

103RD GENERAL ASSEMBLY State of Illinois 2023 and 2024 HB0045

Introduced 1/12/2023, 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.

LRB103 03486 AWJ 48492 b

1 AN ACT concerning elections.

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

- Section 5. The Election Code is amended by changing 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 committeeperson or candidate for delegate or alternate 10 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, 17 in the of, in the county of and State of Illinois, do hereby petition that the following named person 18 19 or persons shall be a candidate or candidates of the party for the nomination for (or in case of committeepersons for 20 21 election to) the office or offices hereinafter specified, to 22 be voted for at the primary election to be held on (insert date). 23

1	Name	Office	Address
2	John Jones	Governor	Belvidere, Ill.
3	Jane James	Lieutenant Governor	Peoria, Ill.
4	Thomas Smith	Attorney General	Oakland, Ill.
5	Name	. Address	
6	State of Illinois)		
7) ss.		
8	County of)		
9	I,, do hereby certify that I reside at No		
10	street, in the of, county of, and State of		
11	, that I am $\underline{17}$ $\underline{18}$ years of age or older, that I am a		
12	citizen of the United States, and that the signatures on this		
13	sheet were signed in my presence, and are genuine, and that to		
14	the best of my knowledge and belief the persons so signing were		
15	at the time of signing the petitions qualified voters of the		
16	party, and that their respective residences are correctly		
17	stated, as above set forth.		
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19	Subscribed and sw	orn to before me on (insert date).
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21	Each sheet of th	ne petition other th	an the statement of
22	candidacy and candidate's statement shall be of uniform size		
23	and shall contain	above the space	for signatures an

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

Such petition shall be signed by qualified primary electors residing in the political division for which the nomination is sought in their own proper persons only and opposite the signature of each signer, his residence address shall be written or printed. The residence address required to be written or printed opposite each qualified primary elector's name shall include 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 or town, and state. However, the county or city, village or town, and state of residence of the electors may be printed on the petition forms where all of the electors signing the petition reside in the same county or city, village or town, and state. Standard abbreviations may be used in writing the residence address, including street number, if any. At the bottom of each sheet of such petition shall be added a circulator statement signed by a person 17 18 years of age or 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 the county, city, village or town, and state; and certifying that the signatures on that sheet of the petition were signed in his or her presence and certifying that the signatures are genuine; and

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indicating the dates on which that sheet was either (1) circulated, or (2) indicating the first and last dates on which the sheet was circulated, or (3) for elections where the petition circulation period is 90 days, certifying that none of the signatures on the sheet were signed more than 90 days preceding the last day for the filing of the petition, or (4) for the 2022 general primary election only, certify that the signatures on the sheet were signed during the period of January 13, 2022 through March 14, 2022 or certify that the signatures on the sheet were signed during the period of January 13, 2022 through the date on which this statement was sworn or affirmed to and certifying that to the best of his or her knowledge and belief the persons so signing were at the time of signing the petitions qualified voters of political party for which a nomination is sought. statement shall be sworn to before some officer authorized to administer oaths in this State.

Except as otherwise provided in this Code, no petition sheet shall be circulated more than 90 days preceding the last day provided in Section 7-12 for the filing of such petition.

The person circulating the petition, or the candidate on whose behalf the petition is circulated, may strike any 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

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(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 officials, election authorities or the State Board of Elections shall be the original sheets which have been signed by the voters and by the circulator thereof, and not photocopies or duplicates of such sheets. Each petition must include as a part thereof, a statement of candidacy for each of the candidates filing, or in whose behalf the petition is filed. This statement shall set out the address of such candidate, the office for which he is a candidate, shall state that the candidate is a qualified primary voter of the party to which the petition relates and is qualified for the office specified (in the case of a candidate for State's Attorney it shall state that the candidate is at the time of filing such statement a licensed attorney-at-law of this State), shall state that he has filed (or will file before the close of the petition filing period) a statement of economic interests as

- 1 required by the Illinois Governmental Ethics Act, shall
- 2 request that the candidate's name be placed upon the official
- 3 ballot, and shall be subscribed and sworn to by such candidate
- 4 before some officer authorized to take acknowledgment of deeds
- 5 in the State and shall be in substantially the following form:
- 6 Statement of Candidacy
- 7 Name Address Office District Party
- 8 John Jones 102 Main St. Governor Statewide Republican
- 9 Belvidere,
- 10 Illinois
- 11 State of Illinois)
- 12) ss.
- 13 County of)
- 14 I,, being first duly sworn, say that I reside at
- 15 Street in the city (or village) of, in the county of,
- 16 State of Illinois; that I am a qualified voter therein and am a
- 17 qualified primary voter of the party; that I am a
- 18 candidate for nomination (for election in the case of
- 19 committeeperson and delegates and alternate delegates) to the
- 20 office of to be voted upon at the primary election to be
- 21 held on (insert date); that I am legally qualified (including
- 22 being the holder of any license that may be an eligibility
- 23 requirement for the office I seek the nomination for) to hold
- such office and that I have filed (or I will file before the
- 25 close of the petition filing period) a statement of economic

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9 Signed

who is to me personally known, on (insert date).

10 (Official Character)

11 (Seal, if officer has one.)

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

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

(a) Statewide office or delegate to a national nominating convention. Except as otherwise provided in this Code, if a candidate seeks to run for statewide office or as a delegate or

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- alternate delegate to a national nominating convention elected 1 2 from the State at-large, then the candidate's petition for
- nomination must contain at least 5,000 but not more than 3
- 10,000 signatures.
 - (b) Congressional office or congressional delegate to a national nominating convention. Except as otherwise provided in this Code, if a candidate seeks to run for United States as a congressional delegate or Congress 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 district. In the primary election following a redistricting congressional districts, a candidate's petition for nomination must contain at least 600 signatures of qualified primary electors of the candidate's political party in his or her congressional district.
 - (c) County office. Except as otherwise provided in this Code, if a candidate seeks to run for any countywide office, including, but not limited to, county board chairperson or county board member, elected on an at-large basis, in a county other than 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 his or her

county. If a candidate seeks to run for county board member elected from a county board 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 the county board district. In the first primary election following a redistricting of county board districts or the initial establishment of county board districts, a 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 in the entire county who cast votes at the last preceding general election divided by the total number of county board districts comprising the county board; provided that in no event shall the number of signatures be less than 25.

- (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.
- (2) If a candidate seeks to run for Cook County Board Commissioner, 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 county board district. In the first primary

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election following a redistricting of Cook County Board of Commissioners districts, a 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 in the entire county who cast votes at the last preceding general election divided by the total number of county board districts comprising the county board; provided that in no event shall the number of signatures be less than 25.

(3) Except as otherwise provided in this Code, 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 of review district in the last general election at which a commissioner was regularly scheduled to be elected from that board of review district. In no event shall the number of signatures required be greater than requisite number for a candidate who seeks countywide office in Cook County under subsection (d)(1) of this Section. the first primary election following a Ιn redistricting of Cook County Board of Review districts, a candidate's petition for nomination must contain at least 4,000 signatures or at least the number of signatures required for a countywide candidate in Cook County,

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whichever is less, of the qualified electors of his or her party in the district.

- (e) Municipal or township office. If a candidate seeks to run for municipal or township office, 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 the municipality or township. If a candidate seeks to run for alderperson of a municipality, 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 of the ward. In the first primary election following redistricting of wards or trustee districts of a municipality or the initial establishment of wards or districts, a candidate's petition for 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.
- (f) State central committeeperson. If a candidate seeks to run for State central committeeperson, then the candidate's petition for nomination must contain at least 100 signatures of the primary electors of his or her party of his or her congressional district.

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- Sanitary district trustee. Except as otherwise provided in this Code, if a candidate seeks to run for trustee of a sanitary district in which trustees are not elected from wards, 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 from the sanitary district. If a candidate seeks to run for trustee of a sanitary district in which trustees are elected from wards, 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 ward of that sanitary district. In the first primary election following redistricting of sanitary districts elected from wards, a candidate's petition for nomination must contain at least the signatures of qualified primary electors of his or her ward of that sanitary district.
- (h) Judicial office. Except as otherwise provided in this Code, if a candidate seeks to run for judicial office in a district, then the candidate's petition for nomination must contain the number of signatures equal to 0.4% of the number of votes cast in that district for the candidate for his or her political party for the office of Governor at the last general election at which a Governor was elected, but in no event less than 500 signatures. If a candidate seeks to run for judicial office in a circuit or subcircuit, then the candidate's petition for nomination must contain the number of signatures

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equal to 0.25% of the number of votes cast for the judicial candidate of his or her political party who received the highest number of votes at the last general election at which a judicial officer from the same circuit or subcircuit was regularly scheduled to be elected, but in no event less than 1,000 signatures in circuits and subcircuits located in the First Judicial District or 500 signatures in every other Judicial District.

(i) Precinct, ward, and township committeeperson. Except as otherwise provided in this Code, if a candidate seeks to run for precinct committeeperson, then the candidate's petition for nomination must contain at least 10 signatures of the primary electors of his or her party for the precinct. If a candidate seeks to run for ward committeeperson, then the candidate's petition for nomination must contain no less than the number of signatures equal to 10% of the primary electors of his or her party of the ward, but no more than 16% of those same electors; provided that the maximum number of signatures may be 50 more than the minimum number, whichever is greater. If a candidate seeks to run for township committeeperson, then the candidate's petition for nomination must contain no less than the number of signatures equal to 5% of the primary electors of his or her party of the township, but no more than 8% of those same electors; provided that the maximum number of signatures may be 50 more than the minimum 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 President of the United States were elected. For political subdivisions, the number of primary electors shall be determined by taking the total vote cast for the candidate for that political party who received the highest number of votes in the political subdivision at the last regular election at which an officer was regularly scheduled to be elected from that subdivision. For wards or districts of political subdivisions, the number of primary electors shall be

- determined by taking the total vote cast for the candidate for
- 2 that political party who received the highest number of votes
- 3 in the ward or district at the last regular election at which
- 4 an officer was regularly scheduled to be elected from that
- 5 ward or district.
- 6 A "qualified primary elector" of a party may not sign
- 7 petitions for or be a candidate in the primary of more than one
- 8 party.
- 9 The changes made to this Section by Public Act 93-574 are
- 10 declarative of existing law, except for item (3) of subsection
- 11 (d).
- 12 Petitions of candidates for nomination for offices herein
- specified, to be filed with the same officer, may contain the
- 14 names of 2 or more candidates of the same political party for
- 15 the same or different offices. In the case of the offices of
- 16 Governor and Lieutenant Governor, a joint petition including
- one candidate for each of those offices must be filed.
- 18 (Source: P.A. 102-15, eff. 6-17-21; 102-687, eff. 12-17-21;
- 19 102-692, eff. 1-7-22.)
- 20 (10 ILCS 5/8-8) (from Ch. 46, par. 8-8)
- 21 Sec. 8-8. Form of petition for nomination. The name of no
- 22 candidate for nomination shall be printed upon the primary
- 23 ballot unless a petition for nomination shall have been filed
- 24 in his behalf as provided for in this Section. Each such
- 25 petition shall include as a part thereof the oath required by

Signed

Section 7-10.1 of this Code Act and a statement of candidacy by 1 the candidate filing or in whose behalf the petition is filed. 2 3 This statement shall set out the address of such candidate and τ the office for which he is a candidate; τ shall state that 5 the candidate is a qualified primary voter of the party to which the petition relates, is qualified for the office 6 7 specified, and has filed a statement of economic interests as 8 required by the Illinois Governmental Ethics Act; r shall 9 request that the candidate's name be placed upon the official 10 ballot; and shall be subscribed and sworn by such candidate 11 before some officer authorized to take acknowledgment of deeds 12 in this State and may be in substantially the following form:

13 State of Illinois)

14) ss.

15 County)

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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 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.

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

3 Signed (Official Character)

(Seal if officer has one.)

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

Except as otherwise provided in 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.

Except as otherwise provided in this Code, 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.

Opposite the signature of each qualified primary elector who signs a petition for nomination for the office of State Representative or State Senator such elector's residence address shall be written or printed. The residence address required to be written or printed opposite each qualified primary elector's name shall include 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_ or town.

For the 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 such political party who received the highest number of votes, state-wide, at the last general election in the State at which electors for President of the United States were elected.

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

In the affidavit at the bottom of each sheet, the petition circulator, who shall be a person 17 18 years of age or older 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 well as his or her county, city, village or town, and state; and shall certify that the signatures on that sheet of the petition were signed in his or her presence; and shall certify that the signatures are genuine; and shall certify that, to the 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 petition circulator shall either (1) indicate the dates on which he or she circulated that sheet, or (2) indicate the first and last dates on which the sheet was circulated, or (3) for elections where the petition circulation period is 90

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days, certify that none of the signatures on the sheet were 1 2 signed more than 90 days preceding the last day for the filing 3 of the petition, or (4) for the 2022 general primary election only, certify that the signatures on the sheet were signed 4 5 during the period of January 13, 2022 through March 14, 2022 or 6 certify that the signatures on the sheet were signed during the period of January 13, 2022 through the date on which this 7 8 statement was sworn or affirmed to. No petition sheet shall be 9 circulated more than 90 days preceding the last day provided 10 in Section 8-9 for the 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.

The person circulating the petition, or the candidate on whose behalf the petition is circulated, may strike any 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
- 21 (2) the person striking the signature shall sign a 22 certification listing the page number and line number of 23 each signature struck from the petition. Such 24 certification shall be filed as a part of the petition.
- 25 (Source: P.A. 102-15, eff. 6-17-21; 102-692, eff. 1-7-22; revised 2-28-22.)

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1 (10 ILCS 5/10-4) (from Ch. 46, par. 10-4)

Sec. 10-4. Form of petition for nomination. All petitions for nomination under this Article 10 for candidates for public office in this State, shall in addition to other requirements provided by law, be as follows: Such petitions shall consist of sheets of uniform size and each sheet shall contain, above the space for signature, an appropriate heading, giving the information as to name of candidate or candidates in whose behalf such petition is signed; the office; the party; place of residence; and such other information or wording as required to make same valid, and the heading of each sheet shall be the same. Such petition shall be signed by the qualified voters in their own proper persons only, opposite the signature of each signer his residence address shall be written or printed. The residence address required to written or printed opposite each qualified primary elector's name shall include 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 or town, and state. However, the county or city, village or town, and state of residence of such electors may be printed on the petition forms where all of the electors signing the petition reside in the same county or city, village or town, and state. Standard abbreviations may be used in writing the residence address, including street number, if any. Except as otherwise provided

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in this Code, no signature shall be valid or be counted in considering the validity or sufficiency of such petition unless the requirements of this Section are complied with. At the bottom of each sheet of such petition shall be added a circulator's statement, signed by a person 17 18 years of age or 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 the county, city, village or town, and state; certifying that the signatures on that sheet of the petition were signed in his or her presence; certifying that the signatures are genuine; and either (1) indicating the dates on which that sheet was circulated, or (2) indicating the first and last dates on which the sheet was circulated, or (3) certifying that none of the signatures on the sheet were signed more than 90 days preceding the last day for the filing of the petition; and certifying that to the best of his knowledge and belief the persons so signing were at the time of signing the petition duly registered voters under Article 4, 5, or 6 of this Code of the political subdivision or district for which the candidate or candidates shall be nominated, and certifying that their respective residences are correctly stated therein. Such statement shall be sworn to before some officer authorized to administer oaths in this State. Except as otherwise provided in this Code, no petition sheet shall be circulated more than 90 days preceding the last day provided in Section 10-6 for the filing of such petition. Such sheets,

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before being presented to the electoral board or filed with the proper officer of the electoral district or division of the state or municipality, as the case may be, 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 officials, election authorities or 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. A petition, when presented or filed, shall not be withdrawn, altered, or added to, and no signature shall be revoked except by revocation in writing presented or filed with the officers or officer with whom the petition is required to be presented or filed, and before the presentment or filing of such petition. Whoever forges any name of a signer upon any petition shall be deemed quilty of a forgery, and on conviction thereof, shall be punished accordingly. The word "petition" or "petition for nomination", as used herein, shall mean what is sometimes known as nomination papers, in distinction to what is known as a certificate of nomination. The words "political division for which the candidate is nominated", or its equivalent, shall mean the largest political division in which all qualified

voters may vote upon such candidate or candidates, as the 1 2 state in the case of state officers; the township in the case of township officers et cetera. Provided, further, that no 3 person shall circulate or certify petitions for candidates of 5 more than one political party, or for an independent candidate 6 or candidates in addition to one political party, to be voted 7 upon at the next primary or general election, or for such candidates and parties with respect to the same political 8 subdivision at the next consolidated election. 9

10 (Source: P.A. 102-15, eff. 6-17-21; 102-687, eff. 12-17-21.)