



**94TH GENERAL ASSEMBLY**  
**State of Illinois**  
**2005 and 2006**  
**HB5261**

Introduced 1/25/2006, by Rep. Dan Brady

**SYNOPSIS AS INTRODUCED:**

10 ILCS 5/8-8

from Ch. 46, par. 8-8

Amends the Election Code. Provides that the State Board of Elections shall not accept for filing any petition for nomination for State Senator or Representative if the petition contains less than 10% of the number of signatures required by the Code. Effective immediately.

LRB094 17836 JAM 53137 b

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 8-8 as follows:

6 (10 ILCS 5/8-8) (from Ch. 46, par. 8-8)

7 Sec. 8-8. Form of petition for nomination. The name of no  
8 candidate for nomination shall be printed upon the primary  
9 ballot unless a petition for nomination shall have been filed  
10 in his behalf as provided for in this Section. Each such  
11 petition shall include as a part thereof the oath required by  
12 Section 7-10.1 of this Act and a statement of candidacy by the  
13 candidate filing or in whose behalf the petition is filed. This  
14 statement shall set out the address of such candidate, the  
15 office for which he is a candidate, shall state that the  
16 candidate is a qualified primary voter of the party to which  
17 the petition relates, is qualified for the office specified and  
18 has filed a statement of economic interests as required by the  
19 Illinois Governmental Ethics Act, shall request that the  
20 candidate's name be placed upon the official ballot and shall  
21 be subscribed and sworn by such candidate before some officer  
22 authorized to take acknowledgment of deeds in this State and  
23 may be in substantially the following form:

24 State of Illinois)

25 ) ss.

26 County .....

27 I, ....., being first duly sworn, say that I reside at ....  
28 street in the city (or village of) .... in the county of ....  
29 State of Illinois; that I am a qualified voter therein and am a  
30 qualified primary voter of .... party; that I am a candidate  
31 for nomination to the office of .... to be voted upon at the  
32 primary election to be held on (insert date); that I am legally

1 qualified to hold such office and that I have filed a statement  
2 of economic interests as required by the Illinois Governmental  
3 Ethics Act and I hereby request that my name be printed upon  
4 the official primary ballot for nomination for such office.

5 Signed .....

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

8 Signed .... (Official Character)

9 (Seal if officer has one.)

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

15 All petitions for nomination for the office of State  
16 Senator shall be signed by 1% or 1,000 , whichever is greater,  
17 of the qualified primary electors of the candidate's party in  
18 his legislative district, except that for the first primary  
19 following a redistricting of legislative districts, such  
20 petitions shall be signed by at least 1,000 qualified primary  
21 electors of the candidate's party in his legislative district.

22 All petitions for nomination for the office of  
23 Representative in the General Assembly shall be signed by at  
24 least 1% or 500 , whichever is greater, of the qualified  
25 primary electors of the candidate's party in his or her  
26 representative district, except that for the first primary  
27 following a redistricting of representative districts such  
28 petitions shall be signed by at least 500 qualified primary  
29 electors of the candidate's party in his or her representative  
30 district.

31 The State Board of Elections shall not accept for filing  
32 any petition for nomination for the office of State Senator or  
33 Representative in the General Assembly if the petition contains  
34 less than 10% of the number of signatures required by this  
35 Section.

36 Opposite the signature of each qualified primary elector

1 who signs a petition for nomination for the office of State  
2 Representative or State Senator such elector's residence  
3 address shall be written or printed. The residence address  
4 required to be written or printed opposite each qualified  
5 primary elector's name shall include the street address or  
6 rural route number of the signer, as the case may be, as well  
7 as the signer's county and city, village or town.

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

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

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

28 In the affidavit at the bottom of each petition sheet, the  
29 petition circulator shall either (1) indicate the dates on  
30 which he or she circulated that sheet, or (2) indicate the  
31 first and last dates on which the sheet was circulated, or (3)  
32 certify that none of the signatures on the sheet were signed  
33 more than 90 days preceding the last day for the filing of the  
34 petition. No petition sheet shall be circulated more than 90  
35 days preceding the last day provided in Section 8-9 for the  
36 filing of such petition.

1 All petition sheets which are filed with the State Board of  
2 Elections shall be the original sheets which have been signed  
3 by the voters and by the circulator, and not photocopies or  
4 duplicates of such sheets.

5 The person circulating the petition, or the candidate on  
6 whose behalf the petition is circulated, may strike any  
7 signature from the petition, provided that:

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

10 (2) the person striking the signature shall sign a  
11 certification listing the page number and line number of  
12 each signature struck from the petition. Such  
13 certification shall be filed as a part of the petition.

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

15 Section 99. Effective date. This Act takes effect upon  
16 becoming law.