101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB0045

Introduced 1/9/2019, by Rep. La Shawn K. Ford

SYNOPSIS AS INTRODUCED:

10 ILCS 5/7-10	from Ch. 46, par. 7-10
10 ILCS 5/8-8	from Ch. 46, par. 8-8
10 ILCS 5/10-4	from Ch. 46, par. 10-4

Amends the Election Code. Provides that a person must be 17 years of age or older (currently, 18 years of age or older) to circulate petitions for nomination.

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1 AN ACT concerning revenue.

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

4 Section 5. The Election Code is amended by changing 5 Sections 7-10, 8-8, and 10-4 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 committeeperson, or 9 township committeeperson, or precinct committeeperson, or ward candidate for delegate or alternate 10 committeeperson or delegate to national nominating conventions, shall be printed 11 upon the primary ballot unless a petition for nomination has 12 been filed in his behalf as provided in this Article in 13 14 substantially the following form:

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

23 Name Office Address

Belvidere, Ill. 1 John Jones Governor 2 Jane James Lieutenant Governor Peoria, Ill. 3 Thomas Smith Attorney General Oakland, Ill. 4 Name.... Address..... State of Illinois) 5 6) ss. County of....) 7 8 I,, do hereby certify that I reside at No. street, in the of, county of, and State of 9 10, that I am $\frac{17}{18}$ years of age or older, that I am a 11 citizen of the United States, and that the signatures on this 12 sheet were signed in my presence, and are genuine, and that to 13 the best of my knowledge and belief the persons so signing were at the time of signing the petitions qualified voters of the 14 15 party, and that their respective residences are correctly stated, as above set forth. 16 17 18 Subscribed and sworn to before me on (insert date). 19

Each sheet of the petition other than the statement of candidacy and candidate's statement shall be of uniform size and shall contain above the space for signatures an appropriate 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.

Such petition shall be signed by qualified primary electors 4 5 residing in the political division for which the nomination is sought in their own proper persons only and opposite the 6 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 city, village or town, and state of residence of the electors 13 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. At the bottom of each sheet of such petition shall be added a 18 19 circulator statement signed by a person 17 18 years of age or 20 older who is a citizen of the United States, stating the street address or rural route number, as the case may be, as well as 21 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 sheet was circulated, or (2) indicating the first and last 26

dates on which the sheet was circulated, or (3) certifying that 1 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 certifying that to the best of his or her knowledge and belief 4 5 the persons so signing were at the time of signing the petitions qualified voters of the political party for which a 6 nomination is sought. Such statement shall be sworn to before 7 some officer authorized to administer oaths in this State. 8

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:

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

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

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

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

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Statement of Candidacy

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

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State of Illinois) 1 2) ss. 3 County of) 4 I,, being first duly sworn, say that I reside at 5 Street in the city (or village) of, in the county of, 6 State of Illinois; that I am a qualified voter therein and am a qualified primary voter of the party; that I am a 7 8 candidate for nomination (for election in the case of 9 committeeperson and delegates and alternate delegates) to the 10 office of to be voted upon at the primary election to be 11 held on (insert date); that I am legally qualified (including 12 being the holder of any license that may be an eligibility requirement for the office I seek the nomination for) to hold 13 such office and that I have filed (or I will file before the 14 15 close of the petition filing period) a statement of economic 16 interests as required by the Illinois Governmental Ethics Act and I hereby request that my name be printed upon the official 17 primary ballot for nomination for (or election to in the case 18 19 of committeepersons and delegates and alternate delegates) such office. 20 Signed 21 22 Subscribed and sworn to (or affirmed) before me by, 23 who is to me personally known, on (insert date). 24 Signed 25 (Official Character)

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1 (Seal, if officer has one.)

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

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

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

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

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

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

1 signatures be less than 25.

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(d) County office; Cook County only.

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

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

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

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

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

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

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

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

1 of that sanitary district.

Judicial office. If a candidate seeks to run for 2 (h) 3 judicial office in a district, then the candidate's petition for nomination must contain the number of signatures equal to 4 5 0.4% of the number of votes cast in that district for the candidate for his or her political party for the office of 6 Governor at the last general election at which a Governor was 7 elected, but in no event less than 500 signatures. If a 8 9 candidate seeks to run for judicial office in a circuit or 10 subcircuit, then the candidate's petition for nomination must 11 contain the number of signatures equal to 0.25% of the number 12 of votes cast for the judicial candidate of his or her political party who received the highest number of votes at the 13 14 last general election at which a judicial officer from the same 15 circuit or subcircuit was regularly scheduled to be elected, 16 but in no event less than 1,000 signatures in circuits and subcircuits located in the First Judicial District or 500 17 signatures in every other Judicial District. 18

19 (i) Precinct, ward, and township committeeperson. If a 20 candidate seeks to run for precinct committeeperson, then the candidate's petition for nomination must contain at least 10 21 22 signatures of the primary electors of his or her party for the 23 precinct. If a candidate seeks to run for ward committeeperson, then the candidate's petition for nomination must contain no 24 25 less than the number of signatures equal to 10% of the primary 26 electors of his or her party of the ward, but no more than 16%

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

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

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

For purposes of this Section the number of primary electors shall be determined by taking the total vote cast, in the applicable district, for the candidate for that political party who received the highest number of votes, statewide, at the

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

15 A "qualified primary elector" of a party may not sign 16 petitions for or be a candidate in the primary of more than one 17 party.

18 The changes made to this Section of this amendatory Act of 19 the 93rd General Assembly are declarative of existing law, 20 except for item (3) of subsection (d).

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

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1 (Source: P.A. 100-1027, eff. 1-1-19.)

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

3 Sec. 8-8. Form of petition for nomination. The name of no 4 candidate for nomination shall be printed upon the primary 5 ballot unless a petition for nomination shall have been filed 6 in his behalf as provided for in this Section. Each such 7 petition shall include as a part thereof the oath required by 8 Section 7-10.1 of this Act and a statement of candidacy by the 9 candidate filing or in whose behalf the petition is filed. This 10 statement shall set out the address of such candidate, the 11 office for which he is a candidate, shall state that the 12 candidate is a qualified primary voter of the party to which 13 the petition relates, is qualified for the office specified and 14 has filed a statement of economic interests as required by the 15 Illinois Governmental Ethics Act, shall request that the 16 candidate's name be placed upon the official ballot and shall be subscribed and sworn by such candidate before some officer 17 18 authorized to take acknowledgment of deeds in this State and 19 may be in substantially the following form:

20 State of Illinois)

21

22 County)

I, ..., being first duly sworn, say that I reside at
street in the city (or village of) in the county of
State of Illinois; that I am a qualified voter therein and am a

Signed

qualified primary voter of party; that I am a candidate for nomination to the office of to be voted upon at the primary election to be held on (insert date); that I am legally qualified to hold such office and that I have filed a statement of economic interests as required by the Illinois Governmental Ethics Act and I hereby request that my name be printed upon the official primary ballot for nomination for such office.

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

11Signed (Official Character)12(Seal if officer has one.)

13 The receipt issued by the Secretary of State indicating 14 that the candidate has filed the statement of economic 15 interests required by the Illinois Governmental Ethics Act must 16 be filed with the petitions for nomination as provided in 17 subsection (8) of Section 7-12 of this Code.

All petitions for nomination for the office of State Senator shall be signed by at least 1,000 but not more than 3,000 of the qualified primary electors of the candidate's party in his legislative district.

All petitions for nomination for the office of Representative in the General Assembly shall be signed by at least 500 but not more than 1,500 of the qualified primary electors of the candidate's party in his or her representative district.

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Opposite the signature of each qualified primary elector 1 2 who signs a petition for nomination for the office of State Representative or State Senator such elector's residence 3 address shall be written or printed. The residence address 4 5 required to be written or printed opposite each qualified primary elector's name shall include the street address or 6 7 rural route number of the signer, as the case may be, as well 8 as the signer's county and city, village or town.

9 For the purposes of this Section, the number of primary 10 electors shall be determined by taking the total vote cast, in 11 the applicable district, for the candidate for such political 12 party who received the highest number of votes, state-wide, at 13 the last general election in the State at which electors for 14 President of the United States were elected.

15 A "qualified primary elector" of a party may not sign 16 petitions for or be a candidate in the primary of more than one 17 party.

In the affidavit at the bottom of each sheet, the petition 18 19 circulator, who shall be a person 17 $\frac{18}{18}$ years of age or older 20 who is a citizen of the United States, shall state his or her street address or rural route number, as the case may be, as 21 22 well as his or her county, city, village or town, and state; 23 and shall certify that the signatures on that sheet of the 24 petition were signed in his or her presence; and shall certify 25 that the signatures are genuine; and shall certify that to the 26 best of his or her knowledge and belief the persons so signing

were at the time of signing the petition qualified primary voters for which the nomination is sought.

In the affidavit at the bottom of each petition sheet, the 3 petition circulator shall either (1) indicate the dates on 4 5 which he or she circulated that sheet, or (2) indicate the 6 first and last dates on which the sheet was circulated, or (3) 7 certify that none of the signatures on the sheet were signed 8 more than 90 days preceding the last day for the filing of the 9 petition. No petition sheet shall be circulated more than 90 10 days preceding the last day provided in Section 8-9 for the 11 filing of such petition.

All petition sheets which are filed with the State Board of Elections shall be the original sheets which have been signed by the voters and by the circulator, and not photocopies or duplicates of such sheets.

16 The person circulating the petition, or the candidate on 17 whose behalf the petition is circulated, may strike any 18 signature from the petition, provided that:

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

21 (2) the person striking the signature shall sign a 22 certification listing the page number and line number of the 23 struck from each signature petition. Such 24 certification shall be filed as a part of the petition. (Source: P.A. 97-81, eff. 7-5-11.) 25

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

2 Sec. 10-4. Form of petition for nomination. All petitions for nomination under this Article 10 for candidates for public 3 office in this State, shall in addition to other requirements 4 5 provided by law, be as follows: Such petitions shall consist of sheets of uniform size and each sheet shall contain, above the 6 space for signature, an appropriate heading, giving the 7 information as to name of candidate or candidates in whose 8 9 behalf such petition is signed; the office; the party; place of 10 residence; and such other information or wording as required to 11 make same valid, and the heading of each sheet shall be the 12 same. Such petition shall be signed by the qualified voters in 13 their own proper persons only, and opposite the signature of each signer his residence address shall be written or printed. 14 15 The residence address required to be written or printed 16 opposite each qualified primary elector's name shall include 17 the street address or rural route number of the signer, as the case may be, as well as the signer's county, and city, village 18 19 or town, and state. However, the county or city, village or 20 town, and state of residence of such electors may be printed on the petition forms where all of the electors signing the 21 22 petition reside in the same county or city, village or town, 23 and state. Standard abbreviations may be used in writing the 24 residence address, including street number, if anv. No 25 signature shall be valid or be counted in considering the 26 validity or sufficiency of such petition unless the

requirements of this Section are complied with. At the bottom 1 2 of each sheet of such petition shall be added a circulator's statement, signed by a person 17 $\frac{18}{18}$ years of age or older who 3 is a citizen of the United States; stating the street address 4 5 or rural route number, as the case may be, as well as the county, city, village or town, and state; certifying that the 6 signatures on that sheet of the petition were signed in his or 7 8 her presence; certifying that the signatures are genuine; and 9 either (1) indicating the dates on which that sheet was 10 circulated, or (2) indicating the first and last dates on which 11 the sheet was circulated, or (3) certifying that none of the 12 signatures on the sheet were signed more than 90 days preceding the last day for the filing of the petition; and certifying 13 14 that to the best of his knowledge and belief the persons so 15 signing were at the time of signing the petition duly registered voters under Articles 4, 5 or 6 of the Code of the 16 17 political subdivision or district for which the candidate or candidates shall be nominated, and certifying that their 18 respective residences are correctly stated therein. Such 19 20 statement shall be sworn to before some officer authorized to administer oaths in this State. No petition sheet shall be 21 22 circulated more than 90 days preceding the last day provided in 23 Section 10-6 for the filing of such petition. Such sheets, before being presented to the electoral board or filed with the 24 25 proper officer of the electoral district or division of the 26 state or municipality, as the case may be, shall be neatly

fastened together in book form, by placing the sheets in a pile 1 2 and fastening them together at one edge in a secure and suitable manner, and the sheets shall then be numbered 3 consecutively. The sheets shall not be fastened by pasting them 4 5 together end to end, so as to form a continuous strip or roll. All petition sheets which are filed with the proper local 6 7 election officials, election authorities or the State Board of 8 Elections shall be the original sheets which have been signed 9 by the voters and by the circulator, and not photocopies or 10 duplicates of such sheets. A petition, when presented or filed, shall not be withdrawn, altered, or added to, and no signature 11 12 shall be revoked except by revocation in writing presented or 13 filed with the officers or officer with whom the petition is required to be presented or filed, and before the presentment 14 15 or filing of such petition. Whoever forges any name of a signer 16 upon any petition shall be deemed guilty of a forgery, and on 17 conviction thereof, shall be punished accordingly. The word "petition" or "petition for nomination", as used herein, shall 18 mean what is sometimes known as nomination papers, 19 in 20 distinction to what is known as a certificate of nomination. The words "political division for which the candidate is 21 22 nominated", or its equivalent, shall mean the largest political 23 division in which all qualified voters may vote upon such 24 candidate or candidates, as the state in the case of state officers; the township in the case of township officers et 25 26 cetera. Provided, further, that no person shall circulate or

certify petitions for candidates of more than one political party, or for an independent candidate or candidates in addition to one political party, to be voted upon at the next primary or general election, or for such candidates and parties with respect to the same political subdivision at the next consolidated election.

7 (Source: P.A. 98-756, eff. 7-16-14.)