



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

SB2085

Introduced 2/20/2009, by Sen. Chris Lauzen

SYNOPSIS AS INTRODUCED:

10 ILCS 5/7-10
10 ILCS 5/8-8

from Ch. 46, par. 7-10
from Ch. 46, par. 8-8

Amends the Election Code. Requires that nominating petitions of candidates for statewide offices and for the General Assembly include voluntary pledges to limit campaign expenditures to amounts based on the office sought. Effective immediately.

LRB096 04724 JAM 14787 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
5 Sections 7-10 and 8-8 as follows:

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

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

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

23 Name Office Address

1 office, the political party represented and place of residence;
2 and the heading of each sheet shall be the same.

3 Such petition shall be signed by qualified primary electors
4 residing in the political division for which the nomination is
5 sought in their own proper persons only and opposite the
6 signature of each signer, his residence address shall be
7 written or printed. The residence address required to be
8 written or printed opposite each qualified primary elector's
9 name shall include the street address or rural route number of
10 the signer, as the case may be, as well as the signer's county,
11 and city, village or town, and state. However the county or
12 city, village or town, and state of residence of the electors
13 may be printed on the petition forms where all of the electors
14 signing the petition reside in the same county or city, village
15 or town, and state. Standard abbreviations may be used in
16 writing the residence address, including street number, if any.
17 At the bottom of each sheet of such petition shall be added a
18 circulator statement signed by a person 18 years of age or
19 older who is a citizen of the United States, stating the street
20 address or rural route number, as the case may be, as well as
21 the county, city, village or town, and state; and certifying
22 that the signatures on that sheet of the petition were signed
23 in his or her presence and certifying that the signatures are
24 genuine; and either (1) indicating the dates on which that
25 sheet was circulated, or (2) indicating the first and last
26 dates on which the sheet was circulated, or (3) certifying that

1 none of the signatures on the sheet were signed more than 90
2 days preceding the last day for the filing of the petition and
3 certifying that to the best of his or her knowledge and belief
4 the persons so signing were at the time of signing the
5 petitions qualified voters of the political party for which a
6 nomination is sought. Such statement shall be sworn to before
7 some officer authorized to administer oaths in this State.

8 No petition sheet shall be circulated more than 90 days
9 preceding the last day provided in Section 7-12 for the filing
10 of such petition.

11 The person circulating the petition, or the candidate on
12 whose behalf the petition is circulated, may strike any
13 signature from the petition, provided that:

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

16 (2) the person striking the signature shall sign a
17 certification listing the page number and line number of
18 each signature struck from the petition. Such
19 certification shall be filed as a part of the petition.

20 Such sheets before being filed shall be neatly fastened
21 together in book form, by placing the sheets in a pile and
22 fastening them together at one edge in a secure and suitable
23 manner, and the sheets shall then be numbered consecutively.
24 The sheets shall not be fastened by pasting them together end
25 to end, so as to form a continuous strip or roll. All petition
26 sheets which are filed with the proper local election

1 officials, election authorities or the State Board of Elections
2 shall be the original sheets which have been signed by the
3 voters and by the circulator thereof, and not photocopies or
4 duplicates of such sheets. Each petition must include as a part
5 thereof, a statement of candidacy for each of the candidates
6 filing, or in whose behalf the petition is filed. This
7 statement shall set out the address of such candidate, the
8 office for which he is a candidate, shall state that the
9 candidate is a qualified primary voter of the party to which
10 the petition relates and is qualified for the office specified
11 (in the case of a candidate for State's Attorney it shall state
12 that the candidate is at the time of filing such statement a
13 licensed attorney-at-law of this State), shall state that he
14 has filed (or will file before the close of the petition filing
15 period) a statement of economic interests as required by the
16 Illinois Governmental Ethics Act, shall request that the
17 candidate's name be placed upon the official ballot, and shall
18 be subscribed and sworn to by such candidate before some
19 officer authorized to take acknowledgment of deeds in the State
20 and shall be in substantially the following form:

21 Statement of Candidacy

22	Name	Address	Office	District	Party
23	John Jones	102 Main St.	Governor	Statewide	Republican
24		Belvidere,			
25		Illinois			

1 State of Illinois)

2) ss.

3 County of

4 I,, being first duly sworn, say that I reside at
5 Street in the city (or village) of, in the county of,
6 State of Illinois; that I am a qualified voter therein and am a
7 qualified primary voter of the party; that I am a
8 candidate for nomination (for election in the case of
9 committeeman and delegates and alternate delegates) to the
10 office of to be voted upon at the primary election to be
11 held on (insert date); that I am legally qualified (including
12 being the holder of any license that may be an eligibility
13 requirement for the office I seek the nomination for) to hold
14 such office and that I have filed (or I will file before the
15 close of the petition filing period) a statement of economic
16 interests as required by the Illinois Governmental Ethics Act
17 and I hereby request that my name be printed upon the official
18 primary ballot for nomination for (or election to in the case
19 of committeemen and delegates and alternate delegates) such
20 office.

21 Signed

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

24 Signed

25 (Official Character)

26 (Seal, if officer has one.)

1 In addition, a petition's statement of candidacy for the
2 office of Governor, Lieutenant Governor, Attorney General,
3 Secretary of State, State Comptroller, or State Treasurer may
4 include the candidate's voluntary and non-binding pledge to
5 limit campaign expenditures, as defined in Article 9, for that
6 office to \$10,000,000.

7 The petitions, when filed, shall not be withdrawn or added
8 to, and no signatures shall be revoked except by revocation
9 filed in writing with the State Board of Elections, election
10 authority or local election official with whom the petition is
11 required to be filed, and before the filing of such petition.
12 Whoever forges the name of a signer upon any petition required
13 by this Article is deemed guilty of a forgery and on conviction
14 thereof shall be punished accordingly.

15 A candidate for the offices listed in this Section must
16 obtain the number of signatures specified in this Section on
17 his or her petition for nomination.

18 (a) Statewide office or delegate to a national nominating
19 convention. If a candidate seeks to run for statewide office or
20 as a delegate or alternate delegate to a national nominating
21 convention elected from the State at-large, then the
22 candidate's petition for nomination must contain at least 5,000
23 but not more than 10,000 signatures.

24 (b) Congressional office or congressional delegate to a
25 national nominating convention. If a candidate seeks to run for

1 United States Congress or as a congressional delegate or
2 alternate congressional delegate to a national nominating
3 convention elected from a congressional district, then the
4 candidate's petition for nomination must contain at least the
5 number of signatures equal to 0.5% of the qualified primary
6 electors of his or her party in his or her congressional
7 district. In the first primary election following a
8 redistricting of congressional districts, a candidate's
9 petition for nomination must contain at least 600 signatures of
10 qualified primary electors of the candidate's political party
11 in his or her congressional district.

12 (c) County office. If a candidate seeks to run for any
13 countywide office, including but not limited to county board
14 chairperson or county board member, elected on an at-large
15 basis, in a county other than Cook County, then the candidate's
16 petition for nomination must contain at least the number of
17 signatures equal to 0.5% of the qualified electors of his or
18 her party who cast votes at the last preceding general election
19 in his or her county. If a candidate seeks to run for county
20 board member elected from a county board district, then the
21 candidate's petition for nomination must contain at least the
22 number of signatures equal to 0.5% of the qualified primary
23 electors of his or her party in the county board district. In
24 the first primary election following a redistricting of county
25 board districts or the initial establishment of county board
26 districts, a candidate's petition for nomination must contain

1 at least the number of signatures equal to 0.5% of the
2 qualified electors of his or her party in the entire county who
3 cast votes at the last preceding general election divided by
4 the total number of county board districts comprising the
5 county board; provided that in no event shall the number of
6 signatures be less than 25.

7 (d) County office; Cook County only.

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

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

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

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

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

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

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

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

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

22 (i) Precinct, ward, and township committeeperson. If a
23 candidate seeks to run for precinct committeeperson, then the
24 candidate's petition for nomination must contain at least 10
25 signatures of the primary electors of his or her party for the
26 precinct. If a candidate seeks to run for ward committeeperson,

1 then the candidate's petition for nomination must contain no
2 less than the number of signatures equal to 10% of the primary
3 electors of his or her party of the ward, but no more than 16%
4 of those same electors; provided that the maximum number of
5 signatures may be 50 more than the minimum number, whichever is
6 greater. If a candidate seeks to run for township
7 committeeperson, then the candidate's petition for nomination
8 must contain no less than the number of signatures equal to 5%
9 of the primary electors of his or her party of the township,
10 but no more than 8% of those same electors; provided that the
11 maximum number of signatures may be 50 more than the minimum
12 number, whichever is greater.

13 (j) State's attorney or regional superintendent of schools
14 for multiple counties. If a candidate seeks to run for State's
15 attorney or regional Superintendent of Schools who serves more
16 than one county, then the candidate's petition for nomination
17 must contain at least the number of signatures equal to 0.5% of
18 the primary electors of his or her party in the territory
19 comprising the counties.

20 (k) Any other office. If a candidate seeks any other
21 office, then the candidate's petition for nomination must
22 contain at least the number of signatures equal to 0.5% of the
23 registered voters of the political subdivision, district, or
24 division for which the nomination is made or 25 signatures,
25 whichever is greater.

26 For purposes of this Section the number of primary electors

1 shall be determined by taking the total vote cast, in the
2 applicable district, for the candidate for that political party
3 who received the highest number of votes, statewide, at the
4 last general election in the State at which electors for
5 President of the United States were elected. For political
6 subdivisions, the number of primary electors shall be
7 determined by taking the total vote cast for the candidate for
8 that political party who received the highest number of votes
9 in the political subdivision at the last regular election at
10 which an officer was regularly scheduled to be elected from
11 that subdivision. For wards or districts of political
12 subdivisions, the number of primary electors shall be
13 determined by taking the total vote cast for the candidate for
14 that political party who received the highest number of votes
15 in the ward or district at the last regular election at which
16 an officer was regularly scheduled to be elected from that ward
17 or district.

18 A "qualified primary elector" of a party may not sign
19 petitions for or be a candidate in the primary of more than one
20 party.

21 The changes made to this Section of this amendatory Act of
22 the 93rd General Assembly are declarative of existing law,
23 except for item (3) of subsection (d).

24 Petitions of candidates for nomination for offices herein
25 specified, to be filed with the same officer, may contain the
26 names of 2 or more candidates of the same political party for

1 the same or different offices.

2 (Source: P.A. 94-645, eff. 8-22-05; 95-699, eff. 11-9-07;
3 95-916, eff. 8-26-08.)

4 (10 ILCS 5/8-8) (from Ch. 46, par. 8-8)

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

22 State of Illinois)

23) ss.

24 County

25 I,, being first duly sworn, say that I reside at

1 street in the city (or village of) in the county of
 2 State of Illinois; that I am a qualified voter therein and am a
 3 qualified primary voter of party; that I am a candidate
 4 for nomination to the office of to be voted upon at the
 5 primary election to be held on (insert date); that I am legally
 6 qualified to hold such office and that I have filed a statement
 7 of economic interests as required by the Illinois Governmental
 8 Ethics Act and I hereby request that my name be printed upon
 9 the official primary ballot for nomination for such office.

10 Signed

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

13 Signed (Official Character)

14 (Seal if officer has one.)

15 In addition, a petition's statement of candidacy for the
 16 office of State Senator may include the candidate's voluntary
 17 and non-binding pledge to limit campaign expenditures, as
 18 defined in Article 9, for that office to \$1,000,000. A
 19 petition's statement of candidacy for the office of State
 20 Representative may include the candidate's voluntary and
 21 non-binding pledge to limit campaign expenditures, as defined
 22 in Article 9, for that office to \$500,000.

23 The receipt issued by the Secretary of State indicating
 24 that the candidate has filed the statement of economic
 25 interests required by the Illinois Governmental Ethics Act must
 26 be filed with the petitions for nomination as provided in

1 subsection (8) of Section 7-12 of this Code.

2 All petitions for nomination for the office of State
3 Senator shall be signed by 1% or 1,000 , whichever is greater,
4 of the qualified primary electors of the candidate's party in
5 his legislative district, except that for the first primary
6 following a redistricting of legislative districts, such
7 petitions shall be signed by at least 1,000 qualified primary
8 electors of the candidate's party in his legislative district.

9 All petitions for nomination for the office of
10 Representative in the General Assembly shall be signed by at
11 least 1% or 500 , whichever is greater, of the qualified
12 primary electors of the candidate's party in his or her
13 representative district, except that for the first primary
14 following a redistricting of representative districts such
15 petitions shall be signed by at least 500 qualified primary
16 electors of the candidate's party in his or her representative
17 district.

18 Opposite the signature of each qualified primary elector
19 who signs a petition for nomination for the office of State
20 Representative or State Senator such elector's residence
21 address shall be written or printed. The residence address
22 required to be written or printed opposite each qualified
23 primary elector's name shall include the street address or
24 rural route number of the signer, as the case may be, as well
25 as the signer's county and city, village or town.

26 For the purposes of this Section, the number of primary

1 electors shall be determined by taking the total vote cast, in
2 the applicable district, for the candidate for such political
3 party who received the highest number of votes, state-wide, at
4 the last general election in the State at which electors for
5 President of the United States were elected.

6 A "qualified primary elector" of a party may not sign
7 petitions for or be a candidate in the primary of more than one
8 party.

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

20 In the affidavit at the bottom of each petition sheet, the
21 petition circulator shall either (1) indicate the dates on
22 which he or she circulated that sheet, or (2) indicate the
23 first and last dates on which the sheet was circulated, or (3)
24 certify that none of the signatures on the sheet were signed
25 more than 90 days preceding the last day for the filing of the
26 petition. No petition sheet shall be circulated more than 90

1 days preceding the last day provided in Section 8-9 for the
2 filing of such petition.

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

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

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

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

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

17 Section 99. Effective date. This Act takes effect upon
18 becoming law.