

103RD GENERAL ASSEMBLY State of Illinois 2023 and 2024 HB4153

by Rep. Anna Moeller

SYNOPSIS AS INTRODUCED:

10 ILCS 5/1-26 new
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

Amends the Election Code. Modifies the statement of candidacy requirements to include an email address for the candidate. Provides that an election authority may not reject a statement of candidacy, and a person may not file an objection to a candidate's statement of candidacy, for failure to include an email address or because of an error in the email address provided.

LRB103 34291 AWJ 64117 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 10-5 and by adding Section 1-26 as follows:
- 7 (10 ILCS 5/1-26 new)

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- Sec. 1-26. Candidate email address. Notwithstanding any other provision of law, an election authority may not reject a statement of candidacy, and a person may not file an objection to a candidate's statement of candidacy, for failure to include an email address or because of an error in the email address provided.
- 14 (10 ILCS 5/7-10) (from Ch. 46, par. 7-10)
 - Sec. 7-10. Form of petition for nomination. The name of no candidate for nomination, or State central committeeperson, or township committeeperson, or precinct committeeperson, or ward committeeperson or candidate for delegate or alternate delegate to national nominating conventions, shall be printed upon the primary ballot unless a petition for nomination has been filed in his behalf as provided in this Article in substantially the following form:

HB4153

1	We, the undersigned, members of and affiliated with the
2	party and qualified primary electors of the party,
3	in the \ldots of \ldots , in the county of \ldots and State of
4	Illinois, do hereby petition that the following named person
5	or persons shall be a candidate or candidates of the party
6	for the nomination for (or in case of committeepersons for
7	election to) the office or offices hereinafter specified, to
8	be voted for at the primary election to be held on (insert
9	date).

10	Name	Office	Address
11	John Jones	Governor	Belvidere, Ill.
12	Jane James	Lieutenant Governor	Peoria, Ill.
13	Thomas Smith	Attorney General	Oakland, Ill.

- 14 Name..... Address.....
- 15 State of Illinois)
- 16) ss.
- 17 County of.....)
- I,, do hereby certify that I reside at No.

 street, in the of, county of, and State of, that I am 18 years of age or older, that I am a citizen of the United States, and that the signatures on this sheet were signed in my presence, and are genuine, and that to the best of my knowledge and belief the persons so signing were at the time of signing the petitions qualified voters of the

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party, and that their respective residences are correctly stated, as above set forth.

4 Subscribed and sworn to before me on (insert date).

Each sheet of the petition other than the statement of candidacy and candidate's statement shall be of uniform size and shall contain above the space for signatures an appropriate heading giving the information as to name of candidate or 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

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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 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 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) 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 signing the petitions qualified voters of 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
- (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

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This statement shall set out the address of such filed. candidate, an email address for the 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 required by the Illinois Governmental Ethics Act, shall request that the candidate's name be placed upon the official ballot, and shall be subscribed and sworn to by such candidate before some officer authorized to take acknowledgment of deeds in the State and shall be in substantially the following form:

17 Office Email <u>Par</u>ty Name Address District 18 1 Main St. doe@ Governor Statewide Republican John Doe 19 Anytown, example 20 Illinois .com

Statement of Candidacy

21 Name Address Office District Party
22 John Jones 102 Main St. Governor Statewide Republican
23 Belvidere,

24 Illinois

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State of Illinois)
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                      ) ss.
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      County of .....)
          I, ...., being first duly sworn, say that I reside at ....
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      Street in the city (or village) of ..., in the county of
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      ...., State of Illinois; that my email address is ....; that I
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      am a qualified voter therein and am a qualified primary voter
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      of the .... party; that I am a candidate for nomination (for
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      election in the case of committeeperson and delegates and
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      alternate delegates) to the office of .... to be voted upon at
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      the primary election to be held on (insert date); that I am
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      legally qualified (including being the holder of any license
      that may be an eligibility requirement for the office I seek
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      the nomination for) to hold such office and that I have filed
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      (or I will file before the close of the petition filing period)
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      a statement of economic interests as required by the Illinois
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      Governmental Ethics Act and I hereby request that my name be
      printed upon the official primary ballot for nomination for
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      (or election to in the case of committeepersons and delegates
20
      and alternate delegates) such office.
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                                      Signed .....
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          Subscribed and sworn to (or affirmed) before me by ....,
23
      who is to me personally known, on (insert date).
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                                        Signed .....
25
                           (Official Character)
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      (Seal, if officer has one.)
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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 alternate delegate to a national nominating convention elected from the State at-large, then the candidate's petition for nomination must contain at least 5,000 but not more than 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 Congress or as a congressional delegate or alternate congressional delegate to a national nominating convention elected from a congressional district, then the candidate's petition for nomination must contain at least the number of

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- signatures equal to 0.5% of the qualified primary electors of
 his or her party in his or her congressional district. In the
 first primary election following a redistricting of
 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 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

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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 the requisite number for a candidate who seeks countywide office in Cook County under subsection (d)(1) of this Section. In the first primary election following a 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, 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.
- 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

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- first primary election following redistricting of sanitary districts elected from wards, a candidate's petition for nomination must contain at least the signatures of 150 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 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

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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 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 subdivision. For wards or districts of political subdivisions, the number of primary electors determined by taking the total vote cast for the candidate for that political party who received the highest number of votes in the ward or district at the last regular election at which an officer was regularly scheduled to be elected from that ward or district.

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

The changes made to this Section by Public Act 93-574 are declarative of existing law, except for item (3) of subsection (d).

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

7 (Source: P.A. 102-15, eff. 6-17-21; 102-687, eff. 12-17-21; 8 102-692, eff. 1-7-22.)

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

Sec. 8-8. Form of petition for nomination. The name of no candidate for nomination shall be printed upon the primary ballot unless a petition for nomination shall have been filed in his behalf as provided for in this Section. Each such petition shall include as a part thereof the oath required by Section 7-10.1 of this Code and a statement of candidacy by the candidate filing or in whose behalf the petition is filed. This statement shall set out the address of such candidate, an email address for the candidate, and 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, is qualified for the office specified, and has filed a statement of economic interests as required by the Illinois Governmental Ethics Act; shall request that the candidate's name be placed upon the official ballot; and shall be subscribed and sworn by such candidate before some officer authorized to take

- 1 acknowledgment of deeds in this State and may be in
- 2 substantially the following form:
- 3 State of Illinois)
- 4) ss.
- 5 County)
- I,, being first duly sworn, say that I reside at
- 7 street in the city (or village of) in the county of
- 8 State of Illinois; that my email address is; that I am a
- 9 qualified voter therein and am a qualified primary voter of
- 10 party; that I am a candidate for nomination to the office
- of to be voted upon at the primary election to be held on
- 12 (insert date); that I am legally qualified to hold such office
- and that I have filed a statement of economic interests as
- 14 required by the Illinois Governmental Ethics Act and I hereby
- 15 request that my name be printed upon the official primary
- 16 ballot for nomination for such office.
- 17 Signed
- Subscribed and sworn to (or affirmed) before me by,
- 19 who is to me personally known, on (insert date).
- 20 Signed (Official Character)
- 21 (Seal if officer has one.)
- 22 The receipt issued by the Secretary of State indicating
- 23 that the candidate has filed the statement of economic
- 24 interests required by the Illinois Governmental Ethics Act
- 25 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

1 party.

In the affidavit at the bottom of each sheet, the petition circulator, who shall be a person 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 (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 days, certify 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. No petition sheet shall be circulated more than 90 days preceding the last day provided

- in Section 8-9 for the filing of such petition.
- 2 All petition sheets which are filed with the State Board
- 3 of Elections shall be the original sheets which have been
- 4 signed by the voters and by the circulator, and not
- 5 photocopies or duplicates of such sheets.
- 6 The person circulating the petition, or the candidate on
- 7 whose behalf the petition is circulated, may strike any
- 8 signature from the petition, provided that:
- 9 (1) the person striking the signature shall initial
- 10 the petition at the place where the signature is struck;
- 11 and
- 12 (2) the person striking the signature shall sign a
- certification listing the page number and line number of
- 14 each signature struck from the petition. Such
- 15 certification shall be filed as a part of the petition.
- 16 (Source: P.A. 102-15, eff. 6-17-21; 102-692, eff. 1-7-22;
- 17 103-154, eff. 6-30-23.)
- 18 (10 ILCS 5/10-5) (from Ch. 46, par. 10-5)
- 19 Sec. 10-5. All petitions for nomination shall, besides
- 20 containing the names of candidates, specify as to each:
- 21 1. The office or offices to which such candidate or
- 22 candidates shall be nominated.
- 23 2. The new political party, if any, represented, expressed
- in not more than 5 words. However, such party shall not bear
- 25 the same name as, nor include the name of any established

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political party as defined in this Article. This prohibition does not preclude any established political party from making nominations in those cases in which it is authorized to do so.

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

Such certificate of nomination or nomination papers in addition shall include as a part thereof, the oath required by Section 7-10.1 of this Act and must include a statement of candidacy for each of the candidates named therein, except candidates for electors for President and Vice-President of the United States. Each such statement shall set out the address of such candidate, an email address for the candidate, the office for which he is a candidate, shall state that the candidate is qualified for the office specified and has filed (or will file before the close of the petition filing period) a statement of economic interests as required by the Illinois Governmental Ethics Act, shall request that the candidate's placed upon the official ballot and shall be subscribed and sworn to by such candidate before some officer authorized to take acknowledgments of deeds in this State, and may be in substantially the following form:

25 State of Illinois)

26) SS.

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1	County of)
2	I,, being first duly sworn, say that I reside at
3	street, in the city (or village) of in the county of
4	State of Illinois; that my email address is; and that I am
5	a qualified voter therein; that I am a candidate for election
6	to the office of to be voted upon at the election to be
7	held on the day of; and that I am legally
8	qualified to hold such office and that I have filed (or will
9	file before the close of the petition filing period) a
10	statement of economic interests as required by the Illinois
11	Governmental Ethics Act, and I hereby request that my name be
12	printed upon the official ballot for election to such office.
13	Signed
14	Subscribed and sworn to (or affirmed) before me by who
15	is to me personally known, this day of,
16	Signed
17	(Official Character)
18	(Seal, if officer has one.)
19	In addition, a new political party petition shall have
20	attached thereto a certificate stating the names and addresses
21	of the party officers authorized to fill vacancies in
22	nomination pursuant to Section 10-11.
23	Nomination papers filed under this Section are not valid

if the candidate named therein fails to file a statement of

economic interests as required by the Illinois Governmental

Ethics Act in relation to his candidacy with the appropriate

officer by the end of the period for the filing of nomination papers unless he has filed a statement of economic interests in relation to the same governmental unit with that officer during the same calendar year as the year in which such nomination papers were filed. If the nomination papers of any candidate and the statement of economic interest of that candidate are not required to be filed with the same officer, the candidate must file with the officer with whom the nomination papers are filed a receipt from the officer with whom the statement of economic interests is filed showing the date on which such statement was filed. Such receipt shall be so filed not later than the last day on which nomination papers may be filed.

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