



## 99TH GENERAL ASSEMBLY

### State of Illinois

2015 and 2016

HB1419

by Rep. Mike Fortner

#### SYNOPSIS AS INTRODUCED:

10 ILCS 5/10-8

from Ch. 46, par. 10-8

Amends the Election Code. Provides that objectors' petitions shall be provided to the public in electronic form, made available online by the principal office or the permanent branch office of the State Board of Elections, or by the office of the election authority or local election official with whom the petitions are filed. Effective immediately.

LRB099 07434 MGM 27555 b

FISCAL NOTE ACT  
MAY APPLY

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 10-8 as follows:

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

7 Sec. 10-8. Certificates of nomination and nomination  
8 papers, and petitions to submit public questions to a  
9 referendum, being filed as required by this Code, and being in  
10 apparent conformity with the provisions of this Act, shall be  
11 deemed to be valid unless objection thereto is duly made in  
12 writing within 5 business days after the last day for filing  
13 the certificate of nomination or nomination papers or petition  
14 for a public question, with the following exceptions:

15 A. In the case of petitions to amend Article IV of the  
16 Constitution of the State of Illinois, there shall be a  
17 period of 35 business days after the last day for the  
18 filing of such petitions in which objections can be filed.

19 B. In the case of petitions for advisory questions of  
20 public policy to be submitted to the voters of the entire  
21 State, there shall be a period of 35 business days after  
22 the last day for the filing of such petitions in which  
23 objections can be filed.

1           Any legal voter of the political subdivision or district in  
2           which the candidate or public question is to be voted on, or  
3           any legal voter in the State in the case of a proposed  
4           amendment to Article IV of the Constitution or an advisory  
5           public question to be submitted to the voters of the entire  
6           State, having objections to any certificate of nomination or  
7           nomination papers or petitions filed, shall file an objector's  
8           petition together with 2 copies thereof in the principal office  
9           or the permanent branch office of the State Board of Elections,  
10          or in the office of the election authority or local election  
11          official with whom the certificate of nomination, nomination  
12          papers or petitions are on file. Objection petitions that do  
13          not include 2 copies thereof, shall not be accepted. In the  
14          case of nomination papers or certificates of nomination, the  
15          State Board of Elections, election authority or local election  
16          official shall note the day and hour upon which such objector's  
17          petition is filed, and shall, not later than 12:00 noon on the  
18          second business day after receipt of the petition, transmit by  
19          registered mail or receipted personal delivery the certificate  
20          of nomination or nomination papers and the original objector's  
21          petition to the chairman of the proper electoral board  
22          designated in Section 10-9 hereof, or his authorized agent, and  
23          shall transmit a copy by registered mail or receipted personal  
24          delivery of the objector's petition, to the candidate whose  
25          certificate of nomination or nomination papers are objected to,  
26          addressed to the place of residence designated in said

1 certificate of nomination or nomination papers. In the case of  
2 objections to a petition for a proposed amendment to Article IV  
3 of the Constitution or for an advisory public question to be  
4 submitted to the voters of the entire State, the State Board of  
5 Elections shall note the day and hour upon which such  
6 objector's petition is filed and shall transmit a copy of the  
7 objector's petition by registered mail or receipted personal  
8 delivery to the person designated on a certificate attached to  
9 the petition as the principal proponent of such proposed  
10 amendment or public question, or as the proponents' attorney,  
11 for the purpose of receiving notice of objections. In the case  
12 of objections to a petition for a public question, to be  
13 submitted to the voters of a political subdivision, or district  
14 thereof, the election authority or local election official with  
15 whom such petition is filed shall note the day and hour upon  
16 which such objector's petition was filed, and shall, not later  
17 than 12:00 noon on the second business day after receipt of the  
18 petition, transmit by registered mail or receipted personal  
19 delivery the petition for the public question and the original  
20 objector's petition to the chairman of the proper electoral  
21 board designated in Section 10-9 hereof, or his authorized  
22 agent, and shall transmit a copy by registered mail or  
23 receipted personal delivery, of the objector's petition to the  
24 person designated on a certificate attached to the petition as  
25 the principal proponent of the public question, or as the  
26 proponent's attorney, for the purposes of receiving notice of

1 objections.

2 The objector's petition shall give the objector's name and  
3 residence address, and shall state fully the nature of the  
4 objections to the certificate of nomination or nomination  
5 papers or petitions in question, and shall state the interest  
6 of the objector and shall state what relief is requested of the  
7 electoral board.

8 The provisions of this Section and of Sections 10-9, 10-10  
9 and 10-10.1 shall also apply to and govern objections to  
10 petitions for nomination filed under Article 7 or Article 8,  
11 except as otherwise provided in Section 7-13 for cases to which  
12 it is applicable, and also apply to and govern petitions for  
13 the submission of public questions under Article 28.

14 Objectors' petitions shall be provided to the public in  
15 electronic form, made available online by the principal office  
16 or the permanent branch office of the State Board of Elections,  
17 or by the office of the election authority or local election  
18 official with whom the petitions are filed.

19 (Source: P.A. 98-691, eff. 7-1-14.)

20 Section 99. Effective date. This Act takes effect upon  
21 becoming law.