



Rep. Michael J. Zalewski

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09700SB1586ham003

LRB097 07064 HLH 56889 a

1 AMENDMENT TO SENATE BILL 1586

2 AMENDMENT NO. _____. Amend Senate Bill 1586, AS AMENDED,
3 by replacing everything after the enacting clause with the
4 following:

5 "Section 3. The Illinois Constitutional Amendment Act is
6 amended by changing Section 6 as follows:

7 (5 ILCS 20/6) (from Ch. 1, par. 108)

8 Sec. 6. The county canvassing boards of the counties
9 respectively shall at the time it opens the returns and makes
10 abstracts of the votes cast at such elections for officers,
11 also make abstracts in duplicate of the votes cast for and
12 against such proposed amendment or amendments to the
13 constitution. And immediately after the completion of the
14 abstracts the county canvassing boards shall inclose one of the
15 same in a sealed envelope, and indorse thereon the words
16 "Abstract of votes for and against amendment of the

1 constitution," and address and mail the same to the State Board
2 of Elections ~~secretary of state~~, and shall file the other of
3 the abstracts in the county clerk's office.

4 (Source: Laws 1963, p. 1115.)

5 Section 5. The Statute on Statutes is amended by changing
6 Section 1.25 as follows:

7 (5 ILCS 70/1.25) (from Ch. 1, par. 1026)

8 Sec. 1.25. Unless An Act otherwise specifically provides,
9 any writing of any kind or description required or authorized
10 to be filed with, and any payment of any kind or description
11 required or authorized to be paid to, the State or any
12 political subdivision thereof, by the laws of this State:

13 (1) if transmitted through the United States mail, shall be
14 deemed filed with or received by the State or political
15 subdivision on the date shown by the post office cancellation
16 mark stamped upon the envelope or other wrapper containing it;

17 (2) if mailed but not received by the State or political
18 subdivision, or if received but without a cancellation mark or
19 with the cancellation mark illegible or erroneous, shall be
20 deemed filed with or received by the State or political
21 subdivision to which it was required or authorized to be
22 directed on the date it was mailed, but only if the sender
23 establishes by competent evidence that the writing or payment
24 was deposited, properly addressed, in the United States mail on

1 or before the date on which it was required or authorized to be
2 filed or was due. In cases in which the writing or payment was
3 mailed but not received, the sender must also file with, or pay
4 to, the State or political subdivision to which the writing or
5 payment was required or authorized to be directed, a duplicate
6 writing or payment within 30 days after written notification is
7 given to the person claiming to have sent the writing or
8 payment, by the State or political subdivision to which the
9 writing or payment was required or authorized to be sent, of
10 its non-receipt of the writing or payment.

11 If a writing or payment is sent by United States registered
12 mail, certified mail or certificate of mailing, a record
13 authenticated by the United States Post Office of such
14 registration, certification or certificate shall be considered
15 competent evidence that the writing or payment was mailed. The
16 date of registration, certification or certificate shall be
17 deemed the postmarked date.

18 Notwithstanding any other provision of law, neither a
19 petition for nomination as a candidate for political office nor
20 a petition to submit a public question to be voted upon by the
21 electors of the State or of any political subdivision or
22 district may be considered filed until it is received by the
23 political subdivision, election authority, or the State Board
24 of Elections, as applicable.

25 (Source: P.A. 76-1111.)

1 Section 10. The Election Code is amended by changing
2 Sections 4-6.2, 5-7.03, 5-16.2, 6-50.2, 7-10, 7-11, 7-12, 8-8,
3 8-10, 10-1, 16-5.01, 19-2, 19A-15, 24A-15, 24B-15, 24C-15,
4 25-6, 28-5, 28-6, 28-7, 28-9, 28-10, 28-11, 28-12, and 28-13
5 and by adding Section 20-1b as follows:

6 (10 ILCS 5/4-6.2) (from Ch. 46, par. 4-6.2)

7 Sec. 4-6.2. (a) The county clerk shall appoint all
8 municipal and township or road district clerks or their duly
9 authorized deputies as deputy registrars who may accept the
10 registration of all qualified residents of the State.

11 The county clerk shall appoint all precinct
12 committeepersons in the county as deputy registrars who may
13 accept the registration of any qualified resident of the State,
14 except during the 27 days preceding an election.

15 ~~The election authority shall appoint as deputy registrars a~~
16 ~~reasonable number of employees of the Secretary of State~~
17 ~~located at driver's license examination stations and~~
18 ~~designated to the election authority by the Secretary of State~~
19 ~~who may accept the registration of any qualified residents of~~
20 ~~the State at any such driver's license examination stations.~~
21 ~~The appointment of employees of the Secretary of State as~~
22 ~~deputy registrars shall be made in the manner provided in~~
23 ~~Section 2-105 of the Illinois Vehicle Code.~~

24 The county clerk shall appoint each of the following named
25 persons as deputy registrars upon the written request of such

1 persons:

2 1. The chief librarian, or a qualified person
3 designated by the chief librarian, of any public library
4 situated within the election jurisdiction, who may accept
5 the registrations of any qualified resident of the State,
6 at such library.

7 2. The principal, or a qualified person designated by
8 the principal, of any high school, elementary school, or
9 vocational school situated within the election
10 jurisdiction, who may accept the registrations of any
11 qualified resident of the State, at such school. The county
12 clerk shall notify every principal and vice-principal of
13 each high school, elementary school, and vocational school
14 situated within the election jurisdiction of their
15 eligibility to serve as deputy registrars and offer
16 training courses for service as deputy registrars at
17 conveniently located facilities at least 4 months prior to
18 every election.

19 3. The president, or a qualified person designated by
20 the president, of any university, college, community
21 college, academy or other institution of learning situated
22 within the election jurisdiction, who may accept the
23 registrations of any resident of the State, at such
24 university, college, community college, academy or
25 institution.

26 4. A duly elected or appointed official of a bona fide

1 labor organization, or a reasonable number of qualified
2 members designated by such official, who may accept the
3 registrations of any qualified resident of the State.

4 5. A duly elected or appointed official of a bonafide
5 State civic organization, as defined and determined by rule
6 of the State Board of Elections, or qualified members
7 designated by such official, who may accept the
8 registration of any qualified resident of the State. In
9 determining the number of deputy registrars that shall be
10 appointed, the county clerk shall consider the population
11 of the jurisdiction, the size of the organization, the
12 geographic size of the jurisdiction, convenience for the
13 public, the existing number of deputy registrars in the
14 jurisdiction and their location, the registration
15 activities of the organization and the need to appoint
16 deputy registrars to assist and facilitate the
17 registration of non-English speaking individuals. In no
18 event shall a county clerk fix an arbitrary number
19 applicable to every civic organization requesting
20 appointment of its members as deputy registrars. The State
21 Board of Elections shall by rule provide for certification
22 of bonafide State civic organizations. Such appointments
23 shall be made for a period not to exceed 2 years,
24 terminating on the first business day of the month
25 following the month of the general election, and shall be
26 valid for all periods of voter registration as provided by

1 this Code during the terms of such appointments.

2 6. The Director of Healthcare and Family Services, or a
3 reasonable number of employees designated by the Director
4 and located at public aid offices, who may accept the
5 registration of any qualified resident of the county at any
6 such public aid office.

7 7. The Director of the Illinois Department of
8 Employment Security, or a reasonable number of employees
9 designated by the Director and located at unemployment
10 offices, who may accept the registration of any qualified
11 resident of the county at any such unemployment office.

12 8. The president of any corporation as defined by the
13 Business Corporation Act of 1983, or a reasonable number of
14 employees designated by such president, who may accept the
15 registrations of any qualified resident of the State.

16 If the request to be appointed as deputy registrar is
17 denied, the county clerk shall, within 10 days after the date
18 the request is submitted, provide the affected individual or
19 organization with written notice setting forth the specific
20 reasons or criteria relied upon to deny the request to be
21 appointed as deputy registrar.

22 The county clerk may appoint as many additional deputy
23 registrars as he considers necessary. The county clerk shall
24 appoint such additional deputy registrars in such manner that
25 the convenience of the public is served, giving due
26 consideration to both population concentration and area. Some

1 of the additional deputy registrars shall be selected so that
 2 there are an equal number from each of the 2 major political
 3 parties in the election jurisdiction. The county clerk, in
 4 appointing an additional deputy registrar, shall make the
 5 appointment from a list of applicants submitted by the Chairman
 6 of the County Central Committee of the applicant's political
 7 party. A Chairman of a County Central Committee shall submit a
 8 list of applicants to the county clerk by November 30 of each
 9 year. The county clerk may require a Chairman of a County
 10 Central Committee to furnish a supplemental list of applicants.

11 Deputy registrars may accept registrations at any time
 12 other than the 27 day period preceding an election. All persons
 13 appointed as deputy registrars shall be registered voters
 14 within the county and shall take and subscribe to the following
 15 oath or affirmation:

16 "I do solemnly swear (or affirm, as the case may be) that I
 17 will support the Constitution of the United States, and the
 18 Constitution of the State of Illinois, and that I will
 19 faithfully discharge the duties of the office of deputy
 20 registrar to the best of my ability and that I will register no
 21 person nor cause the registration of any person except upon his
 22 personal application before me.

23
 24 (Signature Deputy Registrar)"

25 This oath shall be administered by the county clerk, or by
 26 one of his deputies, or by any person qualified to take

1 acknowledgement of deeds and shall immediately thereafter be
2 filed with the county clerk.

3 Appointments of deputy registrars under this Section,
4 except precinct committeemen, shall be for 2-year terms,
5 commencing on December 1 following the general election of each
6 even-numbered year; except that the terms of the initial
7 appointments shall be until December 1st following the next
8 general election. Appointments of precinct committeemen shall
9 be for 2-year terms commencing on the date of the county
10 convention following the general primary at which they were
11 elected. The county clerk shall issue a certificate of
12 appointment to each deputy registrar, and shall maintain in his
13 office for public inspection a list of the names of all
14 appointees.

15 (b) The county clerk shall be responsible for training all
16 deputy registrars appointed pursuant to subsection (a), at
17 times and locations reasonably convenient for both the county
18 clerk and such appointees. The county clerk shall be
19 responsible for certifying and supervising all deputy
20 registrars appointed pursuant to subsection (a). Deputy
21 registrars appointed under subsection (a) shall be subject to
22 removal for cause.

23 (c) Completed registration materials under the control of
24 deputy registrars, appointed pursuant to subsection (a), shall
25 be returned to the appointing election authority by first-class
26 mail within 2 business days or personal delivery within 7 days,

1 except that completed registration materials received by the
2 deputy registrars during the period between the 35th and 28th
3 day preceding an election shall be returned by the deputy
4 registrars to the appointing election authority within 48 hours
5 after receipt thereof. The completed registration materials
6 received by the deputy registrars on the 28th day preceding an
7 election shall be returned by the deputy registrars within 24
8 hours after receipt thereof. Unused materials shall be returned
9 by deputy registrars appointed pursuant to paragraph 4 of
10 subsection (a), not later than the next working day following
11 the close of registration.

12 (d) The county clerk or board of election commissioners, as
13 the case may be, must provide any additional forms requested by
14 any deputy registrar regardless of the number of unaccounted
15 registration forms the deputy registrar may have in his or her
16 possession.

17 (e) No deputy registrar shall engage in any electioneering
18 or the promotion of any cause during the performance of his or
19 her duties.

20 (f) The county clerk shall not be criminally or civilly
21 liable for the acts or omissions of any deputy registrar. Such
22 deputy registrars shall not be deemed to be employees of the
23 county clerk.

24 (g) Completed registration materials returned by deputy
25 registrars for persons residing outside the county shall be
26 transmitted by the county clerk within 2 days after receipt to

1 the election authority of the person's election jurisdiction of
2 residence.

3 (Source: P.A. 94-645, eff. 8-22-05; 95-331, eff. 8-21-07.)

4 (10 ILCS 5/5-7.03) (from Ch. 46, par. 5-7.03)

5 Sec. 5-7.03. The State Board of Elections shall design a
6 registration record card which, except as otherwise provided in
7 this Section, shall be used in triplicate by all election
8 authorities in the State, except those election authorities
9 adopting a computer-based voter registration file authorized
10 under Section 5-43. The Board shall prescribe the form and
11 specifications, including but not limited to the weight of
12 paper, color and print of such cards. Such cards shall contain
13 boxes or spaces for the information required under Sections 5-7
14 and 5-28.1 of this Code; provided, that such cards shall also
15 contain a box or space for the applicant's social security
16 number, which shall be required to the extent allowed by law
17 but in no case shall the applicant provide fewer than the last
18 4 digits of the social security number, and a box for the
19 applicant's telephone number, if available.

20 Except for those election authorities adopting a
21 computer-based voter registration file authorized under
22 Section 5-43, the original and duplicate cards shall
23 respectively constitute the master file and precinct binder
24 registration records of the voter. A copy shall be given to the
25 applicant upon completion of his or her registration or

1 completed transfer of registration.

2 Whenever a voter moves to another precinct within the same
3 election jurisdiction or to another election jurisdiction in
4 the State, such voter may transfer his or her registration by
5 presenting his or her copy to the election authority or a
6 deputy registrar. If such voter is not in possession of or has
7 lost his or her copy, he or she may effect a transfer of
8 registration by executing an Affidavit of Cancellation of
9 Previous Registration. In the case of a transfer of
10 registration to a new election jurisdiction, the election
11 authority shall transmit the voter's copy or such affidavit to
12 the election authority of the voter's former election
13 jurisdiction, which shall immediately cause the transmission
14 of the voter's previous registration card to the voter's new
15 election authority. No transfer of registration to a new
16 election jurisdiction shall be complete until the voter's old
17 election authority receives notification.

18 Deputy registrars shall return all copies of registration
19 record cards or Affidavits of Cancellation of Previous
20 Registration to the election authority by first-class mail
21 within 2 business days or personal delivery within 7 ~~working~~
22 days after the receipt thereof, except that such copies or
23 Affidavits of Cancellation of Previous Registration received
24 by the deputy registrars between the 35th and 28th day
25 preceding an election shall be returned by the deputy
26 registrars to the election authority within 48 hours after

1 receipt. The deputy registrars shall return the copies or
2 Affidavits of Cancellation of Previous Registration received
3 by them on the 28th day preceding an election to the election
4 authority within 24 hours after receipt thereof.

5 (Source: P.A. 91-73, eff. 7-9-99; 92-816, eff. 8-21-02.)

6 (10 ILCS 5/5-16.2) (from Ch. 46, par. 5-16.2)

7 Sec. 5-16.2. (a) The county clerk shall appoint all
8 municipal and township clerks or their duly authorized deputies
9 as deputy registrars who may accept the registration of all
10 qualified residents of the State.

11 The county clerk shall appoint all precinct
12 committeepersons in the county as deputy registrars who may
13 accept the registration of any qualified resident of the State,
14 except during the 27 days preceding an election.

15 ~~The election authority shall appoint as deputy registrars a~~
16 ~~reasonable number of employees of the Secretary of State~~
17 ~~located at driver's license examination stations and~~
18 ~~designated to the election authority by the Secretary of State~~
19 ~~who may accept the registration of any qualified residents of~~
20 ~~the State at any such driver's license examination stations.~~
21 ~~The appointment of employees of the Secretary of State as~~
22 ~~deputy registrars shall be made in the manner provided in~~
23 ~~Section 2-105 of the Illinois Vehicle Code.~~

24 The county clerk shall appoint each of the following named
25 persons as deputy registrars upon the written request of such

1 persons:

2 1. The chief librarian, or a qualified person
3 designated by the chief librarian, of any public library
4 situated within the election jurisdiction, who may accept
5 the registrations of any qualified resident of the State,
6 at such library.

7 2. The principal, or a qualified person designated by
8 the principal, of any high school, elementary school, or
9 vocational school situated within the election
10 jurisdiction, who may accept the registrations of any
11 resident of the State, at such school. The county clerk
12 shall notify every principal and vice-principal of each
13 high school, elementary school, and vocational school
14 situated within the election jurisdiction of their
15 eligibility to serve as deputy registrars and offer
16 training courses for service as deputy registrars at
17 conveniently located facilities at least 4 months prior to
18 every election.

19 3. The president, or a qualified person designated by
20 the president, of any university, college, community
21 college, academy or other institution of learning situated
22 within the election jurisdiction, who may accept the
23 registrations of any resident of the State, at such
24 university, college, community college, academy or
25 institution.

26 4. A duly elected or appointed official of a bona fide

1 labor organization, or a reasonable number of qualified
2 members designated by such official, who may accept the
3 registrations of any qualified resident of the State.

4 5. A duly elected or appointed official of a bona fide
5 State civic organization, as defined and determined by rule
6 of the State Board of Elections, or qualified members
7 designated by such official, who may accept the
8 registration of any qualified resident of the State. In
9 determining the number of deputy registrars that shall be
10 appointed, the county clerk shall consider the population
11 of the jurisdiction, the size of the organization, the
12 geographic size of the jurisdiction, convenience for the
13 public, the existing number of deputy registrars in the
14 jurisdiction and their location, the registration
15 activities of the organization and the need to appoint
16 deputy registrars to assist and facilitate the
17 registration of non-English speaking individuals. In no
18 event shall a county clerk fix an arbitrary number
19 applicable to every civic organization requesting
20 appointment of its members as deputy registrars. The State
21 Board of Elections shall by rule provide for certification
22 of bona fide State civic organizations. Such appointments
23 shall be made for a period not to exceed 2 years,
24 terminating on the first business day of the month
25 following the month of the general election, and shall be
26 valid for all periods of voter registration as provided by

1 this Code during the terms of such appointments.

2 6. The Director of Healthcare and Family Services, or a
3 reasonable number of employees designated by the Director
4 and located at public aid offices, who may accept the
5 registration of any qualified resident of the county at any
6 such public aid office.

7 7. The Director of the Illinois Department of
8 Employment Security, or a reasonable number of employees
9 designated by the Director and located at unemployment
10 offices, who may accept the registration of any qualified
11 resident of the county at any such unemployment office.

12 8. The president of any corporation as defined by the
13 Business Corporation Act of 1983, or a reasonable number of
14 employees designated by such president, who may accept the
15 registrations of any qualified resident of the State.

16 If the request to be appointed as deputy registrar is
17 denied, the county clerk shall, within 10 days after the date
18 the request is submitted, provide the affected individual or
19 organization with written notice setting forth the specific
20 reasons or criteria relied upon to deny the request to be
21 appointed as deputy registrar.

22 The county clerk may appoint as many additional deputy
23 registrars as he considers necessary. The county clerk shall
24 appoint such additional deputy registrars in such manner that
25 the convenience of the public is served, giving due
26 consideration to both population concentration and area. Some

1 of the additional deputy registrars shall be selected so that
 2 there are an equal number from each of the 2 major political
 3 parties in the election jurisdiction. The county clerk, in
 4 appointing an additional deputy registrar, shall make the
 5 appointment from a list of applicants submitted by the Chairman
 6 of the County Central Committee of the applicant's political
 7 party. A Chairman of a County Central Committee shall submit a
 8 list of applicants to the county clerk by November 30 of each
 9 year. The county clerk may require a Chairman of a County
 10 Central Committee to furnish a supplemental list of applicants.

11 Deputy registrars may accept registrations at any time
 12 other than the 27 day period preceding an election. All persons
 13 appointed as deputy registrars shall be registered voters
 14 within the county and shall take and subscribe to the following
 15 oath or affirmation:

16 "I do solemnly swear (or affirm, as the case may be) that I
 17 will support the Constitution of the United States, and the
 18 Constitution of the State of Illinois, and that I will
 19 faithfully discharge the duties of the office of deputy
 20 registrar to the best of my ability and that I will register no
 21 person nor cause the registration of any person except upon his
 22 personal application before me.

23
 24 (Signature of Deputy Registrar)"

25 This oath shall be administered by the county clerk, or by
 26 one of his deputies, or by any person qualified to take

1 acknowledgement of deeds and shall immediately thereafter be
2 filed with the county clerk.

3 Appointments of deputy registrars under this Section,
4 except precinct committeemen, shall be for 2-year terms,
5 commencing on December 1 following the general election of each
6 even-numbered year, except that the terms of the initial
7 appointments shall be until December 1st following the next
8 general election. Appointments of precinct committeemen shall
9 be for 2-year terms commencing on the date of the county
10 convention following the general primary at which they were
11 elected. The county clerk shall issue a certificate of
12 appointment to each deputy registrar, and shall maintain in his
13 office for public inspection a list of the names of all
14 appointees.

15 (b) The county clerk shall be responsible for training all
16 deputy registrars appointed pursuant to subsection (a), at
17 times and locations reasonably convenient for both the county
18 clerk and such appointees. The county clerk shall be
19 responsible for certifying and supervising all deputy
20 registrars appointed pursuant to subsection (a). Deputy
21 registrars appointed under subsection (a) shall be subject to
22 removal for cause.

23 (c) Completed registration materials under the control of
24 deputy registrars, appointed pursuant to subsection (a), shall
25 be returned to the appointing election authority by first-class
26 mail within 2 business days or personal delivery within 7 days,

1 except that completed registration materials received by the
2 deputy registrars during the period between the 35th and 28th
3 day preceding an election shall be returned by the deputy
4 registrars to the appointing election authority within 48 hours
5 after receipt thereof. The completed registration materials
6 received by the deputy registrars on the 28th day preceding an
7 election shall be returned by the deputy registrars within 24
8 hours after receipt thereof. Unused materials shall be returned
9 by deputy registrars appointed pursuant to paragraph 4 of
10 subsection (a), not later than the next working day following
11 the close of registration.

12 (d) The county clerk or board of election commissioners, as
13 the case may be, must provide any additional forms requested by
14 any deputy registrar regardless of the number of unaccounted
15 registration forms the deputy registrar may have in his or her
16 possession.

17 (e) No deputy registrar shall engage in any electioneering
18 or the promotion of any cause during the performance of his or
19 her duties.

20 (f) The county clerk shall not be criminally or civilly
21 liable for the acts or omissions of any deputy registrar. Such
22 deputy registers shall not be deemed to be employees of the
23 county clerk.

24 (g) Completed registration materials returned by deputy
25 registrars for persons residing outside the county shall be
26 transmitted by the county clerk within 2 days after receipt to

1 the election authority of the person's election jurisdiction of
2 residence.

3 (Source: P.A. 94-645, eff. 8-22-05; 95-331, eff. 8-21-07.)

4 (10 ILCS 5/6-50.2) (from Ch. 46, par. 6-50.2)

5 Sec. 6-50.2. (a) The board of election commissioners shall
6 appoint all precinct committeepersons in the election
7 jurisdiction as deputy registrars who may accept the
8 registration of any qualified resident of the State, except
9 during the 27 days preceding an election.

10 ~~The election authority shall appoint as deputy registrars a~~
11 ~~reasonable number of employees of the Secretary of State~~
12 ~~located at driver's license examination stations and~~
13 ~~designated to the election authority by the Secretary of State~~
14 ~~who may accept the registration of any qualified residents of~~
15 ~~the State at any such driver's license examination stations.~~
16 ~~The appointment of employees of the Secretary of State as~~
17 ~~deputy registrars shall be made in the manner provided in~~
18 ~~Section 2-105 of the Illinois Vehicle Code.~~

19 The board of election commissioners shall appoint each of
20 the following named persons as deputy registrars upon the
21 written request of such persons:

22 1. The chief librarian, or a qualified person
23 designated by the chief librarian, of any public library
24 situated within the election jurisdiction, who may accept
25 the registrations of any qualified resident of the State,

1 at such library.

2 2. The principal, or a qualified person designated by
3 the principal, of any high school, elementary school, or
4 vocational school situated within the election
5 jurisdiction, who may accept the registrations of any
6 resident of the State, at such school. The board of
7 election commissioners shall notify every principal and
8 vice-principal of each high school, elementary school, and
9 vocational school situated in the election jurisdiction of
10 their eligibility to serve as deputy registrars and offer
11 training courses for service as deputy registrars at
12 conveniently located facilities at least 4 months prior to
13 every election.

14 3. The president, or a qualified person designated by
15 the president, of any university, college, community
16 college, academy or other institution of learning situated
17 within the State, who may accept the registrations of any
18 resident of the election jurisdiction, at such university,
19 college, community college, academy or institution.

20 4. A duly elected or appointed official of a bona fide
21 labor organization, or a reasonable number of qualified
22 members designated by such official, who may accept the
23 registrations of any qualified resident of the State.

24 5. A duly elected or appointed official of a bona fide
25 State civic organization, as defined and determined by rule
26 of the State Board of Elections, or qualified members

1 designated by such official, who may accept the
2 registration of any qualified resident of the State. In
3 determining the number of deputy registrars that shall be
4 appointed, the board of election commissioners shall
5 consider the population of the jurisdiction, the size of
6 the organization, the geographic size of the jurisdiction,
7 convenience for the public, the existing number of deputy
8 registrars in the jurisdiction and their location, the
9 registration activities of the organization and the need to
10 appoint deputy registrars to assist and facilitate the
11 registration of non-English speaking individuals. In no
12 event shall a board of election commissioners fix an
13 arbitrary number applicable to every civic organization
14 requesting appointment of its members as deputy
15 registrars. The State Board of Elections shall by rule
16 provide for certification of bona fide State civic
17 organizations. Such appointments shall be made for a period
18 not to exceed 2 years, terminating on the first business
19 day of the month following the month of the general
20 election, and shall be valid for all periods of voter
21 registration as provided by this Code during the terms of
22 such appointments.

23 6. The Director of Healthcare and Family Services, or a
24 reasonable number of employees designated by the Director
25 and located at public aid offices, who may accept the
26 registration of any qualified resident of the election

1 jurisdiction at any such public aid office.

2 7. The Director of the Illinois Department of
3 Employment Security, or a reasonable number of employees
4 designated by the Director and located at unemployment
5 offices, who may accept the registration of any qualified
6 resident of the election jurisdiction at any such
7 unemployment office. If the request to be appointed as
8 deputy registrar is denied, the board of election
9 commissioners shall, within 10 days after the date the
10 request is submitted, provide the affected individual or
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15 Business Corporation Act of 1983, or a reasonable number of
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22 public is served, giving due consideration to both population
23 concentration and area. Some of the additional deputy
24 registrars shall be selected so that there are an equal number
25 from each of the 2 major political parties in the election
26 jurisdiction. The board of election commissioners, in

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 2 appointment from a list of applicants submitted by the Chairman
 3 of the County Central Committee of the applicant's political
 4 party. A Chairman of a County Central Committee shall submit a
 5 list of applicants to the board by November 30 of each year.
 6 The board may require a Chairman of a County Central Committee
 7 to furnish a supplemental list of applicants.

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 9 other than the 27 day period preceding an election. All persons
 10 appointed as deputy registrars shall be registered voters
 11 within the election jurisdiction and shall take and subscribe
 12 to the following oath or affirmation:

13 "I do solemnly swear (or affirm, as the case may be) that I
 14 will support the Constitution of the United States, and the
 15 Constitution of the State of Illinois, and that I will
 16 faithfully discharge the duties of the office of registration
 17 officer to the best of my ability and that I will register no
 18 person nor cause the registration of any person except upon his
 19 personal application before me.

20

21 (Signature of Registration Officer)"

22 This oath shall be administered and certified to by one of
 23 the commissioners or by the executive director or by some
 24 person designated by the board of election commissioners, and
 25 shall immediately thereafter be filed with the board of
 26 election commissioners. The members of the board of election

1 commissioners and all persons authorized by them under the
2 provisions of this Article to take registrations, after
3 themselves taking and subscribing to the above oath, are
4 authorized to take or administer such oaths and execute such
5 affidavits as are required by this Article.

6 Appointments of deputy registrars under this Section,
7 except precinct committeemen, shall be for 2-year terms,
8 commencing on December 1 following the general election of each
9 even-numbered year, except that the terms of the initial
10 appointments shall be until December 1st following the next
11 general election. Appointments of precinct committeemen shall
12 be for 2-year terms commencing on the date of the county
13 convention following the general primary at which they were
14 elected. The county clerk shall issue a certificate of
15 appointment to each deputy registrar, and shall maintain in his
16 office for public inspection a list of the names of all
17 appointees.

18 (b) The board of election commissioners shall be
19 responsible for training all deputy registrars appointed
20 pursuant to subsection (a), at times and locations reasonably
21 convenient for both the board of election commissioners and
22 such appointees. The board of election commissioners shall be
23 responsible for certifying and supervising all deputy
24 registrars appointed pursuant to subsection (a). Deputy
25 registrars appointed under subsection (a) shall be subject to
26 removal for cause.

1 (c) Completed registration materials under the control of
2 deputy registrars appointed pursuant to subsection (a) shall be
3 returned to the appointing election authority by first-class
4 mail within 2 business days or personal delivery within 7 days,
5 except that completed registration materials received by the
6 deputy registrars during the period between the 35th and 28th
7 day preceding an election shall be returned by the deputy
8 registrars to the appointing election authority within 48 hours
9 after receipt thereof. The completed registration materials
10 received by the deputy registrars on the 28th day preceding an
11 election shall be returned by the deputy registrars within 24
12 hours after receipt thereof. Unused materials shall be returned
13 by deputy registrars appointed pursuant to paragraph 4 of
14 subsection (a), not later than the next working day following
15 the close of registration.

16 (d) The county clerk or board of election commissioners, as
17 the case may be, must provide any additional forms requested by
18 any deputy registrar regardless of the number of unaccounted
19 registration forms the deputy registrar may have in his or her
20 possession.

21 (e) No deputy registrar shall engage in any electioneering
22 or the promotion of any cause during the performance of his or
23 her duties.

24 (f) The board of election commissioners shall not be
25 criminally or civilly liable for the acts or omissions of any
26 deputy registrar. Such deputy registrars shall not be deemed to

1 be employees of the board of election commissioners.

2 (g) Completed registration materials returned by deputy
3 registrars for persons residing outside the election
4 jurisdiction shall be transmitted by the board of election
5 commissioners within 2 days after receipt to the election
6 authority of the person's election jurisdiction of residence.
7 (Source: P.A. 94-645, eff. 8-22-05; 95-331, eff. 8-21-07.)

8 (10 ILCS 5/7-10) (from Ch. 46, par. 7-10)

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

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

25 Name Office Address

1	John Jones	Governor	Belvidere, Ill.
2	Jane James	Lieutenant Governor	Peoria, Ill.
3	Thomas Smith	Attorney General	Oakland, Ill.

4 Name..... Address.....

5 State of Illinois)

6) ss.

7 County of.....)

8 I,, do hereby certify that I reside at No.
 9 street, in the of, county of, and State of
 10, that I am 18 years of age or older, that I am a citizen
 11 of the United States, and that the signatures on this sheet
 12 were signed in my presence, and are genuine, and that to the
 13 best of my knowledge and belief the persons so signing were at
 14 the time of signing the petitions qualified voters of the
 15 party, and that their respective residences are correctly
 16 stated, as above set forth.

17

18 Subscribed and sworn to before me on (insert date).

19

20 Each sheet of the petition other than the statement of
 21 candidacy and candidate's statement shall be of uniform size
 22 and shall contain above the space for signatures an appropriate
 23 heading giving the information as to name of candidate or

1 candidates, in whose behalf such petition is signed; the
2 office, the political party represented and place of residence;
3 and the heading of each sheet shall be the same.

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

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

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

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

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

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

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

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

22 Statement of Candidacy

23	Name	Address	Office	District	Party
24	John Jones	102 Main St.	Governor	Statewide	Republican
25		Belvidere,			
26		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)

1 (Seal, if officer has one.)

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

10 A candidate for the offices listed in this Section must
11 obtain the number of signatures specified in this Section on
12 his or her petition for nomination.

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

19 (b) Congressional office or congressional delegate to a
20 national nominating convention. If a candidate seeks to run for
21 United States Congress or as a congressional delegate or
22 alternate congressional delegate to a national nominating
23 convention elected from a congressional district, then the
24 candidate's petition for nomination must contain at least the
25 number of signatures equal to 0.5% of the qualified primary

1 electors of his or her party in his or her congressional
2 district. In the first primary election following a
3 redistricting of congressional districts, a candidate's
4 petition for nomination must contain at least 600 signatures of
5 qualified primary electors of the candidate's political party
6 in his or her congressional district.

7 (c) County office. If a candidate seeks to run for any
8 countywide office, including but not limited to county board
9 chairperson or county board member, elected on an at-large
10 basis, in a county other than Cook County, then the candidate's
11 petition for nomination must contain at least the number of
12 signatures equal to 0.5% of the qualified electors of his or
13 her party who cast votes at the last preceding general election
14 in his or her county. If a candidate seeks to run for county
15 board member elected from a county board district, then the
16 candidate's petition for nomination must contain at least the
17 number of signatures equal to 0.5% of the qualified primary
18 electors of his or her party in the county board district. In
19 the first primary election following a redistricting of county
20 board districts or the initial establishment of county board
21 districts, a candidate's petition for nomination must contain
22 at least the number of signatures equal to 0.5% of the
23 qualified electors of his or her party in the entire county who
24 cast votes at the last preceding general election divided by
25 the total number of county board districts comprising the
26 county board; provided that in no event shall the number of

1 signatures be less than 25.

2 (d) County office; Cook County only.

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

9 (2) If a candidate seeks to run for Cook County Board
10 Commissioner, then the candidate's petition for nomination
11 must contain at least the number of signatures equal to
12 0.5% of the qualified primary electors of his or her party
13 in his or her county board district. In the first primary
14 election following a redistricting of Cook County Board of
15 Commissioners districts, a candidate's petition for
16 nomination must contain at least the number of signatures
17 equal to 0.5% of the qualified electors of his or her party
18 in the entire county who cast votes at the last preceding
19 general election divided by the total number of county
20 board districts comprising the county board; provided that
21 in no event shall the number of signatures be less than 25.

22 (3) If a candidate seeks to run for Cook County Board
23 of Review Commissioner, which is elected from a district
24 pursuant to subsection (c) of Section 5-5 of the Property
25 Tax Code, then the candidate's petition for nomination must
26 contain at least the number of signatures equal to 0.5% of

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

14 (e) Municipal or township office. If a candidate seeks to
15 run for municipal or township office, then the candidate's
16 petition for nomination must contain at least the number of
17 signatures equal to 0.5% of the qualified primary electors of
18 his or her party in the municipality or township. If a
19 candidate seeks to run for alderman of a municipality, then the
20 candidate's petition for nomination must contain at least the
21 number of signatures equal to 0.5% of the qualified primary
22 electors of his or her party of the ward. In the first primary
23 election following redistricting of aldermanic wards or
24 trustee districts of a municipality or the initial
25 establishment of wards or districts, a candidate's petition for
26 nomination must contain the number of signatures equal to at

1 least 0.5% of the total number of votes cast for the candidate
2 of that political party who received the highest number of
3 votes in the entire municipality at the last regular election
4 at which an officer was regularly scheduled to be elected from
5 the entire municipality, divided by the number of wards or
6 districts. In no event shall the number of signatures be less
7 than 25.

8 (f) State central committeeperson. If a candidate seeks to
9 run for State central committeeperson, then the candidate's
10 petition for nomination must contain at least 100 signatures of
11 the primary electors of his or her party of his or her
12 congressional district.

13 (g) Sanitary district trustee. If a candidate seeks to run
14 for trustee of a sanitary district in which trustees are not
15 elected from wards, then the candidate's petition for
16 nomination must contain at least the number of signatures equal
17 to 0.5% of the primary electors of his or her party from the
18 sanitary district. If a candidate seeks to run for trustee of a
19 sanitary district in which trustees are elected from wards,
20 then the candidate's petition for nomination must contain at
21 least the number of signatures equal to 0.5% of the primary
22 electors of his or her party in the ward of that sanitary
23 district. In the first primary election following
24 redistricting of sanitary districts elected from wards, a
25 candidate's petition for nomination must contain at least the
26 signatures of 150 qualified primary electors of his or her ward

1 of that sanitary district.

2 (h) Judicial office. If a candidate seeks to run for
3 judicial office in a district, then the candidate's petition
4 for nomination must contain the number of signatures equal to
5 0.4% of the number of votes cast in that district for the
6 candidate for his or her political party for the office of
7 Governor at the last general election at which a Governor was
8 elected, but in no event less than 500 signatures. If a
9 candidate seeks to run for judicial office in a circuit or
10 subcircuit, then the candidate's petition for nomination must
11 contain the number of signatures equal to 0.25% of the number
12 of votes cast for the judicial candidate of his or her
13 political party who received the highest number of votes at the
14 last general election at which a judicial officer from the same
15 circuit or subcircuit was regularly scheduled to be elected,
16 but in no event less than 1,000 signatures in circuits and
17 subcircuits located in the First Judicial District or 500
18 signatures in every other Judicial District ~~500 signatures~~.

19 (i) Precinct, ward, and township committeeperson. If a
20 candidate seeks to run for precinct committeeperson, then the
21 candidate's petition for nomination must contain at least 10
22 signatures of the primary electors of his or her party for the
23 precinct. If a candidate seeks to run for ward committeeperson,
24 then the candidate's petition for nomination must contain no
25 less than the number of signatures equal to 10% of the primary
26 electors of his or her party of the ward, but no more than 16%

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

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

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

23 For purposes of this Section the number of primary electors
24 shall be determined by taking the total vote cast, in the
25 applicable district, for the candidate for that political party
26 who received the highest number of votes, statewide, at the

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

15 A "qualified primary elector" of a party may not sign
16 petitions for or be a candidate in the primary of more than one
17 party.

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

21 Petitions of candidates for nomination for offices herein
22 specified, to be filed with the same officer, may contain the
23 names of 2 or more candidates of the same political party for
24 the same or different offices. In the case of the offices of
25 Governor and Lieutenant Governor, a joint petition including
26 one candidate for each of those offices must be filed.

1 (Source: P.A. 95-699, eff. 11-9-07; 95-916, eff. 8-26-08;
2 96-1018, eff. 1-1-11.)

3 (10 ILCS 5/7-11) (from Ch. 46, par. 7-11)

4 Sec. 7-11. Any candidate for President of the United States
5 may have his name printed upon the primary ballot of his
6 political party by filing in the office of the State Board of
7 Elections not more than 113 and not less than 106 days prior to
8 the date of the general primary, in any year in which a
9 Presidential election is to be held, a petition signed by not
10 less than 3000 or more than 5000 primary electors, members of
11 and affiliated with the party of which he is a candidate, and
12 no candidate for President of the United States, who fails to
13 comply with the provisions of this Article shall have his name
14 printed upon any primary ballot: Provided, however, that if the
15 rules or policies of a national political party conflict with
16 such requirements for filing petitions for President of the
17 United States in a presidential preference primary, the
18 Chairman of the State central committee of such national
19 political party shall notify the State Board of Elections in
20 writing, citing by reference the rules or policies of the
21 national political party in conflict, and in such case the
22 Board shall direct such petitions to be filed in accordance
23 with the delegate selection plan adopted by the state central
24 committee of such national political party ~~not more than 69 and~~
25 ~~not less than 62 days prior to the date of the general primary,~~

1 ~~in any year in which a Presidential election is to be held.~~
2 Provided, further, unless rules or policies of a national
3 political party otherwise provide, the vote for President of
4 the United States, as herein provided for, shall be for the
5 sole purpose of securing an expression of the sentiment and
6 will of the party voters with respect to candidates for
7 nomination for said office, and the vote of the state at large
8 shall be taken and considered as advisory to the delegates and
9 alternates at large to the national conventions of respective
10 political parties; and the vote of the respective congressional
11 districts shall be taken and considered as advisory to the
12 delegates and alternates of said congressional districts to the
13 national conventions of the respective political parties.

14 (Source: P.A. 96-1008, eff. 7-6-10.)

15 (10 ILCS 5/7-12) (from Ch. 46, par. 7-12)

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

18 (1) Where the nomination is to be made for a State,
19 congressional, or judicial office, or for any office a
20 nomination for which is made for a territorial division or
21 district which comprises more than one county or is partly
22 in one county and partly in another county or counties,
23 then, except as otherwise provided in this Section, such
24 petition for nomination shall be filed in the principal
25 office of the State Board of Elections not more than 113

1 and not less than 106 days prior to the date of the
2 primary, but, in the case of petitions for nomination to
3 fill a vacancy by special election in the office of
4 representative in Congress from this State, such petition
5 for nomination shall be filed in the principal office of
6 the State Board of Elections not more than 57 days and not
7 less than 50 days prior to the date of the primary.

8 Where a vacancy occurs in the office of Supreme,
9 Appellate or Circuit Court Judge within the 3-week period
10 preceding the 106th day before a general primary election,
11 petitions for nomination for the office in which the
12 vacancy has occurred shall be filed in the principal office
13 of the State Board of Elections not more than 92 nor less
14 than 85 days prior to the date of the general primary
15 election.

16 Where the nomination is to be made for delegates or
17 alternate delegates to a national nominating convention,
18 then such petition for nomination shall be filed in the
19 principal office of the State Board of Elections not more
20 than 113 and not less than 106 days prior to the date of
21 the primary; provided, however, that if the rules or
22 policies of a national political party conflict with such
23 requirements for filing petitions for nomination for
24 delegates or alternate delegates to a national nominating
25 convention, the chairman of the State central committee of
26 such national political party shall notify the Board in

1 writing, citing by reference the rules or policies of the
2 national political party in conflict, and in such case the
3 Board shall direct such petitions to be filed in accordance
4 with the delegate selection plan adopted by the state
5 central committee of such national political party ~~not more~~
6 ~~than 83 and not less than 76 days prior to the date of the~~
7 ~~primary.~~

8 (2) Where the nomination is to be made for a county
9 office or trustee of a sanitary district then such petition
10 shall be filed in the office of the county clerk not more
11 than 113 nor less than 106 days prior to the date of the
12 primary.

13 (3) Where the nomination is to be made for a municipal
14 or township office, such petitions for nomination shall be
15 filed in the office of the local election official, not
16 more than 99 nor less than 92 days prior to the date of the
17 primary; provided, where a municipality's or township's
18 boundaries are coextensive with or are entirely within the
19 jurisdiction of a municipal board of election
20 commissioners, the petitions shall be filed in the office
21 of such board; and provided, that petitions for the office
22 of multi-township assessor shall be filed with the election
23 authority.

24 (4) The petitions of candidates for State central
25 committeeman shall be filed in the principal office of the
26 State Board of Elections not more than 113 nor less than

1 106 days prior to the date of the primary.

2 (5) Petitions of candidates for precinct, township or
3 ward committeemen shall be filed in the office of the
4 county clerk not more than 113 nor less than 106 days prior
5 to the date of the primary.

6 (6) The State Board of Elections and the various
7 election authorities and local election officials with
8 whom such petitions for nominations are filed shall specify
9 the place where filings shall be made and upon receipt
10 shall endorse thereon the day and hour on which each
11 petition was filed. All petitions filed by persons waiting
12 in line as of 8:00 a.m. on the first day for filing, or as
13 of the normal opening hour of the office involved on such
14 day, shall be deemed filed as of 8:00 a.m. or the normal
15 opening hour, as the case may be. Petitions filed by mail
16 and received after midnight of the first day for filing and
17 in the first mail delivery or pickup of that day shall be
18 deemed as filed as of 8:00 a.m. of that day or as of the
19 normal opening hour of such day, as the case may be. All
20 petitions received thereafter shall be deemed as filed in
21 the order of actual receipt. Where 2 or more petitions are
22 received simultaneously, the State Board of Elections or
23 the various election authorities or local election
24 officials with whom such petitions are filed shall break
25 ties and determine the order of filing, by means of a
26 lottery or other fair and impartial method of random

1 selection approved by the State Board of Elections. Such
2 lottery shall be conducted within 9 days following the last
3 day for petition filing and shall be open to the public.
4 Seven days written notice of the time and place of
5 conducting such random selection shall be given by the
6 State Board of Elections to the chairman of the State
7 central committee of each established political party, and
8 by each election authority or local election official, to
9 the County Chairman of each established political party,
10 and to each organization of citizens within the election
11 jurisdiction which was entitled, under this Article, at the
12 next preceding election, to have pollwatchers present on
13 the day of election. The State Board of Elections, election
14 authority or local election official shall post in a
15 conspicuous, open and public place, at the entrance of the
16 office, notice of the time and place of such lottery. The
17 State Board of Elections shall adopt rules and regulations
18 governing the procedures for the conduct of such lottery.
19 All candidates shall be certified in the order in which
20 their petitions have been filed. Where candidates have
21 filed simultaneously, they shall be certified in the order
22 determined by lot and prior to candidates who filed for the
23 same office at a later time.

24 (7) The State Board of Elections or the appropriate
25 election authority or local election official with whom
26 such a petition for nomination is filed shall notify the

1 person for whom a petition for nomination has been filed of
2 the obligation to file statements of organization, reports
3 of campaign contributions, and annual reports of campaign
4 contributions and expenditures under Article 9 of this Act.
5 Such notice shall be given in the manner prescribed by
6 paragraph (7) of Section 9-16 of this Code.

7 (8) Nomination papers filed under this Section are not
8 valid if the candidate named therein fails to file a
9 statement of economic interests as required by the Illinois
10 Governmental Ethics Act in relation to his candidacy with
11 the appropriate officer by the end of the period for the
12 filing of nomination papers unless he has filed a statement
13 of economic interests in relation to the same governmental
14 unit with that officer within a year preceding the date on
15 which such nomination papers were filed. If the nomination
16 papers of any candidate and the statement of economic
17 interest of that candidate are not required to be filed
18 with the same officer, the candidate must file with the
19 officer with whom the nomination papers are filed a receipt
20 from the officer with whom the statement of economic
21 interests is filed showing the date on which such statement
22 was filed. Such receipt shall be so filed not later than
23 the last day on which nomination papers may be filed.

24 (9) Any person for whom a petition for nomination, or
25 for committeeman or for delegate or alternate delegate to a
26 national nominating convention has been filed may cause his

1 name to be withdrawn by request in writing, signed by him
2 and duly acknowledged before an officer qualified to take
3 acknowledgments of deeds, and filed in the principal or
4 permanent branch office of the State Board of Elections or
5 with the appropriate election authority or local election
6 official, not later than the date of certification of
7 candidates for the consolidated primary or general primary
8 ballot. No names so withdrawn shall be certified or printed
9 on the primary ballot. If petitions for nomination have
10 been filed for the same person with respect to more than
11 one political party, his name shall not be certified nor
12 printed on the primary ballot of any party. If petitions
13 for nomination have been filed for the same person for 2 or
14 more offices which are incompatible so that the same person
15 could not serve in more than one of such offices if
16 elected, that person must withdraw as a candidate for all
17 but one of such offices within the 5 business days
18 following the last day for petition filing. A candidate in
19 a judicial election may file petitions for nomination for
20 only one vacancy in a subcircuit and only one vacancy in a
21 circuit in any one filing period, and if petitions for
22 nomination have been filed for the same person for 2 or
23 more vacancies in the same circuit or subcircuit in the
24 same filing period, his or her name shall be certified only
25 for the first vacancy for which the petitions for
26 nomination were filed. If he fails to withdraw as a

1 candidate for all but one of such offices within such time
2 his name shall not be certified, nor printed on the primary
3 ballot, for any office. For the purpose of the foregoing
4 provisions, an office in a political party is not
5 incompatible with any other office.

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

26 (b) Notwithstanding the provisions of any other

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

15 (c) Notwithstanding the provisions in subparagraph (a)
16 and (b) of this paragraph (10), whenever a person who has
17 not timely filed valid nomination papers and who intends to
18 become a write-in candidate for a political party's
19 nomination for any office for which the nomination is
20 uncontested files a written statement or notice of that
21 intent with the State Board of Elections or the local
22 election official with whom nomination papers for such
23 office are filed, a primary ballot shall be prepared and a
24 primary shall be held for that office. Such statement or
25 notice shall be filed on or before the date established in
26 this Article for certifying candidates for the primary

1 ballot. Such statement or notice shall contain (i) the name
2 and address of the person intending to become a write-in
3 candidate, (ii) a statement that the person is a qualified
4 primary elector of the political party from whom the
5 nomination is sought, (iii) a statement that the person
6 intends to become a write-in candidate for the party's
7 nomination, and (iv) the office the person is seeking as a
8 write-in candidate. An election authority shall have no
9 duty to conduct a primary and prepare a primary ballot for
10 any office for which the nomination is uncontested unless a
11 statement or notice meeting the requirements of this
12 Section is filed in a timely manner.

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

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

6 (12) All nominating petitions shall be available for
7 public inspection and shall be preserved for a period of
8 not less than 6 months.

9 (Source: P.A. 96-1008, eff. 7-6-10.)

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

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

1 authorized to take acknowledgment of deeds in this State and
2 may be in substantially the following form:

3 State of Illinois)

4) ss.

5 County)

6 I,, being first duly sworn, say that I reside at
7 street in the city (or village of) in the county of
8 State of Illinois; that I am a qualified voter therein and am a
9 qualified primary voter of party; that I am a candidate
10 for nomination to the office of to be voted upon at the
11 primary election to be held on (insert date); that I am legally
12 qualified to hold such office and that I have filed a statement
13 of economic interests as required by the Illinois Governmental
14 Ethics Act and I hereby request that my name be printed upon
15 the official primary ballot for nomination for such office.

16 Signed

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

19 Signed (Official Character)

20 (Seal if officer has one.)

21 The receipt issued by the Secretary of State indicating
22 that the candidate has filed the statement of economic
23 interests required by the Illinois Governmental Ethics Act must
24 be filed with the petitions for nomination as provided in
25 subsection (8) of Section 7-12 of this Code.

26 All petitions for nomination for the office of State

1 Senator shall be signed by at least 1,000 but not more than
2 3,000 ~~1% or 1,000~~, whichever is greater, of the qualified
3 primary electors of the candidate's party in his legislative
4 district, ~~except that for the first primary following a~~
5 ~~redistricting of legislative districts, such petitions shall~~
6 ~~be signed by at least 1,000 qualified primary electors of the~~
7 ~~candidate's party in his legislative district.~~

8 All petitions for nomination for the office of
9 Representative in the General Assembly shall be signed by at
10 least 500 but not more than 1,500 ~~1% or 500~~, whichever is
11 ~~greater~~, of the qualified primary electors of the candidate's
12 party in his or her representative district, ~~except that for~~
13 ~~the first primary following a redistricting of representative~~
14 ~~districts such petitions shall be signed by at least 500~~
15 ~~qualified primary electors of the candidate's party in his or~~
16 ~~her representative district.~~

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

25 For the purposes of this Section, the number of primary
26 electors shall be determined by taking the total vote cast, in

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

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

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

19 In the affidavit at the bottom of each petition sheet, the
20 petition circulator shall either (1) indicate the dates on
21 which he or she circulated that sheet, or (2) indicate the
22 first and last dates on which the sheet was circulated, or (3)
23 certify that none of the signatures on the sheet were signed
24 more than 90 days preceding the last day for the filing of the
25 petition. No petition sheet shall be circulated more than 90
26 days preceding the last day provided in Section 8-9 for the

1 filing of such petition.

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

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

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

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

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

16 (10 ILCS 5/8-10) (from Ch. 46, par. 8-10)

17 Sec. 8-10. Not less than 68 ~~61~~ days prior to the date of
18 the primary, the State Board of Elections shall certify to the
19 county clerk for each county, the names of all candidates for
20 legislative offices, as specified in the petitions for
21 nominations on file in its office, which are to be voted for in
22 such county, stating in such certificates the political
23 affiliation of each candidate for nomination, as specified in
24 the petitions. The State Board of Elections shall, in its
25 certificate to the county clerk, certify to the county clerk

1 the names of the candidates in the order in which the names
2 shall appear upon the primary ballot, the names to appear in
3 the order in which petitions have been filed.

4 Not less than 62 ~~55~~ days prior to the date of the primary,
5 the county clerk shall certify to the board of election
6 commissioners if there be any such board in his county, the
7 names of all candidates so certified to him by the State Board
8 of Elections in the districts wholly or partly within the
9 jurisdiction of said board and in the order in which such names
10 are certified to him.

11 (Source: P.A. 82-750.)

12 (10 ILCS 5/10-1) (from Ch. 46, par. 10-1)

13 Sec. 10-1. Application of Article to minor political
14 parties.

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

1 nominations by established political parties, but minor
2 political parties and individual voters are governed by this
3 Article. Any convention, caucus, or meeting of qualified voters
4 of any established political party as defined in this Article
5 may, however, make one nomination for each office therein to be
6 filled at any election for officers of a municipality with a
7 population of less than 5,000 by causing a certificate of
8 nomination to be filed with the municipal clerk no earlier than
9 113 ~~78~~ and no later than 106 ~~71~~ days before the election at
10 which the nominated candidates are to be on the ballot. The
11 municipal caucuses shall be conducted on the first Monday in
12 December of even-numbered years ~~immediately preceding the~~
13 ~~first day for filing caucus certificates of nomination in each~~
14 ~~year in which municipal officers are to be elected,~~ except
15 that, when that Monday is a holiday or the eve of a holiday,
16 the caucuses shall be held on the next business day following
17 the holiday. Every certificate of nomination shall state the
18 facts required in Section 10-5 of this Article and shall be
19 signed by the presiding officer and by the secretary of the
20 convention, caucus, or meeting, who shall add to their
21 signatures their places of residence. The certificates shall be
22 sworn to by them to be true to the best of their knowledge and
23 belief, and a certificate of the oath shall be annexed to the
24 certificate of nomination.

25 (b) Publication of the time and place of holding the caucus
26 shall be given by the municipal clerk. For municipalities of

1 over 500 population, notice of the caucus shall be published in
2 a newspaper published in the municipality. If there is no such
3 newspaper, then the notice shall be published in a newspaper
4 published in the county and having general circulation in the
5 municipality. For municipalities of 500 population or less,
6 notice of the caucus shall be given by the municipal clerk by
7 posting the notice in 3 of the most public places in the
8 municipality. The publication or posting shall be given at
9 least 10 days before the caucus.

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

14 (d) Any city, village, or incorporated town with a
15 population of 5,000 or less may, by ordinance, determine that
16 established political parties shall nominate candidates for
17 municipal office in the city, village, or incorporated town by
18 primary in accordance with Article 7.

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

26 (Source: P.A. 87-1119; 88-670, eff. 12-2-94.)

1 (10 ILCS 5/16-5.01) (from Ch. 46, par. 16-5.01)

2 Sec. 16-5.01. (a) The election authority shall, at least 46
3 ~~60~~ days prior to the date of any ~~general~~ election at which
4 federal officers are elected and 45 days prior to any other
5 regular election, have a sufficient number of ballots printed
6 so that such ballots will be available for mailing 45 ~~60~~ days
7 prior to the date of the election to persons who have filed
8 application for a ballot under the provisions of Article 20 of
9 this Act.

10 (b) If at any election at which federal offices are elected
11 or nominated the election authority is unable to comply with
12 the provisions of subsection (a), the election authority shall
13 mail to each such person, in lieu of the ballot, a Special
14 Write-in Absentee Voter's Blank Ballot. The Special Write-in
15 Absentee Voter's Blank Ballot shall be used at all elections at
16 which federal officers are elected or nominated and shall be
17 prepared by the election authority in substantially the
18 following form:

19 Special Write-in Absentee Voter's Blank Ballot

20 (To vote for a person, write the title of the office and
21 his or her name on the lines provided. Place to the left of and
22 opposite the title of office a square and place a cross (X) in
23 the square.)

24 Title of Office

Name of Candidate

25 ()

1 ()

2 ()

3 ()

4 ()

5 ()

6 The election authority shall send with the Special Write-in
7 Absentee Voter's Blank Ballot a list of all referenda for which
8 the voter is qualified to vote and all candidates for whom
9 nomination papers have been filed and for whom the voter is
10 qualified to vote. The voter shall be entitled to write in the
11 name of any candidate seeking election and any referenda for
12 which he or she is entitled to vote.

13 On the back or outside of the ballot, so as to appear when
14 folded, shall be printed the words "Official Ballot", the date
15 of the election and a facsimile of the signature of the
16 election authority who has caused the ballot to be printed.

17 The provisions of Article 20, insofar as they may be
18 applicable to the Special Write-in Absentee Voter's Blank
19 Ballot, shall be applicable herein.

20 (c) Notwithstanding any provision of this Code or other law
21 to the contrary, the governing body of a municipality may
22 adopt, upon submission of a written statement by the
23 municipality's election authority attesting to the
24 administrative ability of the election authority to administer
25 an election using a ranked ballot to the municipality's
26 governing body, an ordinance requiring, and that

1 municipality's election authority shall prepare, a ranked
2 absentee ballot for municipal and township office candidates to
3 be voted on in the consolidated election. This ranked ballot
4 shall be for use only by a qualified voter who either is a
5 member of the United States military or will be outside of the
6 United States on the consolidated primary election day and the
7 consolidated election day. The ranked ballot shall contain a
8 list of the titles of all municipal and township offices
9 potentially contested at both the consolidated primary
10 election and the consolidated election and the candidates for
11 each office and shall permit the elector to vote in the
12 consolidated election by indicating his or her order of
13 preference for each candidate for each office. To indicate his
14 or her order of preference for each candidate for each office,
15 the voter shall put the number one next to the name of the
16 candidate who is the voter's first choice, the number 2 for his
17 or her second choice, and so forth so that, in consecutive
18 numerical order, a number indicating the voter's preference is
19 written by the voter next to each candidate's name on the
20 ranked ballot. The voter shall not be required to indicate his
21 or her preference for more than one candidate on the ranked
22 ballot. The voter may not cast a write-in vote using the ranked
23 ballot for the consolidated election. The election authority
24 shall, if using the ranked absentee ballot authorized by this
25 subsection, also prepare instructions for use of the ranked
26 ballot. The ranked ballot for the consolidated election shall

1 be mailed to the voter at the same time that the ballot for the
2 consolidated primary election is mailed to the voter and the
3 election authority shall accept the completed ranked ballot for
4 the consolidated election when the authority accepts the
5 completed ballot for the consolidated primary election.

6 The voter shall also be sent an absentee ballot for the
7 consolidated election for those races that are not related to
8 the results of the consolidated primary election as soon as the
9 consolidated election ballot is certified.

10 The State Board of Elections shall adopt rules for election
11 authorities for the implementation of this subsection,
12 including but not limited to the application for and counting
13 of ranked ballots.

14 (Source: P.A. 95-889, eff. 1-1-09; 96-1004, eff. 1-1-11.)

15 (10 ILCS 5/19-2) (from Ch. 46, par. 19-2)

16 Sec. 19-2. Any elector as defined in Section 19-1 may by
17 mail, not more than 40 nor less than 5 days prior to the date of
18 such election, or by personal delivery not more than 40 nor
19 less than one day prior to the date of such election, make
20 application to the county clerk or to the Board of Election
21 Commissioners for an official ballot for the voter's precinct
22 to be voted at such election. Such a ballot shall be delivered
23 to the elector only upon separate application by the elector
24 for each election.

25 (Source: P.A. 95-440, eff. 8-27-07; 96-553, eff. 8-17-09.)

1 (10 ILCS 5/19A-15)

2 Sec. 19A-15. Period for early voting; hours.

3 (a) The period for early voting by personal appearance
4 begins the 22nd day preceding a general primary, consolidated
5 primary, consolidated, or general election and extends through
6 the 5th day before election day.

7 (b) A permanent polling place for early voting must remain
8 open during the hours of 8:30 a.m. to 4:30 p.m., or 9:00 a.m.
9 to 5:00 p.m., on weekdays and 9:00 a.m. to 12:00 p.m. on
10 Saturdays, Sundays, and holidays; except that, in addition to
11 the hours required by this subsection, a permanent early voting
12 polling place designated by an election authority under
13 subsection (c) of Section 19A-10 must remain open for a total
14 of at least 8 hours on any holiday during the early voting
15 period and a total of at least 14 hours on the final weekend
16 during the early voting period.

17 (c) Notwithstanding subsections (a) and (b), an election
18 authority may close an early voting polling place if the
19 building in which the polling place is located has been closed
20 by the State or unit of local government in response to a
21 severe weather emergency. In the event of a closure, the
22 election authority shall conduct early voting on the 2nd day
23 before election day from 8:30 a.m. to 4:30 p.m. or 9:00 a.m. to
24 5:00 p.m. The election authority shall notify the State Board
25 of Elections of any closure and shall make reasonable efforts

1 to provide notice to the public of the extended early voting
2 period.

3 (Source: P.A. 96-637, eff. 1-1-10.)

4 (10 ILCS 5/20-1b new)

5 Sec. 20-1b. Voter electronic-mail addresses. The election
6 authority shall give each voter who requests a ballot under the
7 provisions of Article 20 the opportunity to provide an
8 electronic-mail address beginning January 1, 2012, provided
9 that the voter may opt out of providing an electronic-mail
10 address. An electronic-mail address provided shall not be
11 publicly available and is exempt from disclosure under the
12 Freedom of Information Act. Neither an election authority nor
13 the State Board of Elections may release a voter's
14 electronic-mail address to any third party. An election
15 authority may use the address only to communicate with the
16 voter about the voting process, including transmitting
17 military-overseas ballots and election materials if the voter
18 has requested electronic transmission, and verifying the
19 voter's mailing address and physical location as needed. Any
20 other use or disclosure is prohibited, and each request for an
21 electronic-mail address shall so state.

22 (10 ILCS 5/24A-15) (from Ch. 46, par. 24A-15)

23 Sec. 24A-15. The precinct return printed by the automatic
24 tabulating equipment shall include the number of ballots cast

1 and votes cast for each candidate and proposition and shall
2 constitute the official return of each precinct. In addition to
3 the precinct return, the election authority shall provide the
4 number of applications for ballots in each precinct, the
5 write-in votes, the total number of ballots counted in each
6 precinct for each political subdivision and district and the
7 number of registered voters in each precinct. However, the
8 election authority shall check the totals shown by the precinct
9 return and, if there is an obvious discrepancy with respect to
10 the total number of votes cast in any precinct, shall have the
11 ballots for such precinct retabulated to correct the return.
12 The procedures for retabulation shall apply prior to and after
13 the proclamation is completed; however, after the proclamation
14 of results, the election authority must obtain a court order to
15 unseal voted ballots except for election contests and discovery
16 recounts. In those election jurisdictions that utilize
17 in-precinct counting equipment, the certificate of results,
18 which has been prepared by the judges of election after the
19 ballots have been tabulated, shall be the document used for the
20 canvass of votes for such precinct. Whenever a discrepancy
21 exists during the canvass of votes between the unofficial
22 results and the certificate of results, or whenever a
23 discrepancy exists during the canvass of votes between the
24 certificate of results and the set of totals which has been
25 affixed to such certificate of results, the ballots for such
26 precinct shall be retabulated to correct the return. As an

1 additional part of this check prior to the proclamation, in
2 those jurisdictions where in-precinct counting equipment is
3 utilized, the election authority shall retabulate the total
4 number of votes cast in 5% of the precincts within the election
5 jurisdiction, as well as 5% of the voting devices used in early
6 voting. The precincts and the voting devices to be retabulated
7 shall be selected after election day on a random basis by the
8 State Board of Elections, so that every precinct in the
9 election jurisdiction and every voting device used in early
10 voting has an equal mathematical chance of being selected. The
11 State Board of Elections shall design a standard and scientific
12 random method of selecting the precincts and voting devices
13 which are to be retabulated. The State central committee
14 chairman of each established political party shall be given
15 prior written notice of the time and place of such random
16 selection procedure and may be represented at such procedure.
17 Such retabulation shall consist of counting the ballot cards
18 which were originally counted and shall not involve any
19 determination as to which ballot cards were, in fact, properly
20 counted. The ballots from the precincts selected for such
21 retabulation shall remain at all times under the custody and
22 control of the election authority and shall be transported and
23 retabulated by the designated staff of the election authority.

24 As part of such retabulation, the election authority shall
25 test the computer program in the selected precincts and on the
26 selected early voting devices. Such test shall be conducted by

1 processing a preaudited group of ballots so punched so as to
2 record a predetermined number of valid votes for each candidate
3 and on each public question, and shall include for each office
4 one or more ballots which have votes in excess of the number
5 allowed by law in order to test the ability of the equipment to
6 reject such votes. If any error is detected, the cause therefor
7 shall be ascertained and corrected and an errorless count shall
8 be made prior to the official canvass and proclamation of
9 election results.

10 The State Board of Elections, the State's Attorney and
11 other appropriate law enforcement agencies, the county
12 chairman of each established political party and qualified
13 civic organizations shall be given prior written notice of the
14 time and place of such retabulation and may be represented at
15 such retabulation.

16 The results of this retabulation shall be treated in the
17 same manner and have the same effect as the results of the
18 discovery procedures set forth in Section 22-9.1 of this Act.
19 Upon completion of the retabulation, the election authority
20 shall print a comparison of the results of the retabulation
21 with the original precinct return printed by the automatic
22 tabulating equipment. Such comparison shall be done for each
23 precinct and for each early voting device selected for testing
24 and for each office voted upon within that precinct or on that
25 voting device, and the comparisons shall be open to the public.

26 (Source: P.A. 94-1000, eff. 7-3-06; 95-699, eff. 11-9-07.)

1 (10 ILCS 5/24B-15)

2 Sec. 24B-15. Official Return of Precinct; Check of Totals;
3 Retabulation. The precinct return printed by the automatic
4 Precinct Tabulation Optical Scan Technology tabulating
5 equipment shall include the number of ballots cast and votes
6 cast for each candidate and proposition and shall constitute
7 the official return of each precinct. In addition to the
8 precinct return, the election authority shall provide the
9 number of applications for ballots in each precinct, the
10 write-in votes, the total number of ballots counted in each
11 precinct for each political subdivision and district and the
12 number of registered voters in each precinct. However, the
13 election authority shall check the totals shown by the precinct
14 return and, if there is an obvious discrepancy regarding the
15 total number of votes cast in any precinct, shall have the
16 ballots for that precinct retabulated to correct the return.
17 The procedures for retabulation shall apply prior to and after
18 the proclamation is completed; however, after the proclamation
19 of results, the election authority must obtain a court order to
20 unseal voted ballots except for election contests and discovery
21 recounts. In those election jurisdictions that use in-precinct
22 counting equipment, the certificate of results, which has been
23 prepared by the judges of election after the ballots have been
24 tabulated, shall be the document used for the canvass of votes
25 for such precinct. Whenever a discrepancy exists during the

1 canvass of votes between the unofficial results and the
2 certificate of results, or whenever a discrepancy exists during
3 the canvass of votes between the certificate of results and the
4 set of totals which has been affixed to the certificate of
5 results, the ballots for that precinct shall be retabulated to
6 correct the return. As an additional part of this check prior
7 to the proclamation, in those jurisdictions where in-precinct
8 counting equipment is used, the election authority shall
9 retabulate the total number of votes cast in 5% of the
10 precincts within the election jurisdiction, as well as 5% of
11 the voting devices used in early voting. The precincts and the
12 voting devices to be retabulated shall be selected after
13 election day on a random basis by the State Board of Elections,
14 so that every precinct in the election jurisdiction and every
15 voting device used in early voting has an equal mathematical
16 chance of being selected. The State Board of Elections shall
17 design a standard and scientific random method of selecting the
18 precincts and voting devices which are to be retabulated. The
19 State central committee chairman of each established political
20 party shall be given prior written notice of the time and place
21 of the random selection procedure and may be represented at the
22 procedure. The retabulation shall consist of counting the
23 ballots which were originally counted and shall not involve any
24 determination of which ballots were, in fact, properly counted.
25 The ballots from the precincts selected for the retabulation
26 shall remain at all times under the custody and control of the

1 election authority and shall be transported and retabulated by
2 the designated staff of the election authority.

3 As part of the retabulation, the election authority shall
4 test the computer program in the selected precincts and on the
5 selected early voting devices. The test shall be conducted by
6 processing a preaudited group of ballots marked to record a
7 predetermined number of valid votes for each candidate and on
8 each public question, and shall include for each office one or
9 more ballots which have votes in excess of the number allowed
10 by law to test the ability of the equipment and the marking
11 device to reject such votes. If any error is detected, the
12 cause shall be determined and corrected, and an errorless count
13 shall be made prior to the official canvass and proclamation of
14 election results.

15 The State Board of Elections, the State's Attorney and
16 other appropriate law enforcement agencies, the county
17 chairman of each established political party and qualified
18 civic organizations shall be given prior written notice of the
19 time and place of the retabulation and may be represented at
20 the retabulation.

21 The results of this retabulation shall be treated in the
22 same manner and have the same effect as the results of the
23 discovery procedures set forth in Section 22-9.1 of this Code.
24 Upon completion of the retabulation, the election authority
25 shall print a comparison of the results of the retabulation
26 with the original precinct return printed by the automatic

1 tabulating equipment. The comparison shall be done for each
2 precinct and for each early voting device selected for testing
3 and for each office voted upon within that precinct or on that
4 voting device, and the comparisons shall be open to the public.
5 Upon completion of the retabulation, the returns shall be open
6 to the public.

7 (Source: P.A. 94-1000, eff. 7-3-06; 95-699, eff. 11-9-07.)

8 (10 ILCS 5/24C-15)

9 Sec. 24C-15. Official Return of Precinct; Check of Totals;
10 Audit. The precinct return printed by the Direct Recording
11 Electronic Voting System tabulating equipment shall include
12 the number of ballots cast and votes cast for each candidate
13 and public question and shall constitute the official return of
14 each precinct. In addition to the precinct return, the election
15 authority shall provide the number of applications for ballots
16 in each precinct, the total number of ballots and absentee
17 ballots counted in each precinct for each political subdivision
18 and district and the number of registered voters in each
19 precinct. However, the election authority shall check the
20 totals shown by the precinct return and, if there is an obvious
21 discrepancy regarding the total number of votes cast in any
22 precinct, shall have the ballots for that precinct audited to
23 correct the return. The procedures for this audit shall apply
24 prior to and after the proclamation is completed; however,
25 after the proclamation of results, the election authority must

1 obtain a court order to unseal voted ballots or voting devices
2 except for election contests and discovery recounts. The
3 certificate of results, which has been prepared and signed by
4 the judges of election after the ballots have been tabulated,
5 shall be the document used for the canvass of votes for such
6 precinct. Whenever a discrepancy exists during the canvass of
7 votes between the unofficial results and the certificate of
8 results, or whenever a discrepancy exists during the canvass of
9 votes between the certificate of results and the set of totals
10 reflected on the certificate of results, the ballots for that
11 precinct shall be audited to correct the return.

12 Prior to the proclamation, the election authority shall
13 test the voting devices and equipment in 5% of the precincts
14 within the election jurisdiction, as well as 5% of the voting
15 devices used in early voting. The precincts and the voting
16 devices to be tested shall be selected after election day on a
17 random basis by the State Board of Elections, so that every
18 precinct and every device used in early voting in the election
19 jurisdiction has an equal mathematical chance of being
20 selected. The State Board of Elections shall design a standard
21 and scientific random method of selecting the precincts and
22 voting devices that are to be tested. The State central
23 committee chairman of each established political party shall be
24 given prior written notice of the time and place of the random
25 selection procedure and may be represented at the procedure.

26 The test shall be conducted by counting the votes marked on

1 the permanent paper record of each ballot cast in the tested
2 precinct printed by the voting system at the time that each
3 ballot was cast and comparing the results of this count with
4 the results shown by the certificate of results prepared by the
5 Direct Recording Electronic Voting System in the test precinct.
6 The election authority shall test count these votes either by
7 hand or by using an automatic tabulating device other than a
8 Direct Recording Electronic voting device that has been
9 approved by the State Board of Elections for that purpose and
10 tested before use to ensure accuracy. The election authority
11 shall print the results of each test count. If any error is
12 detected, the cause shall be determined and corrected, and an
13 errorless count shall be made prior to the official canvass and
14 proclamation of election results. If an errorless count cannot
15 be conducted and there continues to be difference in vote
16 results between the certificate of results produced by the
17 Direct Recording Electronic Voting System and the count of the
18 permanent paper records or if an error was detected and
19 corrected, the election authority shall immediately prepare
20 and forward to the appropriate canvassing board a written
21 report explaining the results of the test and any errors
22 encountered and the report shall be made available for public
23 inspection.

24 The State Board of Elections, the State's Attorney and
25 other appropriate law enforcement agencies, the county
26 chairman of each established political party and qualified

1 civic organizations shall be given prior written notice of the
2 time and place of the test and may be represented at the test.

3 The results of this post-election test shall be treated in
4 the same manner and have the same effect as the results of the
5 discovery procedures set forth in Section 22-9.1 of this Code.

6 (Source: P.A. 94-645, eff. 8-22-05; 94-1000, eff. 7-3-06;
7 95-699, eff. 11-9-07.)

8 (10 ILCS 5/25-6) (from Ch. 46, par. 25-6)

9 Sec. 25-6. (a) When a vacancy occurs in the office of State
10 Senator or Representative in the General Assembly, the vacancy
11 shall be filled within 30 days by appointment of the
12 legislative or representative committee of that legislative or
13 representative district of the political party of which the
14 incumbent was a candidate at the time of his election. The
15 appointee shall be a member of the same political party as the
16 person he succeeds was at the time of his election, and shall
17 be otherwise eligible to serve as a member of the General
18 Assembly. ~~The appropriate legislative or representative~~
19 ~~committee shall declare that a vacancy exists and notification~~
20 ~~thereof shall be given to the State Board of Elections, the~~
21 ~~Secretary of State, and the Clerk of the House of~~
22 ~~Representatives or the Secretary of the Senate, whichever is~~
23 ~~appropriate, within 3 days of the occurrence of the vacancy.~~

24 (b) When a vacancy occurs in the office of a legislator
25 elected other than as a candidate of a political party, the

1 vacancy shall be filled within 30 days of such occurrence by
2 appointment of the Governor. The appointee shall not be a
3 member of a political party, and shall be otherwise eligible to
4 serve as a member of the General Assembly. Provided, however,
5 the appropriate body of the General Assembly may, by
6 resolution, allow a legislator elected other than as a
7 candidate of a political party to affiliate with a political
8 party for his term of office in the General Assembly. A vacancy
9 occurring in the office of any such legislator who affiliates
10 with a political party pursuant to resolution shall be filled
11 within 30 days of such occurrence by appointment of the
12 appropriate legislative or representative committee of that
13 legislative or representative district of the political party
14 with which the legislator so affiliates. The appointee shall be
15 a member of the political party with which the incumbent
16 affiliated.

17 (c) For purposes of this Section, a person is a member of a
18 political party for 23 months after (i) signing a candidate
19 petition, as to the political party whose nomination is sought;
20 (ii) signing a statement of candidacy, as to the political
21 party where nomination or election is sought; (iii) signing a
22 Petition of Political Party Formation, as to the proposed
23 political party; (iv) applying for and receiving a primary
24 ballot, as to the political party whose ballot is received; or
25 (v) becoming a candidate for election to or accepting
26 appointment to the office of ward, township, precinct or state

1 central committeeman.

2 (d) In making appointments under this Section, each
3 committeeman of the appropriate legislative or representative
4 committee shall be entitled to one vote for each vote that was
5 received, in that portion of the legislative or representative
6 district which he represents on the committee, by the Senator
7 or Representative whose seat is vacant at the general election
8 at which that legislator was elected to the seat which has been
9 vacated and a majority of the total number of votes received in
10 such election by the Senator or Representative whose seat is
11 vacant is required for the appointment of his successor;
12 provided, however, that in making appointments in legislative
13 or representative districts comprising only one county or part
14 of a county other than a county containing 2,000,000 or more
15 inhabitants, each committeeman shall be entitled to cast only
16 one vote.

17 (e) Appointments made under this Section shall be in
18 writing and shall be signed by members of the legislative or
19 representative committee whose total votes are sufficient to
20 make the appointments or by the Governor, as the case may be.
21 Such appointments shall be filed with the Secretary of State
22 and with the Clerk of the House of Representatives or the
23 Secretary of the Senate, whichever is appropriate.

24 (f) An appointment made under this Section shall be for the
25 remainder of the term, except that, if the appointment is to
26 fill a vacancy in the office of State Senator and the vacancy

1 occurs with more than 28 months remaining in the term, the term
2 of the appointment shall expire at the time of the next general
3 election at which time a Senator shall be elected for a new
4 term commencing on the determination of the results of the
5 election and ending on the second Wednesday of January in the
6 second odd-numbered year next occurring. Whenever a Senator has
7 been appointed to fill a vacancy and was thereafter elected to
8 that office, the term of service under the authority of the
9 election shall be considered a new term of service, separate
10 from the term of service rendered under the authority of the
11 appointment.

12 (Source: P.A. 85-958.)

13 (10 ILCS 5/28-5) (from Ch. 46, par. 28-5)

14 Sec. 28-5. Not less than 68 ~~61~~ days before a regularly
15 scheduled election, each local election official shall certify
16 the public questions to be submitted to the voters of or within
17 his political subdivision at that election which have been
18 initiated by petitions filed in his office or by action of the
19 governing board of his political subdivision.

20 Not less than 68 ~~61~~ days before a regularly scheduled
21 election, each circuit court clerk shall certify the public
22 questions to be submitted to the voters of a political
23 subdivision at that election which have been ordered to be so
24 submitted by the circuit court pursuant to law. Not less than
25 30 days before the date set by the circuit court for the

1 conduct of an emergency referendum pursuant to Section 2A-1.4,
2 the circuit court clerk shall certify the public question as
3 herein required.

4 Local election officials and circuit court clerks shall
5 make their certifications, as required by this Section, to each
6 election authority having jurisdiction over any of the
7 territory of the respective political subdivision in which the
8 public question is to be submitted to referendum.

9 Not less than 68 ~~61~~ days before the next regular election,
10 the county clerk shall certify the public questions to be
11 submitted to the voters of the entire county at that election,
12 which have been initiated by petitions filed in his office or
13 by action of the county board, to the board of election
14 commissioners, if any, in his county.

15 Not less than 74 ~~67~~ days before the general election, the
16 State Board of Elections shall certify any questions proposing
17 an amendment to Article IV of the Constitution pursuant to
18 Section 3, Article XIV of the Constitution and any advisory
19 public questions to be submitted to the voters of the entire
20 State, which have been initiated by petitions received or filed
21 at its office, to the respective county clerks. Not less than
22 62 ~~61~~ days before the general election, the county clerk shall
23 certify such questions to the board of election commissioners,
24 if any, in his county.

25 The certifications shall include the form of the public
26 question to be placed on the ballot, the date on which the

1 public question was initiated by either the filing of a
2 petition or the adoption of a resolution or ordinance by a
3 governing body, as the case may be, and a certified copy of any
4 court order or political subdivision resolution or ordinance
5 requiring the submission of the public question.
6 Certifications of propositions for annexation to,
7 disconnection from, or formation of political subdivisions or
8 for other purposes shall include a description of the territory
9 in which the proposition is required to be submitted, whenever
10 such territory is not coterminous with an existing political
11 subdivision.

12 The certification of a public question described in
13 subsection (b) of Section 28-6 shall include the precincts
14 included in the territory concerning which the public question
15 is to be submitted, as well as a common description of such
16 territory, in plain and nonlegal language, and specify the
17 election at which the question is to be submitted. The
18 description of the territory shall be prepared by the local
19 election official as set forth in the resolution or ordinance
20 initiating the public question.

21 Whenever a local election official, an election authority,
22 or the State Board of Elections is in receipt of an initiating
23 petition, or a certification for the submission of a public
24 question at an election at which the public question may not be
25 placed on the ballot or submitted because of the limitations of
26 Section 28-1, such officer or board shall give notice of such

1 prohibition, by registered mail, as follows:

2 (a) in the case of a petition, to any person designated
3 on a certificate attached thereto as the proponent or as
4 the proponents' attorney for purposes of notice of
5 objections;

6 (b) in the case of a certificate from a local election
7 authority, to such local election authority, who shall
8 thereupon give notice as provided in subparagraph (a), or
9 notify the governing board which adopted the initiating
10 resolution or ordinance;

11 (c) in the case of a certification from a circuit court
12 clerk of a court order, to such court, which shall
13 thereupon give notice as provided in subparagraph (a) and
14 shall modify its order in accordance with the provisions of
15 this Act.

16 If the petition, resolution or ordinance initiating such
17 prohibited public question did not specify a particular
18 election for its submission, the officer or board responsible
19 for certifying the question to the election authorities shall
20 certify or recertify the question, in the manner required
21 herein, for submission on the ballot at the next regular
22 election no more than one year, or 15 months in the case of a
23 back door referendum as defined in subsection (f) of Section
24 28-2, subsequent to the filing of the initiating petition or
25 the adoption of the initiating resolution or ordinance and at
26 which the public question may be submitted, and the appropriate

1 election authorities shall submit the question at such
2 election, unless the public question is ordered submitted as an
3 emergency referendum pursuant to Section 2A-1.4 or is withdrawn
4 as may be provided by law.

5 (Source: P.A. 94-578, eff. 8-12-05.)

6 (10 ILCS 5/28-6) (from Ch. 46, par. 28-6)

7 Sec. 28-6. Petitions; filing.

8 (a) On a written petition signed by a number of voters
9 equal to ~~(i) through the general election in 2008,~~ at least 8%
10 of the total votes cast for candidates for Governor in the
11 preceding gubernatorial election by the registered voters of
12 the municipality, township, county or school district ~~and (ii)~~
13 ~~beginning with elections in 2009 and thereafter, at least 11%~~
14 ~~of the total ballots cast by the registered voters of the~~
15 ~~municipality, township, county, or school district in the last~~
16 ~~regular election conducted in the municipality, township,~~
17 ~~county, or school district,~~ it shall be the duty of the proper
18 election officers to submit any question of public policy so
19 petitioned for, to the electors of such political subdivision
20 at any regular election named in the petition at which an
21 election is scheduled to be held throughout such political
22 subdivision under Article 2A. Such petitions shall be filed
23 with the local election official of the political subdivision
24 or election authority, as the case may be. Where such a
25 question is to be submitted to the voters of a municipality

1 which has adopted Article 6, or a township or school district
2 located entirely within the jurisdiction of a municipal board
3 of election commissioners, such petitions shall be filed with
4 the board of election commissioners having jurisdiction over
5 the political subdivision.

6 (b) In a municipality with more than 1,000,000 inhabitants,
7 when a question of public policy exclusively concerning a
8 contiguous territory included entirely within but not
9 coextensive with the municipality is initiated by resolution or
10 ordinance of the corporate authorities of the municipality, or
11 by a petition which may be signed by registered voters who
12 reside in any part of any precinct all or part of which
13 includes all or part of the territory and who equal in number
14 to ~~(i) through the general election in 2008~~ at least 8% of the
15 total votes cast for candidates for Governor in the preceding
16 gubernatorial election by the voters of the precinct or
17 precincts in the territory where the question is to be
18 submitted to the voters ~~and (ii) beginning with elections in~~
19 ~~2009 and thereafter, at least 11% of the total ballots cast at~~
20 ~~the last regular election conducted in the precinct or~~
21 ~~precincts in the territory where the question is to be~~
22 ~~submitted to the voters,~~ it shall be the duty of the election
23 authority having jurisdiction over such municipality to submit
24 such question to the electors throughout each precinct all or
25 part of which includes all or part of the territory at the
26 regular election specified in the resolution, ordinance or

1 petition initiating the public question. A petition initiating
2 a public question described in this subsection shall be filed
3 with the election authority having jurisdiction over the
4 municipality. A resolution, ordinance or petition initiating a
5 public question described in this subsection shall specify the
6 election at which the question is to be submitted.

7 (c) Local questions of public policy authorized by this
8 Section and statewide questions of public policy authorized by
9 Section 28-9 shall be advisory public questions, and no legal
10 effects shall result from the adoption or rejection of such
11 propositions.

12 (d) This Section does not apply to a petition filed
13 pursuant to Article IX of the Liquor Control Act of 1934.

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

15 (10 ILCS 5/28-7) (from Ch. 46, par. 28-7)

16 Sec. 28-7. In any case in which Article VII or paragraph
17 (a) of Section 5 of the Transition Schedule of the Constitution
18 authorizes any action to be taken by or with respect to any
19 unit of local government, as defined in Section 1 of Article
20 VII of the Constitution, by or subject to approval by
21 referendum, any such public question shall be initiated in
22 accordance with this Section.

23 Any such public question may be initiated by the governing
24 body of the unit of local government by resolution or by the
25 filing with the clerk or secretary of the governmental unit of

1 a petition signed by a number of qualified electors equal to or
2 greater than at least 8% of the total votes cast for candidates
3 for Governor in the preceding gubernatorial election ~~10% of the~~
4 ~~number of registered voters in the governmental unit,~~
5 requesting the submission of the proposal for such action to
6 the voters of the governmental unit at a regular election.

7 If the action to be taken requires a referendum involving 2
8 or more units of local government, the proposal shall be
9 submitted to the voters of such governmental units by the
10 election authorities with jurisdiction over the territory of
11 the governmental units. Such multi-unit proposals may be
12 initiated by appropriate resolutions by the respective
13 governing bodies or by petitions of the voters of the several
14 governmental units filed with the respective clerks or
15 secretaries.

16 This Section is intended to provide a method of submission
17 to referendum in all cases of proposals for actions which are
18 authorized by Article VII of the Constitution by or subject to
19 approval by referendum and supersedes any conflicting
20 statutory provisions except those contained in the "County
21 Executive Act".

22 Referenda provided for in this Section may not be held more
23 than once in any 23-month period on the same proposition,
24 provided that in any municipality a referendum to elect not to
25 be a home rule unit may be held only once within any 47-month
26 period.

1 (Source: P.A. 82-750.)

2 (10 ILCS 5/28-9) (from Ch. 46, par. 28-9)

3 Sec. 28-9. Petitions for proposed amendments to Article IV
4 of the Constitution pursuant to Section 3, Article XIV of the
5 Constitution shall be signed by a number of electors equal in
6 number to at least 8% of the total votes cast for candidates
7 for Governor in the preceding gubernatorial election. Such
8 petition shall have been signed by the petitioning electors not
9 more than 24 months preceding the general election at which the
10 proposed amendment is to be submitted and shall be filed with
11 the Secretary of State at least 6 months before that general
12 election.

13 Upon receipt of a petition for a proposed Constitutional
14 amendment, the Secretary of State shall, as soon as is
15 practicable, but no later than the close of the next business
16 day, deliver such petition to the State Board of Elections.

17 Petitions for advisory questions of public policy to be
18 submitted to the voters of the entire State shall be signed by
19 a number of voters equal in number to 8% of the total votes
20 cast for candidates for Governor in the preceding gubernatorial
21 election. Such petition shall have been signed by said
22 petitioners not more than 24 months preceding the date of the
23 general election at which the question is to be submitted and
24 shall be filed with the State Board of Elections at least 6
25 months before that general election.

1 The proponents of the proposed ~~Constitutional amendment or~~
2 statewide advisory public question shall file the original
3 petition in bound election jurisdiction sections. Each section
4 shall be composed of consecutively numbered petition sheets
5 containing only the signatures of registered voters of a single
6 election jurisdiction and, at the top of each petition sheet,
7 the name of the election jurisdiction shall be typed or printed
8 in block letters; provided that, if the name of the election
9 jurisdiction is not so printed, the election jurisdiction of
10 the circulator of that petition sheet shall be controlling with
11 respect to the signatures on that sheet. Any petition sheets
12 not consecutively numbered or which contain duplicate page
13 numbers already used on other sheets, or are photocopies or
14 duplicates of the original sheets, shall not be considered part
15 of the petition for the purpose of the random sampling
16 verification and shall not be counted toward the minimum number
17 of signatures required to qualify the proposed ~~constitutional~~
18 ~~amendment or~~ statewide advisory public question for the ballot.

19 Within 7 business days following the last day for filing
20 the original petition, the proponents shall also file copies of
21 the sectioned election jurisdiction petition sheets with each
22 proper election authority and obtain a receipt therefor.

23 For purposes of this Act, the following terms shall be
24 defined and construed as follows:

- 25 1. "Board" means the State Board of Elections.
- 26 2. "Election Authority" means a county clerk or city or

1 county board of election commissioners.

2 3. "Election Jurisdiction" means (a) an entire county, in
3 the case of a county in which no city board of election
4 commissioners is located or which is under the jurisdiction of
5 a county board of election commissioners; (b) the territorial
6 jurisdiction of a city board of election commissioners; and (c)
7 the territory in a county outside of the jurisdiction of a city
8 board of election commissioners. In each instance election
9 jurisdiction shall be determined according to which election
10 authority maintains the permanent registration records of
11 qualified electors.

12 4. "Proponents" means any person, association, committee,
13 organization or other group, or their designated
14 representatives, who advocate and cause the circulation and
15 filing of petitions for a statewide advisory question of public
16 policy or a proposed constitutional amendment for submission at
17 a general election and who has registered with the Board as
18 provided in this Act.

19 5. "Opponents" means any person, association, committee,
20 organization or other group, or their designated
21 representatives, who oppose a statewide advisory question of
22 public policy or a proposed constitutional amendment for
23 submission at a general election and who have registered with
24 the Board as provided in this Act.

25 (Source: P.A. 93-574, eff. 8-21-03.)

1 (10 ILCS 5/28-10) (from Ch. 46, par. 28-10)

2 Sec. 28-10. Upon receipt of an original petition for a
3 proposed ~~Constitutional amendment or~~ statewide advisory public
4 question, the designated Board staff shall examine the petition
5 sheets in each election jurisdiction section for conformity
6 with the single jurisdiction signature requirement prescribed
7 in Section 28-9. The Board staff shall determine from the name
8 of the election jurisdiction printed at the top of the petition
9 sheet or from the election jurisdiction of the circulator of
10 that petition sheet, as the case may be, whether any signatures
11 on that sheet are not in conformity. If any signatures are
12 determined to be nonconforming, the Board staff shall prepare,
13 for each election jurisdiction section, a list by page and line
14 number of purported nonconforming signatures and shall
15 immediately transmit such lists to the Board Chairman and
16 copies of such lists to the principal proponent of the proposed
17 ~~Constitutional amendment or~~ statewide advisory public
18 question, or the proponent's attorney, whichever is designated
19 on the certificate attached to the petition, as provided in
20 Section 10-8 of this Code.

21 On the 10th business day following the last day for
22 petition filing, the Board shall conduct a hearing at which the
23 proponents may present arguments and evidence as to the
24 conformity of any purported nonconforming signatures. At the
25 conclusion of the hearing the Board shall make a final
26 determination with respect to each purported nonconforming

1 signature. Any signatures on petition sheets in an election
2 jurisdiction section finally determined to be nonconforming
3 shall not be considered part of the petition for the purpose of
4 the random sample verification and shall not be counted toward
5 the minimum number of signatures required to qualify the
6 proposed ~~Constitutional amendment or~~ statewide advisory public
7 question for the ballot.

8 (Source: P.A. 83-999.)

9 (10 ILCS 5/28-11) (from Ch. 46, par. 28-11)

10 Sec. 28-11. The Board shall design a standard and
11 scientific random sampling method for the verification of
12 petition signatures for statewide advisory referenda and shall
13 conduct a public test to prove the validity of its sampling
14 method. Notice of the time and place for such test shall be
15 given at least 10 days before the date on which such test is to
16 be conducted and in the manner prescribed for notice of regular
17 Board meetings. Signatures on petitions for constitutional
18 amendments initiated pursuant to Article XIV, Section 3 of the
19 Illinois Constitution need not be segregated by election
20 jurisdiction. The Board shall design an alternative signature
21 verification method for referenda initiated pursuant to
22 Article XIV, Section 3 of the Illinois Constitution.

23 Within 14 business days following the last day for the
24 filing of the original petition as prescribed in Section 28-9,
25 the Board shall apply its proven random sampling method to the

1 petition sheets in each election jurisdiction section for the
2 purpose of selecting and identifying the petition signatures to
3 be included in the sample signature verification for the
4 respective jurisdictions and shall prepare and transmit to each
5 proper election authority a list by page and line number of the
6 signatures from its election jurisdiction selected for
7 verification.

8 For each election jurisdiction, the sample verification
9 shall include an examination of either (a) 10% of the
10 signatures if 5,010 or more signatures are involved; or (b) 500
11 signatures if more than 500 but less than 5,010 signatures are
12 involved; or (c) all signatures if 500 or less signatures are
13 involved.

14 Each election authority with whom jurisdictional copies of
15 petition sheets were filed shall use the proven random sampling
16 method designed and furnished by the Board for the verification
17 of signatures shown on the list supplied by the Board and in
18 accordance with the following criteria for determination of
19 petition signature validity:

20 1. Determine if the person who signed the petition is a
21 registered voter in that election jurisdiction or was a
22 registered voter therein on the date the petition was signed;

23 2. Determine if the signature of the person who signed the
24 petition reasonably compares with the signature shown on that
25 person's registration record card.

26 Within 14 business days following receipt from the Board of

1 the list of signatures for verification, each election
2 authority shall transmit a properly dated certificate to the
3 Board which shall indicate; (a) the page and line number of
4 petition signatures examined, (b) the validity or invalidity of
5 such signatures, and (c) the reasons for invalidity, based on
6 the criteria heretofore prescribed. The Board shall prepare and
7 adopt a standard form of certificate for use by the election
8 authorities which shall be transmitted with the list of
9 signatures for verification.

10 Upon written request of the election authority that, due to
11 the volume of signatures in the sample for its jurisdiction,
12 additional time is needed to properly perform the signature
13 verification, the Board may grant the election authority
14 additional days to complete the verification and transmit the
15 certificate of results. These certificates of random sample
16 verification results shall be available for public inspection
17 within 24 hours after receipt by the State Board of Elections.

18 (Source: P.A. 83-999.)

19 (10 ILCS 5/28-12) (from Ch. 46, par. 28-12)

20 Sec. 28-12. Upon receipt of the certificates of the
21 election authorities showing the results of the sample
22 signature verification, the Board shall:

23 1. Based on the sample, calculate the ratio of invalid or
24 valid signatures in each election jurisdiction.

25 2. Apply the ratio of invalid to valid signatures in an

1 election jurisdiction sample to the total number of petition
2 signatures submitted from that election jurisdiction.

3 3. Compute the degree of multiple signature contamination
4 in each election jurisdiction sample.

5 4. Adjust for multiple signature contamination and the
6 invalid signatures, project the total number of valid petition
7 signatures submitted from each election jurisdiction.

8 5. Aggregate the total number of projected valid signatures
9 from each election jurisdiction and project the total number of
10 valid signatures on the petition statewide.

11 If such statewide projection establishes a total number of
12 valid petition signatures not greater than 95.0% of the minimum
13 number of signatures required to qualify the proposed
14 ~~Constitutional amendment or~~ statewide advisory public question
15 for the ballot, the petition shall be presumed invalid;
16 provided that, prior to the last day for ballot certification
17 for the general election, the Board shall conduct a hearing for
18 the purpose of allowing the proponents to present competent
19 evidence or an additional sample to rebut the presumption of
20 invalidity. At the conclusion of such hearing, and after the
21 resolution of any specific objection filed pursuant to Section
22 10-8 of this Code, the Board shall issue a final order
23 declaring the petition to be valid or invalid and shall, in
24 accordance with its order, certify or not certify the
25 proposition for the ballot.

26 If such statewide projection establishes a total number of

1 valid petition signatures greater than 95.0% of the minimum
2 number of signatures required to qualify the proposed
3 Constitutional amendment or statewide advisory public question
4 for the ballot, the results of the sample shall be considered
5 inconclusive and, if no specific objections to the petition are
6 filed pursuant to Section 10-8 of this Code, the Board shall
7 issue a final order declaring the petition to be valid and
8 shall certify the proposition for the ballot.

9 In either event, the Board shall append to its final order
10 the detailed results of the sample from each election
11 jurisdiction which shall include: (a) specific page and line
12 numbers of signatures actually verified or determined to be
13 invalid by the respective election authorities, and (b) the
14 calculations and projections performed by the Board for each
15 election jurisdiction.

16 (Source: P.A. 82-750.)

17 (10 ILCS 5/28-13) (from Ch. 46, par. 28-13)

18 Sec. 28-13. Each political party and civic organization as
19 well as the registered proponents and opponents of a proposed
20 ~~Constitutional amendment or~~ statewide advisory public question
21 shall be entitled to one watcher in the office of the election
22 authority to observe the conduct of the sample signature
23 verification. However, in those election jurisdictions where a
24 10% sample is required, the proponents and opponents may
25 appoint no more than 5 assistant watchers in addition to the 1

1 principal watcher permitted herein.

2 Within 7 days following the last day for filing of the
3 original petition, the proponents and opponents shall certify
4 in writing to the Board that they publicly support or oppose
5 the proposed ~~Constitutional amendment or~~ statewide advisory
6 public question. The proponents and opponents of such questions
7 shall register the name and address of its group and the name
8 and address of its chairman and designated agent for acceptance
9 of service of notices with the Board. Thereupon, the Board
10 shall prepare a list of the registered proponents and opponents
11 and shall adopt a standard proponents' and opponents' watcher
12 credential form. A copy of such list and sufficient copies of
13 such credentials shall be transmitted with the list for the
14 sample signature verification to the appropriate election
15 authorities. Those election authorities shall issue
16 credentials to the permissible number of watchers for each
17 proponent and opponent group; provided, however, that a
18 prospective watcher shall first present to the election
19 authority a letter of authorization signed by the chairman of
20 the proponent or opponent group he or she represents.

21 Political party and qualified civic organization watcher
22 credentials shall be substantially in the form and shall be
23 authorized in the manner prescribed in Section 7-34 of this
24 Code.

25 The rights and limitations of pollwatchers as prescribed by
26 Section 7-34 of this Code, insofar as they may be made

1 applicable, shall be applicable to watchers at the conduct of
2 the sample signature verification.

3 The principal watcher for the proponents and opponents may
4 make signed written objections to the Board relating to
5 procedures observed during the conduct of the sample signature
6 verification which could materially affect the results of the
7 sample. Such written objections shall be presented to the
8 election authority and a copy mailed to the Board and shall be
9 attached to the certificate of sample results transmitted by
10 the election authority to the Board.

11 (Source: P.A. 82-750.)

12 Section 15. The Township Code is amended by changing
13 Sections 45-10, 45-20, and 45-25 as follows:

14 (60 ILCS 1/45-10)

15 Sec. 45-10. Political party caucus in township; notice.

16 (a) On the first ~~second~~ Tuesday in December ~~January~~
17 preceding the date of the regular township election, a caucus
18 shall be held by the voters of each established political party
19 in a township to nominate its candidates for the various
20 offices to be filled at the election. Notice of the caucus
21 shall be given at least 10 days before it is held by
22 publication in some newspaper having a general circulation in
23 the township. Not less than 30 days before the caucus, the
24 township clerk shall notify the chairman or membership of each

1 township central committee by first-class mail of the
2 chairman's or membership's obligation to report the time and
3 location of the political party's caucus. Not less than 20 days
4 before the caucus, each chairman of the township central
5 committee shall notify the township clerk by first-class mail
6 of the time and location of the political party's caucus. If
7 the time and location of 2 or more political party caucuses
8 conflict, the township clerk shall establish, by a fair and
9 impartial public lottery, the time and location for each
10 caucus.

11 (b) Except as provided in this Section, the township board
12 shall cause notices of the caucuses to be published. The notice
13 shall state the time and place where the caucus for each
14 political party will be held. The board shall fix a place
15 within the township for holding the caucus for each established
16 political party. When a new township has been established under
17 Section 10-25, the county board shall cause notice of the
18 caucuses to be published as required by this Section and shall
19 fix the place within the new township for holding the caucuses.

20 (Source: P.A. 85-694; 88-62)

21 (60 ILCS 1/45-20)

22 Sec. 45-20. Caucus result; filing nomination papers;
23 certifying candidates.

24 (a) The township central committee shall canvass and
25 declare the result of the caucus.

1 (b) The chairman of the township central committee shall,
2 not more than 113 ~~78~~ nor less than 106 ~~71~~ days before the
3 township election, file nomination papers as provided in this
4 Section. The nomination papers shall consist of (i) a
5 certification by the chairman of the names of all candidates
6 for office in the township nominated at the caucus and (ii) a
7 statement of candidacy by each candidate in the form prescribed
8 in the general election law. The nomination papers shall be
9 filed in the office of the township clerk, except that if the
10 township is entirely within the corporate limits of a city,
11 village, or incorporated town under the jurisdiction of a board
12 of election commissioners, the nomination papers shall be filed
13 in the office of the board of election commissioners instead of
14 the township clerk.

15 (c) The township clerk shall certify the candidates so
16 nominated to the proper election authorities not less than 61
17 days before the township election. The election shall be
18 conducted in accordance with the general election law.

19 (Source: P.A. 85-694; 88-62.)

20 (60 ILCS 1/45-25)

21 Sec. 45-25. Caucus in multi-township district.

22 (a) On the first ~~second~~ Wednesday in December ~~January~~
23 preceding the date of any election at which township officers
24 are to be elected, a caucus shall be held by the voters of each
25 established political party in a multi-township district to

1 nominate its candidates for township assessor.

2 (b) For purposes of this Code, the multi-township central
3 committee of each established political party shall consist of
4 the elected or appointed precinct committeemen of each
5 established political party within the multi-township district
6 and shall promulgate rules of procedure under Section 45-50.

7 (c) The multi-township central committee of each
8 established political party shall cause notices of the caucuses
9 to be published. The notices shall state the time and place
10 where the caucus for each established political party will be
11 held within the multi-township district and shall be published
12 in a newspaper of general circulation in the district 10 days
13 before the caucuses are held. Not less than 30 days before the
14 caucus, the multi-township clerk shall notify the chairman or
15 membership of each multi-township central committee by
16 first-class mail of the chairman's or membership's obligation
17 to report the time and location of the political party's
18 caucus. Not less than 20 days before the caucus, each chairman
19 of the multi-township central committee shall notify the
20 multi-township clerk by first-class mail of the time and
21 location of the political party's caucus. If the time and
22 location of 2 or more political party caucuses conflict, the
23 multi-township clerk shall establish, by a fair and impartial
24 public lottery, the time and location for each caucus.

25 (d) The result of the election shall be canvassed in the
26 manner provided by the general election law.

1 (e) The chairman of the multi-township central committee
2 shall, not more than 113 ~~78~~ nor less than 106 ~~71~~ days before
3 the multi-township election, file nomination papers as
4 provided in this Section. The nomination papers shall consist
5 of (i) a certification by the chairman of the names of all
6 candidates for office in the township nominated at the caucus
7 and (ii) a statement of candidacy by each candidate in the form
8 prescribed in the general election law. The nomination papers
9 shall be filed in the office of the election authority. The
10 election shall be conducted in accordance with the general
11 election law.

12 (Source: P.A. 85-694; 88-62.)

13 Section 20. The Illinois Municipal Code is amended by
14 changing Section 3.1-20-45 as follows:

15 (65 ILCS 5/3.1-20-45)

16 Sec. 3.1-20-45. Nonpartisan primary elections; uncontested
17 office. A city incorporated under this Code that elects
18 municipal officers at nonpartisan primary and general
19 elections shall conduct the elections as provided in the
20 Election Code, except that no office for which nomination is
21 uncontested shall be included on the primary ballot and no
22 primary shall be held for that office. For the purposes of this
23 Section, an office is uncontested when not more than 4 persons
24 to be nominated for each office have timely filed valid

1 nominating papers seeking nomination for the election to that
2 office.

3 Notwithstanding the preceding paragraph, when a person (i)
4 who has not timely filed valid nomination papers and (ii) who
5 intends to become a write-in candidate for nomination for any
6 office for which nomination is uncontested files a written
7 statement or notice of that intent with the proper election
8 official with whom the nomination papers for that office are
9 filed, if the write-in candidate becomes the fifth candidate
10 filed, a primary ballot must be prepared and a primary must be
11 held for the office. The statement or notice must be filed on
12 or before the 61st day before the consolidated primary
13 election. The statement must contain (i) the name and address
14 of the person intending to become a write-in candidate, (ii) a
15 statement that the person intends to become a write-in
16 candidate, and (iii) the office the person is seeking as a
17 write-in candidate. An election authority has no duty to
18 conduct a primary election or prepare a primary ballot unless a
19 statement meeting the requirements of this paragraph is filed
20 in a timely manner.

21 If there is a primary election, then candidates shall be
22 placed on the ballot for the next succeeding general municipal
23 election in the following manner:

24 (1) If one officer is to be elected, then the 2
25 candidates who receive the highest number of votes shall be
26 placed on the ballot for the next succeeding general

1 municipal election.

2 (2) If 2 aldermen are to be elected at large, then the
3 4 candidates who receive the highest number of votes shall
4 be placed on the ballot for the next succeeding general
5 municipal election.

6 (3) If 3 aldermen are to be elected at large, then the
7 6 candidates who receive the highest number of votes shall
8 be placed on the ballot for the next succeeding general
9 municipal election.

10 The name of a write-in candidate may not be placed on the
11 ballot for the next succeeding general municipal election
12 unless he or she receives a number of votes in the primary
13 election that equals or exceeds the number of signatures
14 required on a petition for nomination for that office or that
15 exceeds the number of votes received by at least one of the
16 candidates whose names were printed on the primary ballot for
17 nomination for or election to the same office.

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

19 Section 25. The School Code is amended by adding Section
20 9-1.5 as follows:

21 (105 ILCS 5/9-1.5 new)

22 Sec. 9-1.5. Advisory referenda. By a vote of the majority
23 of the members of the school board, the board may authorize an
24 advisory question of public policy to be placed on the ballot

1 at the next regularly scheduled election in the school
2 district. The school board shall certify the question to the
3 proper election authority, which must submit the question at an
4 election in accordance with the Election Code, provided,
5 however, that no such question may be submitted at a
6 consolidated primary election.

7 Section 30. The Illinois Vehicle Code is amended by
8 changing Section 2-105 as follows:

9 (625 ILCS 5/2-105) (from Ch. 95 1/2, par. 2-105)

10 Sec. 2-105. Offices of Secretary of State.

11 (a) The Secretary of State shall maintain offices in the
12 State capital and in such other places in the State as he may
13 deem necessary to properly carry out the powers and duties
14 vested in him.

15 (b) The Secretary of State may construct and equip one or
16 more buildings in the State of Illinois outside of the County
17 of Sangamon as he deems necessary to properly carry out the
18 powers and duties vested in him. The Secretary of State may, on
19 behalf of the State of Illinois, acquire public or private
20 property needed therefor by lease, purchase or eminent domain.
21 The care, custody and control of such sites and buildings
22 constructed thereon shall be vested in the Secretary of State.
23 Expenditures for the construction and equipping of any of such
24 buildings upon premises owned by another public entity shall

1 not be subject to the provisions of any State law requiring
2 that the State be vested with absolute fee title to the
3 premises. The exercise of the authority vested in the Secretary
4 of State by this Section is subject to the appropriation of the
5 necessary funds.

6 (c) Pursuant to Section 1A-25 ~~Sections 4-6.2, 5-16.2, and~~
7 ~~6-50.2~~ of the Election Code, the Secretary of State shall make
8 driver services facilities available for use as ~~temporary~~
9 places of accepting applications for voter registration.
10 ~~Registration within the offices shall be in the most public,~~
11 ~~orderly and convenient portions thereof, and Section 4-3, 5-3,~~
12 ~~and 11-4 of the Election Code relative to the attendance of~~
13 ~~police officers during the conduct of registration shall apply.~~
14 ~~Registration under this Section shall be made in the manner~~
15 ~~provided by Sections 4-8, 4-10, 5-7, 5-9, 6-34, 6-35, and 6-37~~
16 ~~of the Election Code.~~

17 (d) (Blank). ~~Within 30 days after the effective date of~~
18 ~~this amendatory Act of 1990, and no later than November 1 of~~
19 ~~each even numbered year thereafter, the Secretary of State, to~~
20 ~~the extent practicable, shall designate to each election~~
21 ~~authority in the State a reasonable number of employees at each~~
22 ~~driver services facility registered to vote within the~~
23 ~~jurisdiction of such election authority and within adjacent~~
24 ~~election jurisdictions for appointment as deputy registrars by~~
25 ~~the election authority located within the election~~
26 ~~jurisdiction where the employees maintain their residences.~~

1 ~~Such designation shall be in writing and certified by the~~
2 ~~Secretary of State.~~

3 (e) Each person applying at a driver services facility for
4 a driver's license or permit, a corrected driver's license or
5 permit, an Illinois identification card or a corrected Illinois
6 identification card shall be notified that the person may apply
7 to register to vote at such station ~~to vote in the State~~ and
8 may also apply to transfer his or her voter registration at
9 such station to a different address in the State. Such
10 notification may be made in writing or verbally issued by an
11 employee or the Secretary of State.

12 The Secretary of State shall promulgate such rules as may
13 be necessary for the efficient execution of his duties and the
14 duties of his employees under this Section ~~amendatory Act of~~
15 ~~1990~~.

16 (f) Any person applying at a driver services facility for
17 issuance or renewal of a driver's license or Illinois
18 Identification Card shall be provided, without charge, with a
19 brochure warning the person of the dangers of financial
20 identity theft. The Department of Financial and Professional
21 Regulation shall prepare these brochures and provide them to
22 the Secretary of State for distribution. The brochures shall
23 (i) identify signs warning the reader that he or she might be
24 an intended victim of the crime of financial identity theft,
25 (ii) instruct the reader in how to proceed if the reader
26 believes that he or she is the victim of the crime of identity

1 theft, and (iii) provide the reader with names and telephone
2 numbers of law enforcement and other governmental agencies that
3 provide assistance to victims of financial identity theft.

4 (Source: P.A. 94-645, eff. 8-22-05; 94-1001, eff. 1-1-07.)

5 Section 35. If and only if the provisions of Senate Bill 63
6 of the 97th General Assembly become law, then the Circuit
7 Courts Act is amended by changing Sections 2f-10 and 2f-11 as
8 follows:

9 (705 ILCS 35/2f-10)

10 Sec. 2f-10. 16th and 23rd judicial circuits.

11 (a) On December 3, 2012, the 16th judicial circuit is
12 divided into the 16th and 23rd judicial circuits as provided in
13 Section 1 of the Circuit Courts Act. This division does not
14 invalidate any action taken by the 16th judicial circuit or any
15 of its judges, officers, employees, or agents before December
16 3, 2012. This division does not affect any person's rights,
17 obligations, or duties, including applicable civil and
18 criminal penalties, arising out of any action taken by the 16th
19 judicial circuit or any of its judges, officers, employees, or
20 agents before December 3, 2012.

21 (b) The 16th circuit shall have one additional resident
22 judgeship to be allotted by the Supreme Court under subsection
23 (d). The additional resident judgeship shall be filled by
24 election beginning at the 2012 general election.

1 (c) The 16th circuit shall have an additional resident
2 judgeship from Kendall County to be allotted by the Supreme
3 Court. The additional judgeship shall be filled by election
4 beginning at the 2012 general election. This judgeship shall
5 become a resident judgeship from Kendall County in the 23rd
6 circuit on December 3, 2012.

7 (d) The Supreme Court shall allot: (i) all vacancies in at
8 large judgeships or resident judgeships from the County of Kane
9 of the 16th circuit ~~existing on or occurring on or~~ after the
10 2012 general election ~~effective date of this amendatory Act of~~
11 ~~the 97th General Assembly~~, excluding the vacancy in subsection
12 (e); and (ii) the one resident judgeship added by subsection
13 (b), for election from the various subcircuits until there are
14 2 resident judges to be elected from each subcircuit. The
15 additional resident judgeship added by subsection (b) that
16 shall be filled by election beginning at the 2012 general
17 election shall be assigned to subcircuit 2 for election. The
18 Supreme Court may fill the judgeship by appointment prior to
19 the 2012 general election. The vacancies allotted by the
20 Supreme Court under this subsection shall become resident
21 judgeships of the 16th circuit to be assigned to the 3rd, 1st,
22 and 4th subcircuits in that order. Subcircuit judgeships in the
23 3rd, 1st, and 4th subcircuits shall be filled by election as
24 vacancies occur. No resident judge of the 16th circuit serving
25 on the effective date of this amendatory Act of the 97th
26 General Assembly shall be required to change his or her

1 residency in order to continue serving in office or to seek
2 retention in office as resident judgeships are allotted by the
3 Supreme Court in accordance with this Section. As used in this
4 subsection, a vacancy does not include the expiration of a term
5 of an at large judge or of a resident judge who intends to seek
6 retention in that office at the next term.

7 (e) The Supreme Court shall assign to the 16th circuit the
8 7 circuit judgeships elected at large in the 16th circuit
9 before and at the 2012 general election. The 3 resident
10 judgeships elected from Kane County before the 2012 general
11 election shall become at large circuit judgeships on December
12 3, 2012. An individual seeking election to one of the 7
13 judgeships at large or a judge seeking retention to one of the
14 7 judgeships at large at the 2012 general election shall seek
15 election or retention solely within the boundaries of Kane
16 County. The 7 circuit judgeships assigned to the 16th circuit
17 shall continue to be elected at large, and the 3 resident
18 judges shall be elected at large at the first general election
19 following the expiration of a term of office. Of the 7 circuit
20 judgeships elected at large as of April 15, 2011, and the 3
21 resident judgeships elected from Kane County before the general
22 election of 2012 converting to at large judgeships on December
23 3, 2012, the first vacancy occurring after December 3, 2012
24 shall be assigned to the 23rd circuit as a Kendall County
25 resident judge. As used in this subsection, a vacancy does not
26 include the expiration of a term of an at large judge or of a

1 resident judge who intends to seek retention in that office at
2 the next term.

3 (f) The 3 resident judgeships elected from DeKalb County
4 before the 2012 general election shall become resident
5 judgeships from DeKalb County in the 23rd circuit on December
6 3, 2012, and the 2 resident judgeships elected from Kendall
7 County before the 2012 general election shall become resident
8 judgeships from Kendall County in the 23rd circuit on December
9 3, 2012.

10 (g) The 4 subcircuit judgeships of the 16th circuit elected
11 as of April 15, 2011, shall become the 4 subcircuit judgeships
12 of the 16th circuit as established in Section 2f-9. The
13 remaining unfilled subcircuit judgeship of the 16th circuit as
14 of April 15, 2011 shall be eliminated. If the judgeship of the
15 5th subcircuit of the 16th circuit is filled prior to the
16 effective date of this amendatory Act of the 97th General
17 Assembly, that judgeship shall be eliminated on December 3,
18 2012.

19 (h) On December 3, 2012, the Supreme Court shall allocate
20 the associate judgeships of the 16th circuit before that date
21 between the 16th and 23rd circuits. The number of associate
22 judges allocated to the 23rd circuit shall be no less than 5.

23 (i) On December 3, 2012, the Supreme Court shall allocate
24 personnel, books, records, documents, property (real and
25 personal), funds, assets, liabilities, and pending matters
26 concerning the 16th circuit before that date between the 16th

1 and 23rd circuits based on the population and staffing needs of
2 those circuits and the efficient and proper administration of
3 the judicial system. The rights of employees under applicable
4 collective bargaining agreements are not affected by this
5 amendatory Act of the 97th General Assembly.

6 (j) The judgeships set forth in this Section include the
7 judgeships authorized under Sections 2g, 2h, 2j, 2k, 2m, and
8 2n. The judgeships authorized in those Sections are not in
9 addition to those set forth in this Section.

10 (Source: 09700SB0063enr.)

11 (705 ILCS 35/2f-11)

12 Sec. 2f-11. 23rd judicial circuit.

13 (a) The 23rd circuit shall have a total of 7 ~~6~~ resident
14 judgeships (5 resident judgeships existing on the effective
15 date of this amendatory Act of the 97th General Assembly, the
16 resident judgeship for Kendall County that is to be filled by
17 election at the 2012 general election, and the resident
18 judgeship for Kendall County created by the first vacancy of an
19 at large ~~resident~~ judgeship or resident judgeship in the new
20 16th circuit).

21 (b) Vacancies in resident judgeships of the 23rd circuit
22 shall be filled in the manner provided in Article VI of the
23 Illinois Constitution.

24 (Source: 09700SB0063enr.)

1 Section 99. Effective date. This Act takes effect upon
2 becoming law, except that Section 35 takes effect upon becoming
3 law or on the effective date of Senate Bill 63 of the 97th
4 General Assembly, whichever is later.".