



Rep. Eddie Washington

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LRB096 03305 JAM 27612 a

1 AMENDMENT TO SENATE BILL 80

2 AMENDMENT NO. _____. Amend Senate Bill 80, AS AMENDED, by
3 replacing everything after the enacting clause with the
4 following:

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

7 (10 ILCS 5/10-3) (from Ch. 46, par. 10-3)

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

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

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

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

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

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

1 person so authorized for signatures which may be
2 fraudulent.

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

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

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

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

19 Section 10. The Illinois Municipal Code is amended by
20 adding Section 3.1-15-45 as follows:

21 (65 ILCS 5/3.1-15-45 new)

22 Sec. 3.1-15-45. Maximum nomination petition signature
23 requirement. On and after the effective date of this amendatory
24 Act of the 96th General Assembly, any maximum signature

1 requirement established under this Code for the nomination
2 petition of a candidate for any office to be elected under this
3 Code is invalid and unenforceable, notwithstanding any
4 provision of this Code to the contrary.".