



ILLINOIS GREEN PARTY

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ILGP FACT SHEET #14

Guide for Slating County Board Candidates

Modified on February 18, 2010

This guide is intended to help candidates, committeepersons, and others understand the process for slating Green Party candidates for districted county board seats. Separate Fact Sheets detail the processes for slating candidates for other offices.

In simplest terms, where there is a Green Party ballot line for a county board seat without a Green Party candidate on it, a candidate can be "slated" onto the ballot line by a County Board District Committee for that district. As of 2009, petitioning requirements also apply in some cases. If a particular county board seat is elected at-large from the county as a whole, then this guide does not apply. See ILGP Fact Sheet #13 for information on slating candidates for countywide office.

1. County Board District Committee

Section 7-8.01 of the Election Code defined the County Board District Committee as being composed of the Precinct Committeepersons whose precincts are within the district. The section does not address Cook County Board districts, but any such committee would logically consist of the Ward and Township Committeepersons whose wards/townships intersect with the relevant district. Section 7-8(d-1) does refer to Cook County Board of Review Election District Committees, and the rules for that are similar. The County Board District Committee is the body which has the statutory authority to "slate" candidates, and has no other statutory power.

2. Weighted Votes

The voting members of the County Board District Committee have weighted votes, where the weight of the vote is equal to the number of Green Party ballots taken at the preceding primary election by voters residing within the relevant district who are also residents of the precinct, ward, or township represented by the committee members.

3. Meetings

County Board District Committees are not statutorily required to meet, and rarely meet at all. If a meeting should be necessary for the purpose of considering the slating of a candidate, all members of the committee must be given five days written notice. If the committee does meet, it will need to elect a Chairperson so as to affect relevant paperwork.

4. County Board Districts Without Committeepersons

If a candidate desires to be slated in a district where none of the precincts have elected or appointed Committeepersons, then at least one Committeeperson will need to be appointed for a precinct within that district before such candidate can be slated. See Fact Sheet #9 for information on appointment of Precinct Committeepersons.

5. Vacancies in Nomination

In general, there are two ways in which there can be a vacancy in nomination. The first is if no candidate ran in the primary for the office, resulting in no candidate being nominated by primary vote. The second is if a candidate was previously nominated – by primary or by a previous act of slating – and the candidate withdraws, dies, or is otherwise unable to continue being the nominee.

6. Time Frames for Slating

The statutory rules governing slating can be found in Section 7-61 of the Election Code. If the vacancy in nomination occurs because no candidate won nomination in the primary, then slating and the collection of petition signatures must occur within 75 days after the primary election. If the vacancy in nomination occurs for any other reason, and occurs prior to the date of certification of ballots for the general election, then slating must occur prior to the certification date. If the vacancy in nomination occurs for any other reason, and occurs after the date of certification but at least 16 days before the general election, then the vacancy must be filled within 8 days of the event causing the vacancy, and must be reported no more than 3 days after the action of the committee to fill the vacancy.

7. Paperwork

See Section 7-61 of the Election Code for the legal requirements. In general, in addition to any papers the new nominee must file, the committee must submit a resolution which must a) be notarized; b) identify the name of the original nominee if applicable; c) specify the office in question; d) identify the date on which the vacancy occurred (this is often the date of the primary election); and e) the name and address of the candidate selected to fill the vacancy. This resolution should be delivered alongside the candidate's paperwork.

8. ILGP Assistance

The Illinois Green Party can often provide logistic and technical assistance through any of these processes, including but not limited to samples and pre-drafting of forms.

9. Will of Green Party Members

The Illinois Green Party strongly urges any County Board District Committee which might convene for the purpose of considering a candidate who might fill a vacancy in nomination to make some attempt to ascertain the will of those members of the Illinois Green Party residing within the district, either directly through a mail-in ballot or other communication, or by way of the affiliated Illinois Green Party local for that county. It is strongly advised that any candidate meet the criteria of an endorsed candidate as delineated in the Illinois Green Party Bylaws, Article 10, Section D.

10. Petitioning Requirements

House Bill 723, passed in 2009, adds a petitioning requirement in cases where a candidate is slated to fill a vacancy in nomination when no candidate ran in the primary election. All paperwork, including petition signatures, is due in Springfield by the 75th day after the primary election. The signature requirement is the same as what would have been required to have appeared on the primary ballot. It is possible that signatures collected from voters who voted in the primary of a different party will be subject to being thrown out, but there has been no test of this to date, so it is not known how the law will be interpreted on this matter.

11. The *Cullerton* Case and Qualifications to be Slated

In the 2008 decision *Cullerton v. DuPage County Officers Electoral Board*, the Illinois 2nd Appellate Court ruled that a person is ineligible to be slated for office by a political party if the individual, in the most recent general primary, pulled the primary ballot of a different political party. In other words, if a Green Party County Board District Committee attempts to slate a candidate who pulled a Democratic or Republican ballot in the most recent primary, there is a good chance that the candidate will be thrown off the ballot. Note that the candidate retains eligibility if he/she did not vote at all, or pulled a non-partisan ballot, in the most recent primary. Because of this case law, slating committees and other Green Party entities are strongly urged to verify the recent voting history of prospective candidates before making slating decisions.