

# HB4889



## 100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

**HB4889**

by Rep. William Davis

### SYNOPSIS AS INTRODUCED:

10 ILCS 5/7-10

from Ch. 46, par. 7-10

Amends the Election Code. Modifies the language of the petition nomination form for candidates. Provides that a candidate for an office must certify that he or she has not exceeded any limitations on the number of terms that he or she may serve for the office. Effective immediately.

LRB100 17729 MJP 32902 b

A BILL FOR

1 AN ACT concerning elections.

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

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

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

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

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

23 Name Office Address



1 heading giving the information as to name of candidate or  
2 candidates, in whose behalf such petition is signed; the  
3 office, the political party represented and place of residence;  
4 and the heading of each sheet shall be the same.

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

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

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

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

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

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

22 Such sheets before being filed shall be neatly fastened  
23 together in book form, by placing the sheets in a pile and  
24 fastening them together at one edge in a secure and suitable  
25 manner, and the sheets shall then be numbered consecutively.  
26 The sheets shall not be fastened by pasting them together end

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

23 Statement of Candidacy

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

1 Illinois

2 State of Illinois)

3 ) ss.

4 County of .....

5 I, ....., being first duly sworn, say that I reside at ....

6 Street in the city (or village) of ....., in the county of .....,

7 State of Illinois; that I am a qualified voter therein and am a

8 qualified primary voter of the .... party; that I am a

9 candidate for nomination (for election in the case of

10 committeeman and delegates and alternate delegates) to the

11 office of .... to be voted upon at the primary election to be

12 held on (insert date); that I am legally qualified (including

13 being the holder of any license that may be an eligibility

14 requirement for the office I seek the nomination for) to hold

15 such office and that I have filed (or I will file before the

16 close of the petition filing period) a statement of economic

17 interests as required by the Illinois Governmental Ethics Act

18 and I hereby request that my name be printed upon the official

19 primary ballot for nomination for (or election to in the case

20 of committeemen and delegates and alternate delegates) such

21 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 .....

1 (Official Character)

2 (Seal, if officer has one.)

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

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

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

20 (b) Congressional office or congressional delegate to a  
21 national nominating convention. If a candidate seeks to run for  
22 United States Congress or as a congressional delegate or  
23 alternate congressional delegate to a national nominating  
24 convention elected from a congressional district, then the  
25 candidate's petition for nomination must contain at least the



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

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

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

3 (d) County office; Cook County only.

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

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

23 (3) If a candidate seeks to run for Cook County Board  
24 of Review Commissioner, which is elected from a district  
25 pursuant to subsection (c) of Section 5-5 of the Property  
26 Tax Code, then the candidate's petition for nomination must

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

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

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

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

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

1 signatures of 150 qualified primary electors of his or her ward  
2 of that sanitary district.

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

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

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

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

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

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

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

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

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

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

1 one candidate for each of those offices must be filed.

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

3 Section 99. Effective date. This Act takes effect upon  
4 becoming law.