



## 96TH GENERAL ASSEMBLY

### State of Illinois

2009 and 2010

HB6032

Introduced 2/10/2010, by Rep. Mike Boland

#### SYNOPSIS AS INTRODUCED:

10 ILCS 5/7-10	from Ch. 46, par. 7-10
10 ILCS 5/7-19	from Ch. 46, par. 7-19
10 ILCS 5/7-46	from Ch. 46, par. 7-46
10 ILCS 5/7-52	from Ch. 46, par. 7-52
10 ILCS 5/7-53	from Ch. 46, par. 7-53

Amends the Election Code. Provides for the joint nomination of candidates for the offices of Governor and Lieutenant Governor.

LRB096 20287 JAM 35899 b





1 candidates, in whose behalf such petition is signed; the  
2 office, the political party represented and place of residence;  
3 and the heading of each sheet shall be the same.

4 Such petition shall be signed by qualified primary electors  
5 residing in the political division for which the nomination is  
6 sought in their own proper persons only and opposite the  
7 signature of each signer, his residence address shall be  
8 written or printed. The residence address required to be  
9 written or printed opposite each qualified primary elector's  
10 name shall include the street address or rural route number of  
11 the signer, as the case may be, as well as the signer's county,  
12 and city, village or town, and state. However the county or  
13 city, village or town, and state of residence of the electors  
14 may be printed on the petition forms where all of the electors  
15 signing the petition reside in the same county or city, village  
16 or town, and state. Standard abbreviations may be used in  
17 writing the residence address, including street number, if any.  
18 At the bottom of each sheet of such petition shall be added a  
19 circulator statement signed by a person 18 years of age or  
20 older who is a citizen of the United States, stating the street  
21 address or rural route number, as the case may be, as well as  
22 the county, city, village or town, and state; and certifying  
23 that the signatures on that sheet of the petition were signed  
24 in his or her presence and certifying that the signatures are  
25 genuine; and either (1) indicating the dates on which that  
26 sheet was circulated, or (2) indicating the first and last

1 dates on which the sheet was circulated, or (3) certifying that  
2 none of the signatures on the sheet were signed more than 90  
3 days preceding the last day for the filing of the petition and  
4 certifying that to the best of his or her knowledge and belief  
5 the persons so signing were at the time of signing the  
6 petitions qualified voters of the political party for which a  
7 nomination is sought. Such statement shall be sworn to before  
8 some officer authorized to administer oaths in this State.

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

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

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

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

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

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

22 Statement of Candidacy

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

1 State of Illinois)

2 ) ss.

3 County of .....)

4 I, ....., being first duly sworn, say that I reside at ....  
5 Street in the city (or village) of ....., in the county of .....,  
6 State of Illinois; that I am a qualified voter therein and am a  
7 qualified primary voter of the .... party; that I am a  
8 candidate for nomination (for election in the case of  
9 committeeman and delegates and alternate delegates) to the  
10 office of .... to be voted upon at the primary election to be  
11 held on (insert date); that I am legally qualified (including  
12 being the holder of any license that may be an eligibility  
13 requirement for the office I seek the nomination for) to hold  
14 such office and that I have filed (or I will file before the  
15 close of the petition filing period) a statement of economic  
16 interests as required by the Illinois Governmental Ethics Act  
17 and I hereby request that my name be printed upon the official  
18 primary ballot for nomination for (or election to in the case  
19 of committeemen and delegates and alternate delegates) such  
20 office.

21 Signed .....

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

24 Signed .....

25 (Official Character)

1 (Seal, if officer has one.)

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

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

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

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



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

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

1 signatures be less than 25.

2 (d) County office; Cook County only.

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

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

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

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

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

1 least 0.5% of the total number of votes cast for the candidate  
2 of that political party who received the highest number of  
3 votes in the entire municipality at the last regular election  
4 at which an officer was regularly scheduled to be elected from  
5 the entire municipality, divided by the number of wards or  
6 districts. In no event shall the number of signatures be less  
7 than 25.

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

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

1 of that sanitary district.

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

17 (i) Precinct, ward, and township committeeperson. If a  
18 candidate seeks to run for precinct committeeperson, then the  
19 candidate's petition for nomination must contain at least 10  
20 signatures of the primary electors of his or her party for the  
21 precinct. If a candidate seeks to run for ward committeeperson,  
22 then the candidate's petition for nomination must contain no  
23 less than the number of signatures equal to 10% of the primary  
24 electors of his or her party of the ward, but no more than 16%  
25 of those same electors; provided that the maximum number of  
26 signatures may be 50 more than the minimum number, whichever is

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

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

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

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

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

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

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

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

25 (Source: P.A. 94-645, eff. 8-22-05; 95-699, eff. 11-9-07;  
26 95-916, eff. 8-26-08.)

1 (10 ILCS 5/7-19) (from Ch. 46, par. 7-19)

2 Sec. 7-19. The primary ballot of each political party for  
3 each precinct shall be arranged and printed substantially in  
4 the manner following:

5 1. Designating words. At the top of the ballot shall be  
6 printed in large capital letters, words designating the ballot,  
7 if a Republican ballot, the designating words shall be:  
8 "REPUBLICAN PRIMARY BALLOT"; if a Democratic ballot the  
9 designating words shall be: "DEMOCRATIC PRIMARY BALLOT"; and in  
10 like manner for each political party.

11 2. Order of Names, Directions to Voters, etc. Beginning not  
12 less than one inch below designating words, the name of each  
13 office to be filled shall be printed in capital letters. Such  
14 names may be printed on the ballot either in a single column or  
15 in 2 or more columns and in the following order, to-wit:

16 President of the United States, State offices,  
17 congressional offices, delegates and alternate delegates to be  
18 elected from the State at large to National nominating  
19 conventions, delegates and alternate delegates to be elected  
20 from congressional districts to National nominating  
21 conventions, member or members of the State central committee,  
22 trustees of sanitary districts, county offices, judicial  
23 officers, city, village and incorporated town offices, town  
24 offices, or of such of the said offices as candidates are to be  
25 nominated for at such primary, and precinct, township or ward



1       committeemen. If two or more columns are used, the foregoing  
2       offices to and including member of the State central committee  
3       shall be listed in the left-hand column and Senatorial offices,  
4       as defined in Section 8-3, shall be the first offices listed in  
5       the second column.

6               Below the name of each office shall be printed in small  
7       letters the directions to voters: "Vote for one"; "Vote for not  
8       more than two"; "Vote for not more than three". If no candidate  
9       or candidates file for an office and if no person or persons  
10       file a declaration as a write-in candidate for that office,  
11       then below the title of that office the election authority  
12       instead shall print "No Candidate".

13               Next to the name of each candidate for delegate or  
14       alternate delegate to a national nominating convention shall  
15       appear either (a) the name of the candidate's preference for  
16       President of the United States or the word "uncommitted" or (b)  
17       no official designation, depending upon the action taken by the  
18       State central committee pursuant to Section 7-10.3 of this Act.

19               Below the name of each office shall be printed in capital  
20       letters the names of all candidates, arranged in the order in  
21       which their petitions for nominations were filed, except as  
22       otherwise provided in Sections 7-14 and 7-17 of this Article.  
23       Opposite and in front of the name of each candidate shall be  
24       printed a square and all squares upon the primary ballot shall  
25       be of uniform size. The names of each team of candidates for  
26       Governor and Lieutenant Governor, however, shall be printed

1 within a bracket, and a single square shall be printed in front  
2 of the bracket. Spaces between the names of candidates under  
3 each office shall be uniform and sufficient spaces shall  
4 separate the names of candidates for one office from the names  
5 of candidates for another office, to avoid confusion and to  
6 permit the writing in of the names of other candidates.

7 Where voting machines or electronic voting systems are  
8 used, the provisions of this Section may be modified as  
9 required or authorized by Article 24 or Article 24A, whichever  
10 is applicable.

11 (Source: P.A. 95-862, eff. 8-19-08.)

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

13 Sec. 7-46. On receiving from the primary judges a primary  
14 ballot of his party, the primary elector shall forthwith and  
15 without leaving the polling place, retire alone to one of the  
16 voting booths and prepare such primary ballot by marking a  
17 cross (X) in the square in front of and opposite the name of  
18 each candidate of his choice for each office to be filled, and  
19 for delegates and alternate delegates to national nominating  
20 conventions, and for committeemen, if committeemen are being  
21 elected at such primary. A cross (X) in the square in front of  
22 the bracket enclosing the names of a team of candidates for  
23 Governor and Lieutenant Governor counts as one vote for each of  
24 those candidates.

25 Any primary elector may, instead of voting for any

1 candidate for nomination or for committeeman or for delegate or  
2 alternate delegate to national nominating conventions, whose  
3 name is printed on the primary ballot, write in the name of any  
4 other person affiliated with such party as a candidate for the  
5 nomination for any office, or for committeeman, or for  
6 delegates or alternate delegates to national nominating  
7 conventions, and indicate his choice of such candidate or  
8 committeeman or delegate or alternate delegate, by placing to  
9 the left of and opposite the name thus written a square and  
10 placing in the square a cross (X). A primary elector, however,  
11 may not by this method vote separately for Governor and  
12 Lieutenant Governor but must write in the names of candidates  
13 of his or her choice for both offices and indicate his or her  
14 choice of those names by placing a single square to the left of  
15 those names and placing in that square a cross (X).

16 Where voting machines or electronic voting systems are  
17 used, the provisions of this section may be modified as  
18 required or authorized by Article 24 or Article 24A, whichever  
19 is applicable.

20 (Source: Laws 1965, p. 2220.)

21 (10 ILCS 5/7-52) (from Ch. 46, par. 7-52)

22 Sec. 7-52. Immediately upon closing the polls, the primary  
23 judges shall proceed to canvass the votes in the manner  
24 following:

25 (1) They shall separate and count the ballots of each

1 political party.

2 (2) They shall then proceed to ascertain the number of  
3 names entered on the applications for ballot under each party  
4 affiliation.

5 (3) If the primary ballots of any political party exceed  
6 the number of applications for ballot by voters of such  
7 political party, the primary ballots of such political party  
8 shall be folded and replaced in the ballot box, the box closed,  
9 well shaken and again opened and one of the primary judges, who  
10 shall be blindfolded, shall draw out so many of the primary  
11 ballots of such political party as shall be equal to such  
12 excess. Such excess ballots shall be marked "Excess-Not  
13 Counted" and signed by a majority of the judges and shall be  
14 placed in the "After 6:00 p.m. Defective Ballots Envelope". The  
15 number of excess ballots shall be noted in the remarks section  
16 of the Certificate of Results. "Excess" ballots shall not be  
17 counted in the total of "defective" ballots;

18 (4) The primary judges shall then proceed to count the  
19 primary ballots of each political party separately; and as the  
20 primary judges shall open and read the primary ballots, 3 of  
21 the judges shall carefully and correctly mark upon separate  
22 tally sheets the votes which each candidate of the party whose  
23 name is written or printed on the primary ballot has received,  
24 in a separate column for that purpose, with the name of such  
25 candidate, the name of his political party and the name of the  
26 office for which he is a candidate for nomination at the head

1 of such column. The same column, however, shall be used for  
2 both names of the same team of candidates for Governor and  
3 Lieutenant Governor.

4 Where voting machines or electronic voting systems are  
5 used, the provisions of this section may be modified as  
6 required or authorized by Article 24 or Article 24A, whichever  
7 is applicable.

8 (Source: P.A. 80-484.)

9 (10 ILCS 5/7-53) (from Ch. 46, par. 7-53)

10 Sec. 7-53. As soon as the ballots of a political party  
11 shall have been read and the votes of the political party  
12 counted, as provided in the last above section, the 3 judges in  
13 charge of the tally sheets shall foot up the tally sheets so as  
14 to show the total number of votes cast for each candidate of  
15 the political party and for each candidate for State Central  
16 committeeman and precinct committeeman, township committeeman  
17 or ward committeeman, and delegate and alternate delegate to  
18 National nominating conventions, and certify the same to be  
19 correct. Thereupon, the primary judges shall set down in a  
20 certificate of results on the tally sheet, under the name of  
21 the political party, the name of each candidate voted for upon  
22 the primary ballot, written at full length, the name of the  
23 office for which he is a candidate for nomination or for  
24 committeeman, or delegate or alternate delegate to National  
25 nominating conventions, the total number of votes which the

1 candidate received, and they shall also set down the total  
 2 number of ballots voted by the primary electors of the  
 3 political party in the precinct. The certificate of results  
 4 shall be made substantially in the following form:

5 ..... Party

6 At the primary election held in the .... precinct of the  
 7 (1) \*township of ....., or (2) \*City of ....., or (3) \*.... ward  
 8 in the city of .... on (insert date), the primary electors of  
 9 the .... party voted .... ballots, and the respective  
 10 candidates whose names were written or printed on the primary  
 11 ballot of the .... party, received respectively the following  
 12 votes:

Name of	Title of Office,	No. of
Candidate,	Title of Office,	Votes
John Jones	Governor	100
<u>Jane James</u>	<u>Lieutenant Governor</u>	<u>100</u>
Sam Smith	Governor	70
<u>Samantha Smythe</u>	<u>Lieutenant Governor</u>	<u>70</u>
Frank Martin	Attorney General	150
William Preston	Rep. in Congress	200
Frederick John	Circuit Judge	50

22 \*Fill in either (1), (2) or (3).

23 And so on for each candidate.

24 We hereby certify the above and foregoing to be true and  
 25 correct.

26 Dated (insert date).

1 .....  
 2 Name Address  
 3 .....  
 4 Name Address  
 5 .....  
 6 Name Address  
 7 .....  
 8 Name Address  
 9 .....  
 10 Name Address

Judges of Primary

12  
 13 Where voting machines or electronic voting systems are  
 14 used, the provisions of this Section may be modified as  
 15 required or authorized by Article 24 and Article 24A, whichever  
 16 is applicable.

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