

HB4254



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

HB4254

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 14801 JAM 40739 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.