

SB1872



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

SB1872

Introduced 1/10/2008, by Sen. Don Harmon - Terry Link - Linda Holmes

SYNOPSIS AS INTRODUCED:

10 ILCS 5/7-10

If Senate Bill 662 of the 95th General Assembly becomes law, amends the Election Code to remove the greater nominating petition signature requirement for county offices in DuPage County (from 1.5% to 0.5% of qualified primary voters). Effective immediately.

LRB095 14191 JAM 40059 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. If and only if Senate Bill 662 of the 95th
5 General Assembly becomes law, the Election Code is amended by
6 changing Section 7-10 as follows:

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

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

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

| 1 | Name | Office | Address |
|---|--------------|------------------|-----------------|
| 2 | John Jones | Governor | Belvidere, Ill. |
| 3 | Thomas Smith | Attorney General | Oakland, Ill. |

4 Name..... Address.....

5 State of Illinois)

6) ss.

7 County of.....)

8 I,, do hereby certify that I reside at No.
9 street, in the of, county of, and State of
10, that I am 18 years of age or older, that I am a citizen
11 of the United States, and that the signatures on this sheet
12 were signed in my presence, and are genuine, and that to the
13 best of my knowledge and belief the persons so signing were at
14 the time of signing the petitions qualified voters of the
15 party, and that their respective residences are correctly
16 stated, as above set forth.

17

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

19

20

21 Each sheet of the petition other than the statement of
22 candidacy and candidate's statement shall be of uniform size
23 and shall contain above the space for signatures an appropriate

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 ~~(or 1.5% if the county is DuPage County)~~.

16 If a candidate seeks to run for county board member elected
17 from a county board district, then the candidate's petition for
18 nomination must contain at least the number of signatures equal
19 to 0.5% of the qualified primary electors of his or her party
20 in the county board district ~~(or 1.5% if the county is DuPage
21 County)~~. In the first primary election following a
22 redistricting of county board districts or the initial
23 establishment of county board districts, a candidate's
24 petition for nomination must contain at least the number of
25 signatures equal to 0.5% of the qualified electors of his or
26 her party in the entire county who cast votes at the last

1 preceding general election divided by the total number of
2 county board districts comprising the county board ~~(or 1.5% if~~
3 ~~the county is DuPage County)~~; provided that in no event shall
4 the number of signatures be less than 25.

5 (d) County office; Cook County only.

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

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

25 (3) If a candidate seeks to run for Cook County Board
26 of Review Commissioner, which is elected from a district

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

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

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

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

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

1 redistricting of sanitary districts elected from wards, a
2 candidate's petition for nomination must contain at least the
3 signatures of 150 qualified primary electors of his or her ward
4 of that sanitary district.

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

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.

26 (Source: 09500SB0662enr.)

1 Section 99. Effective date. This Act takes effect upon
2 becoming law.