

1 AN ACT concerning education.

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

4 Section 3. The School Code is amended by changing Section  
5 9-10 as follows:

6 (105 ILCS 5/9-10) (from Ch. 122, par. 9-10)

7 Sec. 9-10. Candidates for office - Nominating petitions.

8 Candidates for the office of school director shall be nominated  
9 by petition signed by at least 25 voters or 5% of the voters,  
10 whichever is less, residing within the district and filed with  
11 the secretary of the board of school directors or with a person  
12 designated by the board to receive nominating petitions.

13 Nominations for members of boards of education, including  
14 non-high school boards of education shall be made by a petition  
15 signed by at least 50 voters or 10% of the voters, whichever is  
16 less, residing within the district and shall be filed with the  
17 secretary of the board of education or with a person designated  
18 by the board to receive nominating petitions. In addition to  
19 the requirements of the general election law, the form of such  
20 petitions shall be substantially as follows:

21 NOMINATING PETITIONS

22 (LEAVE OUT THE INAPPLICABLE PART.)

23 To the secretary of the board of education (or board of

1 directors) of district number .... in .... County:

2 We the undersigned, being (.... or more) (or 10% or more)  
3 (or 5% or more) of the voters residing within said district,  
4 hereby petition that .... who resides at .... in the (city or  
5 village) of .... in Township .... (or who resides outside any  
6 city, village or incorporated town and in Township ....) in  
7 said district shall be a candidate for the office of .... of  
8 the board of education (or board of directors) (full term)  
9 (vacancy) to be voted for at the election to be held on (insert  
10 date).

11 Name: ..... Address: .....

12 In the designation of the name of a candidate on a petition  
13 for nomination, the candidate's given name or names, initial or  
14 initials, a nickname by which the candidate is commonly known,  
15 or a combination thereof may be used in addition to the  
16 candidate's surname. If a candidate has changed his or her  
17 name, whether by a statutory or common law procedure in  
18 Illinois or any other jurisdiction, within 3 years before the  
19 last day for filing the petition, then (i) the candidate's name  
20 on the petition must be followed by "formerly known as (list  
21 all prior names during the 3-year period) until name changed on  
22 (list date of each such name change)" and (ii) the petition  
23 must be accompanied by the candidate's affidavit stating the  
24 candidate's previous names during the period specified in  
25 clause (i) and the date or dates each of those names was

1 changed; failure to meet these requirements shall be grounds  
2 for denying certification of the candidate's name for the  
3 ballot, but these requirements do not apply to name changes  
4 resulting from adoption to assume an adoptive parent's or  
5 parents' surname, marriage to assume a spouse's surname, or  
6 dissolution of marriage or declaration of invalidity of  
7 marriage to assume a former surname. No other designation, such  
8 as a political slogan, as defined by Section 7-17 of the  
9 Election Code, title or degree, or nickname suggesting or  
10 implying possession of a title, degree or professional status,  
11 or similar information may be used in connection with the  
12 candidate's surname.

13       Nomination papers filed under this Section are not valid  
14 unless the candidate named therein files with the secretary of  
15 the board of education or a person designated by the board to  
16 receive nominating petitions a receipt from the county clerk  
17 showing that the candidate has filed a statement of economic  
18 interests as required by the Illinois Governmental Ethics Act.  
19 Such receipt shall be so filed either previously during the  
20 calendar year in which his nomination papers were filed or  
21 within the period for the filing of nomination papers in  
22 accordance with the general election law.

23       All petitions for the nomination of members of a board of  
24 education shall be filed with the secretary of the board or a  
25 person designated by the board to receive nominating petitions  
26 within the time provided for by the general election law. The

1 secretary shall receive and file only those petitions which  
2 include a statement of candidacy, the required number of voter  
3 signatures, the notarized signature of the petition circulator  
4 and a receipt from the County Clerk showing that the candidate  
5 has filed a statement of economic interest on or before the  
6 last day to file as required by the Illinois Governmental  
7 Ethics Act. The secretary may have petition forms available for  
8 issuance to potential candidates, and may give notice of the  
9 petition filing period by publication in a newspaper of general  
10 circulation within the school district not less than 10 days  
11 prior to the first day of filing. Said secretary shall make  
12 certification to the proper election authorities in accordance  
13 with the general election law. If the secretary is an incumbent  
14 school board member seeking re-election, a disinterested  
15 person must be a witness to the filing of his petition.

16 The secretary of the board of education shall notify the  
17 candidates for whom a petition for nomination is filed or the  
18 appropriate committee of the obligations under the Campaign  
19 Financing Act as provided in the general election law. Such  
20 notice shall be given on a form prescribed by the State Board  
21 of Elections and in accordance with the requirements of the  
22 general election law. The secretary shall within 7 days of  
23 filing or on the last day for filing, whichever is earlier,  
24 acknowledge to the petitioner in writing his acceptance of the  
25 petition.

26 A candidate for membership on the board of education or for

1 office as a school director, who has petitioned for nomination  
2 to fill a full term and to fill a vacant term to be voted upon  
3 at the same election, must withdraw his or her petition for  
4 nomination from either the full term or the vacant term by  
5 written declaration.

6 In all newly organized districts the petition for the  
7 nomination of candidates for members of the board of education  
8 at the first election shall be addressed to and filed with the  
9 regional superintendent of schools in the manner herein  
10 specified for the petitions for members of a board of  
11 education. For such election the regional superintendent shall  
12 fulfill all duties otherwise assigned to the secretary of the  
13 board of education.

14 (Source: P.A. 91-357, eff. 7-29-99.)

15 (105 ILCS 5/9-18 rep.)

16 Section 5. The School Code is amended by repealing Section  
17 9-18.

18 Section 99. Effective date. This Act takes effect upon  
19 becoming law.