



Sen. A. J. Wilhelmi

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1 AMENDMENT TO SENATE BILL 1582

2 AMENDMENT NO. _____. Amend Senate Bill 1582 on page 1, in
3 line 5, by replacing "and 7A-1" with ", 7-12, 7A-1, and 10-7";
4 and

5 on page 15, by inserting below line 6 the following:

6 "(10 ILCS 5/7-12) (from Ch. 46, par. 7-12)

7 Sec. 7-12. All petitions for nomination shall be filed by
8 mail or in person as follows:

9 (1) Where the nomination is to be made for a State,
10 congressional, or judicial office, or for any office a
11 nomination for which is made for a territorial division or
12 district which comprises more than one county or is partly in
13 one county and partly in another county or counties, then,
14 except as otherwise provided in this Section, such petition for
15 nomination shall be filed in the principal office of the State
16 Board of Elections not more than 99 and not less than 92 days

1 prior to the date of the primary, but, in the case of petitions
2 for nomination to fill a vacancy by special election in the
3 office of representative in Congress from this State, such
4 petition for nomination shall be filed in the principal office
5 of the State Board of Elections not more than 57 days and not
6 less than 50 days prior to the date of the primary.

7 Where a vacancy occurs in the office of Supreme, Appellate
8 or Circuit Court Judge within the 3-week period preceding the
9 92nd day before a general primary election, petitions for
10 nomination for the office in which the vacancy has occurred
11 shall be filed in the principal office of the State Board of
12 Elections not more than 78 nor less than 71 days prior to the
13 date of the general primary election.

14 Where the nomination is to be made for delegates or
15 alternate delegates to a national nominating convention, then
16 such petition for nomination shall be filed in the principal
17 office of the State Board of Elections not more than 99 and not
18 less than 92 days prior to the date of the primary; provided,
19 however, that if the rules or policies of a national political
20 party conflict with such requirements for filing petitions for
21 nomination for delegates or alternate delegates to a national
22 nominating convention, the chairman of the State central
23 committee of such national political party shall notify the
24 Board in writing, citing by reference the rules or policies of
25 the national political party in conflict, and in such case the
26 Board shall direct such petitions to be filed not more than 69

1 and not less than 62 days prior to the date of the primary.

2 (2) Where the nomination is to be made for a county office
3 or trustee of a sanitary district then such petition shall be
4 filed in the office of the county clerk not more than 99 nor
5 less than 92 days prior to the date of the primary.

6 (3) Where the nomination is to be made for a municipal or
7 township office, such petitions for nomination shall be filed
8 in the office of the local election official, not more than 78
9 nor less than 71 days prior to the date of the primary;
10 provided, where a municipality's or township's boundaries are
11 coextensive with or are entirely within the jurisdiction of a
12 municipal board of election commissioners, the petitions shall
13 be filed in the office of such board; and provided, that
14 petitions for the office of multi-township assessor shall be
15 filed with the election authority.

16 (4) The petitions of candidates for State central
17 committeeman shall be filed in the principal office of the
18 State Board of Elections not more than 99 nor less than 92 days
19 prior to the date of the primary.

20 (5) Petitions of candidates for precinct, township or ward
21 committeemen shall be filed in the office of the county clerk
22 not more than 99 nor less than 92 days prior to the date of the
23 primary.

24 (6) The State Board of Elections and the various election
25 authorities and local election officials with whom such
26 petitions for nominations are filed shall specify the place

1 where filings shall be made and upon receipt shall endorse
2 thereon the day and hour on which each petition was filed. All
3 petitions filed by persons waiting in line as of 8:00 a.m. on
4 the first day for filing, or as of the normal opening hour of
5 the office involved on such day, shall be deemed filed as of
6 8:00 a.m. or the normal opening hour, as the case may be.
7 Petitions filed by mail and received after midnight of the
8 first day for filing and in the first mail delivery or pickup
9 of that day shall be deemed as filed as of 8:00 a.m. of that day
10 or as of the normal opening hour of such day, as the case may
11 be. All petitions received thereafter shall be deemed as filed
12 in the order of actual receipt. Where 2 or more petitions are
13 received simultaneously, the State Board of Elections or the
14 various election authorities or local election officials with
15 whom such petitions are filed shall break ties and determine
16 the order of filing, by means of a lottery or other fair and
17 impartial method of random selection approved by the State
18 Board of Elections. Such lottery shall be conducted within 9
19 days following the last day for petition filing and shall be
20 open to the public. Seven days written notice of the time and
21 place of conducting such random selection shall be given by the
22 State Board of Elections to the chairman of the State central
23 committee of each established political party, and by each
24 election authority or local election official, to the County
25 Chairman of each established political party, and to each
26 organization of citizens within the election jurisdiction

1 which was entitled, under this Article, at the next preceding
2 election, to have pollwatchers present on the day of election.
3 The State Board of Elections, election authority or local
4 election official shall post in a conspicuous, open and public
5 place, at the entrance of the office, notice of the time and
6 place of such lottery. The State Board of Elections shall adopt
7 rules and regulations governing the procedures for the conduct
8 of such lottery. All candidates shall be certified in the order
9 in which their petitions have been filed. Where candidates have
10 filed simultaneously, they shall be certified in the order
11 determined by lot and prior to candidates who filed for the
12 same office at a later time.

13 (7) The State Board of Elections or the appropriate
14 election authority or local election official with whom such a
15 petition for nomination is filed shall notify the person for
16 whom a petition for nomination has been filed of the obligation
17 to file statements of organization, reports of campaign
18 contributions, and annual reports of campaign contributions
19 and expenditures under Article 9 of this Act. Such notice shall
20 be given in the manner prescribed by paragraph (7) of Section
21 9-16 of this Code.

22 (8) Nomination papers filed under this Section are not
23 valid if the candidate named therein fails to file a statement
24 of economic interests as required by the Illinois Governmental
25 Ethics Act in relation to his candidacy with the appropriate
26 officer by the end of the period for the filing of nomination

1 papers unless he has filed a statement of economic interests in
2 relation to the same governmental unit with that officer within
3 a year preceding the date on which such nomination papers were
4 filed. If the nomination papers of any candidate and the
5 statement of economic interest of that candidate are not
6 required to be filed with the same officer, the candidate must
7 file with the officer with whom the nomination papers are filed
8 a receipt from the officer with whom the statement of economic
9 interests is filed showing the date on which such statement was
10 filed. Such receipt shall be so filed not later than the last
11 day on which nomination papers may be filed.

12 (9) Any person for whom a petition for nomination, or for
13 committeeman or for delegate or alternate delegate to a
14 national nominating convention has been filed may cause his
15 name to be withdrawn by request in writing, signed by him and
16 duly acknowledged before an officer qualified to take
17 acknowledgments of deeds, and filed in the principal or
18 permanent branch office of the State Board of Elections or with
19 the appropriate election authority or local election official,
20 not later than the date of certification of candidates for the
21 consolidated primary or general primary ballot. No names so
22 withdrawn shall be certified or printed on the primary ballot.
23 If petitions for nomination have been filed for the same person
24 with respect to more than one political party, his name shall
25 not be certified nor printed on the primary ballot of any
26 party. If petitions for nomination have been filed for the same

1 person for 2 or more offices which are incompatible so that the
2 same person could not serve in more than one of such offices if
3 elected, that person must withdraw as a candidate for all but
4 one of such offices within the 5 business days following the
5 last day for petition filing. If he fails to withdraw as a
6 candidate for all but one of such offices within such time his
7 name shall not be certified, nor printed on the primary ballot,
8 for any office. For the purpose of the foregoing provisions, an
9 office in a political party is not incompatible with any other
10 office.

11 (10) (a) Notwithstanding the provisions of any other
12 statute, no primary shall be held for an established
13 political party in any township, municipality, or ward
14 thereof, where the nomination of such party for every
15 office to be voted upon by the electors of such township,
16 municipality, or ward thereof, is uncontested. Whenever a
17 political party's nomination of candidates is uncontested
18 as to one or more, but not all, of the offices to be voted
19 upon by the electors of a township, municipality, or ward
20 thereof, then a primary shall be held for that party in
21 such township, municipality, or ward thereof; provided
22 that the primary ballot shall not include those offices
23 within such township, municipality, or ward thereof, for
24 which the nomination is uncontested. For purposes of this
25 Article, the nomination of an established political party
26 of a candidate for election to an office shall be deemed to

1 be uncontested where not more than the number of persons to
2 be nominated have timely filed valid nomination papers
3 seeking the nomination of such party for election to such
4 office.

5 (b) Notwithstanding the provisions of any other
6 statute, no primary election shall be held for an
7 established political party for any special primary
8 election called for the purpose of filling a vacancy in the
9 office of representative in the United States Congress
10 where the nomination of such political party for said
11 office is uncontested. For the purposes of this Article,
12 the nomination of an established political party of a
13 candidate for election to said office shall be deemed to be
14 uncontested where not more than the number of persons to be
15 nominated have timely filed valid nomination papers
16 seeking the nomination of such established party for
17 election to said office. This subsection (b) shall not
18 apply if such primary election is conducted on a regularly
19 scheduled election day.

20 (c) Notwithstanding the provisions in subparagraph (a)
21 and (b) of this paragraph (10), whenever a person who has
22 not timely filed valid nomination papers and who intends to
23 become a write-in candidate for a political party's
24 nomination for any office for which the nomination is
25 uncontested files a written statement or notice of that
26 intent with the State Board of Elections or the local

1 election official with whom nomination papers for such
2 office are filed, a primary ballot shall be prepared and a
3 primary shall be held for that office. Such statement or
4 notice shall be filed on or before the date established in
5 this Article for certifying candidates for the primary
6 ballot. Such statement or notice shall contain (i) the name
7 and address of the person intending to become a write-in
8 candidate, (ii) a statement that the person is a qualified
9 primary elector of the political party from whom the
10 nomination is sought, (iii) a statement that the person
11 intends to become a write-in candidate for the party's
12 nomination, and (iv) the office the person is seeking as a
13 write-in candidate. An election authority shall have no
14 duty to conduct a primary and prepare a primary ballot for
15 any office for which the nomination is uncontested unless a
16 statement or notice meeting the requirements of this
17 Section is filed in a timely manner.

18 (11) If multiple sets of nomination papers are filed for a
19 candidate to the same office, the State Board of Elections,
20 appropriate election authority or local election official
21 where the petitions are filed shall within 2 business days
22 notify the candidate of his or her multiple petition filings
23 and that the candidate has 3 business days after receipt of the
24 notice to notify the State Board of Elections, appropriate
25 election authority or local election official that he or she
26 may cancel prior sets of petitions. If the candidate notifies

1 the State Board of Elections, appropriate election authority or
2 local election official, the last set of petitions filed shall
3 be the only petitions to be considered valid by the State Board
4 of Elections, election authority or local election official. If
5 the candidate fails to notify the State Board of Elections,
6 election authority or local election official then only the
7 first set of petitions filed shall be valid and all subsequent
8 petitions shall be void.

9 (12) All nominating petitions shall be available for public
10 inspection and shall be preserved for a period of not less than
11 6 months. No listing of candidates may include the residence
12 address of a candidate for judicial office. Following the date
13 of the primary election for which the petition was filed, the
14 State Board of Elections shall remove the address of a judicial
15 candidate from any original petition before its inspection and
16 from any copy of the petition before its receipt by the
17 individual who ordered the copy.

18 (Source: P.A. 86-867; 86-873; 86-875; 86-1028; 86-1089;
19 87-1052.); and

20 on page 16, by inserting below line 18 the following:

21 "No listing of candidates may include the residence address
22 of a candidate for judicial office. Following the date of the
23 general election for which the declaration of candidacy was
24 filed, the State Board of Elections or Secretary of State shall

1 remove the address of a judicial candidate from any original
2 declaration before its inspection and from any copy of the
3 declaration before its receipt by the individual who ordered
4 the copy."; and

5 on page 16, by inserting below line 19 the following:

6 "(10 ILCS 5/10-7) (from Ch. 46, par. 10-7)

7 Sec. 10-7. Any person whose name has been presented as a
8 candidate may cause his name to be withdrawn from any such
9 nomination by his request in writing, signed by him and duly
10 acknowledged before an officer qualified to take
11 acknowledgment of deeds, and presented to the principal office
12 or permanent branch office of the Board, the election
13 authority, or the local election official, as the case may be,
14 not later than the date for certification of candidates for the
15 ballot. No name so withdrawn shall be printed upon the ballots
16 under the party appellation or title from which the candidate
17 has withdrawn his name. If the name of the same person has been
18 presented as a candidate for 2 or more offices which are
19 incompatible so that the same person could not serve in more
20 than one of such offices if elected, that person must withdraw
21 as a candidate for all but one of such offices within the 5
22 business days following the last day for petition filing. If he
23 fails to withdraw as a candidate for all but one of such
24 offices within such time, his name shall not be certified, nor

1 printed on the ballot, for any office. However, nothing in this
2 section shall be construed as precluding a judge who is seeking
3 retention in office from also being a candidate for another
4 judicial office. Except as otherwise herein provided, in case
5 the certificate of nomination or petition as provided for in
6 this Article shall contain or exhibit the name of any candidate
7 for any office upon more than one of said certificates or
8 petitions (for the same office), then and in that case the
9 Board or election authority or local election official, as the
10 case may be, shall immediately notify said candidate of said
11 fact and that his name appears unlawfully upon more than one of
12 said certificates or petitions and that within 3 days from the
13 receipt of said notification, said candidate must elect as to
14 which of said political party appellations or groups he desires
15 his name to appear and remain under upon said ballot, and if
16 said candidate refuses, fails or neglects to make such
17 election, then and in that case the Board or election authority
18 or local election official, as the case may be, shall permit
19 the name of said candidate to appear or be printed or placed
20 upon said ballot only under the political party appellation or
21 group appearing on the certificate of nomination or petition,
22 as the case may be, first filed, and shall strike or cause to
23 be stricken the name of said candidate from all certificates of
24 nomination and petitions filed after the first such certificate
25 of nomination or petition.

26 Whenever the name of a candidate for an office is withdrawn

1 from a new political party petition, it shall constitute a
2 vacancy in nomination for that office which may be filled in
3 accordance with Section 10-11 of this Article; provided, that
4 if the names of all candidates for all offices on a new
5 political party petition are withdrawn or such petition is
6 declared invalid by an electoral board or upon judicial review,
7 no vacancies in nomination for those offices shall exist and
8 the filing of any notice or resolution purporting to fill
9 vacancies in nomination shall have no legal effect.

10 Whenever the name of an independent candidate for an office
11 is withdrawn or an independent candidate's petition is declared
12 invalid by an electoral board or upon judicial review, no
13 vacancy in nomination for that office shall exist and the
14 filing of any notice or resolution purporting to fill a vacancy
15 in nomination shall have no legal effect.

16 All certificates of nomination and nomination papers when
17 presented or filed shall be open, under proper regulation, to
18 public inspection, and the State Board of Elections and the
19 several election authorities and local election officials
20 having charge of nomination papers shall preserve the same in
21 their respective offices not less than 6 months. No listing of
22 candidates may include the residence address of a candidate for
23 judicial office. Following the date of the primary election for
24 which the petition was filed, the State Board of Elections
25 shall remove the address of a judicial candidate from any
26 original petition before its inspection and from any copy of

1 the petition before its receipt by the individual who ordered
2 the copy.
3 (Source: P.A. 86-875.)".