



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

HB6224

by Rep. Timothy L. Schmitz

SYNOPSIS AS INTRODUCED:

10 ILCS 5/10-1	from Ch. 46, par. 10-1
10 ILCS 5/10-6	from Ch. 46, par. 10-6

Amends the Election Code. In a Section concerning nominations by minor political parties, provides that, in the case of consolidated elections, nomination papers shall be filed during the 7-day period beginning on the first Tuesday of December immediately preceding the consolidated election. Effective immediately.

LRB097 22886 HLH 71680 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 10-1 and 10-6 as follows:

6 (10 ILCS 5/10-1) (from Ch. 46, par. 10-1)

7 Sec. 10-1. Application of Article to minor political
8 parties.

9 (a) Political parties as defined in this Article and
10 individual voters to the number and in the manner specified in
11 this Article may nominate candidates for public offices whose
12 names shall be placed on the ballot to be furnished, as
13 provided in this Article. No nominations may be made under this
14 Article 10, however, by any established political party which,
15 at the general election next preceding, polled more than 5% of
16 the entire vote cast in the State, district, or unit of local
17 government for which the nomination is made. Those nominations
18 provided for in Section 45-5 of the Township Code shall be made
19 as prescribed in Sections 45-10 through 45-45 of that Code for
20 nominations by established political parties, but minor
21 political parties and individual voters are governed by this
22 Article. Any convention, caucus, or meeting of qualified voters
23 of any established political party as defined in this Article

1 may, however, make one nomination for each office therein to be
2 filled at any election for officers of a municipality with a
3 population of less than 5,000 by causing a certificate of
4 nomination to be filed with the municipal clerk as provided in
5 Section 10-6 of this Code ~~no earlier than 113 and no later than~~
6 ~~106 days before the election at which the nominated candidates~~
7 ~~are to be on the ballot.~~ The municipal caucuses shall be
8 conducted on the first Monday in December of even-numbered
9 years, except that, when that Monday is a holiday or the eve of
10 a holiday, the caucuses shall be held on the next business day
11 following the holiday. Every certificate of nomination shall
12 state the facts required in Section 10-5 of this Article and
13 shall be signed by the presiding officer and by the secretary
14 of the convention, caucus, or meeting, who shall add to their
15 signatures their places of residence. The certificates shall be
16 sworn to by them to be true to the best of their knowledge and
17 belief, and a certificate of the oath shall be annexed to the
18 certificate of nomination.

19 (b) Publication of the time and place of holding the caucus
20 shall be given by the municipal clerk. For municipalities of
21 over 500 population, notice of the caucus shall be published in
22 a newspaper published in the municipality. If there is no such
23 newspaper, then the notice shall be published in a newspaper
24 published in the county and having general circulation in the
25 municipality. For municipalities of 500 population or less,
26 notice of the caucus shall be given by the municipal clerk by

1 posting the notice in 3 of the most public places in the
2 municipality. The publication or posting shall be given at
3 least 10 days before the caucus.

4 (c) As provided in Sections 3.1-25-20 through 3.1-25-60 of
5 the Illinois Municipal Code, a village may adopt a system of
6 nonpartisan primary and general elections for the election of
7 village officers.

8 (d) Any city, village, or incorporated town with a
9 population of 5,000 or less may, by ordinance, determine that
10 established political parties shall nominate candidates for
11 municipal office in the city, village, or incorporated town by
12 primary in accordance with Article 7.

13 (e) Only those voters who reside within the territory for
14 which the nomination is made shall be permitted to vote or take
15 part in the proceedings of any convention, caucus, or meeting
16 of individual voters or of any political party held under this
17 Section. No voter shall vote or take part in the proceedings of
18 more than one convention, caucus, or meeting to make a
19 nomination for the same office.

20 (Source: P.A. 97-81, eff. 7-5-11.)

21 (10 ILCS 5/10-6) (from Ch. 46, par. 10-6)

22 Sec. 10-6. Time and manner of filing. Certificates of
23 nomination and nomination papers for the nomination of
24 candidates for offices to be filled by electors of the entire
25 State, or any district not entirely within a county, or for

1 congressional, state legislative or judicial offices, shall be
2 presented to the principal office of the State Board of
3 Elections not more than 141 nor less than 134 days previous to
4 the day of election for which the candidates are nominated. The
5 State Board of Elections shall endorse the certificates of
6 nomination or nomination papers, as the case may be, and the
7 date and hour of presentment to it. Except as otherwise
8 provided in this section, all other certificates for the
9 nomination of candidates shall be filed with the county clerk
10 of the respective counties not more than 141 but at least 134
11 days previous to the day of such election. Certificates of
12 nomination and nomination papers for the nomination of
13 candidates for the offices of political subdivisions to be
14 filled at regular elections other than the general election
15 shall be filed with the local election official of such
16 subdivision:

17 (1) (Blank);

18 (2) during the 7-day period beginning on the first
19 Tuesday of December immediately preceding ~~not more than 113~~
20 ~~nor less than 106 days prior to~~ the consolidated election;
21 or

22 (3) not more than 113 nor less than 106 days prior to
23 the general primary in the case of municipal offices to be
24 filled at the general primary election; or

25 (4) not more than 99 nor less than 92 days before the
26 consolidated primary in the case of municipal offices to be

1 elected on a nonpartisan basis pursuant to law (including
2 without limitation, those municipal offices subject to
3 Articles 4 and 5 of the Municipal Code); or

4 (5) not more than 113 nor less than 106 days before the
5 municipal primary in even numbered years for such
6 nonpartisan municipal offices where annual elections are
7 provided; or

8 (6) in the case of petitions for the office of
9 multi-township assessor, such petitions shall be filed
10 with the election authority during the 7-day period
11 beginning on the first Tuesday of December immediately
12 preceding ~~not more than 113 nor less than 106 days before~~
13 the consolidated election.

14 However, where a political subdivision's boundaries are
15 co-extensive with or are entirely within the jurisdiction of a
16 municipal board of election commissioners, the certificates of
17 nomination and nomination papers for candidates for such
18 political subdivision offices shall be filed in the office of
19 such Board.

20 (Source: P.A. 95-699, eff. 11-9-07; 96-1008, eff. 7-6-10.)

21 Section 99. Effective date. This Act takes effect upon
22 becoming law.