

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 7-11, 7-12, 7-13, 7-13.1, 7-14, 7-60, 7-60.1, 8-9,  
6 8-17, 8-17.1, 10-6, 10-9, 10-10, 10-10.1, 10-11.1, 10-11.2,  
7 10-14, 10-15, 19-2.1, 19-3, and 28-2 and by adding Section 1-20  
8 as follows:

9 (10 ILCS 5/1-20 new)

10 Sec. 1-20. Public university registration and voting pilot  
11 project. For the 2010 general election, each appropriate  
12 election authority shall conduct grace period registration and  
13 early voting in a high traffic location on the main campus of  
14 each public university within the election authority's  
15 jurisdiction. For the purposes of this Section, "public  
16 university" means the University of Illinois, Southern  
17 Illinois University, Chicago State University, Eastern  
18 Illinois University, Governors State University, Illinois  
19 State University, Northeastern Illinois University, Northern  
20 Illinois University, and Western Illinois University. The  
21 registration conducted under this Section shall be available to  
22 any qualified resident of this State.

23 The registration and voting required by this Section to be

1 conducted on campus must be conducted as otherwise required by  
2 this Code.

3 Each public university shall make the space available in a  
4 high traffic area for, and cooperate and coordinate with the  
5 appropriate election authority in, the implementation of this  
6 Section.

7 By March 1, 2011, the election authorities affected by this  
8 pilot project shall report to the State Board of Elections the  
9 following information: (i) the total number of individuals that  
10 engaged in grace period registration or early voting at the  
11 campus site and (ii) how grace period registration or early  
12 voting at the campus site was conducted.

13 This Section is repealed March 2, 2011.

14 (10 ILCS 5/7-11) (from Ch. 46, par. 7-11)

15 Sec. 7-11. Any candidate for President of the United States  
16 may have his name printed upon the primary ballot of his  
17 political party by filing in the office of the State Board of  
18 Elections not more than 113 ~~99~~ and not less than 106 ~~92~~ days  
19 prior to the date of the general primary, in any year in which  
20 a Presidential election is to be held, a petition signed by not  
21 less than 3000 or more than 5000 primary electors, members of  
22 and affiliated with the party of which he is a candidate, and  
23 no candidate for President of the United States, who fails to  
24 comply with the provisions of this Article shall have his name  
25 printed upon any primary ballot: Provided, however, that if the

1 rules or policies of a national political party conflict with  
2 such requirements for filing petitions for President of the  
3 United States in a presidential preference primary, the  
4 Chairman of the State central committee of such national  
5 political party shall notify the State Board of Elections in  
6 writing, citing by reference the rules or policies of the  
7 national political party in conflict, and in such case the  
8 Board shall direct such petitions to be filed not more than 69  
9 and not less than 62 days prior to the date of the general  
10 primary, in any year in which a Presidential election is to be  
11 held. Provided, further, unless rules or policies of a national  
12 political party otherwise provide, the vote for President of  
13 the United States, as herein provided for, shall be for the  
14 sole purpose of securing an expression of the sentiment and  
15 will of the party voters with respect to candidates for  
16 nomination for said office, and the vote of the state at large  
17 shall be taken and considered as advisory to the delegates and  
18 alternates at large to the national conventions of respective  
19 political parties; and the vote of the respective congressional  
20 districts shall be taken and considered as advisory to the  
21 delegates and alternates of said congressional districts to the  
22 national conventions of the respective political parties.

23 (Source: P.A. 86-873; 86-1089.)

24 (10 ILCS 5/7-12) (from Ch. 46, par. 7-12)

25 Sec. 7-12. All petitions for nomination shall be filed by

1 mail or in person as follows:

2 (1) Where the nomination is to be made for a State,  
3 congressional, or judicial office, or for any office a  
4 nomination for which is made for a territorial division or  
5 district which comprises more than one county or is partly in  
6 one county and partly in another county or counties, then,  
7 except as otherwise provided in this Section, such petition for  
8 nomination shall be filed in the principal office of the State  
9 Board of Elections not more than 113 ~~99~~ and not less than 106  
10 ~~92~~ days prior to the date of the primary, but, in the case of  
11 petitions for nomination to fill a vacancy by special election  
12 in the office of representative in Congress from this State,  
13 such petition for nomination shall be filed in the principal  
14 office of the State Board of Elections not more than 57 days  
15 and not less than 50 days prior to the date of the primary.

16 Where a vacancy occurs in the office of Supreme, Appellate  
17 or Circuit Court Judge within the 3-week period preceding the  
18 106th ~~92nd~~ day before a general primary election, petitions for  
19 nomination for the office in which the vacancy has occurred  
20 shall be filed in the principal office of the State Board of  
21 Elections not more than 92 ~~78~~ nor less than 85 ~~71~~ days prior to  
22 the date of the general primary election.

23 Where the nomination is to be made for delegates or  
24 alternate delegates to a national nominating convention, then  
25 such petition for nomination shall be filed in the principal  
26 office of the State Board of Elections not more than 113 ~~99~~ and

1 not less than 106 ~~92~~ days prior to the date of the primary;  
2 provided, however, that if the rules or policies of a national  
3 political party conflict with such requirements for filing  
4 petitions for nomination for delegates or alternate delegates  
5 to a national nominating convention, the chairman of the State  
6 central committee of such national political party shall notify  
7 the Board in writing, citing by reference the rules or policies  
8 of the national political party in conflict, and in such case  
9 the Board shall direct such petitions to be filed not more than  
10 83 ~~69~~ and not less than 76 ~~62~~ days prior to the date of the  
11 primary.

12 (2) Where the nomination is to be made for a county office  
13 or trustee of a sanitary district then such petition shall be  
14 filed in the office of the county clerk not more than 113 ~~99~~  
15 nor less than 106 ~~92~~ days prior to the date of the primary.

16 (3) Where the nomination is to be made for a municipal or  
17 township office, such petitions for nomination shall be filed  
18 in the office of the local election official, not more than 99  
19 ~~78~~ nor less than 92 ~~71~~ days prior to the date of the primary;  
20 provided, where a municipality's or township's boundaries are  
21 coextensive with or are entirely within the jurisdiction of a  
22 municipal board of election commissioners, the petitions shall  
23 be filed in the office of such board; and provided, that  
24 petitions for the office of multi-township assessor shall be  
25 filed with the election authority.

26 (4) The petitions of candidates for State central

1       committeeman shall be filed in the principal office of the  
2       State Board of Elections not more than 113 ~~99~~ nor less than 106  
3       ~~92~~ days prior to the date of the primary.

4             (5) Petitions of candidates for precinct, township or ward  
5       committeemen shall be filed in the office of the county clerk  
6       not more than 113 ~~99~~ nor less than 106 ~~92~~ days prior to the date  
7       of the primary.

8             (6) The State Board of Elections and the various election  
9       authorities and local election officials with whom such  
10      petitions for nominations are filed shall specify the place  
11      where filings shall be made and upon receipt shall endorse  
12      thereon the day and hour on which each petition was filed. All  
13      petitions filed by persons waiting in line as of 8:00 a.m. on  
14      the first day for filing, or as of the normal opening hour of  
15      the office involved on such day, shall be deemed filed as of  
16      8:00 a.m. or the normal opening hour, as the case may be.  
17      Petitions filed by mail and received after midnight of the  
18      first day for filing and in the first mail delivery or pickup  
19      of that day shall be deemed as filed as of 8:00 a.m. of that day  
20      or as of the normal opening hour of such day, as the case may  
21      be. All petitions received thereafter shall be deemed as filed  
22      in the order of actual receipt. Where 2 or more petitions are  
23      received simultaneously, the State Board of Elections or the  
24      various election authorities or local election officials with  
25      whom such petitions are filed shall break ties and determine  
26      the order of filing, by means of a lottery or other fair and

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

23 (7) The State Board of Elections or the appropriate  
24 election authority or local election official with whom such a  
25 petition for nomination is filed shall notify the person for  
26 whom a petition for nomination has been filed of the obligation

1 to file statements of organization, reports of campaign  
2 contributions, and annual reports of campaign contributions  
3 and expenditures under Article 9 of this Act. Such notice shall  
4 be given in the manner prescribed by paragraph (7) of Section  
5 9-16 of this Code.

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

22 (9) Any person for whom a petition for nomination, or for  
23 committeeman or for delegate or alternate delegate to a  
24 national nominating convention has been filed may cause his  
25 name to be withdrawn by request in writing, signed by him and  
26 duly acknowledged before an officer qualified to take



1 acknowledgments of deeds, and filed in the principal or  
2 permanent branch office of the State Board of Elections or with  
3 the appropriate election authority or local election official,  
4 not later than the date of certification of candidates for the  
5 consolidated primary or general primary ballot. No names so  
6 withdrawn shall be certified or printed on the primary ballot.  
7 If petitions for nomination have been filed for the same person  
8 with respect to more than one political party, his name shall  
9 not be certified nor printed on the primary ballot of any  
10 party. If petitions for nomination have been filed for the same  
11 person for 2 or more offices which are incompatible so that the  
12 same person could not serve in more than one of such offices if  
13 elected, that person must withdraw as a candidate for all but  
14 one of such offices within the 5 business days following the  
15 last day for petition filing. If he fails to withdraw as a  
16 candidate for all but one of such offices within such time his  
17 name shall not be certified, nor printed on the primary ballot,  
18 for any office. For the purpose of the foregoing provisions, an  
19 office in a political party is not incompatible with any other  
20 office.

21 (10) (a) Notwithstanding the provisions of any other  
22 statute, no primary shall be held for an established  
23 political party in any township, municipality, or ward  
24 thereof, where the nomination of such party for every  
25 office to be voted upon by the electors of such township,  
26 municipality, or ward thereof, is uncontested. Whenever a

1 political party's nomination of candidates is uncontested  
2 as to one or more, but not all, of the offices to be voted  
3 upon by the electors of a township, municipality, or ward  
4 thereof, then a primary shall be held for that party in  
5 such township, municipality, or ward thereof; provided  
6 that the primary ballot shall not include those offices  
7 within such township, municipality, or ward thereof, for  
8 which the nomination is uncontested. For purposes of this  
9 Article, the nomination of an established political party  
10 of a candidate for election to an office shall be deemed to  
11 be uncontested where not more than the number of persons to  
12 be nominated have timely filed valid nomination papers  
13 seeking the nomination of such party for election to such  
14 office.

15 (b) Notwithstanding the provisions of any other  
16 statute, no primary election shall be held for an  
17 established political party for any special primary  
18 election called for the purpose of filling a vacancy in the  
19 office of representative in the United States Congress  
20 where the nomination of such political party for said  
21 office is uncontested. For the purposes of this Article,  
22 the nomination of an established political party of a  
23 candidate for election to said office shall be deemed to be  
24 uncontested where not more than the number of persons to be  
25 nominated have timely filed valid nomination papers  
26 seeking the nomination of such established party for

1 election to said office. This subsection (b) shall not  
2 apply if such primary election is conducted on a regularly  
3 scheduled election day.

4 (c) Notwithstanding the provisions in subparagraph (a)  
5 and (b) of this paragraph (10), whenever a person who has  
6 not timely filed valid nomination papers and who intends to  
7 become a write-in candidate for a political party's  
8 nomination for any office for which the nomination is  
9 uncontested files a written statement or notice of that  
10 intent with the State Board of Elections or the local  
11 election official with whom nomination papers for such  
12 office are filed, a primary ballot shall be prepared and a  
13 primary shall be held for that office. Such statement or  
14 notice shall be filed on or before the date established in  
15 this Article for certifying candidates for the primary  
16 ballot. Such statement or notice shall contain (i) the name  
17 and address of the person intending to become a write-in  
18 candidate, (ii) a statement that the person is a qualified  
19 primary elector of the political party from whom the  
20 nomination is sought, (iii) a statement that the person  
21 intends to become a write-in candidate for the party's  
22 nomination, and (iv) the office the person is seeking as a  
23 write-in candidate. An election authority shall have no  
24 duty to conduct a primary and prepare a primary ballot for  
25 any office for which the nomination is uncontested unless a  
26 statement or notice meeting the requirements of this

1 Section is filed in a timely manner.

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

19 (12) All nominating petitions shall be available for public  
20 inspection and shall be preserved for a period of not less than  
21 6 months.

22 (Source: P.A. 86-867; 86-873; 86-875; 86-1028; 86-1089;  
23 87-1052.)

24 (10 ILCS 5/7-13) (from Ch. 46, par. 7-13)

25 Sec. 7-13. The board of election commissioners in cities of

1 500,000 or more population having such board, shall constitute  
2 an electoral board for the hearing and passing upon objections  
3 to nomination petitions for ward committeemen.

4 Such objections shall be filed in the office of the county  
5 clerk within 5 business days after the last day for filing  
6 nomination papers ~~not less than 81 days prior to the primary.~~

7 The objection shall state the name and address of the objector,  
8 who may be any qualified elector in the ward, the specific  
9 grounds of objection and the relief requested of the electoral  
10 board. Upon the receipt of the objection, the county clerk  
11 shall forthwith transmit such objection and the petition of the  
12 candidate to the board of election commissioners. The board of  
13 election commissioners shall forthwith notify the objector and  
14 candidate objected to of the time and place for hearing hereon.

15 After a hearing upon the validity of such objections, the board  
16 shall, ~~not less than 74 days prior to the date of the primary,~~  
17 certify to the county clerk, its decision stating whether or  
18 not the name of the candidate shall be printed on the ballot  
19 and the county clerk in his or her certificate to the board of  
20 election commissioners shall leave off of the certificate the  
21 name of the candidate for ward committeeman that the election  
22 commissioners order not to be printed on the ballot. However,  
23 the decision of the board of election commissioners is subject  
24 to judicial review as provided in Section 10-10.1.

25 The county electoral board composed as provided in Section  
26 10-9 shall constitute an electoral board for the hearing and

1 passing upon objections to nomination petitions for precinct  
2 and township committeemen. Such objections shall be filed in  
3 the office of the county clerk within 5 business days after the  
4 last day for filing nomination papers ~~not less than 81 days~~  
5 ~~prior to the primary~~. The objection shall state the name and  
6 address of the objector who may be any qualified elector in the  
7 precinct or in the township or part of a township that lies  
8 outside of a city having a population of 500,000 or more, the  
9 specific grounds of objection and the relief requested of the  
10 electoral board. Upon the receipt of the objection the county  
11 clerk shall forthwith transmit such objection and the petition  
12 of the candidate to the chairman of the county electoral board.  
13 The chairman of the county electoral board shall forthwith  
14 notify the objector, the candidate whose petition is objected  
15 to and the other members of the electoral board of the time and  
16 place for hearing thereon. After hearing upon the validity of  
17 such objections the board shall, ~~not less than 74 days prior to~~  
18 ~~the date of the primary~~, certify its decision to the county  
19 clerk stating whether or not the name of the candidate shall be  
20 printed on the ballot, and the county clerk, in his or her  
21 certificate to the board of election commissioners, shall leave  
22 off of the certificate the name of the candidate ordered by the  
23 board not to be printed on the ballot, and the county clerk  
24 shall also refrain from printing on the official primary  
25 ballot, the name of any candidate whose name has been ordered  
26 by the electoral board not to be printed on the ballot.

1       However, the decision of the board is subject to judicial  
2       review as provided in Section 10-10.1.

3             In such proceedings the electoral boards have the same  
4       powers as other electoral boards under the provisions of  
5       Section 10-10 of this Act and their decisions are subject to  
6       judicial review under Section 10-10.1.

7       (Source: P.A. 84-1308.)

8             (10 ILCS 5/7-13.1) (from Ch. 46, par. 7-13.1)

9             Sec. 7-13.1. Certification of Candidates-Consolidated  
10       primary. Not less than 68 ~~61~~ days before the date of the  
11       consolidated primary, each local election official of each  
12       political subdivision required to nominate candidates for the  
13       respective offices by primary shall certify to each election  
14       authority whose duty it is to prepare the official ballot for  
15       the consolidated primary in such political subdivision the  
16       names of all candidates in whose behalf nomination papers have  
17       been filed in the office of such local election official and  
18       direct the election authority to place upon the official ballot  
19       for the consolidated primary election the names of such  
20       candidates in the same manner and in the same order as shown  
21       upon the certification. However, subject to appeal, the names  
22       of candidates whose nomination papers have been held invalid by  
23       the appropriate electoral board provided in Section 10-9 of  
24       this Code shall not be so certified. The certification shall be  
25       modified as necessary to comply with the requirements of any

1 other statute or any ordinance adopted pursuant to Article VII  
2 of the Constitution prescribing specific provisions for  
3 nonpartisan elections, including without limitation Articles  
4 3, 4 and 5 of "The Municipal Code".

5 The names of candidates shall be listed on the  
6 certification for the respective offices in the order in which  
7 the candidates have filed their nomination papers, or as  
8 determined by lot, or as otherwise specified by statute.

9 In every instance where applicable, the following shall  
10 also be indicated in the certification:

11 (1) Where there is to be more than one candidate elected to  
12 an office from a political subdivision or district;

13 (2) Where a voter has the right to vote for more than one  
14 candidate for an office;

15 (3) The terms of the office to be on the ballot, when a  
16 vacancy is to be filled for less than a full term, or when  
17 offices of a particular subdivision to be on the ballot at the  
18 same election are to be filled for different terms;

19 (4) The territory in which a candidate is required by law  
20 to reside, when such residency requirement is not identical to  
21 the territory of the political subdivision from which the  
22 candidate is to be elected or nominated;

23 (5) Where a candidate's nominating papers or petitions have  
24 been objected to and the objection has been sustained by the  
25 electoral board established in Section 10-10, the words  
26 "OBJECTION SUSTAINED" shall be placed under the title of the



1 office being sought by the candidate and the name of the  
2 aggrieved candidate shall not appear; and

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

9 The local election official shall issue an amended  
10 certification whenever it is discovered that the original  
11 certification is in error.

12 (Source: P.A. 95-699, eff. 11-9-07.)

13 (10 ILCS 5/7-14) (from Ch. 46, par. 7-14)

14 Sec. 7-14. Not less than 68 ~~61~~ days before the date of the  
15 general primary the State Board of Elections shall meet and  
16 shall examine all petitions filed under this Article 7, in the  
17 office of the State Board of Elections. The State Board of  
18 Elections shall then certify to the county clerk of each  
19 county, the names of all candidates whose nomination papers or  
20 certificates of nomination have been filed with the Board and  
21 direct the county clerk to place upon the official ballot for  
22 the general primary election the names of such candidates in  
23 the same manner and in the same order as shown upon the  
24 certification.

25 The State Board of Elections shall, in its certificate to

1 the county clerk, certify the names of the offices, and the  
2 names of the candidates in the order in which the offices and  
3 names shall appear upon the primary ballot; such names to  
4 appear in the order in which petitions have been filed in the  
5 office of the State Board of Elections except as otherwise  
6 provided in this Article.

7 Not less than 62 ~~55~~ days before the date of the general  
8 primary, each county clerk shall certify the names of all  
9 candidates whose nomination papers have been filed with such  
10 clerk and declare that the names of such candidates for the  
11 respective offices shall be placed upon the official ballot for  
12 the general primary in the order in which such nomination  
13 papers were filed with the clerk, or as determined by lot, or  
14 as otherwise specified by statute. Each county clerk shall  
15 place a copy of the certification on file in his or her office  
16 and at the same time issue to the board of election  
17 commissioners a copy of the certification that has been filed  
18 in the county clerk's office, together with a copy of the  
19 certification that has been issued to the clerk by the State  
20 Board of Elections, with directions to the board of election  
21 commissioners to place upon the official ballot for the general  
22 primary in that election jurisdiction the names of all  
23 candidates that are listed on such certification in the same  
24 manner and in the same order as shown upon such certifications.

25 The certification shall indicate, where applicable, the  
26 following:

1           (1) The political party affiliation of the candidates for  
2 the respective offices;

3           (2) If there is to be more than one candidate elected or  
4 nominated to an office from the State, political subdivision or  
5 district;

6           (3) If the voter has the right to vote for more than one  
7 candidate for an office;

8           (4) The term of office, if a vacancy is to be filled for  
9 less than a full term or if the offices to be filled in a  
10 political subdivision or district are for different terms.

11           The State Board of Elections or the county clerk, as the  
12 case may be, shall issue an amended certification whenever it  
13 is discovered that the original certification is in error.

14           Subject to appeal, the names of candidates whose nomination  
15 papers have been held invalid by the appropriate electoral  
16 board provided in Section 10-9 of this Code shall not be  
17 certified.

18           (Source: P.A. 86-867.)

19           (10 ILCS 5/7-60) (from Ch. 46, par. 7-60)

20           Sec. 7-60. Not less than 74 ~~67~~ days before the date of the  
21 general election, the State Board of Elections shall certify to  
22 the county clerks the names of each of the candidates who have  
23 been nominated as shown by the proclamation of the State Board  
24 of Elections as a canvassing board or who have been nominated  
25 to fill a vacancy in nomination and direct the election

1 authority to place upon the official ballot for the general  
2 election the names of such candidates in the same manner and in  
3 the same order as shown upon the certification, except as  
4 otherwise provided in this Section.

5 Not less than 68 ~~61~~ days before the date of the general  
6 election, each county clerk shall certify the names of each of  
7 the candidates for county offices who have been nominated as  
8 shown by the proclamation of the county election authority or  
9 who have been nominated to fill a vacancy in nomination and  
10 declare that the names of such candidates for the respective  
11 offices shall be placed upon the official ballot for the  
12 general election in the same manner and in the same order as  
13 shown upon the certification, except as otherwise provided by  
14 this Section. Each county clerk shall place a copy of the  
15 certification on file in his or her office and at the same time  
16 issue to the State Board of Elections a copy of such  
17 certification. In addition, each county clerk in whose county  
18 there is a board of election commissioners shall, not less than  
19 68 ~~61~~ days before the date of the general election, issue to  
20 such board a copy of the certification that has been filed in  
21 the county clerk's office, together with a copy of the  
22 certification that has been issued to the clerk by the State  
23 Board of Elections, with directions to the board of election  
24 commissioners to place upon the official ballot for the general  
25 election in that election jurisdiction the names of all  
26 candidates that are listed on such certifications, in the same

1 manner and in the same order as shown upon such certifications,  
2 except as otherwise provided in this Section.

3 Whenever there are two or more persons nominated by the  
4 same political party for multiple offices for any board, the  
5 name of the candidate of such party receiving the highest  
6 number of votes in the primary election as a candidate for such  
7 office, as shown by the official election returns of the  
8 primary, shall be certified first under the name of such  
9 offices, and the names of the remaining candidates of such  
10 party for such offices shall follow in the order of the number  
11 of votes received by them respectively at the primary election  
12 as shown by the official election results.

13 No person who is shown by the final proclamation to have  
14 been nominated or elected at the primary as a write-in  
15 candidate shall have his or her name certified unless such  
16 person shall have filed with the certifying office or board  
17 within 10 days after the election authority's proclamation a  
18 statement of candidacy pursuant to Section 7-10, a statement  
19 pursuant to Section 7-10.1, and a receipt for the filing of a  
20 statement of economic interests in relation to the unit of  
21 government to which he or she has been elected or nominated.

22 Each county clerk and board of election commissioners shall  
23 determine by a fair and impartial method of random selection  
24 the order of placement of established political party  
25 candidates for the general election ballot. Such determination  
26 shall be made within 30 days following the canvass and

1 proclamation of the results of the general primary in the  
2 office of the county clerk or board of election commissioners  
3 and shall be open to the public. Seven days written notice of  
4 the time and place of conducting such random selection shall be  
5 given, by each such election authority, to the County Chairman  
6 of each established political party, and to each organization  
7 of citizens within the election jurisdiction which was  
8 entitled, under this Article, at the next preceding election,  
9 to have pollwatchers present on the day of election. Each  
10 election authority shall post in a conspicuous, open and public  
11 place, at the entrance of the election authority office, notice  
12 of the time and place of such lottery. However, a board of  
13 election commissioners may elect to place established  
14 political party candidates on the general election ballot in  
15 the same order determined by the county clerk of the county in  
16 which the city under the jurisdiction of such board is located.

17 Each certification shall indicate, where applicable, the  
18 following:

19 (1) The political party affiliation of the candidates  
20 for the respective offices;

21 (2) If there is to be more than one candidate elected  
22 to an office from the State, political subdivision or  
23 district;

24 (3) If the voter has the right to vote for more than  
25 one candidate for an office;

26 (4) The term of office, if a vacancy is to be filled

1           for less than a full term or if the offices to be filled in  
2           a political subdivision are for different terms.

3           The State Board of Elections or the county clerk, as the  
4           case may be, shall issue an amended certification whenever it  
5           is discovered that the original certification is in error.

6           (Source: P.A. 94-645, eff. 8-22-05; 94-647, eff. 1-1-06;  
7           94-1000, eff. 7-3-06.)

8           (10 ILCS 5/7-60.1) (from Ch. 46, par. 7-60.1)

9           Sec. 7-60.1. Certification of Candidates - Consolidated  
10          Election.    Each local election official of a political  
11          subdivision in which candidates for the respective local  
12          offices are nominated at the consolidated primary shall, no  
13          later than 5 days following the canvass and proclamation of the  
14          results of the consolidated primary, certify to each election  
15          authority whose duty it is to prepare the official ballot for  
16          the consolidated election in that political subdivision the  
17          names of each of the candidates who have been nominated as  
18          shown by the proclamation of the appropriate election authority  
19          or who have been nominated to fill a vacancy in nomination and  
20          direct the election authority to place upon the official ballot  
21          for the consolidated election the names of such candidates in  
22          the same manner and in the same order as shown upon the  
23          certification, except as otherwise provided by this Section.

24          Whenever there are two or more persons nominated by the  
25          same political party for multiple offices for any board, the

1 name of the candidate of such party receiving the highest  
2 number of votes in the consolidated primary election as a  
3 candidate for such consolidated primary, shall be certified  
4 first under the name of such office, and the names of the  
5 remaining candidates of such party for such offices shall  
6 follow in the order of the number of votes received by them  
7 respectively at the consolidated primary election as shown by  
8 the official election results.

9 No person who is shown by the election authority's  
10 proclamation to have been nominated at the consolidated primary  
11 as a write-in candidate shall have his or her name certified  
12 unless such person shall have filed with the certifying office  
13 or board within 5 days after the election authority's  
14 proclamation a statement of candidacy pursuant to Section 7-10  
15 and a statement pursuant to Section 7-10.1.

16 Each board of election commissioners of the cities in which  
17 established political party candidates for city offices are  
18 nominated at the consolidated primary shall determine by a fair  
19 and impartial method of random selection the order of placement  
20 of the established political party candidates for the  
21 consolidated ballot. Such determination shall be made within 5  
22 days following the canvass and proclamation of the results of  
23 the consolidated primary and shall be open to the public. Three  
24 days written notice of the time and place of conducting such  
25 random selection shall be given, by each such election  
26 authority, to the County Chairman of each established political



1 party, and to each organization of citizens within the election  
2 jurisdiction which was entitled, under this Article, at the  
3 next preceding election, to have pollwatchers present on the  
4 day of election. Each election authority shall post in a  
5 conspicuous, open and public place, at the entrance of the  
6 election authority office, notice of the time and place of such  
7 lottery.

8 Each local election official of a political subdivision in  
9 which established political party candidates for the  
10 respective local offices are nominated by primary shall  
11 determine by a fair and impartial method of random selection  
12 the order of placement of the established political party  
13 candidates for the consolidated election ballot and, in the  
14 case of certain municipalities having annual elections, on the  
15 general primary ballot for election. Such determination shall  
16 be made prior to the canvass and proclamation of results of the  
17 consolidated primary or special municipal primary, as the case  
18 may be, in the office of the local election official and shall  
19 be open to the public. Three days written notice of the time  
20 and place of conducting such random selection shall be given,  
21 by each such local election official, to the County Chairman of  
22 each established political party, and to each organization of  
23 citizens within the election jurisdiction which was entitled,  
24 under this Article, at the next preceding election, to have  
25 pollwatchers present on the day of election. Each local  
26 election official shall post in a conspicuous, open and public

1 place notice of such lottery. Immediately thereafter, the local  
2 election official shall certify the ballot placement order so  
3 determined to the proper election authorities charged with the  
4 preparation of the consolidated election, or general primary,  
5 ballot for that political subdivision.

6 Not less than 68 ~~61~~ days before the date of the  
7 consolidated election, each local election official of a  
8 political subdivision in which established political party  
9 candidates for the respective local offices have been nominated  
10 by caucus or have been nominated because no primary was  
11 required to be held shall certify to each election authority  
12 whose duty it is to prepare the official ballot for the  
13 consolidated election in that political subdivision the names  
14 of each of the candidates whose certificates of nomination or  
15 nomination papers have been filed in his or her office and  
16 direct the election authority to place upon the official ballot  
17 for the consolidated election the names of such candidates in  
18 the same manner and in the same order as shown upon the  
19 certification. Such local election official shall, prior to  
20 certification, determine by a fair and impartial method of  
21 random selection the order of placement of the established  
22 political party candidates for the consolidated election  
23 ballot. Such determination shall be made in the office of the  
24 local election official and shall be open to the public. Three  
25 days written notice of the time and place of conducting such  
26 random selection shall be given by each such local election

1 official to the county chairman of each established political  
2 party, and to each organization of citizens within the election  
3 jurisdiction which was entitled, under this Article, at the  
4 next preceding election, to have pollwatchers present on the  
5 day of election. Each local election official shall post in a  
6 conspicuous, open and public place, at the entrance of the  
7 office, notice of the time and place of such lottery. The local  
8 election official shall certify the ballot placement order so  
9 determined as part of his official certification of candidates  
10 to the election authorities whose duty it is to prepare the  
11 official ballot for the consolidated election in that political  
12 subdivision.

13 The certification shall indicate, where applicable, the  
14 following:

15 (1) The political party affiliation of the candidates  
16 for the respective offices;

17 (2) If there is to be more than one candidate elected  
18 or nominated to an office from the State, political  
19 subdivision or district;

20 (3) If the voter has the right to vote for more than  
21 one candidate for an office;

22 (4) The term of office, if a vacancy is to be filled  
23 for less than a full term or if the offices to be filled in  
24 a political subdivision or district are for different  
25 terms.

26 The local election official shall issue an amended

1 certification whenever it is discovered that the original  
2 certification is in error.

3 (Source: P.A. 94-647, eff. 1-1-06.)

4 (10 ILCS 5/8-9) (from Ch. 46, par. 8-9)

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

7 (1) Where the nomination is made for a legislative office,  
8 such petition for nomination shall be filed in the principal  
9 office of the State Board of Elections not more than 113 ~~99~~ and  
10 not less than 106 ~~92~~ days prior to the date of the primary.

11 (2) The State Board of Elections shall, upon receipt of  
12 each petition, endorse thereon the day and hour on which it was  
13 filed. Petitions filed by mail and received after midnight on  
14 the first day for filing and in the first mail delivery or  
15 pickup of that day, shall be deemed as filed as of 8:00 a.m. of  
16 that day or as of the normal opening hour of such day as the  
17 case may be, and all petitions received thereafter shall be  
18 deemed as filed in the order of actual receipt. Where 2 or more  
19 petitions are received simultaneously, the State Board of  
20 Elections shall break ties and determine the order of filing,  
21 by means of a lottery as provided in Section 7-12 of this Code.

22 (3) Any person for whom a petition for nomination has been  
23 filed, may cause his name to be withdrawn by a request in  
24 writing, signed by him, duly acknowledged before an officer  
25 qualified to take acknowledgments of deeds, and filed in the

1 principal or permanent branch office of the State Board of  
2 Elections not later than the date of certification of  
3 candidates for the general primary ballot, and no names so  
4 withdrawn shall be certified by the State Board of Elections to  
5 the county clerk, or printed on the primary ballot. If  
6 petitions for nomination have been filed for the same person  
7 with respect to more than one political party, his name shall  
8 not be certified nor printed on the primary ballot of any  
9 party. If petitions for nomination have been filed for the same  
10 person for 2 or more offices which are incompatible so that the  
11 same person could not serve in more than one of such offices if  
12 elected, that person must withdraw as a candidate for all but  
13 one of such offices within the 5 business days following the  
14 last day for petition filing. If he fails to withdraw as a  
15 candidate for all but one of such offices within such time, his  
16 name shall not be certified, nor printed on the primary ballot,  
17 for any office. For the purpose of the foregoing provisions, an  
18 office in a political party is not incompatible with any other  
19 office.

20 (4) If multiple sets of nomination papers are filed for a  
21 candidate to the same office, the State Board of Elections  
22 shall within 2 business days notify the candidate of his or her  
23 multiple petition filings and that the candidate has 3 business  
24 days after receipt of the notice to notify the State Board of  
25 Elections that he or she may cancel prior sets of petitions. If  
26 the candidate notifies the State Board of Elections the last

1 set of petitions filed shall be the only petitions to be  
2 considered valid by the State Board of Elections. If the  
3 candidate fails to notify the State Board then only the first  
4 set of petitions filed shall be valid and all subsequent  
5 petitions shall be void.

6 (Source: P.A. 86-875; 87-1052.)

7 (10 ILCS 5/8-17) (from Ch. 46, par. 8-17)

8 Sec. 8-17. The death of any candidate prior to, or on, the  
9 date of the primary shall not affect the canvass of the  
10 ballots. If the result of such canvass discloses that such  
11 candidate, if he had lived, would have been nominated, such  
12 candidate shall be declared nominated.

13 In the event that a candidate of a party who has been  
14 nominated under the provisions of this Article shall die before  
15 election (whether death occurs prior to, or on, or after, the  
16 date of the primary) or decline the nomination or should the  
17 nomination for any other reason become vacant, the legislative  
18 or representative committee of such party for such district  
19 shall nominate a candidate of such party to fill such vacancy.  
20 However, if there was no candidate for the nomination of the  
21 party in the primary, no candidate of that party for that  
22 office may be listed on the ballot at the general election,  
23 unless the legislative or representative committee of the party  
24 nominates a candidate to fill the vacancy in nomination within  
25 75 ~~60~~ days after the date of the general primary election.

1 Vacancies in nomination occurring under this Article shall be  
2 filled by the appropriate legislative or representative  
3 committee in accordance with the provisions of Section 7-61 of  
4 this Code. In proceedings to fill the vacancy in nomination,  
5 the voting strength of the members of the legislative or  
6 representative committee shall be as provided in Section 8-6.

7 (Source: P.A. 84-757; 84-790; 84-928; 84-1026.)

8 (10 ILCS 5/8-17.1) (from Ch. 46, par. 8-17.1)

9 Sec. 8-17.1. Whenever a vacancy in the office of State  
10 Senator is to be filled by election pursuant to Article IV,  
11 Section 2(d) of the Constitution and Section 25-6 of this Code,  
12 nominations shall be made and any vacancy in nomination shall  
13 be filled pursuant to this Section:

14 (1) If the vacancy in office occurs before the first date  
15 provided in Section 8-9 for filing nomination papers for the  
16 primary in the next even-numbered year following the  
17 commencement of the term, the nominations for the election for  
18 filling such vacancy shall be made as otherwise provided in  
19 Article 8.

20 (2) If the vacancy in office occurs during the time  
21 provided in Section 8-9 for filing nomination papers for the  
22 office of State Senator for the primary in the next  
23 even-numbered year following commencement of the term of office  
24 in which such vacancy occurs, the time for filing nomination  
25 papers for such office for the primary shall be not more than

1 105 ~~91~~ days and not less than 99 ~~85~~ days prior to the date of  
2 the primary election.

3 (3) If the vacancy in office occurs after the last day  
4 provided in Section 8-9 for filing nomination papers for the  
5 office of State Senator, a vacancy in nomination shall be  
6 deemed to have occurred and the legislative committee of each  
7 established political party shall nominate, by resolution, a  
8 candidate to fill such vacancy in nomination for the election  
9 to such office at such general election. In the proceedings to  
10 fill the vacancy in nomination the voting strength of the  
11 members of the legislative committee shall be as provided in  
12 Section 8-6. The name of the candidate so nominated shall not  
13 appear on the ballot at the general primary election. Such  
14 vacancy in nomination shall be filled prior to the date of  
15 certification of candidates for the general election.

16 (4) The resolution to fill the vacancy shall be duly  
17 acknowledged before an officer qualified to take  
18 acknowledgments of deeds and shall include, upon its face, the  
19 following information;

20 (a) the names of the original nominee and the office  
21 vacated;

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

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

25 The resolution to fill the vacancy shall be accompanied by  
26 a Statement of Candidacy, as prescribed in Section 7-10,



1 completed by the selected nominee and a receipt indicating that  
2 such nominee has filed a statement of economic interests as  
3 required by the Illinois Governmental Ethics Act.

4 The provisions of Sections 10-8 through 10-10.1 relating to  
5 objections to nomination papers, hearings on objections and  
6 judicial review, shall also apply to and govern objections to  
7 nomination papers and resolutions for filling vacancies in  
8 nomination filed pursuant to this Section.

9 Unless otherwise specified herein, the nomination and  
10 election provided for in this Section shall be governed by this  
11 Code.

12 (Source: P.A. 84-790.)

13 (10 ILCS 5/10-6) (from Ch. 46, par. 10-6)

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

1 nomination of candidates shall be filed with the county clerk  
2 of the respective counties not more than 141 but at least 134  
3 days previous to the day of such election. Certificates of  
4 nomination and nomination papers for the nomination of  
5 candidates for the offices of political subdivisions to be  
6 filled at regular elections other than the general election  
7 shall be filed with the local election official of such  
8 subdivision:

9 (1) (Blank);

10 (2) not more than 113 ~~78~~ nor less than 106 ~~71~~ days  
11 prior to the consolidated election; or

12 (3) not more than 113 ~~78~~ nor less than 106 ~~71~~ days  
13 prior to the general primary in the case of municipal  
14 offices to be filled at the general primary election; or

15 (4) not more than 99 ~~78~~ nor less than 92 ~~71~~ days before  
16 the consolidated primary in the case of municipal offices  
17 to be elected on a nonpartisan basis pursuant to law  
18 (including without limitation, those municipal offices  
19 subject to Articles 4 and 5 of the Municipal Code); or

20 (5) not more than 113 ~~78~~ nor less than 106 ~~71~~ days  
21 before the municipal primary in even numbered years for  
22 such nonpartisan municipal offices where annual elections  
23 are provided; or

24 (6) in the case of petitions for the office of  
25 multi-township assessor, such petitions shall be filed  
26 with the election authority not more than 113 ~~78~~ nor less

1           than 106 ~~71~~ days before the consolidated election.

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

8           (Source: P.A. 95-699, eff. 11-9-07.)

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

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

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

23          2. The county officers electoral board to hear and pass  
24 upon objections to the nominations of candidates for county  
25 offices, for congressional, legislative and judicial offices

1 of a district, subcircuit, or circuit coterminous with or less  
2 than a county, for school trustees to be voted for by the  
3 electors of the county or by the electors of a township of the  
4 county, for the office of multi-township assessor where  
5 candidates for such office are nominated in accordance with  
6 this Code, and for all special district offices, shall be  
7 composed of the county clerk, or an assistant designated by the  
8 county clerk, the State's attorney of the county or an  
9 Assistant State's Attorney designated by the State's Attorney,  
10 and the clerk of the circuit court, or an assistant designated  
11 by the clerk of the circuit court, of the county, of whom the  
12 county clerk or his designee shall be the chairman, except that  
13 in any county which has established a county board of election  
14 commissioners that board shall constitute the county officers  
15 electoral board ex-officio.

16 3. The municipal officers electoral board to hear and pass  
17 upon objections to the nominations of candidates for officers  
18 of municipalities shall be composed of the mayor or president  
19 of the board of trustees of the city, village or incorporated  
20 town, and the city, village or incorporated town clerk, and one  
21 member of the city council or board of trustees, that member  
22 being designated who is eligible to serve on the electoral  
23 board and has served the greatest number of years as a member  
24 of the city council or board of trustees, of whom the mayor or  
25 president of the board of trustees shall be the chairman.

26 4. The township officers electoral board to pass upon

1 objections to the nominations of township officers shall be  
2 composed of the township supervisor, the town clerk, and that  
3 eligible town trustee elected in the township who has had the  
4 longest term of continuous service as town trustee, of whom the  
5 township supervisor shall be the chairman.

6 5. The education officers electoral board to hear and pass  
7 upon objections to the nominations of candidates for offices in  
8 school or community college districts shall be composed of the  
9 presiding officer of the school or community college district  
10 board, who shall be the chairman, the secretary of the school  
11 or community college district board and the eligible elected  
12 school or community college board member who has the longest  
13 term of continuous service as a board member.

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

24 For special districts situated in more than one county, the  
25 county officers electoral board of the county in which the  
26 principal office of the district is located has jurisdiction to

1 hear and pass upon objections. For purposes of this Section,  
2 "special districts" means all political subdivisions other  
3 than counties, municipalities, townships and school and  
4 community college districts.

5 In the event that any member of the appropriate board is a  
6 candidate for the office with relation to which the objector's  
7 petition is filed, he shall not be eligible to serve on that  
8 board and shall not act as a member of the board and his place  
9 shall be filled as 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 school or community college district  
22 board member who has had the second longest term of  
23 continuous service as a board member.

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

1 is filed, then the substitute chosen under the provisions of  
2 this Section shall be the chairman; In this case, the officer  
3 or board with whom the objector's petition is filed, shall  
4 transmit the certificate of nomination or nomination papers as  
5 the case may be, and the objector's petition to the substitute  
6 chairman 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 school or community college  
10 district board, qualify to serve on an electoral board, the one  
11 to serve 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 chairman of an electoral board shall be designated by the Chief  
22 Judge.

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

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 chairman 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 school or community  
26 college 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 chairman 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. The day of the meeting shall not be less than 3  
20 nor more than 5 days after the receipt of the certificate of  
21 nomination or nomination papers and the objector's petition by  
22 the chairman 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 the chairman may issue subpoenas requiring the  
26 attendance of witnesses and subpoenas duces tecum requiring the

1 production of such books, papers, records and documents as may  
2 be evidence of any matter under inquiry before the electoral  
3 board, in the same manner as witnesses are subpoenaed in the  
4 Circuit Court.

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

1 the nature of the case may require and may be lawful in cases  
2 of contempt of court.

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

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

1 to invalid signatures within the particular election  
2 jurisdiction.

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

1 by the decision or to such party's attorney of record, if any,  
2 at the address on record for such person in the files of the  
3 electoral board.

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

15 (Source: P.A. 95-872, eff. 1-1-09.)

16       (10 ILCS 5/10-10.1) (from Ch. 46, par. 10-10.1)

17       Sec. 10-10.1.

18       (a) Except as otherwise provided in this Section, a  
19 candidate or objector aggrieved by the decision of an electoral  
20 board may secure judicial review of such decision in the  
21 circuit court of the county in which the hearing of the  
22 electoral board was held. The party seeking judicial review  
23 must file a petition with the clerk of the court and must serve  
24 a copy of the petition upon the electoral board and other  
25 parties to the proceeding by registered or certified mail

1 within 5 ~~10~~ days after service of the decision of the electoral  
2 board as provided in Section 10-10. The petition shall contain  
3 a brief statement of the reasons why the decision of the board  
4 should be reversed. The petitioner ~~shall serve a copy of the~~  
5 ~~petition upon the electoral board and other parties to the~~  
6 ~~proceeding by registered or certified mail and shall file proof~~  
7 of service with the clerk of the court. No answer to the  
8 petition need be filed, but the electoral board shall cause the  
9 record of proceedings before the electoral board to be filed  
10 with the clerk of the court on or before the date of the  
11 hearing on the petition or as ordered by the court ~~any answer~~  
12 ~~must be filed within 10 days after the filing of the petition.~~

13 The court shall set the matter for hearing to be held  
14 within 30 days after the filing of the petition and shall make  
15 its decision promptly after such hearing.

16 (b) An objector or proponent aggrieved by the decision of  
17 an electoral board regarding a petition filed pursuant to  
18 Section 18-120 of the Property Tax Code may secure a review of  
19 such decision by the State Board of Elections. The party  
20 seeking such review must file a petition therefor with the  
21 State Board of Elections within 10 days after the decision of  
22 the electoral board. Any such objector or proponent may apply  
23 for and obtain judicial review of a decision of the State Board  
24 of Elections entered under this amendatory Act of 1985, in  
25 accordance with the provisions of the Administrative Review  
26 Law, as amended.

1 (Source: P.A. 88-670, eff. 12-2-94.)

2 (10 ILCS 5/10-11.1) (from Ch. 46, par. 10-11.1)

3 Sec. 10-11.1. Whenever a vacancy in the office of State  
4 Senator is to be filled by election pursuant to Article IV,  
5 Section 2(d) of the Constitution and Section 25-6 of this Code,  
6 nominations shall be made pursuant to this Section:

7 (1) If the vacancy in office occurs before the first date  
8 provided in Section 10-3 for filing nomination papers for the  
9 general election in the next even-numbered year following the  
10 commencement of the term, the nomination of independent  
11 candidates for such office shall be made as otherwise provided  
12 in this Article.

13 (2) If the vacancy occurs in office after the first day for  
14 filing nomination papers for independent candidates as  
15 provided in Section 10-3 but before the first day provided in  
16 Section 10-6 for filing nomination papers for the general  
17 election in the next even-numbered year following the  
18 commencement of the term, independent candidates for such  
19 office shall file their nomination papers during the filing  
20 period set forth in Section 10-6 for new political party  
21 candidates.

22 (3) If a vacancy in office occurs prior to the first day  
23 provided in Section 10-6 for filing nomination papers for new  
24 political party candidates for the next ensuing general  
25 election, new political party candidates for such office shall

1 file their nomination papers during the filing period as set  
2 forth in Section 10-6 as otherwise provided in this Article.

3 (4) If the vacancy in office occurs during the time  
4 provided in Section 10-6 for filing nomination papers for new  
5 political party candidates for the next ensuing general  
6 election, the time for independent and new political party  
7 candidates to file nomination papers for such office shall be  
8 not more than 92 ~~78~~ days nor less than 85 ~~71~~ days prior to the  
9 date of the general election.

10 (5) If the vacancy in office occurs after the last day  
11 provided in Section 10-6 for filing nomination papers for new  
12 political party candidates, independent and new political  
13 party candidates shall be nominated as provided by rules and  
14 regulations of the State Board of Elections.

15 The provisions of Sections 10-8 and 10-10.1 relating to  
16 objections to nomination papers, hearings on objections and  
17 judicial review, shall also apply to and govern objections to  
18 nomination papers filed pursuant to this Section.

19 Unless otherwise specified herein, the nomination and  
20 election provided for in this Section shall be governed by this  
21 Code.

22 (Source: P.A. 84-790.)

23 (10 ILCS 5/10-11.2) (from Ch. 46, par. 10-11.2)

24 Sec. 10-11.2. Whenever a vacancy in any elective county  
25 office is to be filled by election pursuant to Section 25-11 of



1 this Code, nominations shall be made and any vacancy in  
2 nomination shall be filled pursuant to this Section:

3 (1) If the vacancy in office occurs before the first date  
4 provided in Section 10-3 for filing nomination papers for the  
5 general election in the next even-numbered year following the  
6 commencement of the term, the nomination of independent  
7 candidates for such office shall be made as otherwise provided  
8 in this Article.

9 (2) If the vacancy in office occurs after the first day for  
10 filing nomination papers for independent candidates as  
11 provided in Section 10-3 but before the first day provided in  
12 Section 10-6 for filing nomination papers for new political  
13 party candidates for the general election in the next  
14 even-numbered year following the commencement of the term,  
15 independent candidates for such office shall file their  
16 nomination papers during the filing period set forth in Section  
17 10-6 for new political party candidates.

18 (3) If the vacancy in office occurs prior to the first date  
19 provided in Section 10-6 for filing nomination papers for new  
20 political party candidates for the next ensuing general  
21 election, new political party candidates for such office shall  
22 file their nomination papers during the filing period as set  
23 forth in Section 10-6 for new political party candidates.

24 (4) If the vacancy in office occurs during the time  
25 provided in Section 10-6 for filing nomination papers for new  
26 political party candidates for the next ensuing general

1 election the time for independent and new political party  
2 candidates to file nomination papers for such office shall be  
3 not more than 92 ~~78~~ days nor less than 85 ~~71~~ days prior to the  
4 date of the general election.

5 The provisions of Sections 10-8 through 10-10.1 relating to  
6 objections to nomination papers, hearings on objections and  
7 judicial review, shall also apply to and govern objections to  
8 nomination papers filed pursuant to this Section.

9 Unless otherwise specified herein, the nomination and  
10 election provided for in this Section shall be governed by this  
11 Code.

12 (Source: P.A. 84-790.)

13 (10 ILCS 5/10-14) (from Ch. 46, par. 10-14)

14 Sec. 10-14. Not less than 74 ~~67~~ days before the date of the  
15 general election the State Board of Elections shall certify to  
16 the county clerk of each county the name of each candidate  
17 whose nomination papers, certificate of nomination or  
18 resolution to fill a vacancy in nomination has been filed with  
19 the State Board of Elections and direct the county clerk to  
20 place upon the official ballot for the general election the  
21 names of such candidates in the same manner and in the same  
22 order as shown upon the certification. The name of no candidate  
23 for an office to be filled by the electors of the entire state  
24 shall be placed upon the official ballot unless his name is  
25 duly certified to the county clerk upon a certificate signed by

1 the members of the State Board of Elections. The names of group  
2 candidates on petitions shall be certified to the several  
3 county clerks in the order in which such names appear on such  
4 petitions filed with the State Board of Elections.

5 Not less than 68 ~~61~~ days before the date of the general  
6 election, each county clerk shall certify the names of each of  
7 the candidates for county offices whose nomination papers,  
8 certificates of nomination or resolutions to fill a vacancy in  
9 nomination have been filed with such clerk and declare that the  
10 names of such candidates for the respective offices shall be  
11 placed upon the official ballot for the general election in the  
12 same manner and in the same order as shown upon the  
13 certification. Each county clerk shall place a copy of the  
14 certification on file in his or her office and at the same time  
15 issue to the State Board of Elections a copy of such  
16 certification. In addition, each county clerk in whose county  
17 there is a board of election commissioners shall, not less than  
18 69 ~~55~~ days before the election, certify to the board of  
19 election commissioners the name of the person or persons  
20 nominated for such office as shown by the certificate of the  
21 State Board of Elections, together with the names of all other  
22 candidates as shown by the certification of county officers on  
23 file in the clerk's office, and in the order so certified. The  
24 county clerk or board of election commissioners shall print the  
25 names of the nominees on the ballot for each office in the  
26 order in which they are certified to or filed with the county

1 clerk; provided, that in printing the name of nominees for any  
2 office, if any of such nominees have also been nominated by one  
3 or more political parties pursuant to this Act, the location of  
4 the name of such candidate on the ballot for nominations made  
5 under this Article shall be precisely in the same order in  
6 which it appears on the certification of the State Board of  
7 Elections to the county clerk.

8 For the general election, the candidates of new political  
9 parties shall be placed on the ballot for said election after  
10 the established political party candidates and in the order of  
11 new political party petition filings.

12 Each certification shall indicate, where applicable, the  
13 following:

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

16 (2) If there is to be more than one candidate elected  
17 to an office from the State, political subdivision or  
18 district;

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

21 (4) The term of office, if a vacancy is to be filled  
22 for less than a full term or if the offices to be filled in  
23 a political subdivision are for different terms.

24 The State Board of Elections or the county clerk, as the  
25 case may be, shall issue an amended certification whenever it  
26 is discovered that the original certification is in error.

1 (Source: P.A. 93-847, eff. 7-30-04.)

2 (10 ILCS 5/10-15) (from Ch. 46, par. 10-15)

3 Sec. 10-15. Not less than 68 ~~61~~ days before the date of the  
4 consolidated and nonpartisan elections, each local election  
5 official with whom certificates of nomination or nominating  
6 petitions have been filed shall certify to each election  
7 authority having jurisdiction over any of the territory of his  
8 political subdivision the names of all candidates entitled to  
9 be printed on the ballot for offices of that political  
10 subdivision to be voted upon at such election and direct the  
11 election authority to place upon the official ballot for such  
12 election the names of such candidates in the same manner and in  
13 the same order as shown upon the certification.

14 The local election officials shall certify such candidates  
15 for each office in the order in which such candidates'  
16 certificates of nomination or nominating petitions were filed  
17 in his office. However, subject to appeal, the names of  
18 candidates whose petitions have been held invalid by the  
19 appropriate electoral board provided in Section 10-9 of this  
20 Act shall not be so certified. The certification shall be  
21 modified as necessary to comply with the requirements of any  
22 other statute or any ordinance adopted pursuant to Article VII  
23 of the Constitution prescribing specific provisions for  
24 nonpartisan elections, including without limitation Articles 4  
25 and 5 of "The Municipal Code" or Article 9 of The School Code.

1           In every instance where applicable, the following shall  
2 also be indicated in the certification:

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

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

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

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

13           (5) The territory in which a candidate is required by law  
14 to reside, when such residency requirement is not identical to  
15 the territory of the political subdivision from which the  
16 candidate is to be elected or nominated;

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

23           (7) Where a candidate's nominating papers or petitions have  
24 been objected to and the decision of the electoral board  
25 established in Section 10-10 is either unknown or known to be  
26 in judicial review, the words "OBJECTION PENDING" shall be

1 placed under the title of the office being sought by the  
2 candidate and next to the name of the candidate.

3 For the consolidated election, and for the general primary  
4 in the case of certain municipalities having annual elections,  
5 the candidates of new political parties shall be placed on the  
6 ballot for such elections after the established political party  
7 candidates and in the order of new political party petition  
8 filings.

9 The local election official shall issue an amended  
10 certification whenever it is discovered that the original  
11 certification is in error.

12 (Source: P.A. 95-699, eff. 11-9-07.)

13 (10 ILCS 5/19-2.1) (from Ch. 46, par. 19-2.1)

14 Sec. 19-2.1. At the consolidated primary, general primary,  
15 consolidated, and general elections, electors entitled to vote  
16 by absentee ballot under the provisions of Section 19-1 may  
17 vote in person at the office of the municipal clerk, if the  
18 elector is a resident of a municipality not having a board of  
19 election commissioners, or at the office of the township clerk  
20 or, in counties not under township organization, at the office  
21 of the road district clerk if the elector is not a resident of  
22 a municipality; provided, in each case that the municipal,  
23 township or road district clerk, as the case may be, is  
24 authorized to conduct in-person absentee voting pursuant to  
25 this Section. Absentee voting in such municipal and township

1 clerk's offices under this Section shall be conducted from the  
2 22nd day through the day before the election.

3 Municipal and township clerks (or road district clerks) who  
4 have regularly scheduled working hours at regularly designated  
5 offices other than a place of residence and whose offices are  
6 open for business during the same hours as the office of the  
7 election authority shall conduct in-person absentee voting for  
8 said elections. Municipal and township clerks (or road district  
9 clerks) who have no regularly scheduled working hours but who  
10 have regularly designated offices other than a place of  
11 residence shall conduct in-person absentee voting for said  
12 elections during the hours of 8:30 a.m. to 4:30 p.m. or 9:00  
13 a.m. to 5:00 p.m., weekdays, and 9:00 a.m. to 12:00 noon on  
14 Saturdays, but not during such hours as the office of the  
15 election authority is closed, unless the clerk files a written  
16 waiver with the election authority not later than July 1 of  
17 each year stating that he or she is unable to conduct such  
18 voting and the reasons therefor. Such clerks who conduct  
19 in-person absentee voting may extend their hours for that  
20 purpose to include any hours in which the election authority's  
21 office is open. Municipal and township clerks (or road district  
22 clerks) who have no regularly scheduled office hours and no  
23 regularly designated offices other than a place of residence  
24 may not conduct in-person absentee voting for said elections.  
25 The election authority may devise alternative methods for  
26 in-person absentee voting before said elections for those



1 precincts located within the territorial area of a municipality  
2 or township (or road district) wherein the clerk of such  
3 municipality or township (or road district) has waived or is  
4 not entitled to conduct such voting. In addition, electors may  
5 vote by absentee ballot under the provisions of Section 19-1 at  
6 the office of the election authority having jurisdiction over  
7 their residence. Unless specifically authorized by the  
8 election authority, municipal, township, and road district  
9 clerks shall not conduct in-person absentee voting. No less  
10 than 45 days before the date of an election, the election  
11 authority shall notify the municipal, township, and road  
12 district clerks within its jurisdiction if they are to conduct  
13 in-person absentee voting. Election authorities, however, may  
14 conduct in-person absentee voting in one or more designated  
15 appropriate public buildings from the fourth day before the  
16 election through the day before the election.

17 In conducting in-person absentee voting under this  
18 Section, the respective clerks shall be required to verify the  
19 signature of the absentee voter by comparison with the  
20 signature on the official registration record card. The clerk  
21 also shall reasonably ascertain the identity of such applicant,  
22 shall verify that each such applicant is a registered voter,  
23 and shall verify the precinct in which he or she is registered  
24 and the proper ballots of the political subdivisions in which  
25 the applicant resides and is entitled to vote, prior to  
26 providing any absentee ballot to such applicant. The clerk

1 shall verify the applicant's registration and from the most  
2 recent poll list provided by the county clerk, and if the  
3 applicant is not listed on that poll list then by telephoning  
4 the office of the county clerk.

5 Absentee voting procedures in the office of the municipal,  
6 township and road district clerks shall be subject to all of  
7 the applicable provisions of this Article 19. Pollwatchers may  
8 be appointed to observe in-person absentee voting procedures  
9 and view all reasonably requested records relating to the  
10 conduct of the election, provided the secrecy of the ballot is  
11 not impinged, at the office of the municipal, township or road  
12 district clerks' offices where such absentee voting is  
13 conducted. Such pollwatchers shall qualify and be appointed in  
14 the same manner as provided in Sections 7-34 and 17-23, except  
15 each candidate, political party or organization of citizens may  
16 appoint only one pollwatcher for each location where in-person  
17 absentee voting is conducted. Pollwatchers must be registered  
18 to vote in Illinois and possess valid pollwatcher credentials.  
19 All requirements in this Article applicable to election  
20 authorities shall apply to the respective local clerks, except  
21 where inconsistent with this Section.

22 The sealed absentee ballots in their carrier envelope shall  
23 be delivered by the respective clerks, or by the election  
24 authority on behalf of a clerk if the clerk and the election  
25 authority agree, to the election authority's central ballot  
26 counting location before the close of the polls on the day of

1 the general primary, consolidated primary, consolidated, or  
2 general election.

3 Not more than 23 days before the general and consolidated  
4 elections, the county clerk shall make available to those  
5 municipal, township and road district clerks conducting  
6 in-person absentee voting within such county, a sufficient  
7 number of applications, absentee ballots, envelopes, and  
8 printed voting instruction slips for use by absentee voters in  
9 the offices of such clerks. The respective clerks shall receipt  
10 for all ballots received, shall return all unused or spoiled  
11 ballots to the county clerk on the day of the election and  
12 shall strictly account for all ballots received.

13 The ballots delivered to the respective clerks shall  
14 include absentee ballots for each precinct in the municipality,  
15 township or road district, or shall include such separate  
16 ballots for each political subdivision conducting an election  
17 of officers or a referendum on that election day as will permit  
18 any resident of the municipality, township or road district to  
19 vote absentee in the office of the proper clerk.

20 The clerks of all municipalities, townships and road  
21 districts may distribute applications for absentee ballot for  
22 the use of voters who wish to mail such applications to the  
23 appropriate election authority. Any person may reproduce,  
24 distribute, or return to an election authority the application  
25 for absentee ballot. Upon receipt, the appropriate election  
26 authority shall accept and promptly process any application for

1 ~~absentee ballot. Such applications for absentee ballots shall~~  
2 ~~be made on forms provided by the election authority.~~  
3 ~~Duplication of such forms by the municipal, township or road~~  
4 ~~district clerk is prohibited.~~

5 (Source: P.A. 93-574, eff. 8-21-03; 94-645, eff. 8-22-05;  
6 94-1000, eff. 7-3-06.)

7 (10 ILCS 5/19-3) (from Ch. 46, par. 19-3)

8 Sec. 19-3. ~~Application for such ballot shall be made on~~  
9 ~~blanks to be furnished by the election authority and~~  
10 ~~duplication of such application for ballot is prohibited,~~  
11 ~~except by the election authority.~~ The application for absentee  
12 ballot shall be substantially in the following form:

13 APPLICATION FOR ABSENTEE BALLOT

14 To be voted at the .... election in the County of .... and  
15 State of Illinois, in the .... precinct of the (1) \*township of  
16 .... (2) \*City of .... or (3) \*.... ward in the City of ....

17 I state that I am a resident of the .... precinct of the  
18 (1) \*township of .... (2) \*City of .... or (3) \*.... ward in  
19 the city of .... residing at .... in such city or town in the  
20 county of .... and State of Illinois; that I have lived at such  
21 address for .... month(s) last past; that I am lawfully  
22 entitled to vote in such precinct at the .... election to be  
23 held therein on ....; and that I wish to vote by absentee  
24 ballot.

25 I hereby make application for an official ballot or ballots

1 to be voted by me at such election, and I agree that I shall  
 2 return such ballot or ballots to the official issuing the same  
 3 prior to the closing of the polls on the date of the election  
 4 or, if returned by mail, postmarked no later than midnight  
 5 preceding election day, for counting no later than during the  
 6 period for counting provisional ballots, the last day of which  
 7 is the 14th day following election day.

8 Under penalties as provided by law pursuant to Section  
 9 29-10 of The Election Code, the undersigned certifies that the  
 10 statements set forth in this application are true and correct.

11 . . . .

12 \*fill in either (1), (2) or (3).

13 Post office address to which ballot is mailed:

14 .....

15 However, if application is made for a primary election  
 16 ballot, such application shall require the applicant to  
 17 designate the name of the political party with which the  
 18 applicant is affiliated.

19 Any person may reproduce, distribute, or return to an  
 20 election authority the application for absentee ballot. Upon  
 21 receipt, the appropriate election authority shall accept and  
 22 promptly process any application for absentee ballot.

23 ~~or, if returned by mail, postmarked no later than midnight~~  
 24 ~~preceding election day, for counting no later than during the~~  
 25 ~~period for counting provisional ballots, the last day of which~~  
 26 ~~is the 14th day following election day~~

1 ~~or, if returned by mail, postmarked no later than midnight~~  
2 ~~preceding election day, for counting no later than during the~~  
3 ~~period for counting provisional ballots, the last day of which~~  
4 ~~is the 14th day following election day~~

5 ~~or, if returned by mail, postmarked no later than midnight~~  
6 ~~preceding election day, for counting no later than during the~~  
7 ~~period for counting provisional ballots, the last day of which~~  
8 ~~is the 14th day following election day~~

9 ~~or, if returned by mail, postmarked no later than midnight~~  
10 ~~preceding election day, for counting no later than during the~~  
11 ~~period for counting provisional ballots, the last day of which~~  
12 ~~is the 14th day following election day~~

13 ~~or, if returned by mail, postmarked no later than midnight~~  
14 ~~preceding election day, for counting no later than during the~~  
15 ~~period for counting provisional ballots, the last day of which~~  
16 ~~is the 14th day following election day~~

17 ~~or, if returned by mail, postmarked no later than midnight~~  
18 ~~preceding election day, for counting no later than during the~~  
19 ~~period for counting provisional ballots, the last day of which~~  
20 ~~is the 14th day following election day~~

21 ~~or, if returned by mail, postmarked no later than midnight~~  
22 ~~preceding election day, for counting no later than during the~~  
23 ~~period for counting provisional ballots, the last day of which~~  
24 ~~is the 14th day following election day~~

25 (Source: P.A. 95-440, eff. 8-27-07; 96-312, eff. 1-1-10;  
26 96-553, eff. 8-17-09; revised 9-15-09.)

1 (10 ILCS 5/28-2) (from Ch. 46, par. 28-2)

2 Sec. 28-2. (a) Except as otherwise provided in this  
3 Section, petitions for the submission of public questions to  
4 referendum must be filed with the appropriate officer or board  
5 not less than 92 ~~78~~ days prior to a regular election to be  
6 eligible for submission on the ballot at such election; and  
7 petitions for the submission of a question under Section 18-120  
8 of the Property Tax Code must be filed with the appropriate  
9 officer or board not more than 10 months nor less than 6 months  
10 prior to the election at which such question is to be submitted  
11 to the voters.

12 (b) However, petitions for the submission of a public  
13 question to referendum which proposes the creation or formation  
14 of a political subdivision must be filed with the appropriate  
15 officer or board not less than 122 ~~108~~ days prior to a regular  
16 election to be eligible for submission on the ballot at such  
17 election.

18 (c) Resolutions or ordinances of governing boards of  
19 political subdivisions which initiate the submission of public  
20 questions pursuant to law must be adopted not less than 79 ~~65~~  
21 days before a regularly scheduled election to be eligible for  
22 submission on the ballot at such election.

23 (d) A petition, resolution or ordinance initiating the  
24 submission of a public question may specify a regular election  
25 at which the question is to be submitted, and must so specify

1 if the statute authorizing the public question requires  
2 submission at a particular election. However, no petition,  
3 resolution or ordinance initiating the submission of a public  
4 question, other than a legislative resolution initiating an  
5 amendment to the Constitution, may specify such submission at  
6 an election more than one year, or 15 months in the case of a  
7 back door referendum as defined in subsection (f), after the  
8 date on which it is filed or adopted, as the case may be. A  
9 petition, resolution or ordinance initiating a public question  
10 which specifies a particular election at which the question is  
11 to be submitted shall be so limited, and shall not be valid as  
12 to any other election, other than an emergency referendum  
13 ordered pursuant to Section 2A-1.4.

14 (e) If a petition initiating a public question does not  
15 specify a regularly scheduled election, the public question  
16 shall be submitted to referendum at the next regular election  
17 occurring not less than 92 ~~78~~ days after the filing of the  
18 petition, or not less than 122 ~~108~~ days after the filing of a  
19 petition for referendum to create a political subdivision. If a  
20 resolution or ordinance initiating a public question does not  
21 specify a regularly scheduled election, the public question  
22 shall be submitted to referendum at the next regular election  
23 occurring not less than 79 ~~65~~ days after the adoption of the  
24 resolution or ordinance.

25 (f) In the case of back door referenda, any limitations in  
26 another statute authorizing such a referendum which restrict



1 the time in which the initiating petition may be validly filed  
2 shall apply to such petition, in addition to the filing  
3 deadlines specified in this Section for submission at a  
4 particular election. In the case of any back door referendum,  
5 the publication of the ordinance or resolution of the political  
6 subdivision shall include a notice of (1) the specific number  
7 of voters required to sign a petition requesting that a public  
8 question be submitted to the voters of the subdivision; (2) the  
9 time within which the petition must be filed; and (3) the date  
10 of the prospective referendum. The secretary or clerk of the  
11 political subdivision shall provide a petition form to any  
12 individual requesting one. The legal sufficiency of that form,  
13 if provided by the secretary or clerk of the political  
14 subdivision, cannot be the basis of a challenge to placing the  
15 back door referendum on the ballot. As used herein, a "back  
16 door referendum" is the submission of a public question to the  
17 voters of a political subdivision, initiated by a petition of  
18 voters or residents of such political subdivision, to determine  
19 whether an action by the governing body of such subdivision  
20 shall be adopted or rejected.

21 (g) A petition for the incorporation or formation of a new  
22 political subdivision whose officers are to be elected rather  
23 than appointed must have attached to it an affidavit attesting  
24 that at least 122 ~~108~~ days and no more than 152 ~~138~~ days prior  
25 to such election notice of intention to file such petition was  
26 published in a newspaper published within the proposed

1 political subdivision, or if none, in a newspaper of general  
2 circulation within the territory of the proposed political  
3 subdivision in substantially the following form:

4 NOTICE OF PETITION TO FORM A NEW.....

5 Residents of the territory described below are notified  
6 that a petition will or has been filed in the Office  
7 of.....requesting a referendum to establish a  
8 new....., to be called the.....

9 \*The officers of the new.....will be elected on the  
10 same day as the referendum. Candidates for the governing board  
11 of the new.....may file nominating petitions with the officer  
12 named above until.....

13 The territory proposed to comprise the new.....is  
14 described as follows:

15 (description of territory included in petition)

16 (signature).....

17 Name and address of person or persons proposing  
18 the new political subdivision.

19 \* Where applicable.

20 Failure to file such affidavit, or failure to publish the  
21 required notice with the correct information contained therein  
22 shall render the petition, and any referendum held pursuant to  
23 such petition, null and void.

24 Notwithstanding the foregoing provisions of this  
25 subsection (g) or any other provisions of this Code, the  
26 publication of notice and affidavit requirements of this

1 subsection (g) shall not apply to any petition filed under  
2 Article 7 or 11E of the School Code nor to any referendum held  
3 pursuant to any such petition, and neither any petition filed  
4 under any of those Articles nor any referendum held pursuant to  
5 any such petition shall be rendered null and void because of  
6 the failure to file an affidavit or publish a notice with  
7 respect to the petition or referendum as required under this  
8 subsection (g) for petitions that are not filed under any of  
9 those Articles of the School Code.

10 (Source: P.A. 94-30, eff. 6-14-05; 94-578, eff. 8-12-05;  
11 94-1019, eff. 7-10-06.)

12 Section 10. The Revised Cities and Villages Act of 1941 is  
13 amended by changing Section 21-29 as follows:

14 (65 ILCS 20/21-29) (from Ch. 24, par. 21-29)

15 Sec. 21-29. Withdrawals and substitution of candidates.

16 Any candidate for alderman under the provisions of this  
17 article may withdraw his name as a candidate by filing with the  
18 board of election commissioners of the city of Chicago not  
19 later than the date of certification of the ballot ~~twenty days~~  
20 ~~before the holding of the election~~ his written request signed  
21 by him and duly acknowledged before an officer qualified to  
22 take acknowledgements of deeds, whereupon his name shall not be  
23 printed as a candidate upon the official ballot.

24 If any candidate at an aldermanic election who was not

1 elected as provided for in this article but who shall have  
2 received sufficient votes to entitle him to a place on the  
3 official ballot at the ensuing supplementary election shall die  
4 or withdraw his candidacy before such supplementary election,  
5 the name of the candidate who shall receive the next highest  
6 number of votes shall be printed on the ballot in lieu of the  
7 name of the candidate who shall have died or withdrawn his  
8 candidacy.

9 (Source: Laws 1941, vol. 2, p. 19.)

10 Section 15. The Liquor Control Act of 1934 is amended by  
11 changing Sections 9-2 and 9-4 as follows:

12 (235 ILCS 5/9-2) (from Ch. 43, par. 167)

13 Sec. 9-2. When any legal voters of a precinct in any city,  
14 village or incorporated town of more than 200,000 inhabitants,  
15 as determined by the last preceding Federal census, desire to  
16 pass upon the question of whether the sale at retail of  
17 alcoholic liquor shall be prohibited in the precinct or at a  
18 particular street address within the precinct, they shall, at  
19 least 104 ~~90~~ days before an election, file in the office of the  
20 clerk of such city, village or incorporated town, a petition  
21 directed to the clerk, containing the signatures of not less  
22 than 25% of the legal voters registered with the board of  
23 election commissioners or county clerk, as the case may be,  
24 from the precinct. Provided, however, that when the petition

1 seeks to prohibit the sale at retail of alcoholic liquor at a  
2 particular street address of a licensed establishment within  
3 the precinct the petition shall contain the signatures of not  
4 less than 40% of the legal voters requested from that precinct.  
5 The petition shall request that the proposition "Shall the sale  
6 at retail of alcoholic liquor be prohibited in (or at) ....?"  
7 be submitted to the voters of the precinct at the next ensuing  
8 election at which such proposition may be voted upon. The  
9 submission of the question to the voters of such precinct at  
10 such election shall be mandatory when the petition has been  
11 filed in proper form with the clerk. If more than one set of  
12 petitions are presented to the clerk for submission at the same  
13 election, the petition presented first shall be given  
14 preference; however, the clerk shall provisionally accept any  
15 other set of petitions setting forth the same (or substantially  
16 the same) proposition. If the first set of petitions for a  
17 proposition is found to be in proper form and is not found to  
18 be invalid, it shall be accepted by the clerk and all  
19 provisionally accepted sets of petitions setting forth the same  
20 (or substantially the same) proposition shall be rejected by  
21 the clerk. If the first set of petitions for a proposition is  
22 found not to be in proper form or is found to be invalid, the  
23 clerk shall (i) reject the first set of petitions, (ii) accept  
24 the first provisionally accepted set of petitions that is in  
25 proper form and is not found to be invalid, and (iii) reject  
26 all other provisionally accepted sets of petitions setting

1     forth the same (or substantially the same) proposition. Notice  
2     of the filing of the petition and the result of the election  
3     shall be given to the Secretary of State at his offices in  
4     both, Chicago and Springfield, Illinois. A return of the result  
5     of the election shall be made to the clerk of the city, village  
6     or incorporated town in which the precinct is located. If a  
7     majority of the voters voting upon such proposition vote "YES",  
8     the sale at retail of alcoholic liquor shall be prohibited in  
9     the precinct or at the street address. If the sale at retail of  
10    alcoholic liquor at a particular street address is prohibited  
11    pursuant to this Section, the license for any establishment at  
12    that street address shall be void, and no person may apply for  
13    a license for the sale at retail of alcoholic liquor at an  
14    establishment at that street address unless such prohibition is  
15    discontinued pursuant to Section 9-10.

16         In cities, villages and incorporated towns of 200,000 or  
17    less population, as determined by the last preceding Federal  
18    census, the vote upon the question of prohibiting the sale at  
19    retail of alcoholic liquor, or alcoholic liquor other than beer  
20    containing not more than 4% of alcohol by volume, or alcoholic  
21    liquor containing more than 4% of alcohol by weight in the  
22    original package and not for consumption on the premises, shall  
23    be by the voters of the political subdivision as a unit. When  
24    any legal voters of such a city, village or incorporated town  
25    desire to pass upon the question of whether the sale at retail  
26    of alcoholic liquor shall be prohibited in the municipality,

1 they shall, at least 104 ~~90~~ days before an election, file in  
2 the office of the clerk of the municipality, a petition  
3 directed to the clerk, containing the signatures of not less  
4 than 25% of the legal voters registered with the board of  
5 election commissioners or county clerk, as the case may be,  
6 from the municipality. The petition shall request that the  
7 proposition, "Shall the sale at retail of alcoholic liquor be  
8 prohibited in....?" be submitted to the voters of the  
9 municipality at the next ensuing election at which the  
10 proposition may be voted upon. The submission of the question  
11 to the voters of the municipality at such election shall be  
12 mandatory when the petition has been filed in proper form with  
13 the clerk. If more than one set of petitions are presented to  
14 the clerk for submission at the same election, setting forth  
15 the same or different propositions, the petition presented  
16 first shall be given preference and the clerk shall refuse to  
17 accept any other set of petitions. Notice of the filing of the  
18 petition and the result of the election shall be given to the  
19 Secretary of State at his offices in both Chicago and  
20 Springfield, Illinois. A return of the result of the election  
21 shall be made to the clerk of the city, village or incorporated  
22 town. If a majority of the voters voting upon the proposition  
23 vote "Yes", the sale at retail of alcoholic liquor shall be  
24 prohibited in the municipality.

25 In the event a municipality does not vote to prohibit the  
26 sale at retail of alcoholic liquor, the council or governing

1 body shall ascertain and determine what portions of the  
2 municipality are predominantly residence districts. No license  
3 permitting the sale of alcoholic liquors shall be issued by the  
4 local liquor commissioner or licensing officer permitting the  
5 sale of alcoholic liquors at any place within the residence  
6 district so determined, unless the owner or owners of at least  
7 two-thirds of the frontage, 200 feet in each direction along  
8 the street and streets adjacent to the place of business for  
9 which a license is sought, file with the local liquor  
10 commissioner or licensing officer, his or their written consent  
11 to the use of such place for the sale of alcoholic liquors.

12 In each township or road district lying outside the  
13 corporate limits of a city, village or incorporated town, or in  
14 a part of a township or road district lying partly within and  
15 partly outside a city, village or incorporated town, the vote  
16 of such township, road district or part thereof, shall be as a  
17 unit. When any legal voters of any such township, or part  
18 thereof, in counties under township organization, or any legal  
19 voters of such road district or part thereof, in counties not  
20 under township organization, desire to vote upon the  
21 proposition as to whether the sale at retail of alcoholic  
22 liquor shall be prohibited in such township or road district or  
23 part thereof, they shall, at least 90 days before an election,  
24 file in the office of the township or road district clerk, of  
25 the township or road district within which the election is to  
26 be held, a petition directed to the clerk and containing the



1 signatures of not less than 25% of the legal voters registered  
2 with the county clerk from such township or road district or  
3 part thereof. The submission of the question to the voters of  
4 the township, road district or part thereof, at the next  
5 ensuing election shall be mandatory when the petition has been  
6 filed in proper form with the clerk. If more than one set of  
7 petitions are presented to the clerk for submission at the same  
8 election, setting forth the same or different propositions, the  
9 petition presented first shall be given preference and the  
10 clerk shall refuse to accept any other set of petitions. A  
11 return of the result of such election shall be made to the  
12 clerk of the township or road district in which the territory  
13 is situated, and shall also be made to the Secretary of State  
14 at his offices in both Chicago and Springfield, Illinois.

15 (Source: P.A. 88-613, eff. 1-1-95.)

16 (235 ILCS 5/9-4) (from Ch. 43, par. 169)

17 Sec. 9-4. A petition for submission of the proposition  
18 shall be in substantially the following form:

19 To the .... clerk of the (here insert the corporate or  
20 legal name of the county, township, road district, city,  
21 village or incorporated town):

22 The undersigned, residents and legal voters of the ....  
23 (insert the legal name or correct designation of the political  
24 subdivision or precinct, as the case may be), respectfully  
25 petition that you cause to be submitted, in the manner provided

1 by law, to the voters thereof, at the next election, the  
 2 proposition "Shall the sale at retail of alcoholic liquor (or  
 3 alcoholic liquor other than beer containing not more than 4% of  
 4 alcohol by weight) (or alcoholic liquor containing more than 4%  
 5 of alcohol by weight except in the original package and not for  
 6 consumption on the premises) be prohibited in this .... (or at  
 7 the following address ....)?"

8 -----  
 9 Name of P. O. address Description of precinct Date of  
 10 signer (including township, road district signing  
 11 street no., or part thereof, as of  
 12 if any). the last general  
 13 election  
 14 -----

15 A petition for a proposition to be submitted to the voters  
 16 of a precinct shall also contain in plain and nonlegal language  
 17 a description of the precinct to which the proposition is to be  
 18 submitted at the election. The description shall describe the  
 19 territory of the precinct by reference to streets, natural or  
 20 artificial landmarks, addresses, or by any other method which  
 21 would enable a voter signing such petition to be informed of  
 22 the territory of the precinct. Each such petition for a  
 23 precinct referendum shall also contain a list of the names and  
 24 addresses of all licensees in the precinct.

25 Such petition shall conform to the requirements of the  
 26 general election law, as to form and signature requirements.

1 The circulator's statement shall include an attestation of: (1)  
2 that none of the signatures on this petition sheet were signed  
3 more than 4 months before the filing of this petition, or (2)  
4 the dates on which the petitioners signed the petition, and  
5 shall be sworn to before an officer residing in the county  
6 where such legal voters reside and authorized to administer  
7 oaths therein. No signature shall be revoked except by a  
8 revocation filed within 20 days from the filing of the petition  
9 with the clerk with whom the petition is required to be filed.  
10 Upon request of any citizen for a photostatic copy of the  
11 petition and paying or tendering to the clerk the costs of  
12 making the photostatic copy, the clerk shall immediately make,  
13 or cause to be made a photostatic copy of such petition. The  
14 clerk shall also deliver to such person, his official  
15 certification that such copy is a true copy of the original,  
16 stating the day when such original was filed in his office. Any  
17 5 legal voters or any affected licensee of any political  
18 subdivision, district or precinct in which a proposed election  
19 is about to be held as provided for in this Act, within any  
20 time up to 72 ~~30~~ days immediately prior to the date of such  
21 proposed election and upon filing a bond for costs, may contest  
22 the validity of the petitions for such election by filing a  
23 verified petition in the Circuit Court for the county in which  
24 the political subdivision, district or precinct is situated,  
25 setting forth the grounds for contesting the validity of such  
26 petitions. Upon the filing of the petition, a summons shall be

1 issued by the Court, addressed to the appropriate city,  
2 village, town, township or road district clerk, notifying the  
3 clerk of the filing of the petition and directing him to appear  
4 before the Court on behalf of the political subdivision or  
5 district at the time named in the summons; provided, the time  
6 shall not be less than 5 days nor more than 15 days after the  
7 filing of the petition. The procedure in these cases, as far as  
8 may be applicable, shall be the same as that provided for the  
9 objections to petitions in the general election law. Any legal  
10 voter in the political subdivision or precinct in which such  
11 election is to be held may appear in person or by counsel, in  
12 any such contest to defend or oppose the validity of the  
13 petition for election.

14 The municipal, town or road district clerk shall certify  
15 the proposition to be submitted at the election to the  
16 appropriate election officials, in accordance with the general  
17 election law, unless the petition has been determined to be  
18 invalid. If the court determines the petitions to be invalid  
19 subsequent to the certification by the clerk, the court's order  
20 shall be transmitted to the election officials and shall  
21 nullify such certification.

22 (Source: P.A. 86-861; 87-347.)

23 Section 99. Effective date. This Act takes effect upon  
24 becoming law.