

## REQUIREMENTS FOR FILING NOMINATING PAPERS

### A. GENERAL FILING INFORMATION

1. Candidates are strongly advised to obtain legal counsel regarding their legal qualifications for office, the proper method for completing the petition forms with respect to the office, the minimum and maximum number of signatures required, the qualifications of the signers and circulators, etc.
2. Candidates must file for office in one of the following manners:
  - a. candidate of an established political party;
  - b. candidate of a new political party;
  - c. independent candidate; or
  - d. as a nonpartisan candidate [certain sanitary districts]
3. Candidates **must** file the following papers, except as noted:
  - a. Statement of Candidacy;
  - b. Loyalty Oath (OPTIONAL);
  - c. Receipt for filing a Statement of Economic Interests (not required for Federal Office or political party offices – (see page 9));
  - d. Nominating petition sheets, containing a sufficient number of **original** signatures.  
  
**NOTE:** Certificate of Officers Authorized to Fill Vacancies (**new party filings only**). A new political party petition must have attached thereto a certificate (SBE Form P-8C) stating the names and addresses of the party officers authorized to fill vacancies in nomination. Failure to file the certificate will not invalidate the petitions but will preclude the new party from being able to fill any vacancy that may occur. [See Peoples Independent Party v. Petroff, 191 Ill. App 3d 706, 138 Ill. Dec. 915, 548 N.E. 2d 145 (5<sup>th</sup> Dist. 1989)]
4. Election laws prescribe the forms to be submitted when seeking nomination to office. The State Board of Elections has prepared **suggested** forms for petitions, statements of candidacy, etc. The official State Board of Elections form number to be used is included under each office listed in this guide. Forms are (or will be) available and may be downloaded from the State Board of Elections web site ([www.elections.il.gov](http://www.elections.il.gov)) or obtained from election authorities. Forms also are available for purchase from election supply vendors.

5. Petitions may be filed by mail or in person, by either the candidate or a representative of the candidate.
- a. Information on where to file is included under each office listed in this guide.
  - b. Filings must be made within the appropriate filing period discussed on page ii.
  - c. Filings must be received no earlier than 8:00 a.m. or the normal opening hour of such office, whatever the case may be, on the first day of the appropriate filing period and no later than 5:00 p.m. or the close of business, whichever is later, on the last day of that filing period.  
*Welsh vs. Education Officer's Electoral Board*, 322 Ill.App.3d 568, 750 N.E. 2d 222, 255 Ill.Dec. 641 (1<sup>st</sup> Dist. 2001)  
[10 ILCS 5/1-4, 7-12(6), 10-6.2]
- NOTE:** The State Board of Elections will **NOT ACCEPT** any petition for filing after 5:00 p.m. on the last day of the filing period. This includes any individual waiting in line as of the 5:00 p.m. deadline who has not yet filed his/her petition.
- d. Petitions sent by mail (United States Post Office only) and received **AFTER** midnight of the first day for filing and in the first mail delivery or pickup of that day shall be deemed filed as of 8:00 a.m. of the day or as of the normal opening hour of such day, as the case may be. Candidates who file by mail with the State Board of Elections and wish to qualify for the lottery, must **mail** their petitions to the State Board of Elections, P. O. Box 4187, Springfield, IL 62708. (Use the P.O. Box for mailing, not the street address.) Nominating petitions received through other delivery systems are not considered "mail" and will not be included in the lottery. It is important to note that petitions received **BEFORE** the first day of filing cannot be accepted.  
[10 ILCS 5/7-12 (6), 8-9, 10-6.2]
6. Ballot Position Lottery (see page 45)
- a. The lottery is held within nine days following the last day to file petitions.
  - b. Petitions filed on the first day at 8:00 a.m. or the opening hour (as the case may be) and petitions sent by mail and received in the first mail delivery of the first day are included in the lottery drawing.
  - c. Candidates who file petitions after 8:00 a.m. or the opening hour (as the case may be) on the first day are placed on the ballot in the order filed.  
[10 ILCS 5/7-12 (6), 8-9, 10-6.2]

7. Multiple Filings

If multiple sets of nomination papers are filed for a candidate for the same office, the State Board of Elections, appropriate election authority or local election official where the petitions are filed shall, within two (2) business days, notify the candidate of his/her multiple petition filings and that the candidate has three (3) business days after receipt of the notice to notify the State Board of Elections, appropriate election authority or local election official that he or she may cancel prior sets of petitions. If the candidate sends notice, the last set of petitions filed shall be the only petitions to be considered valid. If the candidate fails to send notice, then only the first set of petitions filed shall be valid and all subsequent petitions shall be void.  
[10 ILCS 5/7-12 (11), 8-9, 10-6.2]

**NOTE:** If petitions for nomination have been filed for the same person with respect to more than one political party, his/her name shall not be certified for the primary ballot of any party. If petitions for nomination have been filed for the same person for two or more offices which are incompatible, a person must withdraw as a candidate for all but one of such offices within the 5 business days following the last day for petition filing or his/her name shall not be certified for the primary ballot for any office. Judicial candidates at the circuit court level are limited to filing a petition for one circuit court vacancy and/or a petition for one subcircuit vacancy in any filing period. [10 ILCS 5/7-12 (9)]

For questions concerning compatibility of offices, contact the Opinions Division of the Attorney General's office at 217/782-1974.

B. NOMINATING PETITION SHEETS

1. Petition Sheet Heading

- a. The top portion (heading) of the nomination petition pages which include information relative to the election, the candidate, the office and political party, where applicable, must be completed prior to the circulation of the petition sheet.
- b. **The State Board of Elections will certify each candidate's name as it appears on the first numbered page of the petition.** (Other Election Authorities may follow a different rule with regard to petitions filed with them).
- c. The candidate's given name or names, initial or initials, nickname by which the candidate is commonly known, or a combination thereof, may be used in addition to the candidate's surname. No other designation such as a political slogan, title, degree or nickname suggesting or implying possession of a

title, degree or professional status, or similar information may be used in connection with the candidate's surname.

[10 ILCS 5/7-10.2, 7-17(b), 8-8.1, 10-5.1, 16-3(e)]

**NOTE:** If a candidate has changed his or her name, whether by a statutory or common law procedure in Illinois or any other jurisdiction, within 3 years before the last day for filing the petition or certificate for that office, whichever is applicable, then (i) the candidate's name on the petition or certificate must be followed by "formerly known as (list all prior names during the 3-year period) until name changed on (list date of each such name change)" and (ii) the petition or certificate must be accompanied by the candidate's affidavit stating the candidate's previous names during the period specified in (i) and the date or dates each of those names was changed; failure to meet these requirements shall be grounds for denying certification of the candidate's name for the ballot or removing the candidate's name from the ballot, as appropriate, but these requirements do not apply to name changes resulting from adoption to assume an adoptive parent's or parents' surname, marriage to assume a spouse's surname, or dissolution of marriage or declaration of invalidity of marriage to assume a former surname.

[10 ILCS 5/7-10.2, 7-17, 8-8.1, 10-5.1, 16.3]

- d. A political slogan is defined as any word or words expressing or connoting a position, opinion or belief that the candidate may espouse, including but not limited to any word or words conveying any meaning other than that of the personal identity of the candidate. A candidate may not use a political slogan as part of his or her name on the ballot, notwithstanding that the political slogan may be part of the candidate's name.

[10 ILCS 5/7-17 (b), 16-3(e)]

**NOTE:** The State Board of Elections, a local election official or an election authority shall not certify to any election authority any candidate name designation that is inconsistent with this statutory reference.

[10 ILCS 5/7-17(c), 16-3(f)]

- e. The form of name on the petition sheets must match the form of name on the Statement of Candidacy. **THE CANDIDATE'S NAME SHOULD APPEAR IN EXACTLY THE SAME FORM ON THE PETITION SHEETS, STATEMENT OF CANDIDACY AND LOYALTY OATH.** The State Board of Elections will certify each candidate's name as it appears on the first numbered page of the petition (other Election Authorities may

follow a different rule with regard to petitions filed with them). Failure to match the name on the petition to the name on the Statement of Candidacy may result in the candidate not being certified for ballot.

- f. The name of more than one candidate of the same party for a group office or for different offices of the same political subdivision may appear on the same petition if such petition is filed with the same filing office. However, each candidate must submit his or her individual Statement of Candidacy, receipt for filing the Statement of Economic Interests and optional Loyalty Oath. [10 ILCS 5/7-10]
- g. Each sheet must contain precisely the same information in the heading. [10 ILCS 5/7-10, 10-4]
- h. Petition sheets which are filed with the proper local election official, election authority or the State Board of Elections must contain the **original** signatures signed by the voters and the original signature of the circulator thereof, and shall not be photocopies or duplicates of such sheets. [10 ILCS 5/7-10, 8-8, 10-4]

2. Petition Circulator

- a. A petition circulator must be at least 18 years of age or older and a citizen of the United States. **The circulator must personally witness all signatures given and sign the required circulator's statement stating that all signatures were taken in his or her presence.** No one may be considered a circulator of any petition page except the person who signs the circulator's statement. [10 ILCS 5/7-10, 8-8, 10-4]
- b. Petition sheets must **not** be circulated more than 90 days preceding the last day for the filing of the petitions. The circulator's statement on a candidate's petition sheet must specify either the dates on which the sheets were circulated, the first and last dates on which the sheet was circulated or that none of the signatures on the sheet were signed more than 90 days preceding the last day for filing the petitions. See page ii for dates when candidates may start circulating petitions. [10 ILCS 5/7-10, 8-8, 10-4]
- c. A petition circulator may not circulate for more than one established political party. [10 ILCS 5/10-4]

- d. A petition circulator may not circulate for an independent candidate or candidates in addition to candidates for a new political party.  
[10 ILCS 5/10-4]
  - e. A petition circulator may not circulate for more than one new political party. [10 ILCS 5/10-4]
  - f. A petition circulator must complete the circulator's statement at the bottom of each petition sheet certifying address, age and citizenship information and also certifying that the signatures on that sheet were signed in his/her presence and are genuine and that to the best of his/her knowledge the persons so signing were duly registered voters of the political subdivision for which the candidate or candidates shall be nominated, or elected, and that their respective registration addresses are correctly stated therein. This statement shall be sworn to and signed before an officer authorized to administer oaths in Illinois.  
[10 ILCS 5/7-10, 8-8, 10-4]
  - g. Petition circulators shall indicate on such petition their residence address, written, or printed, including the street address or rural route number of the circulator, as well as the circulator's city, village or town.  
[10 ILCS 5/7-10, 10-4]
3. Petition Signers
- a. A signer **MAY NOT** sign petitions for a candidate of more than one political party for the same Primary Election..  
[10 ILCS 5/7-10]
  - b. A signer may sign the petitions of one established political party for the Primary Election and one new political party or independent for the subsequent General Election. [10 ILCS 5/10-3]
  - c. A signer must sign his/her own signature on the petition. The signer cannot sign for someone else, such as another member of his or her family.  
[10 ILCS 5/7-10, 10-4]
  - d. A petition signer may change party affiliation from one election to another. Kusper v. Pontikes, 414 U.S. 51, 94 S. Ct. 303 (1973); Sperling v. County Officers Electoral Board, 57 Ill.2d 81, 309 N.E. 2d 589 (1974)
  - e. Petition signers must be registered voters in the political subdivision in which the candidate is seeking nomination or election.  
[10 ILCS 5/7-10, 8-8, 10-2, 10-3, 10-4]

f. Petition signers shall indicate on such petition their residence address, written or printed, including the street address or rural route number, as well as their city, village or town, county and state. However, the state, county, city, village and town of residence may be pre-printed on the petition form when all of the electors signing the petition form reside therein. Standard abbreviations may be used in writing the residence address, including street number, if any. **A petition signer must be a registered voter from the address shown opposite his/her signature on the petition.** [10 ILCS 5/7-10, 3-1.2, 8-8, 10-4]

g. Signatures may be struck from the petition by the circulator or the candidate, prior to filing, in the following manner:

- 1) The person striking the signature must initial the petition at the place where the signature is struck.  
[10 ILCS 5/7-10, 8-8, 10-3]
- 2) The person striking the signature must sign a certification (such as SBE suggested form P-2A) listing the page number and line number of each signature struck from the petition. Such certification shall be filed as part of the petition.  
[10 ILCS 5/7-10, 8-8, 10-3]
- 3) The person striking signatures from independent candidate petitions must sign an additional certificate (SBE Form P-2B) specifying the number of certification pages listing stricken signatures, which are attached to the petition, and the page numbers indicated on such certifications. This additional certificate must be filed as part of the petition, shall be numbered, and shall be attached immediately following the last page of voters' signatures and before the certifications of stricken signatures. [10 ILCS 5/10-3]
- 4) All of the foregoing requirements are necessary to effect a valid striking of any signature. Provisions authorizing the striking of signatures do not impose criminal liability on any person so authorized to strike signatures that may be fraudulent.  
[10 ILCS 5/10-3]

4. Petition Preparation [10 ILCS 5/ Articles 7, 8, 10]

- a. The petition signature sheets must be **original** and of **uniform size**.
- b. The petition signature sheets must be numbered consecutively, beginning with the top sheet as number "1."
- c. The following original documents are to be attached (preferably on top) to the nominating petition signature sheets:
  - 1) Statement of Candidacy;

- 2) Loyalty Oath (optional);
- 3) Receipt for filing the Statement of Economic Interests (not required for federal or party office). The receipt may be filed at any time during the filing period and will not change the initial date and time of filing. (Candidates for county office need only file the statement itself.)

**The above documents are NOT numbered.**

- 4) Any certifications related to the striking of signatures shall be attached immediately following the last petition page and numbered consecutively beginning with the number "1."  
[10 ILCS 5/7-10, 8-8, 10-3]
  - 5) For all new political party petitions, the petition must have attached thereto a certificate (SBE Form P-8C) stating the names and addresses of the party officers authorized to fill vacancies in nomination. Failure to file the certificate will result in the party forfeiting its right to fill vacancies in nomination, but will not invalidate the petition. [10 ILCS 5/10-5, 10-11]
  - 6) Any other documentation, which may be required to qualify for a specific office.
- d. The petition signature sheets must be **neatly fastened together** in book form by fastening them together at one edge in a secure and suitable manner.

**NOTE: A petition once filed shall not be altered or added to.**  
However, the receipt for an economic interest statement filing may be filed no later than 5:00 p.m. on the last day on which nomination papers may be filed. [10 ILCS 5/7-10, 7-12, 10-4, 10-5]

#### C. STATEMENT OF CANDIDACY [10 ILCS 5/7-10, 8-8, 10-5]

1. Each candidate, whether an individual candidate or one whose name appears on a group petition or certificate of nomination, must complete and file a Statement of Candidacy. The form of the candidate's name, as printed and signed, should match the name as printed on the petition. Furthermore, the address of the candidate; the office for which the person is a candidate; political party designation, if applicable; and statements that the person is qualified for the office specified, should also match the information as printed on the petition. See each individual office in this guide for the correct SBE Statement of Candidacy form.
2. The candidate's given name or names, initial or initials, nickname by which the candidate is commonly known, or a combination thereof, may be used in addition to the candidate's surname. No other designation such as a political slogan, title, degree or nickname suggesting or implying possession of a title, degree or

professional status, or similar information may be used in connection with the candidate's surname. [10 ILCS 5/7-10.2, 7-17(b), 8-8.1, 10-5.1, 16-3(e)]

**NOTE:** If a candidate has changed his or her name, whether by a statutory or common law procedure in Illinois or any other jurisdiction, within 3 years before the last day for filing the petition or certificate for that office, whichever is applicable, then (i) the candidate's name on the petition or certificate must be followed by "formerly known as (list all prior names during the 3-year period) until name changed on (list date of each such name change)" and (ii) the petition or certificate must be accompanied by the candidate's affidavit stating the candidate's previous names during the period specified in (i) and the date or dates each of those names was changed; failure to meet these requirements shall be grounds for denying certification of the candidate's name for the ballot or removing the candidate's name from the ballot, as appropriate, but these requirements do not apply to name changes resulting from adoption to assume an adoptive parent's or parents' surname, marriage to assume a spouse's surname, or dissolution of marriage or declaration of invalidity of marriage to assume a former surname.

[10 ILCS 5/7-10.2, 7-17 (b), 8-8.1, 10-5.1, 16.3(e)]

3. The candidate must swear to or affirm and sign the Statement of Candidacy, and the statement must be notarized.

#### D. STATEMENT OF ECONOMIC INTERESTS - RECEIPT

1. Each candidate must file a receipt indicating that he or she has filed a Statement of Economic Interests as required by the Illinois Governmental Ethics Act. [10 ILCS 5/7-10, 7-12, 8-8, 10-5; 5 ILCS 420/1-101 et seq.] **EXCEPTION:** The receipt is not required if the Statement of Economic Interests is filed with the same officer with which the nominating papers are filed. (i.e. county officers) [10 ILCS 5/7-12 (8)]
2. Candidates are advised to file their receipt at the same time they file their nominating petitions. While the receipt need not accompany the nominating petitions at the time of filing, it must be filed no later than 5:00 p.m. on the last day to file the petitions. The date and time at which a nominating petition was filed is not changed when the receipt of economic interests is filed at another time during the filing period. [10 ILCS 5/7-12, 10-5]
3. Statement of Economic Interests forms may be obtained from the local county clerk, the State Board of Elections, or the Office of the Secretary of State.
4. The completed Statement of Economic Interests form must be filed with the Secretary of State, Index Division, 111 East Monroe, Springfield, IL 62756, for candidates that file petitions with the State Board of Elections, or with the county

clerk in the county in which the principal office of the unit of local government with which the person is associated is located. [5 ILCS 420/4A-106] (Note: Prairie Dupont Levee and Sanitary District – See pages 28 & 29]

**The Statement of Economic Interests is not required for federal or party offices.**

E. LOYALTY OATH (Optional)

The filing of the Loyalty Oath is optional.

F. CAMPAIGN DISCLOSURE (NOTICE OF OBLIGATION)

The official with whom nomination papers are filed, must provide to each candidate at the time he files his nomination papers a notice of obligation to comply with the Illinois Campaign Financing Act. However, if a candidate files his nomination papers by mail, or an agent of the candidate files his nomination papers, the clerk or secretary with whom the petitions were filed will send the notice to the candidate by first class mail. The notice will state that the manual of instructions and forms for statements required to be filed under Article 9 of the Election Code are available from the State Board of Elections. Forms may also be downloaded for the State Board's website: [www.elections.il.gov](http://www.elections.il.gov). [10 ILCS 5/7-12.7, 9-16, 10-6.1; 60 ILCS 1/45-35]

G. USE OF PUBLIC FUNDS TO INFLUENCE VOTERS IS PROHIBITED

No public funds shall be used to urge any elector to vote for or against any candidate or proposition, or be appropriated for political or campaign purposes to any candidate or political organization. This provision shall not prohibit the use of public funds for dissemination of factual information relative to any proposition appearing on an election ballot, or for dissemination of information and arguments published and distributed pursuant to law in connection with a proposition to amend the Constitution of the State of Illinois. [10 ILCS 5/9-25.1]

H. FAIR CAMPAIGN PRACTICES ACT

Candidates and committees are urged to abide by the provisions for campaigning outlined in the Fair Campaign Practices Act. This is a voluntary statement made and filed prior to an election, vowing that the candidate making the statement will conduct a positive, rather than a negative campaign. If a candidate or committee chooses to make such a statement, it shall be filed with the county clerk if the candidate is a local candidate or committee. [10 ILCS 5/29B et.seq.]

**GENERAL PRIMARY**  
(Third Tuesday in March)

**GENERAL ELECTION**  
(First Tuesday after first  
Monday in November)

**March 20, 2012**

**NOVEMBER 6, 2012**

**OFFICERS TO BE NOMINATED AT THE GENERAL PRIMARY AND ELECTED AT THE  
GENERAL ELECTION:**

Representatives in Congress – all 18 districts  
State Senators – all 59 districts

Representatives in the General Assembly – all 118 districts

Judges (Additional judgeships if required):

Supreme Court Judges, vacancies will be filled if required  
Appellate Court Judges, vacancies will be filled if required  
Circuit Court Judges, vacancies will be filled if required  
Resident Circuit Court Judges, vacancies will be filled if required  
Subcircuits, vacancies will be filled if required  
All judges seeking retention will appear on the ballot at the General Election

County Auditors (in counties with a population of 75,000 – 3,000,000)  
County Board Members (in counties under township organization)  
County Commissioners (in counties not under township organization)  
County Circuit Clerks  
County Coroners  
County Recorder of Deeds (in counties with a population of 60,000 or more)  
Regional Superintendent of Schools (vacancies)  
Sanitary District Commissioners and Trustees (Prairie Dupont Levee and Sanitary District file with  
State Board of Elections)  
States Attorneys

**OFFICERS TO BE ELECTED AT THE GENERAL PRIMARY:**

Delegates and Alternate Delegates (requirements available in separate publication)  
Precinct Committeemen (all counties except Cook County)  
Ward Committeemen (City of Chicago)  
School Districts under Article 33 of the School Code, Members  
Special Charter Municipalities, Annual Municipal Election, Officers  
(Contact county clerk, board of election commissioners or municipal clerk for filing information)

Annual Municipal Election  
10/ILCS 5/2A-1.2(b) (3)

Municipal Primary (if required)....February 7, 2012  
Municipal General Election.....March 20, 2012

**Contact County Clerk, Board of Elections Commissioners or Municipal Clerk  
for filing information.**

## FILING PERIODS

### FEDERAL, STATE AND COUNTY

November 28 – December 5, 2011  
(Petitions may not be circulated prior to September 6, 2011)  
[10 ILCS 5/7-12, 7-10]

ESTABLISHED PARTY CANDIDATES  
(For Presidential preference and delegate filing – see below)

December 19 – December 27, 2011  
[10 ILCS 5/7-12]

SPECIAL JUDICIAL FILING PERIOD [Supreme, Appellate, Circuit Court when a vacancy occurs within the three week period prior to the filing deadline] (November 14 through December 5, 2011)

November 28 – December 5, 2011  
(Petitions may not be circulated prior to September 6, 2011)

REPUBLICAN PRESIDENTIAL PREFERENCE and DELEGATES

January 3 – January 6, 2012  
(Petitions may not be circulated prior to October 8, 2011)  
[10 ILCS 5/7-10, 7-11]

DEMOCRAT PRESIDENTIAL PREFERENCE and DELEGATES

June 18 – June 25, 2012  
(Petitions may not be circulated prior to March 27, 2012)  
[10 ILCS 5/10-4, 10-6]

NEW POLITICAL PARTY CANDIDATES and INDEPENDENT CANDIDATES (Also includes INDEPENDENT and NEW PARTY candidates for President – filing requirements available in separate publication)

### MUNICIPAL

October 17 – October 24, 2011  
(Petitions may not be circulated prior to (July 26, 2011)  
[10 ILCS 5/10-6(3)(5)]

ESTABLISHED PARTY and NONPARTISAN Officers

November 28, 2011– December 5, 2011  
(Petitions may not be circulated prior to September 6, 2011)  
[10 ILCS 5/10-6(3)]

NEW POLITICAL PARTY and INDEPENDENT Officers

### SCHOOL BOARDS UNDER ARTICLE 33

November 28, 2011 – December 5, 2011  
(Petitions may not be circulated prior to September 6, 2011)  
[10 ILCS 5/10-6(3)]

NONPARTISAN Members

### SANITARY DISTRICT ACT OF 1936

June 18 – June 25, 2012  
(Petitions may not be circulated prior to March 27, 2012)  
[10 ILCS 5/10-4, 10-6]

NONPARTISAN Commissioners or Trustees