



Sen. Terry Link

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10000SB2651sam003

LRB100 17081 JWD 39270 a

1 AMENDMENT TO SENATE BILL 2651

2 AMENDMENT NO. _____. Amend Senate Bill 2651, AS AMENDED,
3 with reference to page and line numbers of Senate Amendment No.
4 2, as follows:

5 by replacing from line 1, page 7, through line 26, page 9, with
6 the following:

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

8 Sec. 7-5. (a) Primary elections shall be held on the dates
9 prescribed in Article 2A.

10 (b) Notwithstanding the provisions of any other statute, no
11 primary shall be held for an established political party in any
12 township, municipality, or ward thereof, where the nomination
13 of such party for every office to be voted upon by the electors
14 of such township, municipality, or ward thereof, is
15 uncontested. Whenever a political party's nomination of
16 candidates is uncontested as to one or more, but not all, of

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

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

25 (d) Notwithstanding the provisions of any other law to the
26 contrary, ~~in subsection (b) and (c) of this Section~~ whenever a

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

22 (d-5) Notwithstanding the provisions of any other law to
23 the contrary, whenever a person who has not timely filed valid
24 nomination papers and who intends to become a write-in
25 candidate for a political party's nomination in the
26 consolidated primary election for any office for which the

1 nomination is uncontested files a written statement or notice
2 of that intent with the State Board of Elections or the local
3 election official with whom nomination papers for such office
4 are filed, no primary ballot shall be printed. Where no primary
5 is held, a person intending to become a write-in candidate at
6 the consolidated primary election may re-file a declaration of
7 intent to be a write-in candidate for the consolidated election
8 with the appropriate election authority or authorities.

9 (e) The polls shall be open from 6:00 a.m. to 7:00 p.m.

10 (Source: P.A. 86-873.)"; and

11 by replacing from line 1, page 33, through line 26, page 42,
12 with the following:

13 "(10 ILCS 5/7-12) (from Ch. 46, par. 7-12)

14 Sec. 7-12. All petitions for nomination shall be filed by
15 mail or in person as follows:

16 (1) Where the nomination is to be made for a State,
17 congressional, or judicial office, or for any office a
18 nomination for which is made for a territorial division or
19 district which comprises more than one county or is partly
20 in one county and partly in another county or counties,
21 then, except as otherwise provided in this Section, such
22 petition for nomination shall be filed in the principal
23 office of the State Board of Elections not more than 113
24 and not less than 106 days prior to the date of the

1 primary, but, in the case of petitions for nomination to
2 fill a vacancy by special election in the office of
3 representative in Congress from this State, such petition
4 for nomination shall be filed in the principal office of
5 the State Board of Elections not more than 85 days and not
6 less than 82 days prior to the date of the primary.

7 Where a vacancy occurs in the office of Supreme,
8 Appellate or Circuit Court Judge within the 3-week period
9 preceding the 106th day before a general primary election,
10 petitions for nomination for the office in which the
11 vacancy has occurred shall be filed in the principal office
12 of the State Board of Elections not more than 92 nor less
13 than 85 days prior to the date of the general primary
14 election.

15 Where the nomination is to be made for delegates or
16 alternate delegates to a national nominating convention,
17 then such petition for nomination shall be filed in the
18 principal office of the State Board of Elections not more
19 than 113 and not less than 106 days prior to the date of
20 the primary; provided, however, that if the rules or
21 policies of a national political party conflict with such
22 requirements for filing petitions for nomination for
23 delegates or alternate delegates to a national nominating
24 convention, the chairman of the State central committee of
25 such national political party shall notify the Board in
26 writing, citing by reference the rules or policies of the

1 national political party in conflict, and in such case the
2 Board shall direct such petitions to be filed in accordance
3 with the delegate selection plan adopted by the state
4 central committee of such national political party.

5 (2) Where the nomination is to be made for a county
6 office or trustee of a sanitary district then such petition
7 shall be filed in the office of the county clerk not more
8 than 113 nor less than 106 days prior to the date of the
9 primary.

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

21 (4) The petitions of candidates for State central
22 committeeman shall be filed in the principal office of the
23 State Board of Elections not more than 113 nor less than
24 106 days prior to the date of the primary.

25 (5) Petitions of candidates for precinct, township or
26 ward committeemen shall be filed in the office of the

1 county clerk not more than 113 nor less than 106 days prior
2 to the date of the primary.

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

1 lottery shall be conducted within 9 days following the last
2 day for petition filing and shall be open to the public.
3 Seven days written notice of the time and place of
4 conducting such random selection shall be given by the
5 State Board of Elections to the chairman of the State
6 central committee of each established political party, and
7 by each election authority or local election official, to
8 the County Chairman of each established political party,
9 and to each organization of citizens within the election
10 jurisdiction which was entitled, under this Article, at the
11 next preceding election, to have pollwatchers present on
12 the day of election. The State Board of Elections, election
13 authority or local election official shall post in a
14 conspicuous, open and public place, at the entrance of the
15 office, notice of the time and place of such lottery. The
16 State Board of Elections shall adopt rules and regulations
17 governing the procedures for the conduct of such lottery.
18 All candidates shall be certified in the order in which
19 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
25 such a petition for nomination is filed shall notify the
26 person for whom a petition for nomination has been filed of

1 the obligation to file statements of organization, reports
2 of campaign contributions, and annual reports of campaign
3 contributions and expenditures under Article 9 of this Act.
4 Such notice shall be given in the manner prescribed by
5 paragraph (7) of Section 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
8 statement of economic interests as required by the Illinois
9 Governmental Ethics Act in relation to his candidacy with
10 the appropriate officer by the end of the period for the
11 filing of nomination papers unless he has filed a statement
12 of economic interests in relation to the same governmental
13 unit with that officer within a year preceding the date on
14 which such nomination papers were filed. If the nomination
15 papers of any candidate and the statement of economic
16 interest of that candidate are not required to be filed
17 with the same officer, the candidate must file with the
18 officer with whom the nomination papers are filed a receipt
19 from the officer with whom the statement of economic
20 interests is filed showing the date on which such statement
21 was filed. Such receipt shall be so filed not later than
22 the last day on which nomination papers may be filed.

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

1 and duly acknowledged before an officer qualified to take
2 acknowledgments of deeds, and filed in the principal or
3 permanent branch office of the State Board of Elections or
4 with the appropriate election authority or local election
5 official, not later than the date of certification of
6 candidates for the consolidated primary or general primary
7 ballot. No names so withdrawn shall be certified or printed
8 on the primary ballot. If petitions for nomination have
9 been filed for the same person with respect to more than
10 one political party, his name shall not be certified nor
11 printed on the primary ballot of any party. If petitions
12 for nomination have been filed for the same person for 2 or
13 more offices which are incompatible so that the same person
14 could not serve in more than one of such offices if
15 elected, that person must withdraw as a candidate for all
16 but one of such offices within the 5 business days
17 following the last day for petition filing. A candidate in
18 a judicial election may file petitions for nomination for
19 only one vacancy in a subcircuit and only one vacancy in a
20 circuit in any one filing period, and if petitions for
21 nomination have been filed for the same person for 2 or
22 more vacancies in the same circuit or subcircuit in the
23 same filing period, his or her name shall be certified only
24 for the first vacancy for which the petitions for
25 nomination were filed. If he fails to withdraw as a
26 candidate for all but one of such offices within such time

1 his name shall not be certified, nor printed on the primary
2 ballot, for any office. For the purpose of the foregoing
3 provisions, an office in a political party is not
4 incompatible with any other office.

5 (10) (a) Notwithstanding the provisions of any other
6 statute, no primary shall be held for an established
7 political party in any township, municipality, or ward
8 thereof, where the nomination of such party for every
9 office to be voted upon by the electors of such township,
10 municipality, or ward thereof, is uncontested. Whenever a
11 political party's nomination of candidates is uncontested
12 as to one or more, but not all, of the offices to be voted
13 upon by the electors of a township, municipality, or ward
14 thereof, then a primary shall be held for that party in
15 such township, municipality, or ward thereof; provided
16 that the primary ballot shall not include those offices
17 within such township, municipality, or ward thereof, for
18 which the nomination is uncontested. For purposes of this
19 Article, the nomination of an established political party
20 of a candidate for election to an office shall be deemed to
21 be uncontested where not more than the number of persons to
22 be nominated have timely filed valid nomination papers
23 seeking the nomination of such party for election to such
24 office.

25 (b) Notwithstanding the provisions of any other
26 statute, no primary election shall be held for an

1 established political party for any special primary
2 election called for the purpose of filling a vacancy in the
3 office of representative in the United States Congress
4 where the nomination of such political party for said
5 office is uncontested. For the purposes of this Article,
6 the nomination of an established political party of a
7 candidate for election to said office shall be deemed to be
8 uncontested where not more than the number of persons to be
9 nominated have timely filed valid nomination papers
10 seeking the nomination of such established party for
11 election to said office. This subsection (b) shall not
12 apply if such primary election is conducted on a regularly
13 scheduled election day.

14 (c) Notwithstanding the provisions of any other law to
15 the contrary ~~in subparagraph (a) and (b) of this paragraph~~
16 ~~(10)~~, whenever a person who has not timely filed valid
17 nomination papers and who intends to become a write-in
18 candidate for a political party's nomination in the general
19 primary election for any office for which the nomination is
20 uncontested files a written statement or notice of that
21 intent with the State Board of Elections or the local
22 election official with whom nomination papers for such
23 office are filed, a primary ballot shall be prepared and a
24 primary shall be held for that office. Such statement or
25 notice shall be filed on or before the date established in
26 this Article for certifying candidates for the primary

1 ballot. Such statement or notice shall contain (i) the name
2 and address of the person intending to become a write-in
3 candidate, (ii) a statement that the person is a qualified
4 primary elector of the political party from whom the
5 nomination is sought, (iii) a statement that the person
6 intends to become a write-in candidate for the party's
7 nomination, and (iv) the office the person is seeking as a
8 write-in candidate. An election authority shall have no
9 duty to conduct a primary and prepare a primary ballot for
10 any office for which the nomination is uncontested unless a
11 statement or notice meeting the requirements of this
12 Section is filed in a timely manner.

13 (d) Notwithstanding the provisions of any other law to
14 the contrary, whenever a person who has not timely filed
15 valid nomination papers and who intends to become a
16 write-in candidate for a political party's nomination in
17 the consolidated primary election for any office for which
18 the nomination is uncontested files a written statement or
19 notice of that intent with the State Board of Elections or
20 the local election official with whom nomination papers for
21 such office are filed, no primary ballot shall be printed.
22 Where no primary is held, a person intending to become a
23 write-in candidate at the consolidated primary election
24 may re-file a declaration of intent to be a write-in
25 candidate for the consolidated election with the
26 appropriate election authority or authorities.

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

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

23 (Source: P.A. 99-221, eff. 7-31-15.)"