

FREQUENTLY ASKED QUESTIONS

SIGNING PETITIONS

Are abbreviations allowed on petitions?

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

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

The voter should sign the petition with the same name that the person is registered to vote with; however, signing with a nickname will not invalidate the signature if 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.

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.

Can a P.O. box be used as a signer's address?

Generally, no. Signers must list the residential address where they are registered to vote on petitions. However, there are some exceptions where voters may list a P.O. Box as a residential address (e.g. Address Confidentiality for Victims of Domestic Violence, Sexual Assault, Human Trafficking, or Stalking Act (750 ILCS 61/1 *et seq.*)).

May a voter sign a petition for someone else?

No. A registered voter must personally sign the petition. A person may not sign for someone else, such as another member of the person's own family. (10 ILCS 5/7-10, 10-4)

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 the person wants, but a person may not sign petitions for different established parties in the same election.

CIRCULATING PETITIONS

May candidates 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, 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 a partisan candidate, or for more than one political party?

No. (10 ILCS 5/10-4)

May a circulator circulate petitions for a partisan candidate, or for more than one political party?

No. (10 ILCS 5/10-4)

Does the circulator have to be a registered voter?

No, but a circulator must be a United States citizen and be at least 18 years of age by the immediately following general or consolidated election. (10 ILCS 5/3-6) A circulator must also include their current address on the circulator's affidavit. (10 ILCS 5/7-10, 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.

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, 10-4)

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, 10-3)

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.

Must the notary put the date of their commission expiration on the document?

Yes, the notary stamp indicates the date the commission expires.

Must the notary public live in the same county as the candidate?

No, but the notary must be authorized to administer oaths in the place where the notarial act is performed.

FILING PETITIONS

May a candidate file in person or by mail?

A candidate may file either in person or by mail. However, if the candidate wishes to be in the lottery for the first ballot position, it is advisable to file in person because 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. (10 ILCS 5/7-12(6), 10-6.2)

Do candidates have to file their own nomination papers?

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

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

Yes. An established political party petition may contain the names of candidates for several offices to be filled at the upcoming election. The nominating papers must contain a separate Statement of Candidacy signed by each candidate and a receipt for the filing of a Statement of Economic Interests by each candidate. The Loyalty Oath is optional. (10 ILCS 5/7-10)

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, the candidate's name will not be certified for any office. (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, 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)

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 entered in a lottery to determine ballot position. (10 ILCS 5/7-12(6), 10-6.2)

NOTE: Candidates who file petitions during the last hour of filing (between 4:00 p.m. and 5:00 p.m.) on the last

day to file petitions will be entered into a lottery to determine the final ballot position.
(Illinois Administrative Rules, Title 26, Section 201.40)

May a candidate file as an independent for a school office?

No. All candidates for school offices run on a “nonpartisan” basis. “Independents” run in partisan elections but choose not to associate with a political party, so the word “independent” identifies them on the ballot label.

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)