



CANDIDATE'S GUIDE

2012

PRESIDENTIAL PREFERENCE

**DELEGATES &
ALTERNATE DELEGATES**

Issued by

the

State Board of Elections

P R E F A C E

This **CANDIDATE'S GUIDE FOR DELEGATES AND PRESIDENTIAL PREFERENCE** has been prepared to provide information for candidates seeking office in 2012, however, legal ***interpretations contained in the Guide are not binding and may not be construed as sufficient argument in response to an objection to any candidate's nomination.*** The State Board of Elections recommends that all prospective candidates consult competent legal counsel when preparing their nominating papers.

ADDITIONAL information may be obtained by contacting the State Board of Elections in Springfield (217/782-4141) or Chicago (312/814-6440).

Your comments and suggestions are appreciated.

Rupert T. Borgsmiller
Executive Director

TABLE OF CONTENTS

Filing Periods	1
General Requirements for Filing Nominating Papers	2
General Information.....	2
Nominating Petition Sheets	3
Statement of Candidacy	7
Loyalty Oath (optional)	8
Prohibited – Use Of Public Funds	8
Fair Campaign Practices Act	8
Nomination Procedures	
Established Party Candidates	9
New Political Party Candidates	9
Independent Candidates	10
Write-In Procedures	11
Additional Information.....	11
Special Requirements for Specific Offices	
President, Vice President	12
Delegates and Alternate Delegates.....	14
Objections to Nominating Papers	17
Answers to Commonly Asked Questions	19
Signature Requirements	23
Delegates and Alternate Delegates by District	24

GENERAL PRIMARY
(Third Tuesday in March)

March 20, 2012

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

NOVEMBER 6, 2012

FILING PERIODS

General Primary

January 3 – January 6, 2012

PRESIDENTIAL PREFERENCE AND DELEGATES & ALTERNATE DELEGATES
TO THE NATIONAL NOMINATING CONVENTIONS (DEMOCRATIC & REPUBLICAN)

Petitions may not be circulated prior to October 8, 2011

General Election

June 18 – 25, 2012

NEW POLITICAL PARTY CANDIDATES AND INDEPENDENT CANDIDATES FOR
PRESIDENT AND VICE PRESIDENT

Petitions may not be circulated prior to March 27, 2012

GENERAL REQUIREMENTS FOR FILING NOMINATING PAPERS

A. GENERAL INFORMATION

1. Candidates are strongly advised to obtain legal counsel as to 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. as a candidate of an established political party;
 - b. as a candidate of a new political party; or
 - c. as an independent candidate.
3. Candidates **must** file the following papers (which should be in the following order):
 - a. Statement of Candidacy;*

*Presidential electors whose names appear on independent and new party petitions are not required to submit a Statement of Candidacy.
 - b. Delegates and Alternate Delegates only - a Statement of Presidential Preference or a statement that he/she is running as uncommitted.
 - c. Loyalty Oath (optional);
 - d. Nominating petition sheets, containing sufficient number of **original** signatures;

NOTE: 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. (See Peoples Independent Party, v. Petroff, 191 Ill. App 3d 706, 138 Ill. Dec. 915, 548 N.E. 2d 145 (5th Dist. 1989)) Failure to file this form will not invalidate the petitions but will preclude the new party from being able to fill any vacancy that may occur.

4. Election laws prescribe the forms to be submitted in seeking nomination and election to office. The State Board of Elections has prepared **suggested** forms for petitions, statements of candidacy, etc. The official SBE form number to be used is included under each office listed in this Guide. Forms are available for purchase from election supply vendors, and may be obtained from the offices of the State Board of Elections or downloaded from the Board's website at www.elections.il.gov.
5. Petitions may be filed in person or by mail, by either the candidate or a representative of the candidate.

- a. Filings made by mail must be received **no earlier** than the opening of the office on the first day of the appropriate filing period and **no later** than 5:00 p.m. on the last day of that filing period. Filings made in person will be accepted in the **principal office (Springfield)** of the State Board of Elections beginning at 8:00 a.m. on the first day of the appropriate filing period and ending at 5:00 p.m. on the last day of that filing period. Petitions must actually be received no later than 5:00 p.m. on the last day of that filing period, ***simply being in line at 5:00 p.m. on said last day is not sufficient.***
- b. Petitions sent by mail 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 that day. Candidates who wish to qualify for the lottery and file by mail should **mail (U.S. Postal Service only)** their petitions to the State Board of Elections, P.O. Box 4187, Springfield, IL 62708. It is important to note that petitions received **BEFORE** the first day of filing cannot be accepted. (10 ILCS 5/7-12, 10-6.2)

6. Ballot Placement Lottery

- a. The lottery is held within nine days following the last day to file petitions.
- b. Petitions filed on the first day at the opening hour (8:00 a.m.) are included in the lottery drawing.
- c. Filings received after the opening hour on the first day will be certified in the order of filing for ballot placement. (10 ILCS 5/7-12, 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 shall, within two (2) business days, notify the candidate of his or 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 that he or she may cancel prior sets of petitions. If the candidate sends notice, the designated set of petitions shall be the only petitions to be considered valid (candidates may use SBE Form No. P-25A to provide such notice). 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, 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. (10 ILCS 5/7-12(9))

B. NOMINATING PETITION SHEETS

1. The top portion (heading) of the nominating petition sheet which includes information relative to the election, the candidate, the office and political party, as applicable, must be completed prior to the circulation of the petition sheet.
 - a. The form of the candidate's name that appears on the heading of page 1 of the petition is the form that will be certified for the ballot. 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), 10-5.1 and 16-3(e)) 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)) The State Board of Elections shall not certify to any candidate name designation that is inconsistent with that restriction. (10 ILCS 5/7-17(c))

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. No other designation such as a political slogan, title or degree, or nickname implying possession of a title, degree or professional status, or similar information may be used in connection with the candidate's surname. 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 identify 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 5/7-10.2, 10-5.1)

- b. The name of more than one candidate of the same political party for a group office such as delegate may appear on the same petition. However, each candidate must submit his or her individual Statement of Candidacy and optional Loyalty Oath with the petition. **THE CANDIDATE'S NAME SHOULD APPEAR IN EXACTLY THE SAME FORM ON THE PETITION SHEETS, STATEMENT OF CANDIDACY AND LOYALTY OATH.** The Board will certify each candidate's name as the name appears on petition sheet #1. (see "a" above)
(10 ILCS 5/7-10 and 10-5)
- c. Each petition sheet must contain precisely the same information in the heading.
(10 ILCS 5/7-10, 10-4)

- d. Petition sheets which are filed with the State Board of Elections must contain the **original** signatures signed by the voters and by the circulator thereof, and shall not be photocopies or duplicates of such sheets. (10 ILCS 5/7-10, 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, 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 must specify (1) the dates on which the sheets were circulated; (2) the first and last dates on which the sheet was circulated ; or (3) that none of the signatures on the sheet were signed more than 90 days preceding the last day for filing of petitions. (10 ILCS 5/7-10, 10-4)
- c. A petition circulator may not circulate for more than one political party. (10 ILCS 5/10-4) Schober v. Young, 322 Ill.App.3d 996, 751 N.E. 2d 610, 256 Ill.Dec. 220 (4th Dist. 2001)
- d. A petition circulator may not circulate for an independent candidate or candidates in addition to candidates for a 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, 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 voter **MAY NOT** sign petitions for candidates of more than one political party for the same primary election. (10 ILCS 5/7-10, 10-4)
- b. A signer may sign the petitions of one established political party for the primary election and one new political party for the subsequent general election. (10 ILCS 5/10-3)

- c. A signer must sign his/her own name on the petition, and his/her address must follow his/her signature. The signer cannot sign for someone else, such as another member of his/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, 10-2, 10-3, 10-4)
 - e. Each petition signer shall indicate on such petition his/her residence address, written or printed, including the street address or rural route number of the signer, as well as the signer's city, village, town, county and state. **A petition signer must be a registered voter from the address shown opposite his/her signature on the petition.** The city, village, county and/or state may be pre-printed if all the signers reside therein. (10 ILCS 5/7-10, 10-4)
 - f. 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, 10-3)
 - 2) The person striking the signature must sign a certification (SBE 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, 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. The provisions authorizing the striking of signatures do not impose criminal liability on any person so authorized for signatures which may be fraudulent. (10 ILCS 5/10-3)
4. Petition Preparation (10 ILCS 5/ Articles 7 and 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 to (preferably on top of) the nominating petition signature sheets:

- 1) Statement of Candidacy;
- 2) Presidential Preference Statement (Delegates and Alternate Delegates);
- 3) Loyalty Oath (optional)

The documents listed in this subsection 4.c. are not to be numbered.

- d. Any certifications related to 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, 10-3)

For all new political party petitions, the petitions shall have attached thereto a certificate (SBE No. 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)

- e. The petition signature sheets must be **neatly fastened together** in book form by placing the sheets in a pile and fastening them together at one edge in a secure and suitable manner.
- f. A petition when filed shall not be altered or amended. (10 ILCS 5/7-10, 7-12, 10-4, 10-5)

C. STATEMENT OF CANDIDACY (10 ILCS 5/7-10, 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, of applicable; and statements that the person is qualified for the office specified, should also match the information as printed on the petition. **THIS STATEMENT MUST ACCOMPANY THE NOMINATION PAPERS.**

*Presidential electors whose names appear on independent and new party petitions are not required to submit a Statement of Candidacy.

2. In the designation of the name of a candidate on a petition for nomination or certificate of nomination, the candidate's given name or names, initial or initials, a nickname by which the candidate is commonly known, or a combination thereof, may be used in addition to the candidate's surname. 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. No political slogan, title or degree or nickname implying title, degree or professional status may be used with the candidate's surname. (10 ILCS 5/7-10.2, 10-5.1)

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. No other designation such as a political slogan, title or degree, or nickname implying possession of a title, degree or professional status, or similar information may be used in connection with the candidate's surname. 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 identify 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 5/7-10.2, 10-5.1)

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

D. LOYALTY OATH (Optional)

The filing of the Loyalty Oath is optional.

E. PROHIBITED - USE OF PUBLIC FUNDS TO INFLUENCE VOTE

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. (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-5 et.seq.)

NOMINATION PROCEDURES

A. NOMINATION OF ESTABLISHED POLITICAL PARTY CANDIDATES

1. A political party which, at the last general election for State and county offices, polled for its candidate for Governor more than 5% of the entire vote cast for Governor, is an "established political party" as to the State and as to any district or political subdivision thereof. A political party, that received more than 5% of the entire vote cast in the State at the general election next preceding a primary, is an established political party within the state, and shall elect precinct, township, ward and State central committeemen. (10 ILCS 5/7-2, 10-2)
2. In preparing their nomination papers, candidates of established political parties seeking nomination should follow the information contained in "Requirements for Filing Nominating Papers" beginning on page 2.
3. Nomination papers for Presidential Preference Candidates and candidates for Delegate and Alternate Delegate to the National Nominating Conventions are filed with the State Board of Elections (see filing period information at page 1 for dates).
4. A candidate for whom nomination papers have been filed as a partisan candidate at a primary election, and who is defeated for nomination, is prohibited from being listed on the ballot at the General Election as an independent candidate or as a candidate of another political party, and may not file a declaration of intent to be a write-in candidate at that General Election. (10 ILCS 5/7-61, 10-3, 17-16.1, 18-9.1)
5. Individual voters who sign an Established Party candidate petition may not sign a petition of a candidate of another Established Party.

B. NOMINATION OF NEW POLITICAL PARTY CANDIDATES

1. A new political party is formed by filing a petition containing the names of candidates running for all offices to be filled within the given district or political subdivision. New political party candidates must follow the provisions contained in 5/10-2.

New Political Party candidates who wish to file for President and Vice President must file nominating petitions with the State Board of Elections (June 18-25, 2012).
2. A political group wishing to form a new political party within the state must file petitions with a full slate of candidates for such state. Upon such filing, a new political party is created. A new political party that receives more than 5% of the votes cast at that election becomes an established political party. (10 ILCS 5/10-2)
3. A new political party petition must have attached a Certificate of Officers Authorized to Fill Vacancies in Nomination. (10 ILCS 5/10-5, 10-11).
4. When a new political party petition is invalidated in its entirety by an electoral board or upon judicial review, the new party officers cannot replace the entire slate of candidates on the pretext of filling vacancies in nomination. People ex. Rel. Vigilant Party v. Village of Dolton, 118 Ill. App. 2d 392, 254 N.E. 2d. 832 (1st Dist. 1969). (10 ILCS 5/10-7)

5. A political party name may not contain more than five words. Moreover, such party shall not bear the same name as, or include the name of any established party. (10 ILCS 5/10-2, 10-5)
6. A candidate for whom a nomination paper has been filed as a partisan candidate at a primary election, and who is defeated for nomination, is prohibited from being listed on the ballot at the General Election as an independent candidate or as a candidate of another political party, and may not file a declaration of intent to be a write-in candidate at that General Election. (10 ILCS 5/7-61, 10-3, 17-16.1, 18-9.1)
7. Nomination papers for new political party candidates must be filed with the State Board of Elections for President and Vice President during the filing period June 18-25, 2012. The petitions must include the names and addresses of 20 Presidential electors. (10 ILCS 5/7-12, 10-5, 10-6, 21-1)
8. Candidates nominated by the new political party must provide the following documents to be included with the petition to form a new political party:
 - a. A Statement of Candidacy for each candidate;
NOTE: Presidential electors whose names appear on new party and independent petitions are not required to submit a Statement of Candidacy.
 - b. A certificate (SBE Form P-8C) stating the names and addresses of the party officers authorized to fill vacancies. *Failure to file this form will result in the party forfeiting the right to fill vacancies.*

(See "Requirements for Filing Nominating Papers" beginning on page 2 for more detailed information.)

C. NOMINATION OF INDEPENDENT CANDIDATES FOR PRESIDENT & VICE PRESIDENT

1. **Independent candidates are those individuals who are not candidates of any political party, but who are candidates in a general election at which party candidates may appear on the ballot. The designation "Independent" appears next to the candidate's name on the ballot. (10 ILCS 5/10-3)**
2. **Independent candidates for President and Vice President of the U.S. file at the same time as New Party Candidates (June 18-25, 2012).** Independent and New Political Party candidates who wish to file for President and Vice President must file nominating petitions with the State Board of Elections (June 18-25, 2012). The petitions must include the names and addresses of 20 Presidential electors. Those electors do not have to submit a Statement of Candidacy (10 ILCS 5/10-5, 10-6, 21-1)
3. Vacancies for independent candidates cannot be filled. A vacancy in nomination contemplates a political party organization to fill it. An independent is an individual candidate not supported by a party structure. Therefore there is no political party organization to fill the vacancy in nomination. (10 ILCS 5/10-7)
4. Independent candidates seeking election should follow the information contained in "Requirements for Filing Nominating Papers" beginning on page 2 in preparing

their nomination papers for filing.

5. A candidate for whom nomination papers have been filed as a partisan candidate at a primary election, and who is defeated for nomination, is prohibited from being listed on the ballot at the General Election as an independent candidate or as a candidate of another political party, and may not file a declaration of intent to be a write-in candidate at that General Election. (10 ILCS 5/7-61, 10-3, 17-16.1, 18-9.1)

D. WRITE-IN CANDIDATE PROCEDURES

Write-in candidates must file notarized declarations of intent to be a write-in candidate not less than 61 days prior to the election, with the proper election authorities in those jurisdictions in which they are seeking to be a write-in candidate (i.e., a write-in candidate for President must file a Declaration of Intent with every county clerk and board of election commissioners in the State). A list of the names and addresses of all Illinois election authorities is available on the Board's website at www.elections.il.gov **Declaration of Intent forms are not filed with the State Board of Elections.** (10 ILCS 5/7-59, 17-16.1, 18-9.1) A candidate for whom nomination papers have been filed as a partisan candidate at a primary election, and who is defeated for nomination, may not file a declaration of intent to be a write-in candidate at that General Election. Whenever an objection to a candidate's nominating papers or petitions for any office is sustained after the 61st day before the election, the candidate may file the notarized declarations of intent to be a write-in candidate for that office with the proper election authorities no later than 7 days prior to the election. (10 ILCS 5/17-16.1, 18-9.1)

Forms for the write-in declaration can be obtained from the various election authorities or the State Board of Elections.

E. ADDITIONAL INFORMATION

1. For the purpose of determining eligibility to sign or circulate a nominating petition or a petition proposing a public question, the terms "voter", "registered voter", "qualified voter", "legal voter", "elector", "qualified elector", and "primary elector" shall mean a person who is registered to vote at the address shown opposite his signature on the petition or was registered to vote at such address when he signed the petition. (10 ILCS 5/3-1.2)
2. When a candidate withdraws his nomination petition, the original petition is not returned to the individual, but remains in the office of the State Board of Elections. (10 ILCS 5/7-10, 10-4)
3. Blank nomination petitions may be reproduced prior to circulation. The signatures of the signers (voters), circulator and the notary public must be original.

OFFICE: **PRESIDENT OF THE UNITED STATES**

MINIMUM AGE: 35

RESIDENCY: Natural born citizen of the United States. 14 years residence within the U.S.

SIGNATURE REQUIREMENTS: **ESTABLISHED PARTY CANDIDATES**
 Not less than 3,000 nor more than 5,000 primary electors of his/her party (10 ILCS 5/7-11)

INDEPENDENT CANDIDATES
 1% of the number of voters who voted at the next preceding statewide general election, or 25,000, whichever is less (10 ILCS 5/10-3)

NEW PARTY CANDIDATES
 1% of the number of voters who voted at the next preceding statewide general election, or 25,000, whichever is less (10 ILCS 5/10-2)

VICE PRESIDENTIAL CANDIDATE AND PRESIDENTIAL ELECTORS: Petitions for Independent and New Party candidates for President must include the name of a Vice Presidential candidate and a list of 20 Presidential electors with names and addresses on the petition sheets. Presidential electors for the established political parties are chosen at state conventions (10 ILCS 5/21-1).

PETITIONS: **ESTABLISHED PARTY;** SBE No. P-10
INDEPENDENT: SBE No. P-3
NEW PARTY: SBE No. P-8

STATEMENT OF CANDIDACY: Filed with nomination papers. Required for Presidential and Vice Presidential candidates, not required for Electoral College electors.
ESTABLISHED PARTY: SBE No. P-1
INDEPENDENT: SBE No. P-1B
NEW PARTY: SBE No. P-1D

LOYALTY OATH: (Optional) Filed with nomination papers SBE No. P-1C

STATEMENT OF ECONOMIC INTERESTS: Not required for Federal Office.

FILING DATES: ESTABLISHED PARTIES (10 ILCS 5/7-11 and the approved plans of the respective established political parties)

January 3 – January 6, 2012
Circulation begins October 8, 2012

INDEPENDENTS (10 ILCS 5/10-6)

June 18-25, 2012
Circulation begins March 27, 2012

NEW POLITICAL PARTY (10 ILCS 5/10-6)

June 18-25, 2012
Circulation begins March 27, 2012

WHERE TO
FILE:

State Board of Elections: 1020 South Spring, Springfield, IL 62704
P. O. Box 4187, Springfield, IL 62708
(use P. O. box for mailing)

CAMPAIGN
DISCLOSURE:

Filed with the Federal Election Commission, 999 E Street NW,
Washington, D.C. 20463 (Phone: 800-424-9530).

TERM BEGINS: Noon, January 20, 2013 (U.S. Constitution, Amendment 20, Sec. 1)

TERM OF OFFICE: 4 Years

FILING INFORMATION DOCUMENT/ESTABLISHED PARTY

FILING INFORMATION DOCUMENT/ INDEPENDENT AND NEW PARTY

PETITION FILING DATA CARD/ESTABLISHED PARTY

PETITION FILING DATA CARD/INDEPENDENT AND NEW PARTY

P-28 NOTICE OF NAME CHANGE

CODE OF FAIR CAMPAIGN PRACTICES ACT

P-2A CERTIFICATE OF DELETIONS (Established Party, New Party and Independent Candidates)

P-2B CERTIFICATE OF ATTACHED LIST OF DELETIONS (Independent Candidates)

P-8C CERTIFICATE OF OFFICERS (NEW PARTY VACANCY IN NOMINATION)

OFFICE: **DELEGATE AND ALTERNATE DELEGATE**
to National Presidential Nominating Conventions
(Party office elected at the General Primary)

MINIMUM AGE: 18 years

RESIDENCY: United States Citizen. Resident of the Congressional District for 30 days. Registered voter of the district.

SIGNATURE REQUIREMENTS: **Democratic:** 500 (Delegate Selection Rules For The 2012 Democratic National Convention, Rule 14.C.)
Republican: 600 (10 ILCS 5/7-10(b))

NUMBER OF DELEGATES AND ALTERNATE DELEGATES DELEGATES ALLOCATED PER DISTRICT: The formula for allocating delegates per congressional district is certified to the State Board of Elections by each party. The Board allocates delegates according to the selected formulas upon receiving notification from the Secretary of State as to the number of delegates and alternate delegates to which Illinois will be entitled at the respective national nominating conventions. The Secretary of State shall ascertain the numbers from the call of the national convention of each party.

STATEMENT OF PRESIDENTIAL PREFERENCE: Each candidate for delegate and alternate delegate must file a Statement of Presidential Preference supporting a specific presidential candidate, or a statement that he/she intends to run uncommitted (SBE No. P-1E). However, Section 7-10.3 of the Illinois Election Code allows the State Central Committee of either political party to file a statement with the SBE, not less than 30 days prior to the first day for the filing of petitions, specifying that a candidate for delegate or alternate delegate is not required to file a "Statement of Declaration."

PETITIONS: Delegate SBE No. P-23
Alternate Delegate SBE No. P-24

STATEMENT OF CANDIDACY: Filed with petition. SBE No. P-1J

LOYALTY OATH: (Optional) Filed with nomination papers. SBE No. P-1C

STATEMENT OF ECONOMIC INTERESTS: Not required for party office.

FILING DATES: January 3 – January 6, 2012
Circulation begins October 8, 2011

WHERE TO FILE: State Board of Elections: 1020 South Spring, Springfield, IL 62704
P.O. Box 4187, Springfield, IL 62708
(use P. O. box for mailing)

Democratic candidates shall file a copy of Statement of Candidacy and Presidential Preference Statement with State Party Chair (Illinois Delegate Selection Plan for the 2012 Democratic National Convention. Section III A.4.b.)

CAMPAIGN
FINANCIAL
DISCLOSURE:

Not required for individual delegate candidates. Under some circumstances, groups of delegate candidates may be required to file with the Federal Election Commission. Call the FEC for further information (800-424-9530).

FILING INFORMATION DOCUMENT/ESTABLISHED PARTY

PETITION FILING DATA CARD/ESTABLISHED PARTY

P-28 NOTICE OF NAME CHANGE

CODE OF FAIR CAMPAIGN PRACTICES ACT

P-2A CERTIFICATE OF DELETIONS (Established Party, New Party and Independent Candidates)

If more candidates file as committed to a Republican Presidential candidate than can be elected from a district, the Presidential candidate or his authorized agent has the option of filing a list with the SBE of delegate candidates who shall appear as committed to that candidate within 10 days after the last day to file. The remaining candidates will be certified as “uncommitted” (10 ILCS 5/7-10.3(b)).

Under the provisions of the Illinois Delegate Selection Plan for the 2012 Democratic Convention, the Presidential candidate or authorized representative has the option of approving delegate and alternate delegates when more candidates file as committed to a Presidential candidate than can be elected in a district. The Presidential candidate will provide a list of approved delegate and alternate candidates to the SBE and the State Party Chair by 5:00 p.m. on January 20, 2012. Those candidates who are not approved by the candidate will not appear on the primary ballot. (Illinois Delegate Selection Plan For the 2012 Democratic National Convention, Section III, A.5.)

REPUBLICAN PARTY NOTE:

For further information about the party's rules, please check with the Republican Party of Illinois, P. O. Box 78, Springfield, Illinois 62705.

DEMOCRATIC PARTY NOTES:

Under the provisions of the Illinois Delegate Selection Plan for the 2012 Democratic National Convention, the "Illinois presidential primary election is a 'binding' primary. Accordingly, delegate and alternate positions shall be allocated so as to fairly reflect the expressed presidential (or uncommitted) preference of the primary voters in each district. The National Convention delegates and alternates selected at the district level shall be allocated in proportion to the percentage of the primary vote won in that district by each preference, except that preferences falling below a 15% threshold shall not be awarded any delegates or alternates." (Section III, A.6.a.)

The Delegate Selection Plan also provides that "In order to ensure the district-level delegates are equally divided between men and women, delegate positions within each district will be designated by presidential preference beginning with the highest vote-getting presidential preference. The assignment of delegate positions, alternating by sex as mathematically practical, will continue with the next highest vote-getting preference in descending order until the gender of each position has been assigned." (Illinois Delegate Selection Plan For the 2012 Democratic National Convention, III A.7.a.)

For further information about the party's rules, please check with the Democratic Party of Illinois, P. O. Box 518, Springfield, Illinois 62705.

OBJECTIONS TO NOMINATING PAPERS

FILING OBJECTION PETITION:

Nomination Papers shall be deemed to be valid unless objections are filed in writing, an original and one (1) copy, within 5 business days after the last day for filing Nomination Papers. The objection shall be filed with the Springfield or Chicago office of the State Board of Elections. (10 ILCS 5/7-13 and 10-8)

PROCESSING OBJECTION:

Not later than 12 noon on the second business day, after receipt of Objector's Petition, the State Board of Elections shall transmit by registered mail or receipted personal delivery the nomination papers and original objector's petition to the chairman of the proper Electoral Board designated in Section 10-9, or his authorized agent, and shall transmit a copy by registered mail or receipted personal delivery of the objector's petitions, to the candidate whose nomination papers are objected to, addressed to the place of residence designated in said Certificate of Nomination or nomination papers. **For multi-county districts, the State Board of Elections is the electoral board. For single county districts, the county officers electoral board is the electoral board. EXCEPTION: In Districts which are wholly contained within the jurisdiction of a board of election commissioners in Cook County, the Chicago Board of Election Commissioners serves as the electoral board.**

RESPONSIBILITY OF CHAIRMAN OF ELECTORAL BOARD:

Within 24 hours after receipt of the objector's petition, the chairman of the Electoral Board (other than the State Board of Elections) shall send a call by registered or certified mail to each of the members of the Electoral Board, the objector, and the candidate, and shall also cause the Sheriff of the county or counties in which such officers and persons reside to serve a copy of such call upon each of the officers and persons. In those cases where the State Board of Elections is the designated electoral board, the Chairman of the SBE shall send the call to the objector and candidate whose certificate of nomination or nomination papers are objected to stating the day, hour, and place at which the SBE shall meet to hear the objection.

ELECTORAL BOARD MEETING:

The meeting of the Electoral Board shall not be less than 3 nor more than 5 days after receipt of objector's petition by the chairman of Electoral Board.

JUDICIAL
REVIEW FILED:

Within 5 days after service of the decision of the Electoral Board, the candidate or objector aggrieved by the decision of the board may file a petition for Judicial Review with the Clerk of the Circuit Court. Court hearings are to be held within 30 days after filing of petition and the decision delivered promptly thereafter.

ANSWERS TO COMMONLY ASKED QUESTIONS

PETITIONS -

Alteration of documents -

1. May a petition once filed be changed?

No. A petition once filed may not be added to or altered.

Signing petitions -

1. Are abbreviations allowed on petitions?

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

2. May a voter who voted Republican in the last primary now sign a petition for a Democratic candidate?

Yes, however, no one may sign petitions for more than one party.

3. 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 later sign a petition of an independent OR a new political party candidate prior to a General Election. The voter may not sign a petition of more than one established party for the General Primary Election. The voter may not sign a petition of more than one independent or new political party candidate's petition for the same office.

4. Can a voter sign one party's petitions for the primary but request another party's ballot at the primary election?

Yes, a voter may sign one party's petition for the primary and request the other party's ballot at the primary.

5. What name should the voter use when signing a petition?

The voter should sign the petition exactly as he is registered to vote. Example: The signature for James Smith should not appear on the petition as Jim Smith. However, signing with a nickname will not invalidate the signature, provided the voter can be identified.

6. Are pencil signatures allowed?

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

7. Can ditto marks be used on the petitions?

Ditto marks should be avoided. The use of ditto marks could be challenged and the outcome of a challenge cannot be predicted. Also, writing over ditto marks should be avoided because it may appear that the petition is being altered. A circulator could, however, fill in any missing information except, of course, a voter's signature.

8. Who can remove a name from a nomination petition?

Only the circulator or the candidate on whose behalf the petition was circulated may strike the signature. (10 ILCS 5/7-10, 10-3) However, an individual can submit a written request with the SBE to have his/her name revoked before the petition is filed.

CIRCULATOR -

1. May a candidate circulate his own petitions?

Yes.

2. May a circulator circulate petitions for an independent candidate and a partisan candidate?

No.

3. When can the circulator start collecting signatures?

No more than 90 days prior to the last day for filing the petitions.

4. Can a petition page be circulated by more than one individual?

No. Only the person who signs the page as circulator can circulate that page. By signing the page as a circulator, the circulator is attesting that all the signatures were signed in his/her presence.

5. May a circulator sign as a voter on the petition he is circulating?

Yes

6. May a circulator circulate petitions for an established party candidate and a new party candidate?

No. (10 ILCS 5/10-4).

7. Is the circulator required to be a registered voter?

No, but they must be a United States Citizen and be at least 18 years of age. (10 ILCS 5/7-10, 10-4).

NOTARIZATION -

1. **Must the notary put the date of his commission expiration on the document?**

The notary stamp indicates the date of commission expiration.

2. **Must the notary public live in the same county as the candidate?**

No.

3. **Must the notary reside in Illinois, and may the notary also be a signatory of the petition?**

Under the provisions of the Uniform Recognition of Acknowledgements Act (765 ILCS 30/1 et seq.), notarial acts may be performed outside of Illinois for use in Illinois.

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.

FILING PETITIONS -

1. **May a candidate file in person or by mail?**

Petitions may be filed by mail or in person, either by the candidate or his/her representative.

2. **When are petitions open to the public?**

Upon their filing with the proper office (there will be some delay in availability after filing for staff to process the filing).

3. **Does a candidate have to file his or her own petition?**

No.

4. **May a candidate file his own petition and petitions for other candidates at the same time?**

Yes.

5. **When may petitions be mailed?**

There are no statutory requirements regarding a time element for mailing

petitions; however, all petitions that are received in the office prior to the opening of the office on the first day of the filing period will be returned to the sender.

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

Yes, an established party may slate a candidate for each office to be filled within a district. Example - in a congressional district, several delegates are to be elected. Each candidate of the slate must individually file a Statement of Candidacy. Delegate and Alternate Delegate candidates must each file a Statement of Presidential Preference. The Statement of Candidacy and Statement of Presidential Preference for each candidate must be attached to the original slate petition.

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

Not necessarily. If petitions for two or more candidates are filed in person by people standing in line prior to the opening of the office and/or delivered in the first US mail pickup or delivery, those petitions will be considered as filed simultaneously and the candidates will be involved in a lottery for ballot position. Candidates who have their petitions delivered by any delivery service other than the United States Postal Service do not qualify for the ballot position lottery.

2012 SIGNATURE REQUIREMENTS PRESIDENTIAL PREFERENCE

Democratic	Republican	Independent	New Party
3,000 - 5,000	3,000 - 5,000	25,000	25,000

2012 SIGNATURE REQUIREMENTS DELEGATES AND ALTERNATE DELEGATES

District	Democratic *	Republican **
1	500	600
2	500	600
3	500	600
4	500	600
5	500	600
6	500	600
7	500	600
8	500	600
9	500	600
10	500	600
11	500	600
12	500	600
13	500	600
14	500	600
15	500	600
16	500	600
17	500	600
18	500	600
19	500	n/a

* The Democratic Party's approved delegate selection plan as of the date of publication provides for the use of the 19 Congressional District Map in effect prior to the 2010 Census. The Democratic Party of Illinois has a proposed amendment to this plan pending before the Democratic National Committee which would provide for the use of the new 18 Congressional District Map enacted after the 2010 Census. The Democratic Party is not electing any Alternate Delegates from Congressional Districts in 2012.

** The Republican Party is operating under the Congressional District Map adopted after the 2010 Census.

UNOFFICIAL*

2012 DISTRICT ALLOCATION FOR DELEGATES AND ALTERNATE DELEGATES

District	Democratic**	Republican***
1	9 Delegates, 0 Alternates	3 Delegates, 3 Alternates
2	10 Delegates, 0 Alternates	3 Delegates, 3 Alternates
3	7 Delegates, 0 Alternates	3 Delegates, 3 Alternates
4	5 Delegates, 0 Alternates	2 Delegates, 2 Alternates
5	7 Delegates, 0 Alternates	3 Delegates, 3 Alternates
6	5 Delegates, 0 Alternates	3 Delegates, 3 Alternates
7	9 Delegates, 0 Alternates	2 Delegates, 2 Alternates
8	6 Delegates, 0 Alternates	3 Delegates, 3 Alternates
9	8 Delegates, 0 Alternates	3 Delegates, 3 Alternates
10	7 Delegates, 0 Alternates	3 Delegates, 3 Alternates
11	6 Delegates, 0 Alternates	3 Delegates, 3 Alternates
12	6 Delegates, 0 Alternates	3 Delegates, 3 Alternates
13	6 Delegates, 0 Alternates	3 Delegates, 3 Alternates
14	6 Delegates, 0 Alternates	3 Delegates, 3 Alternates
15	5 Delegates, 0 Alternates	4 Delegates, 4 Alternates
16	5 Delegates, 0 Alternates	3 Delegates, 3 Alternates
17	6 Delegates, 0 Alternates	3 Delegates, 3 Alternates
18	5 Delegates, 0 Alternates	4 Delegates, 4 Alternates
19	5 Delegates, 0 Alternates	n/a

Total Elected	123 Delegates, 0 Alternates	54 Delegates, 54 Alternates
Total Appointed	91 Delegates, 16 Alternates	15 Delegates, 12 Alternates
TOTAL	214 Delegates, 16 Alternates	69 Delegates, 66 Alternates

* Under the provisions of 10 ILCS 5/7-14.1, the Secretary of State shall report to the State Board of Elections the number of delegates to which Illinois will be entitled from the call of the national convention of each party. The information listed above is based on information from the Illinois Delegate Selection Plan for the 2012 Democratic National Convention and from information received from the Republican National Committee. The information will remain UNOFFICIAL until the Secretary of State has received the call for both conventions.

** The Democratic Party's approved delegate selection plan as of the date of publication provides for the use of the 19 Congressional District Map in effect prior to the 2010 Census. The Democratic Party of Illinois has a proposed amendment to this plan pending before the Democratic National Committee which would provide for the use of the new 18 Congressional District Map enacted after the 2010 Census. The Democratic Party is not electing any Alternate Delegates from Congressional Districts in 2012.

*** The Republican Party is operating under the Congressional District Map adopted after the 2010 Census.

**STATE BOARD OF ELECTIONS
State of Illinois**

**William M. McGuffage, Chairman
Jesse R. Smart, Vice Chairman
Harold D. Byers
Betty J. Coffrin
Ernest L. Gowen
Judith C. Rice
Bryan A. Schneider
Charles W. Scholz**

**Rupert T. Borgsmiller
Executive Director**

**1020 South Spring
P.O. Box 4187
Springfield, IL 62708
Telephone: 217/782-4141
(TDD) 217/782-1518**

**James R. Thompson Center
Suite 14-100
Chicago, IL 60601
Telephone: 312/814/6440
(TDD) 312/814-6431**

www.elections.il.gov

**Printed by Authority of the State of Illinois
(In House 10/11)**