



## 97TH GENERAL ASSEMBLY

### State of Illinois

2011 and 2012

HB1416

by Rep. Thaddeus Jones

#### 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 5/10-5	from Ch. 46, par. 10-5
10 ILCS 5/25-2	from Ch. 46, par. 25-2
10 ILCS 5/29-10	from Ch. 46, par. 29-10
730 ILCS 5/5-5-5	from Ch. 38, par. 1005-5-5

Amends the Election Code and the Unified Code of Corrections. Provides that a person is ineligible as a candidate for elective office and may not seek reelection to office if he or she has been convicted of a felony under the laws of this State, another state, the United States, or a foreign country. Provides that a person convicted of a felony under the laws of another country is ineligible as a candidate for office and is ineligible to seek reelection to office only if the felony under that country's laws is substantially similar to a felony violation in this country and if that country's judicial system affords a criminal defendant guarantees of due process similar to those afforded to a criminal defendant in the United States. Applies to persons who seek elective office or reelection to office after the effective date of the amendatory Act.

LRB097 02922 RLC 46403 b

1 AN ACT concerning elective office.

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 7-10, 8-8, 10-5, 25-2, and 29-10 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 fastened  
22 together in book form, by placing the sheets in a pile and  
23 fastening them together at one edge in a secure and suitable  
24 manner, and the sheets shall then be numbered consecutively.  
25 The sheets shall not be fastened by pasting them together end  
26 to end, so as to form a continuous strip or roll. All petition

1 sheets which are filed with the proper local election  
 2 officials, election authorities or the State Board of Elections  
 3 shall be the original sheets which have been signed by the  
 4 voters and by the circulator thereof, and not photocopies or  
 5 duplicates of such sheets. Each petition must include as a part  
 6 thereof, a statement of candidacy for each of the candidates  
 7 filing, or in whose behalf the petition is filed. 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  
 18 candidate's name be placed upon the official ballot, and shall  
 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:

22 Statement of Candidacy

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

1 State of Illinois)

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  
7 qualified primary voter of the .... party; that I am a  
8 candidate for nomination (for election in the case of  
9 committeeman 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  
13 requirement for the office I seek the nomination for) to hold  
14 such office; that I have not been convicted of a felony under  
15 the laws of this State, another state, the United States, or a  
16 foreign country; and that I have filed (or I will file before  
17 the close of the petition filing period) a statement of  
18 economic interests as required by the Illinois Governmental  
19 Ethics Act and I hereby request that my name be printed upon  
20 the official primary ballot for nomination for (or election to  
21 in the case of committeemen and delegates and alternate  
22 delegates) such office.

23 Signed .....

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

1 Signed .....

2 (Official Character)

3 (Seal, if officer has one.)

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

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

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

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

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

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

1 the total number of county board districts comprising the  
2 county board; provided that in no event shall the number of  
3 signatures be less than 25.

4 (d) County office; Cook County only.

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

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

24 (3) If a candidate seeks to run for Cook County Board  
25 of Review Commissioner, which is elected from a district  
26 pursuant to subsection (c) of Section 5-5 of the Property

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

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

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

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

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

1 candidate's petition for nomination must contain at least the  
2 signatures of 150 qualified primary electors of his or her ward  
3 of that sanitary district.

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

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

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

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

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

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

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

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

1       (1) A person convicted of a felony under the laws of  
2 another country is ineligible as a candidate for office only if  
3 the felony under that country's laws is substantially similar  
4 to a felony violation in this country and if that country's  
5 judicial system affords a criminal defendant guarantees of due  
6 process similar to those afforded to a criminal defendant in  
7 the United States. A candidate who has been convicted of a  
8 felony under the laws of another country whose laws do not meet  
9 the requirements of this subsection (1) need not attest that he  
10 or she has not been convicted of such felony.

11       (Source: P.A. 95-699, eff. 11-9-07; 95-916, eff. 8-26-08;  
12       96-1018, eff. 1-1-11.)

13       (10 ILCS 5/8-8) (from Ch. 46, par. 8-8)

14       Sec. 8-8. Form of petition for nomination. The name of no  
15 candidate for nomination shall be printed upon the primary  
16 ballot unless a petition for nomination shall have been filed  
17 in his behalf as provided for in this Section. Each such  
18 petition shall include as a part thereof the oath required by  
19 Section 7-10.1 of this Act and a statement of candidacy by the  
20 candidate filing or in whose behalf the petition is filed. This  
21 statement shall set out the address of such candidate, the  
22 office for which he is a candidate, shall state that the  
23 candidate is a qualified primary voter of the party to which  
24 the petition relates, is qualified for the office specified and  
25 has filed a statement of economic interests as required by the

1 Illinois Governmental Ethics Act, shall request that the  
 2 candidate's name be placed upon the official ballot and shall  
 3 be subscribed and sworn by such candidate before some officer  
 4 authorized to take acknowledgment of deeds in this State and  
 5 may be in substantially the following form:

6 State of Illinois)

7 ) ss.

8 County .....)

9 I, ....., being first duly sworn, say that I reside at ....  
 10 street in the city (or village of) .... in the county of ....  
 11 State of Illinois; that I am a qualified voter therein and am a  
 12 qualified primary voter of .... party; that I am a candidate  
 13 for nomination to the office of .... to be voted upon at the  
 14 primary election to be held on (insert date); that I am legally  
 15 qualified to hold such office; that I have not been convicted  
 16 of a felony under the laws of this State, another state, the  
 17 United States, or a foreign country; and that I have filed a  
 18 statement of economic interests as required by the Illinois  
 19 Governmental Ethics Act and I hereby request that my name be  
 20 printed upon the official primary ballot for nomination for  
 21 such office.

22 Signed .....

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

25 Signed .... (Official Character)

26 (Seal if officer has one.)

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

6           All petitions for nomination for the office of State  
7           Senator shall be signed by 1% or 1,000, whichever is greater,  
8           of the qualified primary electors of the candidate's party in  
9           his legislative district, except that for the first primary  
10          following a redistricting of legislative districts, such  
11          petitions shall be signed by at least 1,000 qualified primary  
12          electors of the candidate's party in his legislative district.

13          All petitions for nomination for the office of  
14          Representative in the General Assembly shall be signed by at  
15          least 1% or 500, whichever is greater, of the qualified primary  
16          electors of the candidate's party in his or her representative  
17          district, except that for the first primary following a  
18          redistricting of representative districts such petitions shall  
19          be signed by at least 500 qualified primary electors of the  
20          candidate's party in his or her representative district.

21          Opposite the signature of each qualified primary elector  
22          who signs a petition for nomination for the office of State  
23          Representative or State Senator such elector's residence  
24          address shall be written or printed. The residence address  
25          required to be written or printed opposite each qualified  
26          primary elector's name shall include the street address or

1 rural route number of the signer, as the case may be, as well  
2 as the signer's county and city, village or town.

3 For the purposes of this Section, the number of primary  
4 electors shall be determined by taking the total vote cast, in  
5 the applicable district, for the candidate for such political  
6 party who received the highest number of votes, state-wide, at  
7 the last general election in the State at which electors for  
8 President of the United States were elected.

9 A "qualified primary elector" of a party may not sign  
10 petitions for or be a candidate in the primary of more than one  
11 party.

12 In the affidavit at the bottom of each sheet, the petition  
13 circulator, who shall be a person 18 years of age or older who  
14 is a citizen of the United States, shall state his or her  
15 street address or rural route number, as the case may be, as  
16 well as his or her county, city, village or town, and state;  
17 and shall certify that the signatures on that sheet of the  
18 petition were signed in his or her presence; and shall certify  
19 that the signatures are genuine; and shall certify that to the  
20 best of his or her knowledge and belief the persons so signing  
21 were at the time of signing the petition qualified primary  
22 voters for which the nomination is sought.

23 In the affidavit at the bottom of each petition sheet, the  
24 petition circulator shall either (1) indicate the dates on  
25 which he or she circulated that sheet, or (2) indicate the  
26 first and last dates on which the sheet was circulated, or (3)

1 certify that none of the signatures on the sheet were signed  
2 more than 90 days preceding the last day for the filing of the  
3 petition. No petition sheet shall be circulated more than 90  
4 days preceding the last day provided in Section 8-9 for the  
5 filing of such petition.

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

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

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

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

19 A person convicted of a felony under the laws of another  
20 country is ineligible as a candidate for office only if the  
21 felony under that country's laws is substantially similar to a  
22 felony violation in this country and if that country's judicial  
23 system affords a criminal defendant guarantees of due process  
24 similar to those afforded to a criminal defendant in the United  
25 States. A candidate who has been convicted of a felony under  
26 the laws of another country whose laws do not meet the

1 requirements of this paragraph need not attest that he or she  
2 has not been convicted of such felony.

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

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

5 Sec. 10-5. All petitions for nomination shall, besides  
6 containing the names of candidates, specify as to each:

7 1. The office or offices to which such candidate or  
8 candidates shall be nominated.

9 2. The new political party, if any, represented, expressed  
10 in not more than 5 words. However, such party shall not bear  
11 the same name as, nor include the name of any established  
12 political party as defined in this Article. This prohibition  
13 does not preclude any established political party from making  
14 nominations in those cases in which it is authorized to do so.

15 3. The place of residence of any such candidate or  
16 candidates with the street and number thereof, if any. In the  
17 case of electors for President and Vice-President of the United  
18 States, the names of candidates for President and  
19 Vice-President may be added to the party name or appellation.

20 Such certificate of nomination or nomination papers in  
21 addition shall include as a part thereof, the oath required by  
22 Section 7-10.1 of this Act and must include a statement of  
23 candidacy for each of the candidates named therein, except  
24 candidates for electors for President and Vice-President of the  
25 United States. Each such statement shall set out the address of

1 such candidate, the office for which he is a candidate, shall  
 2 state that the candidate is qualified for the office specified  
 3 and has filed (or will file before the close of the petition  
 4 filing period) a statement of economic interests as required by  
 5 the Illinois Governmental Ethics Act, shall request that the  
 6 candidate's name be placed upon the official ballot and shall  
 7 be subscribed and sworn to by such candidate before some  
 8 officer authorized to take acknowledgments of deeds in this  
 9 State, and may be in substantially the following form:

10 State of Illinois)

11 ) SS.

12 County of.....)

13 I,....., being first duly sworn, say that I reside at....  
 14 street, in the city (or village) of.... in the county of....  
 15 State of Illinois; and that I am a qualified voter therein;  
 16 that I am a candidate for election to the office of.... to be  
 17 voted upon at the election to be held on the.... day  
 18 of.....,.....; and that I am legally qualified to hold such  
 19 office; that I have not been convicted of a felony under the  
 20 laws of this State, another state, the United States, or a  
 21 foreign country; and that I have filed (or will file before the  
 22 close of the petition filing period) a statement of economic  
 23 interests as required by the Illinois Governmental Ethics Act,  
 24 and I hereby request that my name be printed upon the official  
 25 ballot for election to such office.

26 Signed.....



1 country is ineligible as a candidate for office only if the  
2 felony under that country's laws is substantially similar to a  
3 felony violation in this country and if that country's judicial  
4 system affords a criminal defendant guarantees of due process  
5 similar to those afforded to a criminal defendant in the United  
6 States. A candidate who has been convicted of a felony under  
7 the laws of another country whose laws do not meet the  
8 requirements of this paragraph need not attest that he or she  
9 has not been convicted of such felony.

10 (Source: P.A. 84-551.)

11 (10 ILCS 5/25-2) (from Ch. 46, par. 25-2)

12 Sec. 25-2. Events on which an elective office becomes  
13 vacant. Every elective office shall become vacant on the  
14 happening of any of the following events before the expiration  
15 of the term of such office:

16 (1) The death of the incumbent.

17 (2) His or her resignation.

18 (3) His or her becoming a person under legal  
19 disability.

20 (4) His or her ceasing to be an inhabitant of the  
21 State; or if the office is local, his or her ceasing to be  
22 an inhabitant of the district, county, town, or precinct  
23 for which he or she was elected; provided, that the  
24 provisions of this paragraph shall not apply to township  
25 officers whose township boundaries are changed in

1 accordance with Section 10-20 of the Township Code, to a  
2 township officer after disconnection as set forth in  
3 Section 15-17 of the Township Code, nor to township or  
4 multi-township assessors elected under Sections 2-5  
5 through 2-15 of the Property Tax Code.

6 (5) His or her conviction of an infamous crime, or of  
7 any offense involving a violation of official oath.

8 (5.1) His or her conviction of a felony under the laws  
9 of this State, another state, the United States, or a  
10 foreign country. A person shall only be considered  
11 ineligible to hold elective office for conviction of a  
12 felony under the laws of another country if the felony  
13 under that country's laws is substantially similar to a  
14 felony violation in this country and if that country's  
15 judicial system affords a criminal defendant guarantees of  
16 due process similar to those afforded to a criminal  
17 defendant in the United States. The provisions of this  
18 clause (5.1) shall prohibit the restoration of rights of a  
19 person convicted of a felony to hold elective office if the  
20 person seeks an elective office or reelection to office  
21 after the effective date of this amendatory Act of the 97th  
22 General Assembly.

23 (6) His or her removal from office.

24 (7) His or her refusal or neglect to take his or her  
25 oath of office, or to give or renew his or her official  
26 bond, or to deposit or file such oath or bond within the

1 time prescribed by law.

2 (8) The decision of a competent tribunal declaring his  
3 or her election void.

4 No elective office, except as herein otherwise provided,  
5 shall become vacant until the successor of the incumbent of  
6 such office has been appointed or elected, as the case may be,  
7 and qualified.

8 An unconditional resignation, effective at a future date,  
9 may not be withdrawn after it is received by the officer  
10 authorized to fill the vacancy. Such resignation shall create a  
11 vacancy in office for the purpose of determining the time  
12 period which would require an election. The resigning office  
13 holder may continue to hold such office until the date or event  
14 specified in such resignation, but no later than the date at  
15 which his or her successor is elected and qualified.

16 An admission of guilt of a criminal offense that would,  
17 upon conviction, disqualify the holder of an elective office  
18 from holding that office, in the form of a written agreement  
19 with State or federal prosecutors to plead guilty to a felony,  
20 bribery, perjury, or other infamous crime under State or  
21 federal law, shall constitute a resignation from that office,  
22 effective at the time the plea agreement is made.

23 For purposes of this Section, a conviction for an offense  
24 that disqualifies the holder of an elective office from holding  
25 that office shall occur on the date of the return of a guilty  
26 verdict or, in the case of a trial by the court, the entry of a

1 finding of guilt.

2 This Section does not apply to any elected or appointed  
3 officers or officials of any municipality having a population  
4 under 500,000.

5 (Source: P.A. 94-529, eff. 8-10-05; 95-646, eff. 1-1-08.)

6 (10 ILCS 5/29-10) (from Ch. 46, par. 29-10)

7 Sec. 29-10. Perjury. (a) Any person who makes a false  
8 statement, material to the issue or point in question, which he  
9 does not believe to be true, in any affidavit, certificate or  
10 sworn oral declaration required by any provision of this Code  
11 shall be guilty of a Class 3 felony.

12 (b) Any person who is convicted of violating this Section  
13 shall be ineligible for elective office. Any person who is  
14 convicted of violating this Section shall be ineligible for  
15 public employment for a period of 5 years immediately following  
16 the completion of his sentence. For the purpose of this  
17 subsection, "public employment" shall mean any ~~elected or~~  
18 appointed office created by the Constitution or laws of this  
19 State, or any ordinance of a unit of local government. "Public  
20 employment" shall also include any position as an employee of  
21 the State of Illinois, or a unit of local government or school  
22 district.

23 (Source: P.A. 83-1097.)

24 Section 10. The Unified Code of Corrections is amended by

1 changing Section 5-5-5 as follows:

2 (730 ILCS 5/5-5-5) (from Ch. 38, par. 1005-5-5)

3 Sec. 5-5-5. Loss and Restoration of Rights.

4 (a) Conviction and disposition shall not entail the loss by  
5 the defendant of any civil rights, except under this Section  
6 and Sections 29-6 and 29-10 of The Election Code, as now or  
7 hereafter amended.

8 (b) A person convicted of a felony under the laws of this  
9 State, another state, the United States, or a foreign country  
10 shall be ineligible to hold an office created by the  
11 Constitution of this State or an elective office created by law  
12 or ordinance. A person shall only be considered ineligible to  
13 hold elective office for conviction of a felony under the laws  
14 of another country if the felony under that country's laws is  
15 substantially similar to a felony violation in this country and  
16 if that country's judicial system affords a criminal defendant  
17 guarantees of due process similar to those afforded to a  
18 criminal defendant in the United States. The provisions of this  
19 subsection (b) shall prohibit the restoration of rights of a  
20 person convicted of a felony to hold elective office if the  
21 person seeks an elective office or reelection to office after  
22 the effective date of this amendatory Act of the 97th General  
23 Assembly until the completion of his sentence.

24 (c) A person sentenced to imprisonment shall lose his right  
25 to vote until released from imprisonment.

1           (d) On completion of sentence of imprisonment or upon  
2 discharge from probation, conditional discharge or periodic  
3 imprisonment, or at any time thereafter, all license rights and  
4 privileges granted under the authority of this State which have  
5 been revoked or suspended because of conviction of an offense  
6 shall be restored unless the authority having jurisdiction of  
7 such license rights finds after investigation and hearing that  
8 restoration is not in the public interest. This paragraph (d)  
9 shall not apply to the suspension or revocation of a license to  
10 operate a motor vehicle under the Illinois Vehicle Code.

11           (e) Upon a person's discharge from incarceration or parole,  
12 or upon a person's discharge from probation or at any time  
13 thereafter, the committing court may enter an order certifying  
14 that the sentence has been satisfactorily completed when the  
15 court believes it would assist in the rehabilitation of the  
16 person and be consistent with the public welfare. Such order  
17 may be entered upon the motion of the defendant or the State or  
18 upon the court's own motion.

19           (f) Upon entry of the order, the court shall issue to the  
20 person in whose favor the order has been entered a certificate  
21 stating that his behavior after conviction has warranted the  
22 issuance of the order.

23           (g) This Section shall not affect the right of a defendant  
24 to collaterally attack his conviction or to rely on it in bar  
25 of subsequent proceedings for the same offense.

26           (h) No application for any license specified in subsection

1 (i) of this Section granted under the authority of this State  
2 shall be denied by reason of an eligible offender who has  
3 obtained a certificate of relief from disabilities, as defined  
4 in Article 5.5 of this Chapter, having been previously  
5 convicted of one or more criminal offenses, or by reason of a  
6 finding of lack of "good moral character" when the finding is  
7 based upon the fact that the applicant has previously been  
8 convicted of one or more criminal offenses, unless:

9 (1) there is a direct relationship between one or more  
10 of the previous criminal offenses and the specific license  
11 sought; or

12 (2) the issuance of the license would involve an  
13 unreasonable risk to property or to the safety or welfare  
14 of specific individuals or the general public.

15 In making such a determination, the licensing agency shall  
16 consider the following factors:

17 (1) the public policy of this State, as expressed in  
18 Article 5.5 of this Chapter, to encourage the licensure and  
19 employment of persons previously convicted of one or more  
20 criminal offenses;

21 (2) the specific duties and responsibilities  
22 necessarily related to the license being sought;

23 (3) the bearing, if any, the criminal offenses or  
24 offenses for which the person was previously convicted will  
25 have on his or her fitness or ability to perform one or  
26 more such duties and responsibilities;

1           (4) the time which has elapsed since the occurrence of  
2 the criminal offense or offenses;

3           (5) the age of the person at the time of occurrence of  
4 the criminal offense or offenses;

5           (6) the seriousness of the offense or offenses;

6           (7) any information produced by the person or produced  
7 on his or her behalf in regard to his or her rehabilitation  
8 and good conduct, including a certificate of relief from  
9 disabilities issued to the applicant, which certificate  
10 shall create a presumption of rehabilitation in regard to  
11 the offense or offenses specified in the certificate; and

12           (8) the legitimate interest of the licensing agency in  
13 protecting property, and the safety and welfare of specific  
14 individuals or the general public.

15           (i) A certificate of relief from disabilities shall be  
16 issued only for a license or certification issued under the  
17 following Acts:

18           (1) the Animal Welfare Act; except that a certificate  
19 of relief from disabilities may not be granted to provide  
20 for the issuance or restoration of a license under the  
21 Animal Welfare Act for any person convicted of violating  
22 Section 3, 3.01, 3.02, 3.03, 3.03-1, or 4.01 of the Humane  
23 Care for Animals Act or Section 26-5 of the Criminal Code  
24 of 1961;

25           (2) the Illinois Athletic Trainers Practice Act;

26           (3) the Barber, Cosmetology, Esthetics, Hair Braiding,

- 1 and Nail Technology Act of 1985;
- 2 (4) the Boiler and Pressure Vessel Repairer Regulation
- 3 Act;
- 4 (5) the Professional Boxing Act;
- 5 (6) the Illinois Certified Shorthand Reporters Act of
- 6 1984;
- 7 (7) the Illinois Farm Labor Contractor Certification
- 8 Act;
- 9 (8) the Interior Design Title Act;
- 10 (9) the Illinois Professional Land Surveyor Act of
- 11 1989;
- 12 (10) the Illinois Landscape Architecture Act of 1989;
- 13 (11) the Marriage and Family Therapy Licensing Act;
- 14 (12) the Private Employment Agency Act;
- 15 (13) the Professional Counselor and Clinical
- 16 Professional Counselor Licensing Act;
- 17 (14) the Real Estate License Act of 2000;
- 18 (15) the Illinois Roofing Industry Licensing Act;
- 19 (16) the Professional Engineering Practice Act of
- 20 1989;
- 21 (17) the Water Well and Pump Installation Contractor's
- 22 License Act;
- 23 (18) the Electrologist Licensing Act;
- 24 (19) the Auction License Act;
- 25 (20) Illinois Architecture Practice Act of 1989;
- 26 (21) the Dietetic and Nutrition Services Practice Act;

1           (22) the Environmental Health Practitioner Licensing  
2           Act;

3           (23) the Funeral Directors and Embalmers Licensing  
4           Code;

5           (24) the Land Sales Registration Act of 1999;

6           (25) the Professional Geologist Licensing Act;

7           (26) the Illinois Public Accounting Act; and

8           (27) the Structural Engineering Practice Act of 1989.

9           (Source: P.A. 96-1246, eff. 1-1-11.)