

PUBLIC LIBRARY DISTRICT BOARD – TRUSTEE

Public Library District

NOMINATION PAPERS

Petitions: Nonpartisan ([SBE Form P-4](#))

Statement of Candidacy: Nonpartisan ([SBE Form P-1A](#))

Loyalty Oath (optional): All candidates ([SBE Form P-1C](#))

Statement of Economic Interests: Filed with the county clerk of 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)

Fair Campaign Practices Act (voluntary): Filed with the State Board of Elections or the county clerk.

QUALIFICATIONS

Qualified elector of the library district with one-year residency in the library district at the time nomination papers are filed. (75 ILCS 16/30-20(d))

A person is not eligible to serve as a library trustee who, at the time of filing nomination papers, is in arrears in the payment of a tax or other indebtedness due to the library district or has been convicted in any court located in the United States of any infamous crime, bribery, perjury, or other felony. (75 ILCS 16/30-20(e))

SIGNATURE REQUIREMENTS

A number of qualified voters residing in the district equivalent to at least 2% of the votes cast at the last election for library trustees, or 50, whichever is less. (75 ILCS 16/30-20(a))

FILING DATES

December 14-21, 2020 (not more than 113 nor less than 106 days prior to the consolidated election).

WHERE TO FILE

With the Library District Secretary.

TERM

7 Trustees: 6-year terms. The library board may, by resolution, change to 4-year terms. (75 ILCS 16/30-10)

TERM BEGINS

The third Monday of the month (May 17, 2021) following the regular election of trustees. (75 ILCS 16/30-10, 30-40)

Within 74 days after their election or appointment, the incumbents and new trustees shall take their oath of office and meet to organize the board. (75 ILCS 16/30-40(a))

CAMPAIGN DISCLOSURE

Reports must be filed either on paper or electronically with the State Board of Elections, 2329 S. MacArthur Blvd., Springfield, IL 62704 or 100 W. Randolph Street, Suite 14-100, Chicago, IL 60601.

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

No person shall circulate or certify petitions for candidates of more than one political party, or for an independent candidate or candidates in addition to one political party, to be voted upon at the next primary or general election, or for such candidates and parties with respect to the same political subdivision at the next consolidated election. (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 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.

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)

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 his 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 notary 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 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 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.

May a candidate file more than one set of petitions for the same office?

Yes. However, upon notice from the filing office, the candidate must make a selection in writing to the filing office; otherwise, the set of petitions filed first will be considered the official filing.

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.

Does a candidate have to file their own nominating papers?

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

May a candidate file their own petition and petitions for other candidates at the same time?

Yes.

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)

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 p.m. and 5:00 p.m.) 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)

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

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

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)

