



## 96TH GENERAL ASSEMBLY

### State of Illinois

2009 and 2010

SB1582

Introduced 2/19/2009, by Sen. A. J. Wilhelmi

#### SYNOPSIS AS INTRODUCED:

10 ILCS 5/7-10	from Ch. 46, par. 7-10
10 ILCS 5/7A-1	from Ch. 46, par. 7A-1
15 ILCS 405/20	from Ch. 15, par. 220

Amends the Election Code and the State Comptroller Act. Restricts the disclosure of the residence address and telephone number of judges and candidates for judge. Effective immediately.

LRB096 10835 RCE 21061 b

1 AN ACT concerning judges.

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 7-10 and 7A-1 as follows:

6 (10 ILCS 5/7-10) (from Ch. 46, par. 7-10)

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

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

23                                      Name                                      Office                                      Address



1 office, the political party represented and place of residence;  
2 and the heading of each sheet shall be the same.

3 Such petition shall be signed by qualified primary electors  
4 residing in the political division for which the nomination is  
5 sought in their own proper persons only and opposite the  
6 signature of each signer, his residence address shall be  
7 written or printed. The residence address required to be  
8 written or printed opposite each qualified primary elector's  
9 name shall include the street address or rural route number of  
10 the signer, as the case may be, as well as the signer's county,  
11 and city, village or town, and state. However the county or  
12 city, village or town, and state of residence of the electors  
13 may be printed on the petition forms where all of the electors  
14 signing the petition reside in the same county or city, village  
15 or town, and state. Standard abbreviations may be used in  
16 writing the residence address, including street number, if any.  
17 At the bottom of each sheet of such petition shall be added a  
18 circulator statement signed by a person 18 years of age or  
19 older who is a citizen of the United States, stating the street  
20 address or rural route number, as the case may be, as well as  
21 the county, city, village or town, and state; and certifying  
22 that the signatures on that sheet of the petition were signed  
23 in his or her presence and certifying that the signatures are  
24 genuine; and either (1) indicating the dates on which that  
25 sheet was circulated, or (2) indicating the first and last  
26 dates on which the sheet was circulated, or (3) certifying that

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

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

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

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

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

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

1 officials, election authorities or the State Board of Elections  
2 shall be the original sheets which have been signed by the  
3 voters and by the circulator thereof, and not photocopies or  
4 duplicates of such sheets. Each petition must include as a part  
5 thereof, a statement of candidacy for each of the candidates  
6 filing, or in whose behalf the petition is filed. Executive  
7 officers and agencies shall not disclose to the public or  
8 publish the home residence or telephone number of a candidate  
9 for judicial office as defined by Section 7-4 of this Article,  
10 as listed in the candidate's statement of candidacy or  
11 nominating petitions, except upon receipt of a written request  
12 to examine or copy the candidate's nominating papers filed with  
13 the State Board of Elections. The State Board of Elections  
14 shall promptly send to the candidate a copy of each written  
15 request to examine or copy the candidate's nominating papers.  
16 This statement shall set out the address of such candidate, the  
17 office for which he is a candidate, shall state that the  
18 candidate is a qualified primary voter of the party to which  
19 the petition relates and is qualified for the office specified  
20 (in the case of a candidate for State's Attorney it shall state  
21 that the candidate is at the time of filing such statement a  
22 licensed attorney-at-law of this State), shall state that he  
23 has filed (or will file before the close of the petition filing  
24 period) a statement of economic interests as required by the  
25 Illinois Governmental Ethics Act, shall request that the  
26 candidate's name be placed upon the official ballot, and shall

1 be subscribed and sworn to by such candidate before some  
2 officer authorized to take acknowledgment of deeds in the State  
3 and shall be in substantially the following form:

4 Statement of Candidacy

5	Name	Address	Office	District	Party
6	John Jones	102 Main St.	Governor	Statewide	Republican
7		Belvidere,			
8		Illinois			

9 State of Illinois)

10 ) ss.

11 County of .....)

12 I, ....., being first duly sworn, say that I reside at ....  
13 Street in the city (or village) of ....., in the county of .....,  
14 State of Illinois; that I am a qualified voter therein and am a  
15 qualified primary voter of the .... party; that I am a  
16 candidate for nomination (for election in the case of  
17 committeeman and delegates and alternate delegates) to the  
18 office of .... to be voted upon at the primary election to be  
19 held on (insert date); that I am legally qualified (including  
20 being the holder of any license that may be an eligibility  
21 requirement for the office I seek the nomination for) to hold  
22 such office and that I have filed (or I will file before the  
23 close of the petition filing period) a statement of economic  
24 interests as required by the Illinois Governmental Ethics Act  
25 and I hereby request that my name be printed upon the official

1 primary ballot for nomination for (or election to in the case  
2 of committeemen and delegates and alternate delegates) such  
3 office.

4 Signed .....

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

7 Signed .....

8 (Official Character)

9 (Seal, if officer has one.)

10 The petitions, when filed, shall not be withdrawn or added  
11 to, and no signatures shall be revoked except by revocation  
12 filed in writing with the State Board of Elections, election  
13 authority or local election official with whom the petition is  
14 required to be filed, and before the filing of such petition.  
15 Whoever forges the name of a signer upon any petition required  
16 by this Article is deemed guilty of a forgery and on conviction  
17 thereof shall be punished accordingly.

18 A candidate for the offices listed in this Section must  
19 obtain the number of signatures specified in this Section on  
20 his or her petition for nomination.

21 (a) Statewide office or delegate to a national nominating  
22 convention. If a candidate seeks to run for statewide office or  
23 as a delegate or alternate delegate to a national nominating  
24 convention elected from the State at-large, then the  
25 candidate's petition for nomination must contain at least 5,000



1 but not more than 10,000 signatures.

2 (b) Congressional office or congressional delegate to a  
3 national nominating convention. If a candidate seeks to run for  
4 United States Congress or as a congressional delegate or  
5 alternate congressional delegate to a national nominating  
6 convention elected from a congressional district, then the  
7 candidate's petition for nomination must contain at least the  
8 number of signatures equal to 0.5% of the qualified primary  
9 electors of his or her party in his or her congressional  
10 district. In the first primary election following a  
11 redistricting of congressional districts, a candidate's  
12 petition for nomination must contain at least 600 signatures of  
13 qualified primary electors of the candidate's political party  
14 in his or her congressional district.

15 (c) County office. If a candidate seeks to run for any  
16 countywide office, including but not limited to county board  
17 chairperson or county board member, elected on an at-large  
18 basis, in a county other than Cook County, then the candidate's  
19 petition for nomination must contain at least the number of  
20 signatures equal to 0.5% of the qualified electors of his or  
21 her party who cast votes at the last preceding general election  
22 in his or her county. If a candidate seeks to run for county  
23 board member elected from a county board 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  
26 electors of his or her party in the county board district. In

1 the first primary election following a redistricting of county  
2 board districts or the initial establishment of county board  
3 districts, a candidate's petition for nomination must contain  
4 at least the number of signatures equal to 0.5% of the  
5 qualified electors of his or her party in the entire county who  
6 cast votes at the last preceding general election divided by  
7 the total number of county board districts comprising the  
8 county board; provided that in no event shall the number of  
9 signatures be less than 25.

10 (d) County office; Cook County only.

11 (1) If a candidate seeks to run for countywide office  
12 in Cook County, then the candidate's petition for  
13 nomination must contain at least the number of signatures  
14 equal to 0.5% of the qualified electors of his or her party  
15 who cast votes at the last preceding general election in  
16 Cook County.

17 (2) If a candidate seeks to run for Cook County Board  
18 Commissioner, then the candidate's petition for nomination  
19 must contain at least the number of signatures equal to  
20 0.5% of the qualified primary electors of his or her party  
21 in his or her county board district. In the first primary  
22 election following a redistricting of Cook County Board of  
23 Commissioners districts, a candidate's petition for  
24 nomination must contain at least the number of signatures  
25 equal to 0.5% of the qualified electors of his or her party  
26 in the entire county who cast votes at the last preceding

1 general election divided by the total number of county  
2 board districts comprising the county board; provided that  
3 in no event shall the number of signatures be less than 25.

4 (3) If a candidate seeks to run for Cook County Board  
5 of Review Commissioner, which is elected from a district  
6 pursuant to subsection (c) of Section 5-5 of the Property  
7 Tax Code, then the candidate's petition for nomination must  
8 contain at least the number of signatures equal to 0.5% of  
9 the total number of registered voters in his or her board  
10 of review district in the last general election at which a  
11 commissioner was regularly scheduled to be elected from  
12 that board of review district. In no event shall the number  
13 of signatures required be greater than the requisite number  
14 for a candidate who seeks countywide office in Cook County  
15 under subsection (d)(1) of this Section. In the first  
16 primary election following a redistricting of Cook County  
17 Board of Review districts, a candidate's petition for  
18 nomination must contain at least 4,000 signatures or at  
19 least the number of signatures required for a countywide  
20 candidate in Cook County, whichever is less, of the  
21 qualified electors of his or her party in the district.

22 (e) Municipal or township office. If a candidate seeks to  
23 run for municipal or township office, then the candidate's  
24 petition for nomination must contain at least the number of  
25 signatures equal to 0.5% of the qualified primary electors of  
26 his or her party in the municipality or township. If a

1 candidate seeks to run for alderman of a municipality, then the  
2 candidate's petition for nomination must contain at least the  
3 number of signatures equal to 0.5% of the qualified primary  
4 electors of his or her party of the ward. In the first primary  
5 election following redistricting of aldermanic wards or  
6 trustee districts of a municipality or the initial  
7 establishment of wards or districts, a candidate's petition for  
8 nomination must contain the number of signatures equal to at  
9 least 0.5% of the total number of votes cast for the candidate  
10 of that political party who received the highest number of  
11 votes in the entire municipality at the last regular election  
12 at which an officer was regularly scheduled to be elected from  
13 the entire municipality, divided by the number of wards or  
14 districts. In no event shall the number of signatures be less  
15 than 25.

16 (f) State central committeeperson. If a candidate seeks to  
17 run for State central committeeperson, then the candidate's  
18 petition for nomination must contain at least 100 signatures of  
19 the primary electors of his or her party of his or her  
20 congressional district.

21 (g) Sanitary district trustee. If a candidate seeks to run  
22 for trustee of a sanitary district in which trustees are not  
23 elected from wards, then the candidate's petition for  
24 nomination must contain at least the number of signatures equal  
25 to 0.5% of the primary electors of his or her party from the  
26 sanitary district. If a candidate seeks to run for trustee of a

1 sanitary district in which trustees are elected from wards,  
2 then the candidate's petition for nomination must contain at  
3 least the number of signatures equal to 0.5% of the primary  
4 electors of his or her party in the ward of that sanitary  
5 district. In the first primary election following  
6 redistricting of sanitary districts elected from wards, a  
7 candidate's petition for nomination must contain at least the  
8 signatures of 150 qualified primary electors of his or her ward  
9 of that sanitary district.

10 (h) Judicial office. If a candidate seeks to run for  
11 judicial office in a district, then the candidate's petition  
12 for nomination must contain the number of signatures equal to  
13 0.4% of the number of votes cast in that district for the  
14 candidate for his or her political party for the office of  
15 Governor at the last general election at which a Governor was  
16 elected, but in no event less than 500 signatures. If a  
17 candidate seeks to run for judicial office in a circuit or  
18 subcircuit, then the candidate's petition for nomination must  
19 contain the number of signatures equal to 0.25% of the number  
20 of votes cast for the judicial candidate of his or her  
21 political party who received the highest number of votes at the  
22 last general election at which a judicial officer from the same  
23 circuit or subcircuit was regularly scheduled to be elected,  
24 but in no event less than 500 signatures.

25 (i) Precinct, ward, and township committeeperson. If a  
26 candidate seeks to run for precinct committeeperson, then the

1 candidate's petition for nomination must contain at least 10  
2 signatures of the primary electors of his or her party for the  
3 precinct. If a candidate seeks to run for ward committeeperson,  
4 then the candidate's petition for nomination must contain no  
5 less than the number of signatures equal to 10% of the primary  
6 electors of his or her party of the ward, but no more than 16%  
7 of those same electors; provided that the maximum number of  
8 signatures may be 50 more than the minimum number, whichever is  
9 greater. If a candidate seeks to run for township  
10 committeeperson, then the candidate's petition for nomination  
11 must contain no less than the number of signatures equal to 5%  
12 of the primary electors of his or her party of the township,  
13 but no more than 8% of those same electors; provided that the  
14 maximum number of signatures may be 50 more than the minimum  
15 number, whichever is greater.

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

23 (k) Any other office. If a candidate seeks any other  
24 office, then the candidate's petition for nomination must  
25 contain at least the number of signatures equal to 0.5% of the  
26 registered voters of the political subdivision, district, or

1 division for which the nomination is made or 25 signatures,  
2 whichever is greater.

3 For purposes of this Section the number of primary electors  
4 shall be determined by taking the total vote cast, in the  
5 applicable district, for the candidate for that political party  
6 who received the highest number of votes, statewide, at the  
7 last general election in the State at which electors for  
8 President of the United States were elected. For 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 political subdivision at the last regular election at  
13 which an officer was regularly scheduled to be elected from  
14 that subdivision. For wards or districts of political  
15 subdivisions, the number of primary electors shall be  
16 determined by taking the total vote cast for the candidate for  
17 that political party who received the highest number of votes  
18 in the ward or district at the last regular election at which  
19 an officer was regularly scheduled to be elected from that ward  
20 or district.

21 A "qualified primary elector" of a party may not sign  
22 petitions for or be a candidate in the primary of more than one  
23 party.

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

1           Petitions of candidates for nomination for offices herein  
2 specified, to be filed with the same officer, may contain the  
3 names of 2 or more candidates of the same political party for  
4 the same or different offices.

5           (Source: P.A. 94-645, eff. 8-22-05; 95-699, eff. 11-9-07;  
6 95-916, eff. 8-26-08.)

7           (10 ILCS 5/7A-1) (from Ch. 46, par. 7A-1)

8           Sec. 7A-1. Any Supreme, Appellate or Circuit Judge who has  
9 been elected to that office and who seeks to be retained in  
10 that office under subsection (d) of Section 12 of Article VI of  
11 the Constitution shall file a declaration of candidacy to  
12 succeed himself in the office of the Secretary of State on or  
13 before the first Monday in December before the general election  
14 preceding the expiration of his term of office. Within 3  
15 business days thereafter, the Secretary of State shall certify  
16 to the State Board of Elections the names of all incumbent  
17 judges who were eligible to stand for retention at the next  
18 general election but failed to timely file a declaration of  
19 candidacy to succeed themselves in office or, having timely  
20 filed such a declaration, withdrew it. Executive officers and  
21 agencies shall not disclose to the public or publish the home  
22 residence or telephone number of an incumbent judge, as listed  
23 in the judge's declaration of candidacy, except upon receipt of  
24 a written request to examine or copy the judge's declaration of  
25 candidacy. The State Board of Elections shall promptly send to



1 the incumbent judge a copy of each written request to examine  
2 or copy the judge's declaration of candidacy. The State Board  
3 of Elections may rely upon the certification from the Secretary  
4 of State (a) to determine when vacancies in judicial office  
5 exist and (b) to determine the judicial positions for which  
6 elections will be held. The Secretary of State, not less than  
7 63 days before the election, shall certify the Judge's  
8 candidacy to the proper election officials. The names of Judges  
9 seeking retention shall be submitted to the electors,  
10 separately and without party designation, on the sole question  
11 whether each Judge shall be retained in office for another  
12 term. The retention elections shall be conducted at general  
13 elections in the appropriate Judicial District, for Supreme and  
14 Appellate Judges, and in the circuit for Circuit Judges. The  
15 affirmative vote of three-fifths of the electors voting on the  
16 question shall elect the Judge to the office for a term  
17 commencing on the first Monday in December following his  
18 election.

19 (Source: P.A. 86-1348.)

20 Section 10. The State Comptroller Act is amended by  
21 changing Section 20 as follows:

22 (15 ILCS 405/20) (from Ch. 15, par. 220)

23 Sec. 20. Annual report. The comptroller shall annually, as  
24 soon as possible after the close of the fiscal year but no

1 later than December 31, make out and present to the Governor,  
2 the President of the Senate, the Speaker of the House of  
3 Representatives, the Minority Leader of the Senate, and the  
4 Minority Leader of the House of Representatives a report,  
5 showing the amount of warrants drawn on the treasury, on other  
6 funds held by the State Treasurer and on any public funds held  
7 by State agencies, during the preceding fiscal year, and  
8 stating, particularly, on what account they were drawn, and if  
9 drawn on the contingent fund, to whom and for what they were  
10 issued. He shall, also, at the same time, report to the  
11 Governor, the President of the Senate, the Speaker of the House  
12 of Representatives, the Minority Leader of the Senate, and the  
13 Minority Leader of the House of Representatives the amount of  
14 money received into the treasury, into other funds held by the  
15 State Treasurer and into any other funds held by State agencies  
16 during the preceding fiscal year, and stating particularly, the  
17 source from which the same may be derived, and also a general  
18 account of all the business of his office during the preceding  
19 fiscal year. The report shall also summarize for the previous  
20 fiscal year the information required under Section 19.

21 Within 60 days after the expiration of each calendar year,  
22 the comptroller shall compile, from records maintained and  
23 available in his office, a list of all persons including those  
24 employed in the office of the comptroller, who have been  
25 employed by the State during the past calendar year and paid  
26 from funds in the hands of the State Treasurer.

1           The list shall be arranged according to counties and shall  
2 state in alphabetical order the name of each employee, the  
3 address in the county in which he votes, except as specified  
4 below, the position and the total salary paid to him during the  
5 past calendar year. For judges stated in Article VI of the  
6 Constitution and persons employed by the Department of  
7 Corrections, Department of Children and Family Services and the  
8 Department of State Police no address shall be listed. The list  
9 so compiled and arranged shall be kept on file in the office of  
10 the comptroller and be open to inspection by the public at all  
11 times.

12           No person who utilizes the names obtained from this list  
13 for solicitation shall represent that such solicitation is  
14 authorized by any officer or agency of the State of Illinois.  
15 Violation of this provision is a Business Offense punishable by  
16 a fine not to exceed \$3,000.

17           (Source: P.A. 86-1003.)

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