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09600HB2366ham001

LRB096 07812 JAM 24652 a

1 AMENDMENT TO HOUSE BILL 2366

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 2366 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Election Code is amended by changing  
5 Section 10-3 as follows:

6 (10 ILCS 5/10-3) (from Ch. 46, par. 10-3)

7 Sec. 10-3. Nomination of independent candidates (not  
8 candidates of any political party), for any office to be filled  
9 by the voters of the State at large may also be made by  
10 nomination papers signed in the aggregate for each candidate by  
11 1% of the number of voters who voted in the next preceding  
12 Statewide general election or 25,000 qualified voters of the  
13 State, whichever is less. Nominations of independent  
14 candidates for public office within any district or political  
15 subdivision less than the State, except independent candidates  
16 for offices to be elected pursuant to the Illinois Municipal

1 Code, may be made by nomination papers signed in the aggregate  
2 for each candidate by qualified voters of such district, or  
3 political subdivision, equaling not less than 5%, nor more than  
4 8% (or 50 more than the minimum, whichever is greater) of the  
5 number of persons, who voted at the next preceding regular  
6 election in such district or political subdivision in which  
7 such district or political subdivision voted as a unit for the  
8 election of officers to serve its respective territorial area.  
9 Nominations of independent candidates for offices to be elected  
10 pursuant to the Illinois Municipal Code may be made by  
11 nomination papers signed in the aggregate for each candidate by  
12 qualified voters of the municipality or municipal subdivision  
13 equaling not less than 5% of the number of persons who voted at  
14 the next preceding consolidated election at which the voters of  
15 that municipality or municipal subdivision elected its  
16 officers. However, whenever the minimum signature requirement  
17 for an independent candidate petition for a district or  
18 political subdivision office shall exceed the minimum number of  
19 signatures for an independent candidate petition for an office  
20 to be filled by the voters of the State at large at the next  
21 preceding State-wide general election, such State-wide  
22 petition signature requirement shall be the minimum for an  
23 independent candidate petition for such district or political  
24 subdivision office. For the first election following a  
25 redistricting of congressional districts, nomination papers  
26 for an independent candidate for congressman shall be signed by

1 at least 5,000 qualified voters of the congressional district.  
2 For the first election following a redistricting of legislative  
3 districts, nomination papers for an independent candidate for  
4 State Senator in the General Assembly shall be signed by at  
5 least 3,000 qualified voters of the legislative district. For  
6 the first election following a redistricting of representative  
7 districts, nomination papers for an independent candidate for  
8 State Representative in the General Assembly shall be signed by  
9 at least 1,500 qualified voters of the representative district.  
10 For the first election following redistricting of county board  
11 districts, or of municipal wards or districts, or for the first  
12 election following the initial establishment of such districts  
13 or wards in a county or municipality, nomination papers for an  
14 independent candidate for county board member, or for alderman  
15 or trustee of such municipality, shall be signed by qualified  
16 voters of the district or ward equal to not less than 5% nor  
17 more than 8% (or 50 more than the minimum, whichever is  
18 greater) of the total number of votes cast at the preceding  
19 general or general municipal election, as the case may be, for  
20 the county or municipal office voted on throughout such county  
21 or municipality for which the greatest total number of votes  
22 were cast for all candidates, divided by the number of  
23 districts or wards, but in any event not less than 25 qualified  
24 voters of the district or ward. Each voter signing a nomination  
25 paper shall add to his signature his place of residence, and  
26 each voter may subscribe to one nomination for such office to

1 be filled, and no more: Provided that the name of any candidate  
2 whose name may appear in any other place upon the ballot shall  
3 not be so added by petition for the same office.

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

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

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

13 (3) the persons striking signatures from the petition  
14 shall each sign an additional certificate specifying the  
15 number of certification pages listing stricken signatures  
16 which are attached to the petition and the page numbers  
17 indicated on such certifications. The certificate shall be  
18 filed as a part of the petition, shall be numbered, and  
19 shall be attached immediately following the last page of  
20 voters' signatures and before the certifications of  
21 stricken signatures.

22 (4) all of the foregoing requirements shall be  
23 necessary to effect a valid striking of any signature. The  
24 provisions of this Section authorizing the striking of  
25 signatures shall not impose any criminal liability on any  
26 person so authorized for signatures which may be

1           fraudulent.

2           In the case of the offices of Governor and Lieutenant  
3 Governor a joint petition including one candidate for each of  
4 those offices must be filed.

5           A candidate for whom a nomination paper has been filed as a  
6 partisan candidate at a primary election, and who is defeated  
7 for his or her nomination at the primary election, is  
8 ineligible to be placed on the ballot as an independent  
9 candidate for election in that general or consolidated  
10 election.

11          A candidate seeking election to an office for which  
12 candidates of political parties are nominated by caucus who is  
13 a participant in the caucus and who is defeated for his or her  
14 nomination at such caucus, is ineligible to be listed on the  
15 ballot at that general or consolidated election as an  
16 independent candidate.

17          (Source: P.A. 95-699, eff. 11-9-07.)".