

HB2870



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

HB2870

by Rep. Brad E. Halbrook

SYNOPSIS AS INTRODUCED:

10 ILCS 5/7-10

from Ch. 46, par. 7-10

Amends the Election Code. Provides that petition sheets shall be neatly bound and deletes a reference to placing the sheets in a pile and fastening them together at one edge in a secure and suitable manner. Further provides that petitions filed that are bound using paper clips, prong fasteners, tape, or any similar temporary fastening device shall be found invalid. Effective immediately.

LRB098 08976 OMW 39110 b

A BILL FOR

1 AN ACT concerning elections.

2 **Be it enacted by the People of the State of Illinois,**
 3 **represented in the General Assembly:**

4 Section 5. The Election Code is amended by changing Section
 5 7-10 as follows:

6 (10 ILCS 5/7-10) (from Ch. 46, par. 7-10)

7 Sec. 7-10. Form of petition for nomination. The name of no
 8 candidate for nomination, or State central committeeman, or
 9 township committeeman, or precinct committeeman, or ward
 10 committeeman or candidate for delegate or alternate delegate to
 11 national nominating conventions, shall be printed upon the
 12 primary ballot unless a petition for nomination has been filed
 13 in his behalf as provided in this Article in substantially the
 14 following form:

15 We, the undersigned, members of and affiliated with the
 16 party and qualified primary electors of the party, in
 17 the of, in the county of and State of Illinois,
 18 do hereby petition that the following named person or persons
 19 shall be a candidate or candidates of the party for the
 20 nomination for (or in case of committeemen for election to) the
 21 office or offices hereinafter specified, to be voted for at the
 22 primary election to be held on (insert date).

23 Name Office Address

1	John Jones	Governor	Belvidere, Ill.
2	Jane James	Lieutenant Governor	Peoria, Ill.
3	Thomas Smith	Attorney General	Oakland, Ill.

4 Name..... Address.....

5 State of Illinois)

6) ss.

7 County of.....)

8 I,, do hereby certify that I reside at No.
 9 street, in the of, county of, and State of
 10, that I am 18 years of age or older, that I am a citizen
 11 of the United States, and that the signatures on this sheet
 12 were signed in my presence, and are genuine, and that to the
 13 best of my knowledge and belief the persons so signing were at
 14 the time of signing the petitions qualified voters of the
 15 party, and that their respective residences are correctly
 16 stated, as above set forth.

17

18 Subscribed and sworn to before me on (insert date).

19

20 Each sheet of the petition other than the statement of
 21 candidacy and candidate's statement shall be of uniform size
 22 and shall contain above the space for signatures an appropriate
 23 heading giving the information as to name of candidate or

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

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

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

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

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

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

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

21 Such sheets before being filed shall be neatly bound
22 ~~fastened together~~ in book form, ~~by placing the sheets in a pile~~
23 ~~and fastening them together at one edge in a secure and~~
24 ~~suitable manner,~~ and the sheets shall then be numbered
25 consecutively. Petitions filed that are bound using paper
26 clips, prong fasteners, tape, or any similar temporary

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

Statement of Candidacy

Name	Address	Office	District	Party
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1 who is to me personally known, on (insert date).

2 Signed

3 (Official Character)

4 (Seal, if officer has one.)

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

13 A candidate for the offices listed in this Section must
14 obtain the number of signatures specified in this Section on
15 his or her petition for nomination.

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

22 (b) Congressional office or congressional delegate to a
23 national nominating convention. If a candidate seeks to run for
24 United States Congress or as a congressional delegate or
25 alternate congressional delegate to a national nominating

1 convention elected from a congressional district, then the
2 candidate's petition for nomination must contain at least the
3 number of signatures equal to 0.5% of the qualified primary
4 electors of his or her party in his or her congressional
5 district. In the first primary election following a
6 redistricting of congressional districts, a candidate's
7 petition for nomination must contain at least 600 signatures of
8 qualified primary electors of the candidate's political party
9 in his or her congressional district.

10 (c) County office. If a candidate seeks to run for any
11 countywide office, including but not limited to county board
12 chairperson or county board member, elected on an at-large
13 basis, in a county other than Cook County, then the candidate's
14 petition for nomination must contain at least the number of
15 signatures equal to 0.5% of the qualified electors of his or
16 her party who cast votes at the last preceding general election
17 in his or her county. If a candidate seeks to run for county
18 board member elected from a county board district, then the
19 candidate's petition for nomination must contain at least the
20 number of signatures equal to 0.5% of the qualified primary
21 electors of his or her party in the county board district. In
22 the first primary election following a redistricting of county
23 board districts or the initial establishment of county board
24 districts, a candidate's petition for nomination must contain
25 at least the number of signatures equal to 0.5% of the
26 qualified electors of his or her party in the entire county who

1 cast votes at the last preceding general election divided by
2 the total number of county board districts comprising the
3 county board; provided that in no event shall the number of
4 signatures be less than 25.

5 (d) County office; Cook County only.

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

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

25 (3) If a candidate seeks to run for Cook County Board
26 of Review Commissioner, which is elected from a district

1 pursuant to subsection (c) of Section 5-5 of the Property
2 Tax Code, then the candidate's petition for nomination must
3 contain at least the number of signatures equal to 0.5% of
4 the total number of registered voters in his or her board
5 of review district in the last general election at which a
6 commissioner was regularly scheduled to be elected from
7 that board of review district. In no event shall the number
8 of signatures required be greater than the requisite number
9 for a candidate who seeks countywide office in Cook County
10 under subsection (d)(1) of this Section. In the first
11 primary election following a redistricting of Cook County
12 Board of Review districts, a candidate's petition for
13 nomination must contain at least 4,000 signatures or at
14 least the number of signatures required for a countywide
15 candidate in Cook County, whichever is less, of the
16 qualified electors of his or her party in the district.

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

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

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

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

1 redistricting of sanitary districts elected from wards, a
2 candidate's petition for nomination must contain at least the
3 signatures of 150 qualified primary electors of his or her ward
4 of that sanitary district.

5 (h) Judicial office. If a candidate seeks to run for
6 judicial office in a district, then the candidate's petition
7 for nomination must contain the number of signatures equal to
8 0.4% of the number of votes cast in that district for the
9 candidate for his or her political party for the office of
10 Governor at the last general election at which a Governor was
11 elected, but in no event less than 500 signatures. If a
12 candidate seeks to run for judicial office in a circuit or
13 subcircuit, then the candidate's petition for nomination must
14 contain the number of signatures equal to 0.25% of the number
15 of votes cast for the judicial candidate of his or her
16 political party who received the highest number of votes at the
17 last general election at which a judicial officer from the same
18 circuit or subcircuit was regularly scheduled to be elected,
19 but in no event less than 1,000 signatures in circuits and
20 subcircuits located in the First Judicial District or 500
21 signatures in every other Judicial District.

22 (i) Precinct, ward, and township committeeperson. If a
23 candidate seeks to run for precinct committeeperson, then the
24 candidate's petition for nomination must contain at least 10
25 signatures of the primary electors of his or her party for the
26 precinct. If a candidate seeks to run for ward committeeperson,

1 then the candidate's petition for nomination must contain no
2 less than the number of signatures equal to 10% of the primary
3 electors of his or her party of the ward, but no more than 16%
4 of those same electors; provided that the maximum number of
5 signatures may be 50 more than the minimum number, whichever is
6 greater. If a candidate seeks to run for township
7 committeeperson, then the candidate's petition for nomination
8 must contain no less than the number of signatures equal to 5%
9 of the primary electors of his or her party of the township,
10 but no more than 8% of those same electors; provided that the
11 maximum number of signatures may be 50 more than the minimum
12 number, whichever is greater.

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

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

26 For purposes of this Section the number of primary electors

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

18 A "qualified primary elector" of a party may not sign
19 petitions for or be a candidate in the primary of more than one
20 party.

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

24 Petitions of candidates for nomination for offices herein
25 specified, to be filed with the same officer, may contain the
26 names of 2 or more candidates of the same political party for

1 the same or different offices. In the case of the offices of
2 Governor and Lieutenant Governor, a joint petition including
3 one candidate for each of those offices must be filed.

4 (Source: P.A. 96-1018, eff. 1-1-11; 97-81, eff. 7-5-11.)

5 Section 99. Effective date. This Act takes effect upon
6 becoming law.