

1 AN ACT concerning elections.

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

4 Section 5. The Election Code is amended by changing
5 Sections 10-5 and 10-9 as follows:

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

7 Sec. 10-5. All petitions for nomination shall, besides
8 containing the names of candidates, specify as to each:

9 1. The office or offices to which such candidate or
10 candidates shall be nominated.

11 2. The new political party, if any, represented, expressed
12 in not more than 5 words. However, such party shall not bear
13 the same name as, nor include the name of any established
14 political party as defined in this Article. This prohibition
15 does not preclude any established political party from making
16 nominations in those cases in which it is authorized to do so.

17 3. The place of residence of any such candidate or
18 candidates with the street and number thereof, if any. In the
19 case of electors for President and Vice-President of the United
20 States, the names of candidates for President and
21 Vice-President may be added to the party name or appellation.

22 Such certificate of nomination or nomination papers in
23 addition shall include as a part thereof, the oath required by
24 Section 7-10.1 of this Act and must include a statement of
25 candidacy for each of the candidates named therein, except
26 candidates for electors for President and Vice-President of the
27 United States. Each such statement shall set out the address of
28 such candidate, the office for which he is a candidate, shall
29 state that the candidate is qualified for the office specified
30 and has filed (or will file before the close of the petition
31 filing period) a statement of economic interests as required by
32 the Illinois Governmental Ethics Act, shall state whether

1 objections to the nomination (if for a municipal, township,
 2 school district, or community college district office) shall be
 3 heard by an appropriate municipal, township, or education
 4 officers electoral board or by the county officers electoral
 5 board, shall request that the candidate's name be placed upon
 6 the official ballot and shall be subscribed and sworn to by
 7 such candidate before some officer authorized to take
 8 acknowledgments of deeds in this State, and may be in
 9 substantially the following form:

10 State of Illinois)

11) SS.

12 County of.....)

13 I,....., being first duly sworn, say that I reside at....
 14 street, in the city (or village) of.... in the county of....
 15 State of Illinois; ~~and~~ that I am a qualified voter therein;
 16 that I am a candidate for election to the office of.... to be
 17 voted upon at the election to be held on the.... day
 18 of.....,.....; ~~and~~ that I am legally qualified to hold such
 19 office; ~~and~~ that I have filed (or will file before the close of
 20 the petition filing period) a statement of economic interests
 21 as required by the Illinois Governmental Ethics Act; if I am a
 22 candidate for a municipal, township, school district, or
 23 community college district office, that objections to my
 24 nomination shall be heard by (indicate 1 or 2) ... (1) the
 25 appropriate municipal, township, or education officers
 26 electoral board or ... (2) the county officers electoral
 27 board; and that I hereby request that my name be printed upon
 28 the official ballot for election to such office.

29 Signed.....

30 Subscribed and sworn to (or affirmed) before me by.... who
 31 is to me personally known, this.... day of.....,.....

32 Signed.....

33 (Official Character)

34 (Seal, if officer has one.)

35 In addition, a new political party petition shall have
 36 attached thereto a certificate stating the names and addresses

1 of the party officers authorized to fill vacancies in
2 nomination pursuant to Section 10-11.

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

19 (Source: P.A. 84-551.)

20 (10 ILCS 5/10-9) (from Ch. 46, par. 10-9)

21 Sec. 10-9. The following electoral boards are designated
22 for the purpose of hearing and passing upon the objector's
23 petition described in Section 10-8.

24 1. The State Board of Elections will hear and pass upon
25 objections to the nominations of candidates for State offices,
26 nominations of candidates for congressional, legislative and
27 judicial offices of districts or circuits situated in more than
28 one county, nominations of candidates for the offices of
29 State's attorney or regional superintendent of schools to be
30 elected from more than one county, and petitions for proposed
31 amendments to the Constitution of the State of Illinois as
32 provided for in Section 3 of Article XIV of the Constitution.

33 2. The county officers electoral board to hear and pass
34 upon objections to the nominations of candidates for county
35 offices, for congressional, legislative and judicial offices

1 of a district or circuit coterminous with or less than a
2 county, for school trustees to be voted for by the electors of
3 the county or by the electors of a township of the county, for
4 the office of multi-township assessor where candidates for such
5 office are nominated in accordance with this Code, and for all
6 special district offices, shall be composed of the county
7 clerk, or an assistant designated by the county clerk, the
8 State's attorney of the county or an Assistant State's Attorney
9 designated by the State's Attorney, and the clerk of the
10 circuit court, or an assistant designated by the clerk of the
11 circuit court, of the county, of whom the county clerk or his
12 designee shall be the chairman, except that in any county which
13 has established a county board of election commissioners that
14 board shall constitute the county officers electoral board
15 ex-officio. The county officers electoral board shall also hear
16 and pass upon objector's petitions to the nomination of a
17 candidate for municipal, township, school district, or
18 community college district office if the candidate so indicated
19 in his or her statement of candidacy.

20 3. Except as provided in paragraph 2, the ~~The~~ municipal
21 officers electoral board to hear and pass upon objections to
22 the nominations of candidates for officers of municipalities
23 shall be composed of the mayor or president of the board of
24 trustees of the city, village or incorporated town, and the
25 city, village or incorporated town clerk, and one member of the
26 city council or board of trustees, that member being designated
27 who is eligible to serve on the electoral board and has served
28 the greatest number of years as a member of the city council or
29 board of trustees, of whom the mayor or president of the board
30 of trustees shall be the chairman.

31 4. Except as provided in paragraph 2, the ~~The~~ township
32 officers electoral board to pass upon objections to the
33 nominations of township officers shall be composed of the
34 township supervisor, the town clerk, and that eligible town
35 trustee elected in the township who has had the longest term of
36 continuous service as town trustee, of whom the township

1 supervisor shall be the chairman.

2 5. Except as provided in paragraph 2, the ~~The~~ education
3 officers electoral board to hear and pass upon objections to
4 the nominations of candidates for offices in school or
5 community college districts shall be composed of the presiding
6 officer of the school or community college district board, who
7 shall be the chairman, the secretary of the school or community
8 college district board and the eligible elected school or
9 community college board member who has the longest term of
10 continuous service as a board member.

11 6. In all cases, however, where the Congressional or
12 Legislative district is wholly within the jurisdiction of a
13 board of election commissioners and in all cases where the
14 school district or special district is wholly within the
15 jurisdiction of a municipal board of election commissioners and
16 in all cases where the municipality or township is wholly or
17 partially within the jurisdiction of a municipal board of
18 election commissioners, the board of election commissioners
19 shall ex-officio constitute the electoral board.

20 For special districts situated in more than one county, the
21 county officers electoral board of the county in which the
22 principal office of the district is located has jurisdiction to
23 hear and pass upon objections. For purposes of this Section,
24 "special districts" means all political subdivisions other
25 than counties, municipalities, townships and school and
26 community college districts.

27 In the event that any member of the appropriate board is a
28 candidate for the office with relation to which the objector's
29 petition is filed, he shall not be eligible to serve on that
30 board and shall not act as a member of the board and his place
31 shall be filled as follows:

32 a. In the county officers electoral board by the county
33 treasurer, and if he or she is ineligible to serve, by the
34 sheriff of the county.

35 b. In the municipal officers electoral board by the
36 eligible elected city council or board of trustees member

1 who has served the second greatest number of years as a
2 city council or board of trustees member.

3 c. In the township officers electoral board by the
4 eligible elected town trustee who has had the second
5 longest term of continuous service as a town trustee.

6 d. In the education officers electoral board by the
7 eligible elected school or community college district
8 board member who has had the second longest term of
9 continuous service as a board member.

10 In the event that the chairman of the electoral board is
11 ineligible to act because of the fact that he is a candidate
12 for the office with relation to which the objector's petition
13 is filed, then the substitute chosen under the provisions of
14 this Section shall be the chairman; In this case, the officer
15 or board with whom the objector's petition is filed, shall
16 transmit the certificate of nomination or nomination papers as
17 the case may be, and the objector's petition to the substitute
18 chairman of the electoral board.

19 When 2 or more eligible individuals, by reason of their
20 terms of service on a city council or board of trustees,
21 township board of trustees, or school or community college
22 district board, qualify to serve on an electoral board, the one
23 to serve shall be chosen by lot.

24 Any vacancies on an electoral board not otherwise filled
25 pursuant to this Section shall be filled by public members
26 appointed by the Chief Judge of the Circuit Court for the
27 county wherein the electoral board hearing is being held upon
28 notification to the Chief Judge of such vacancies. The Chief
29 Judge shall be so notified by a member of the electoral board
30 or the officer or board with whom the objector's petition was
31 filed. In the event that none of the individuals designated by
32 this Section to serve on the electoral board are eligible, the
33 chairman of an electoral board shall be designated by the Chief
34 Judge.

35 (Source: P.A. 87-570.)