FREQUENTLY ASKED QUESTIONS

SIGNING PETITIONS

Can a registered voter sign petitions for candidates of more than one political party for the same Primary Election?

No. A "qualified primary elector" of a party may not sign petitions for or be a candidate in the primary of more than one party. (10 ILCS 5/7-10, 10-4)

May a voter who voted Republican in the last Primary Election now sign a petition for a Democratic candidate?

Yes; however, no one may sign petitions for candidates of more than one political party for the same Primary Election. *Kusper v. Pontikes, 414 U.S. 51, 94 S. Ct. 303 (1973); Sperling v. county Officers Electoral Board, 57 111. 2d 81, 309 N.E. 2d 589 (1974).*

Can a voter sign an established party petition, and a new party and/or independent petition?

Yes, a voter may sign an established party candidate's petition prior to a General Primary Election and subsequent to that election, sign a petition of an Independent or new political party candidate prior to a General Election. The voter may not, however, sign a petition of more than one Independent or new political party candidate's petition for the same office. (10 ILCS 5/7-10, 10-3)

Can a voter sign more than one established party candidate's petition?

Yes, a signer can sign petitions for as many candidates of the same established political party as they want, but they cannot sign petitions for different established parties in the same election.

How should the voter sign their name when they sign the petition?

The voter should sign the petition with the same name that they are registered to vote with; however, signing with a nickname will not invalidate the signature, provided the voter can be identified and it can be shown that the voter is lawfully registered to vote and qualified to sign the petition.

Are pencil signatures allowed?

Yes, but it is advisable to use a pen with dark ink.

Are abbreviations allowed on petitions?

Standard abbreviations may be used in writing the voter's address, including the street number.

Can ditto marks be used on the petitions?

Though ditto marks are not specifically prohibited, it is suggested they be avoided. The use of ditto marks could be objected to and the outcome of an objection cannot be predicted. A circulator can, however, fill in any missing information, except a voter's signature.

CIRCULATING PETITIONS

May a candidate circulate their own petitions?

Yes.

When can the circulator start collecting signatures?

No more than 90 days prior to the last day for filing petitions. (10 ILCS 5/7-10, 8-8, 10-4)

If a candidate finds something wrong with their petitions after they are filed, can a new set of petitions be circulated and filed before the end of the filing period?

Yes, but the candidate must cancel the original set of petitions in writing. If the candidate fails to cancel the original set of petitions, then only the original petitions shall be considered filed and all subsequent petitions shall be void. (10 ILCS 5/7-12(11), 10-6.2)

May a circulator circulate petitions for an independent candidate and an established party candidate in the same election?

No. (10 ILCS 5/10-4)

May a circulator sign as a voter on the petition they are circulating?

Yes, as long as the circulator is a registered voter in the applicable political subdivision or district.

May a circulator circulate petitions for an established party candidate and a new party candidate in the same election?

No. (10 ILCS 5/10-4)

Is the circulator required to be a registered voter?

No, but they must be a United States citizen and be 18 years of age, or 17 years of age by the immediately following general or consolidated election. (10 ILCS 5/3-6) They must also include their current address on the circulator's affidavit.

Can a petition sheet be circulated by more than one individual?

No. Only the person who signs the page as circulator can circulate that sheet. By signing as a circulator, the circulator is attesting that all signers signed in their presence. (10 ILCS 5/7-10)

Who can remove a signature from a nominating petition?

Only the circulator or the candidate on whose behalf the petition was circulated may strike a signature; however, an individual can submit a written request to the proper filing office to have their name removed from the petition before the petition is filed. (10 ILCS 5/7-10, 8-8, 10-3)

FILING PETITIONS

May a candidate file in person or by mail?

Yes, however, if the candidate wishes to be in the lottery for the first ballot position it is advisable to file in person as only candidates whose petitions are received in the first mail delivery on the first day of filing are eligible for the lottery. Candidates should mail by United States Postal Service when mailing to the Illinois State Board of Elections.

May a petition contain the names of two or more candidates of the same established party?

Yes. An established party may file a slate of candidates for offices to be filled within the State, county, or district (e.g. Judicial). However, each candidate of the slate must individually file a Statement of Candidacy and a receipt for filing a Statement of Economic Interests. The Statement of Candidacy and the receipt for each candidate must be attached to the original slate petition.

If you are first in line or your petition is in the first mail delivery of the day, will you be first on the ballot?

Not necessarily. If there are two or more candidates in line prior to the opening of the office filing from the same party and for the same office, they would be considered as filing simultaneously along with any petition in the first mail delivery, and will be involved in a lottery to determine ballot position. (10 ILCS 5/7-12(6), 8-9(2), 10-6.2)

Note: Candidates who file petitions during the last hour of filing (between 4:00 PM and 5:00 PM) on the last day to file petitions are also eligible for a lottery to determine the final ballot position. (Illinois Administrative Rules, Title 26, Section 201.40)

Must the notary of the petition be an Illinois notary and may the notary also be a signatory of the petition?

Under the provisions of the Uniform Recognition of Acknowledgements Act (765 ILCS 30/2): "Notarial acts may be performed outside this State for use in this State with the same effect as if performed by a notary public of this State by the following persons authorized pursuant to the laws and regulations of other governments in addition to any other person authorized by the laws and regulations of this State..." "(1) a notary public authorized to perform notarial acts in the place in which the act is performed..."

It has not been definitively determined whether a notary may also be a signatory to a petition. Some electoral boards and circuit courts have upheld petitions where the notary was also a signer of the petition, but the issue has not yet been decided by the Supreme Court or any appellate court in Illinois. A cautious candidate might wish to avoid using a petition signer as the notary so as to avoid the risk of having to defend against an objection on this issue.

For additional information contact the Index Department of the Secretary of State's office, 111 E. Monroe, Springfield, IL 62756-0001, (217) 782-7017.

Is a lottery conducted for party placement on the ballot?

For the General Election a lottery is conducted by each election authority for all established parties to determine the proper order of party placement on the ballot. This lottery is held within 30 days following the proclamation of the results of the Primary Election. New parties are involved in a lottery when there is a simultaneous filing with the State Board of Elections or the county clerk. The State Board of Elections conducts the lottery for new parties that file in the Springfield office and the election authorities must use such order. No party lottery is done for the Primary Election since each party has its own ballot, separate from any other established party.

In filing a petition to fill a vacancy in the office of circuit judge, must the petition contain the vacancy for which the candidate is filing?

Yes. For example, "To fill the vacancy of the Honorable John Jones." The vacancy is for the preceding elected judge, not the interim appointee.

Are judges running for retention required to file petitions?

No. Judges running for retention are required to file a Declaration of Candidacy for Retention with the Secretary of State on or before Sunday, May 3, 2020, preceding the expiration of their term of office.
[Illinois Constitution, Article VI, Section 12(d)]

Does a candidate have to file their own nomination papers?

No. The candidate or an agent of the candidate can file the candidate's petitions.

May a candidate file for more than one office?

Yes, however, the candidate must withdraw from all but one office within five business days following the last day of petition filing if the offices are incompatible. The withdrawal notice must be in writing and notarized. If the candidate does not withdraw, their name will not be certified for any office. Judicial candidates at the circuit court level are limited to filing a single petition for one circuit court vacancy and/or a single petition for one subcircuit vacancy in any filing period. [10 ILCS 5/7-12(9)]

When may petitions be mailed?

There are no statutory requirements regarding a time element for mailing petitions; however, all petitions must be received during the filing period. All petitions received in the office prior to the opening of the office on the first day of the filing period or after the close of the office on the last day of the filing period will be returned to the sender.
(10 ILCS 5/7-12.6, 8-9, 10-6.2)

May a petition that has been filed be changed?

No. A petition once filed may not be added to or altered; however, the receipt(s) for filing Statements of Economic Interests may be filed at any time during the filing period.
(10 ILCS 5/7-10, 7-12)

When a candidate withdraws their nominating petitions, are the petitions returned to the candidate?

No. The original documents are not returned, but remain in the office where they were filed. They must remain in the office for a period of at least six months. (10 ILCS 5/10-7)

When are petitions open to the public?

Upon their filing with the proper office. As a practical matter, there will be some delay in availability while the State Board of Elections or the election authority processes each petition. All certificates of nomination and nomination papers when presented or filed shall be open (under proper regulation) to public inspection and the State Board of Elections, election authorities, and local election officials having charge of nomination papers shall preserve the same in their respective offices not less than six months. (10 ILCS 5/10-7)