

HB5265



100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

HB5265

by Rep. Steven A. Andersson

SYNOPSIS AS INTRODUCED:

10 ILCS 5/10-3

from Ch. 46, par. 10-3

Amends the Election Code. Replaces the various nomination signature requirements for independent candidates for office in the State with the signature requirements applicable to established party candidates for each corresponding office. Effective immediately.

LRB100 18560 MJP 33780 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 10-3 as follows:

6 (10 ILCS 5/10-3) (from Ch. 46, par. 10-3)

7 Sec. 10-3. Nomination of independent candidates (not
8 candidates of any political party), for any office to be filled
9 by the voters of the State at large may also be made by
10 nomination papers signed in the aggregate for each candidate by
11 the number of qualified voters required of an established party
12 candidate under subsection (a) of Section 7-10 ~~1% of the number~~
13 ~~of voters who voted in the next preceding Statewide general~~
14 ~~election or 25,000 qualified voters of the State, whichever is~~
15 ~~less~~. Nominations of independent candidates for public office
16 within any district or political subdivision less than the
17 State, may be made by nomination papers signed in the aggregate
18 for each candidate by the number of qualified voters of the
19 district or political subdivision required of an established
20 party candidate for the office under Section 7-10 ~~qualified~~
21 ~~voters of such district, or political subdivision, equaling not~~
22 ~~less than 5%, nor more than 8% (or 50 more than the minimum,~~
23 ~~whichever is greater) of the number of persons, who voted at~~

1 ~~the next preceding regular election in such district or~~
2 ~~political subdivision in which such district or political~~
3 ~~subdivision voted as a unit for the election of officers to~~
4 ~~serve its respective territorial area. However, whenever the~~
5 ~~minimum signature requirement for an independent candidate~~
6 ~~petition for a district or political subdivision office shall~~
7 ~~exceed the minimum number of signatures for an independent~~
8 ~~candidate petition for an office to be filled by the voters of~~
9 ~~the State at large at the next preceding State wide general~~
10 ~~election, such State wide petition signature requirement shall~~
11 ~~be the minimum for an independent candidate petition for such~~
12 ~~district or political subdivision office. For the first~~
13 election following a redistricting of congressional districts,
14 nomination papers for an independent candidate for congressman
15 shall be signed by the number of qualified voters of the
16 congressional district required of an established party
17 candidate under subsection (b) of Section 7-10 ~~at least 5,000~~
18 ~~qualified voters of the congressional district. For the first~~
19 election following a redistricting of legislative districts,
20 nomination papers for an independent candidate for State
21 Senator in the General Assembly shall be signed by the number
22 of qualified voters of the legislative district required of an
23 established party candidate under Section 8-8 ~~at least 3,000~~
24 ~~qualified voters of the legislative district. For the first~~
25 election following a redistricting of representative
26 districts, nomination papers for an independent candidate for

1 State Representative in the General Assembly shall be signed by
2 the number of qualified voters of the representative district
3 required of an established party candidate under Section 8-8 ~~at~~
4 ~~least 1,500 qualified voters of the representative district.~~
5 For the first election following redistricting of county board
6 districts, or of municipal wards or districts, or for the first
7 election following the initial establishment of such districts
8 or wards in a county or municipality, nomination papers for an
9 independent candidate for county board member, or for alderman
10 or trustee of such municipality, shall be signed by the number
11 of qualified voters of the district or ward required of an
12 established party candidate for the office under Section 7-10
13 ~~qualified voters of the district or ward equal to not less than~~
14 ~~5% nor more than 8% (or 50 more than the minimum, whichever is~~
15 ~~greater) of the total number of votes cast at the preceding~~
16 ~~general or general municipal election, as the case may be, for~~
17 ~~the county or municipal office voted on throughout such county~~
18 ~~or municipality for which the greatest total number of votes~~
19 ~~were cast for all candidates, divided by the number of~~
20 ~~districts or wards, but in any event not less than 25 qualified~~
21 ~~voters of the district or ward.~~ Each voter signing a nomination
22 paper shall add to his signature his place of residence, and
23 each voter may subscribe to one nomination for such office to
24 be filled, and no more: Provided that the name of any candidate
25 whose name may appear in any other place upon the ballot shall
26 not be so added by petition for the same office.

1 The person circulating the petition, or the candidate on
2 whose behalf the petition is circulated, may strike any
3 signature from the petition, provided that;

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

6 (2) the person striking the signature shall sign a
7 certification listing the page number and line number of
8 each signature struck from the petition. Such
9 certification shall be filed as a part of the petition.

10 (3) the persons striking signatures from the petition
11 shall each sign an additional certificate specifying the
12 number of certification pages listing stricken signatures
13 which are attached to the petition and the page numbers
14 indicated on such certifications. The certificate shall be
15 filed as a part of the petition, shall be numbered, and
16 shall be attached immediately following the last page of
17 voters' signatures and before the certifications of
18 stricken signatures.

19 (4) all of the foregoing requirements shall be
20 necessary to effect a valid striking of any signature. The
21 provisions of this Section authorizing the striking of
22 signatures shall not impose any criminal liability on any
23 person so authorized for signatures which may be
24 fraudulent.

25 In the case of the offices of Governor and Lieutenant
26 Governor a joint petition including one candidate for each of

1 those offices must be filed.

2 A candidate for whom a nomination paper has been filed as a
3 partisan candidate at a primary election, and who is defeated
4 for his or her nomination at the primary election, is
5 ineligible to be placed on the ballot as an independent
6 candidate for election in that general or consolidated
7 election.

8 A candidate seeking election to an office for which
9 candidates of political parties are nominated by caucus who is
10 a participant in the caucus and who is defeated for his or her
11 nomination at such caucus, is ineligible to be listed on the
12 ballot at that general or consolidated election as an
13 independent candidate.

14 (Source: P.A. 95-699, eff. 11-9-07.)

15 Section 99. Effective date. This Act takes effect upon
16 becoming law.