



## 93RD GENERAL ASSEMBLY

### State of Illinois

### 2003 and 2004

Introduced 02/04/04, by Harry Osterman

#### SYNOPSIS AS INTRODUCED:

235 ILCS 5/9-4

from Ch. 43, par. 169

Amends the Liquor Control Act of 1934 concerning petitions to prohibit sales on certain premises. Deletes a provision requiring a revocation of a signature on a petition to be filed within 20 days from the filing of the petition.

LRB093 18584 LRD 44306 b

1 AN ACT in relation to alcoholic liquor.

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

4 Section 5. The Liquor Control Act of 1934 is amended by  
5 changing Section 9-4 as follows:

6 (235 ILCS 5/9-4) (from Ch. 43, par. 169)

7 Sec. 9-4. A petition for submission of the proposition  
8 shall be in substantially the following form:

9 To the .... clerk of the (here insert the corporate or  
10 legal name of the county, township, road district, city,  
11 village or incorporated town):

12 The undersigned, residents and legal voters of the ....  
13 (insert the legal name or correct designation of the political  
14 subdivision or precinct, as the case may be), respectfully  
15 petition that you cause to be submitted, in the manner provided  
16 by law, to the voters thereof, at the next election, the  
17 proposition "Shall the sale at retail of alcoholic liquor (or  
18 alcoholic liquor other than beer containing not more than 4% of  
19 alcohol by weight) (or alcoholic liquor containing more than 4%  
20 of alcohol by weight except in the original package and not for  
21 consumption on the premises) be prohibited in this .... (or at  
22 the following address ....)?"

23 -----

24	Name of	P. O. address	Description of precinct	Date of
25	signer	(including	township, road district	signing
26		street no.,	or part thereof, as of	
27		if any).	the last general	
28			election	

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30 A petition for a proposition to be submitted to the voters  
31 of a precinct shall also contain in plain and nonlegal language  
32 a description of the precinct to which the proposition is to be

1 submitted at the election. The description shall describe the  
2 territory of the precinct by reference to streets, natural or  
3 artificial landmarks, addresses, or by any other method which  
4 would enable a voter signing such petition to be informed of  
5 the territory of the precinct. Each such petition for a  
6 precinct referendum shall also contain a list of the names and  
7 addresses of all licensees in the precinct.

8 Such petition shall conform to the requirements of the  
9 general election law, as to form and signature requirements.  
10 The circulator's statement shall include an attestation of: (1)  
11 that none of the signatures on this petition sheet were signed  
12 more than 4 months before the filing of this petition, or (2)  
13 the dates on which the petitioners signed the petition, and  
14 shall be sworn to before an officer residing in the county  
15 where such legal voters reside and authorized to administer  
16 oaths therein. ~~No signature shall be revoked except by a~~  
17 ~~revocation filed within 20 days from the filing of the petition~~  
18 ~~with the clerk with whom the petition is required to be filed.~~  
19 Upon request of any citizen for a photostatic copy of the  
20 petition and paying or tendering to the clerk the costs of  
21 making the photostatic copy, the clerk shall immediately make,  
22 or cause to be made a photostatic copy of such petition. The  
23 clerk shall also deliver to such person, his official  
24 certification that such copy is a true copy of the original,  
25 stating the day when such original was filed in his office. Any  
26 5 legal voters or any affected licensee of any political  
27 subdivision, district or precinct in which a proposed election  
28 is about to be held as provided for in this Act, within any  
29 time up to 30 days immediately prior to the date of such  
30 proposed election and upon filing a bond for costs, may contest  
31 the validity of the petitions for such election by filing a  
32 verified petition in the Circuit Court for the county in which  
33 the political subdivision, district or precinct is situated,  
34 setting forth the grounds for contesting the validity of such  
35 petitions. Upon the filing of the petition, a summons shall be  
36 issued by the Court, addressed to the appropriate city,

1 village, town, township or road district clerk, notifying the  
2 clerk of the filing of the petition and directing him to appear  
3 before the Court on behalf of the political subdivision or  
4 district at the time named in the summons; provided, the time  
5 shall not be less than 5 days nor more than 15 days after the  
6 filing of the petition. The procedure in these cases, as far as  
7 may be applicable, shall be the same as that provided for the  
8 objections to petitions in the general election law. Any legal  
9 voter in the political subdivision or precinct in which such  
10 election is to be held may appear in person or by counsel, in  
11 any such contest to defend or oppose the validity of the  
12 petition for election.

13 The municipal, town or road district clerk shall certify  
14 the proposition to be submitted at the election to the  
15 appropriate election officials, in accordance with the general  
16 election law, unless the petition has been determined to be  
17 invalid. If the court determines the petitions to be invalid  
18 subsequent to the certification by the clerk, the court's order  
19 shall be transmitted to the election officials and shall  
20 nullify such certification.

21 (Source: P.A. 86-861; 87-347.)