



Rep. Barbara Flynn Currie

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LRB098 15373 MGM 62347 a

1 AMENDMENT TO HOUSE BILL 3817

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 3817 by replacing  
3 everything after the enacting clause with the following:

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

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

7 Sec. 10-6. Time and manner of filing. Certificates of  
8 nomination and nomination papers for the nomination of  
9 candidates for offices to be filled by electors of the entire  
10 State, or any district not entirely within a county, or for  
11 congressional, state legislative or judicial offices, shall be  
12 presented to the principal office of the State Board of  
13 Elections not more than 141 nor less than 134 days previous to  
14 the day of election for which the candidates are nominated. The  
15 State Board of Elections shall endorse the certificates of  
16 nomination or nomination papers, as the case may be, and the

1 date and hour of presentment to it. Except as otherwise  
2 provided in this section, all other certificates for the  
3 nomination of candidates shall be filed with the county clerk  
4 of the respective counties not more than 141 but at least 134  
5 days previous to the day of such election. Certificates of  
6 nomination and nomination papers for the nomination of  
7 candidates for school district offices to be filled at  
8 consolidated elections shall be filed with the county clerk or  
9 county board of election commissioners of the county ~~election~~  
10 ~~authority~~ in which the principal office of the school district  
11 is located not more than 113 nor less than 106 days before the  
12 consolidated election. Certificates of nomination and  
13 nomination papers for the nomination of candidates for the  
14 other offices of political subdivisions to be filled at regular  
15 elections other than the general election shall be filed with  
16 the local election official of such subdivision:

17 (1) (Blank);

18 (2) not more than 113 nor less than 106 days prior to  
19 the consolidated election; or

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

23 (4) not more than 99 nor less than 92 days before the  
24 consolidated primary in the case of municipal offices to be  
25 elected on a nonpartisan basis pursuant to law (including  
26 without limitation, those municipal offices subject to

1 Articles 4 and 5 of the Municipal Code); or

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

6 (6) in the case of petitions for the office of  
7 multi-township assessor, such petitions shall be filed  
8 with the election authority not more than 113 nor less than  
9 106 days before the consolidated election.

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

16 (Source: P.A. 98-691, eff. 7-1-14.)

17 Section 10. The School Code is amended by changing Section  
18 9-10 as follows:

19 (105 ILCS 5/9-10) (from Ch. 122, par. 9-10)

20 Sec. 9-10. Candidates for office - Nominating petitions.  
21 Candidates for the office of school director shall be nominated  
22 by petition signed by at least 25 voters or 5% of the voters,  
23 whichever is less, residing within the district and filed with  
24 the county clerk or the county board of election commissioners,

1 as the case may be, of the county in which the principal office  
2 of the school district is located.

3 Nominations for members of boards of education, including  
4 non-high school boards of education shall be made by a petition  
5 signed by at least 50 voters or 10% of the voters, whichever is  
6 less, residing within the district and shall be filed with the  
7 county clerk or the county board of election commissioners, as  
8 the case may be, of the county in which the principal office of  
9 the school district is located. In addition to the requirements  
10 of the general election law, the form of such petitions shall  
11 be substantially as follows:

12 NOMINATING PETITIONS

13 (LEAVE OUT THE INAPPLICABLE PART.)

14 To the (County Clerk or County Board of Election  
15 Commissioners) .... of .... County:

16 We the undersigned, being (.... or more) (or 10% or more)  
17 (or 5% or more) of the voters residing within said district,  
18 hereby petition that .... who resides at .... in the (city or  
19 village) of .... in Township .... (or who resides outside any  
20 city, village or incorporated town and in Township ....) in  
21 said district shall be a candidate for the office of .... of  
22 the board of education (or board of directors) (full term)  
23 (vacancy) to be voted for at the election to be held on (insert  
24 date).

25 Name: ..... Address: .....

1           In the designation of the name of a candidate on a petition  
2 for nomination, the candidate's given name or names, initial or  
3 initials, a nickname by which the candidate is commonly known,  
4 or a combination thereof may be used in addition to the  
5 candidate's surname. If a candidate has changed his or her  
6 name, whether by a statutory or common law procedure in  
7 Illinois or any other jurisdiction, within 3 years before the  
8 last day for filing the petition, then (i) the candidate's name  
9 on the petition must be followed by "formerly known as (list  
10 all prior names during the 3-year period) until name changed on  
11 (list date of each such name change)" and (ii) the petition  
12 must be accompanied by the candidate's affidavit stating the  
13 candidate's previous names during the period specified in  
14 clause (i) and the date or dates each of those names was  
15 changed; failure to meet these requirements shall be grounds  
16 for denying certification of the candidate's name for the  
17 ballot, but these requirements do not apply to name changes  
18 resulting from adoption to assume an adoptive parent's or  
19 parents' surname, marriage to assume a spouse's surname, or  
20 dissolution of marriage or declaration of invalidity of  
21 marriage to assume a former surname. No other designation, such  
22 as a political slogan, as defined by Section 7-17 of the  
23 Election Code, title or degree, or nickname suggesting or  
24 implying possession of a title, degree or professional status,  
25 or similar information may be used in connection with the  
26 candidate's surname.

1           Nomination papers filed under this Section are not valid  
2 unless the candidate named therein files with the county clerk  
3 or the county board of election commissioners, as the case may  
4 be, of the county in which the principal office of the school  
5 district is located a receipt from the county clerk showing  
6 that the candidate has filed a statement of economic interests  
7 as required by the Illinois Governmental Ethics Act. Such  
8 receipt shall be so filed either previously during the calendar  
9 year in which his nomination papers were filed or within the  
10 period for the filing of nomination papers in accordance with  
11 the general election law.

12           All petitions for the nomination of members of a board of  
13 education shall be filed with the county clerk or the county  
14 board of election commissioners, as the case may be, of the  
15 county in which the principal office of the school district is  
16 located within the time provided for by the general election  
17 law. ~~The county clerk or the county board of election~~  
18 ~~commissioners shall receive and file only those petitions which~~  
19 ~~include a statement of candidacy, the required number of voter~~  
20 ~~signatures, the notarized signature of the petition circulator~~  
21 ~~and a receipt from the County Clerk showing that the candidate~~  
22 ~~has filed a statement of economic interest on or before the~~  
23 ~~last day to file as required by the Illinois Governmental~~  
24 ~~Ethics Act.~~ The county clerk or the county board of election  
25 commissioners may have petition forms available for issuance to  
26 potential candidates, and may give notice of the petition

1 filing period by publication in a newspaper of general  
2 circulation within the school district not less than 10 days  
3 prior to the first day of filing. The county clerk or the  
4 county board of election commissioners shall make  
5 certification to the proper election authorities in accordance  
6 with the general election law.

7 The county clerk or the county board of election  
8 commissioners, as the case may be, of the county in which the  
9 principal office of the school district is located shall notify  
10 the candidates for whom a petition for nomination is filed or  
11 the appropriate committee of the obligations under the Campaign  
12 Financing Act as provided in the general election law. Such  
13 notice shall be given on a form prescribed by the State Board  
14 of Elections and in accordance with the requirements of the  
15 general election law. The county clerk or county board of  
16 election commissioners shall within 7 days of filing or on the  
17 last day for filing, whichever is earlier, acknowledge to the  
18 petitioner in writing the office's acceptance of the petition.

19 A candidate for membership on the board of education or for  
20 office as a school director, who has petitioned for nomination  
21 to fill a full term and to fill a vacant term to be voted upon  
22 at the same election, must withdraw his or her petition for  
23 nomination from either the full term or the vacant term by  
24 written declaration.

25 In all newly organized districts the petition for the  
26 nomination of candidates for members of the board of education

1 at the first election shall be addressed to and filed with the  
2 regional superintendent of schools in the manner herein  
3 specified for the petitions for members of a board of  
4 education. For such election the regional superintendent shall  
5 fulfill all duties otherwise assigned to the secretary of the  
6 board of education.

7 (Source: P.A. 98-115, eff. 7-29-13.)

8 Section 99. Effective date. This Act takes effect upon  
9 becoming law."