sought.

21           In the affidavit at the bottom of each petition sheet, the  
22 petition circulator shall either (1) indicate the dates on  
23 which he or she circulated that sheet, or (2) indicate the  
24 first and last dates on which the sheet was circulated, or (3)  
25 certify that none of the signatures on the sheet were signed  
26 more than 90 days preceding the last day for the filing of the

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

4 All petition sheets which are filed with the State Board of  
5 Elections shall be the original sheets which have been signed  
6 by the voters and by the circulator, and not photocopies or  
7 duplicates of such sheets.

8 The person circulating the petition, or the candidate on  
9 whose behalf the petition is circulated, may strike any  
10 signature from the petition, provided that:

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

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

17 (Source: P.A. 94-645, eff. 8-22-05.)

18 Section 99. Effective date. This Act takes effect upon  
19 becoming law.