

HB4971



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

HB4971

Introduced 2/5/2016, by Rep. Mike Fortner

SYNOPSIS AS INTRODUCED:

10 ILCS 5/10-8

from Ch. 46, par. 10-8

Replaces everything after the enacting clause. Amends the Election Code. Provides that petitions for candidacy filed with any election authority shall be provided to the public in electronic form, made available online by the principal office or the permanent branch office of the State Board of Elections, or by the office of the election authority or local election official with whom the petitions are filed. Effective immediately.

LRB099 16425 MGM 40758 b

A BILL FOR

1 AN ACT concerning elections.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Election Code is amended by changing Section
5 10-8 as follows:

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

7 Sec. 10-8. Certificates of nomination and nomination
8 papers, and petitions to submit public questions to a
9 referendum, being filed as required by this Code, and being in
10 apparent conformity with the provisions of this Act, shall be
11 deemed to be valid unless objection thereto is duly made in
12 writing within 5 business days after the last day for filing
13 the certificate of nomination or nomination papers or petition
14 for a public question, with the following exceptions:

15 A. In the case of petitions to amend Article IV of the
16 Constitution of the State of Illinois, there shall be a
17 period of 35 business days after the last day for the
18 filing of such petitions in which objections can be filed.

19 B. In the case of petitions for advisory questions of
20 public policy to be submitted to the voters of the entire
21 State, there shall be a period of 35 business days after
22 the last day for the filing of such petitions in which
23 objections can be filed.

1 Any legal voter of the political subdivision or district in
2 which the candidate or public question is to be voted on, or
3 any legal voter in the State in the case of a proposed
4 amendment to Article IV of the Constitution or an advisory
5 public question to be submitted to the voters of the entire
6 State, having objections to any certificate of nomination or
7 nomination papers or petitions filed, shall file an objector's
8 petition together with 2 copies thereof in the principal office
9 or the permanent branch office of the State Board of Elections,
10 or in the office of the election authority or local election
11 official with whom the certificate of nomination, nomination
12 papers or petitions are on file. Objection petitions that do
13 not include 2 copies thereof, shall not be accepted. In the
14 case of nomination papers or certificates of nomination, the
15 State Board of Elections, election authority or local election
16 official shall note the day and hour upon which such objector's
17 petition is filed, and shall, not later than 12:00 noon on the
18 second business day after receipt of the petition, transmit by
19 registered mail or receipted personal delivery the certificate
20 of nomination or nomination papers and the original objector's
21 petition to the chairman of the proper electoral board
22 designated in Section 10-9 hereof, or his authorized agent, and
23 shall transmit a copy by registered mail or receipted personal
24 delivery of the objector's petition, to the candidate whose
25 certificate of nomination or nomination papers are objected to,
26 addressed to the place of residence designated in said

1 certificate of nomination or nomination papers. In the case of
2 objections to a petition for a proposed amendment to Article IV
3 of the Constitution or for an advisory public question to be
4 submitted to the voters of the entire State, the State Board of
5 Elections shall note the day and hour upon which such
6 objector's petition is filed and shall transmit a copy of the
7 objector's petition by registered mail or receipted personal
8 delivery to the person designated on a certificate attached to
9 the petition as the principal proponent of such proposed
10 amendment or public question, or as the proponents' attorney,
11 for the purpose of receiving notice of objections. In the case
12 of objections to a petition for a public question, to be
13 submitted to the voters of a political subdivision, or district
14 thereof, the election authority or local election official with
15 whom such petition is filed shall note the day and hour upon
16 which such objector's petition was filed, and shall, not later
17 than 12:00 noon on the second business day after receipt of the
18 petition, transmit by registered mail or receipted personal
19 delivery the petition for the public question and the original
20 objector's petition to the chairman of the proper electoral
21 board designated in Section 10-9 hereof, or his authorized
22 agent, and shall transmit a copy by registered mail or
23 receipted personal delivery, of the objector's petition to the
24 person designated on a certificate attached to the petition as
25 the principal proponent of the public question, or as the
26 proponent's attorney, for the purposes of receiving notice of

1 objections.

2 The objector's petition shall give the objector's name and
3 residence address, and shall state fully the nature of the
4 objections to the certificate of nomination or nomination
5 papers or petitions in question, and shall state the interest
6 of the objector and shall state what relief is requested of the
7 electoral board.

8 The provisions of this Section and of Sections 10-9, 10-10
9 and 10-10.1 shall also apply to and govern objections to
10 petitions for nomination filed under Article 7 or Article 8,
11 except as otherwise provided in Section 7-13 for cases to which
12 it is applicable, and also apply to and govern petitions for
13 the submission of public questions under Article 28.

14 Petitions for candidacy filed with any election authority
15 shall be provided to the public in electronic form, made
16 available online by the principal office or the permanent
17 branch office of the State Board of Elections, or by the office
18 of the election authority or local election official with whom
19 the petitions are filed.

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

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