

**BOARD OF ELECTION COMMISSIONERS FOR THE CITY OF CHICAGO
AS A DULY CONSTITUTED ELECTORAL BOARD**

Objections of: Marisa Brown and John Parizek)	
)	
)	
To the Nomination)	No.: 14-EB-RGA-32
Papers of: Melanie "Mel" Ferrand)	
)	
Candidate for the nomination of the)	
Democratic Party for the office of)	
Representative in the General Assembly for the)	
40th Representative District, State of Illinois)	

FINDINGS AND DECISION

The duly constituted Electoral Board, consisting of Board of Election Commissioners for the City of Chicago Commissioners Langdon D. Neal, Richard A. Cowen, and Marisel A. Hernandez, organized by law in response to a Call issued by Langdon D. Neal, Chairman of said Electoral Board, for the purpose of hearing and passing upon objections ("Objections") of Marisa Brown and John Parizek ("Objectors") to the nomination papers ("Nomination Papers") of Melanie "Mel" Ferrand, candidate for the nomination of the Democratic Party for the office of Representative in the General Assembly for the 40th Representative District of the State of Illinois ("Candidate") at the General Primary Election to be held on March 18, 2014, having convened on December 16, 2013, at 9:00 a.m., in Room 800, 69 West Washington Street, Chicago, Illinois, and having heard and determined the Objections to the Nomination Papers in the above-entitled matter, finds that:

1. Objections to the Nomination Papers of the Candidate herein were duly and timely filed.

2. The said Electoral Board has been legally constituted according to the laws of the State of Illinois.

3. A Call to the hearing on said Objections was duly issued by the Chairman of the Electoral Board and served upon the members of the Electoral Board, the Objectors and the Candidate, by registered or certified mail and by Sheriff's service, as provided by statute.

4. A public hearing held on these Objections commenced on December 16, 2013 and was continued from time to time.

5. The Electoral Board assigned this matter to Hearing Officer Anthony A. Iosco for further hearings and proceedings.

6. The Objectors and the Candidate were directed by the Electoral Board's Call served upon them to appear before the Hearing Officer on the date and at the time designated in the Hearing Schedule. The following persons, among others, were present at such hearing: the Objectors, Marisa Brown and John Parizek, by their attorney, Michael C. Dorf; and the Candidate, Melanie "Mel" Ferrand, by her attorney, Dan Johnson.

7. Objectors allege that the Candidate failed to timely file a Statement of Economic Interests with the Illinois Secretary of State in relation to her candidacy as required by Article XIII, Section 2 of the Illinois Constitution, the Illinois Governmental Ethics Act and the Illinois Election Code. Objectors further allege that the Candidate also failed to timely file with her Nomination Papers a receipt evidencing the filing of a proper Statement of Economic Interests with the Illinois Secretary of State in relation to her candidacy.

8. In response, the Candidate contends, and the record here does reflect, that on November 22, 2013, she did file a Statement of Economic Interests, although she filed with the Cook County Clerk and not with the Illinois Secretary of State. In filing said Statement with the

County Clerk, she used the Statement form supplied by the County Clerk. She also contends that she filed with her Nomination Papers a receipt evidencing the filing of a Statement of Economic Interests, but admits that the receipt was issued by the Cook County Clerk, not the Illinois Secretary of State. Candidate did, on December 16, 2013, file an "Amended" Statement of Economic Interests with the Illinois Secretary of State, using the correct form, and did supply, as part of her case before the Electoral Board, a receipt from the Illinois Secretary of State evidencing the filing of said Amended Statement, but the filing with the Secretary of State did not occur until well after the close of the filing period for nomination papers on December 2, 2013.¹ As the Objector notes, however, Candidate has never filed this latest receipt from the Secretary of State with the State Board of Elections, where her Nomination Papers were filed and where she was required to file her economic interest statement receipt before the end of the period for filing her Nomination Papers. Candidate argues that

A. She accurately and fully disclosed on both economic interest statements (the one filed with the County Clerk on November 22 and the Amended Statement filed with the Secretary of State on December 16) the only condition that could possibly create an economic or financial conflict of interest in relation to her candidacy for the office of Representative in the General Assembly, i.e., her position as a Teacher/Librarian with Chicago Public Schools/Chicago Board of Education;

B. Under the doctrine of "relation back," the later, "amended" filing with the Secretary of State should "relate" back to the original, timely filing with the County Clerk; and

¹ Indeed, such filing occurred well after the December 9, 2013 deadline for objections to nomination papers for candidates seeking access to the March 18, 2014 general primary ballot.

C. By disclosing her position with the Chicago Public Schools/Chicago Board of Education on both the original Statement filed with the County Clerk and the "Amended" Statement filed with the Secretary of State, the purpose of the Constitution and the statutes, i.e., to facilitate the public's right to information regarding financial dealings between the candidate and the unit of government in which he seeks an elected office, was served and the Candidate substantially complied with the statutory requirements.

9. The Hearing Officer has tendered to the Electoral Board his report recommending that the relief requested in the Objector's Petition be granted. Based upon the evidence and arguments presented, the Hearing Officer found that the Candidate failed to comply with the mandatory requirements of the Illinois Constitution, the Illinois Government Ethics Act and the Election Code. The Hearing Officer found, therefore, that the Candidate's Nomination Papers are invalid.

10. Article XIII, Section 2 of the Illinois Constitution provides in part:

"All *candidates* for or holders of state offices *** shall file a verified statement of their economic interests, as provided by law. *** Statements shall be filed annually with the Secretary of State and shall be available for inspection by the public. The General Assembly by law shall prescribe a reasonable time for filing the statement. *Failure to file a statement within the time prescribed shall result in ineligibility for, or forfeiture of, office. *****" (*Italics added*)

11. In accordance with Article XIII, Section 2 of the Constitution, the General Assembly enacted Article 4A of the Illinois Governmental Ethics Act (5 ILCS 420/1-101 *et seq.*). The Act provides in relevant part, "The following persons shall file verified written

statements of economic interests, as provided in this Article: (a) Members of the General Assembly and candidates for nomination or election to the General Assembly.” (5 ILCS 420/4A-101) Section 4A-106 of the Act provides that statements of economic interests required of members of the General Assembly and candidates for nomination or election to the General Assembly “shall be filed with the Secretary of State.” (5 ILCS 420/4A-106) Section 4A-106 further provides that “[A]ll statements of economic interests filed under this Section shall be available for examination and copying by the public at all reasonable times.” The purpose of requiring candidates to submit verified statements of economic interests “is to facilitate the public's right to information regarding financial dealings between the candidate and the unit of government in which he seeks an elected office.” *Kellogg v. Cook County Illinois Officers Electoral Board*, 347 Ill.App.3d 666, 669, 807 N.E.2d 1161, 1163 (1st Dist. 2004).

12. Section 4A-102 of the Act prescribes the economic interests that must be included on all economic interest statements. (5 ILCS 420/4A-102) In addition, there are separate sections of the Act that prescribe additional contents for a statement of economic interests, depending upon whether the person is filing with the Illinois Secretary of State or with a county clerk. Section 4A-103 prescribes the contents for all economic interest statements to be filed with the Illinois Secretary of State. (5 ILCS 420/4A-103) Section 4A-104 prescribes the contents for economic interest statements to be filed with a county clerk. (5 ILCS 420/4A-104) Depending upon where the statement is filed, there are different questions seeking disclosure of economic interests with the State of Illinois, if filed with the Secretary of State, or with a unit of local government, if filed with the county clerk.

13. Section 4A-105 of the Illinois Governmental Ethics Act provides, “Statements [of Economic Interest] must also be filed as follows: (a) A candidate for elective office shall file his

statement *not later than the end of the period during which he can take the action necessary under the laws of this State to attempt to qualify for nomination, election, or retention to such office* if he has not filed a statement in relation to the same unit of government within a year preceding such action.” (*Italics added*) (5 ILCS 420/4A-105)

14. Section 4A-107 of the Governmental Ethics Act provides, “Except when the fees and penalties for late filing have been waived under Section 4A-105, failure to file a statement within the time prescribed shall result in ineligibility for, or forfeiture of, office or position of employment, as the case may be ****.” (5 ILCS 420/4A-107)

15. Turning to the Election Code, Article 8 of the Code provides, “The nomination of all candidates for members of the General Assembly by all political parties *** shall be made in the manner provided in this article 8 and not otherwise.” (10 ILCS 5/8-1) Section 8-8 of the Code provides that the “receipt issued by the Secretary of State indicating that the candidate has filed the statement of economic interests required by the Illinois Governmental Ethics Act must be filed with the petitions for nomination as provided in subsection (8) of Section 7-12 of this Code. (10 ILCS 5/8-8) Section 7-12(8) provides, “Nomination papers filed under this Section are not valid if the candidate named therein fails to file a statement of economic interests as required by the Illinois Governmental Ethics Act in relation to his candidacy with the appropriate officer by the end of the period for the filing of nomination papers unless he has filed a statement of economic interests in relation to the same governmental unit with that officer within a year preceding the date on which such nomination papers were filed.” (10 ILCS 5/7-12(8)) This section further provides that if the nomination papers and the statement of economic interest are not required to be filed with the same officer, the candidate “must file with the officer with

whom the nomination papers are filed a receipt from the officer with whom the statement of economic interests is filed showing the date on which such statement was filed.” Id.

16. There can be little debate that the requirements to (a) file a proper statement of economic interests in relation to person’s candidacy and to (b) file a receipt for such economic interest statement with the officer with whom such person’s nomination papers are filed if different from the officer with whom the economic interest statement was filed are mandatory. See, *Purnell v. Municipal Officers Electoral Board*, 275 Ill. App. 3d 1038, 657 N.E.2d 55 (1st Dist. 1995); *Bolger v. Electoral Board of City of McHenry*, 210 Ill.App.3d 958, 569 N.E.2d 628 (2nd Dist. 1991), *Kellogg v. Cook County Illinois Officers Electoral Board*, 347 Ill.App.3d 666, 807 N.E.2d 1161 (1st 2004). The Candidate seemingly acknowledges that these requirements are mandatory, but argues that she has substantially complied with the requirements and that substantial compliance with the statutory requirements is sufficient, citing *Atkinson v. Roddy*, 2013 IL App (2d) 130139.

17. In *Atkinson*, candidates for municipal office in the Village of Roselle, which is split between DuPage County and Cook County, filed their statements of economic interest in a timely manner with the Cook County Clerk, then attached the receipt they received from the Cook County Clerk with their nomination papers filed with the Roselle Village Clerk. Because the principal office of Roselle is located in DuPage County, they were actually required by the Illinois Governmental Ethics Act to file their statements of economic interest with the DuPage County Clerk. The Illinois Appellate Court for the Second District found that the deviation of filing the right statement of economic interests form at the right time but in the wrong place still satisfied the purpose filing statements of economic interests, which is to “facilitate the public’s right to information regarding the candidate’s financial dealings with the unit of government in

which he or she seeks office.” *Atkinson*, ¶ 18. The court reasoned that by filing the economic interests statement receipt with her nomination papers indicating that the candidate had filed her statement with the Cook County Clerk, the candidate put the public on notice of where to locate the information concerning her financial dealings with Roselle. Thus, the court considered the candidate’s failure to file her statement of economic interests with the DuPage County Clerk a “technical error and did not impair the integrity of the electoral process or prevent a fair and honest election.” *Id.*, ¶ 19. Therefore, the court concluded, the candidate substantially complied with the mandatory requirements of the statutes. *Id.*, 26.

18. Importantly, the *Atkinson* court sought to distinguish the holding in *O’Donaghue v. Cook County Officers Electoral Board*, 295 Ill.App.3d 493 (1st Dist. 1998), where “the candidate filed an incorrect version of the statement of economic interests and, therefore, did not provide the information the Ethics Act required for the office he sought.” *Atkinson*, ¶ 23. The *Atkinson* court noted that in case before it, “there is no dispute that Dahlstrom filed the proper version of the statement of economic interests and that the statement contained the information required by the Ethics Act.” *Id.*

19. Objector correctly notes, however, that the Candidate here not only filed a statement of economic interests in the wrong place, but she also filed using the wrong form. This case, therefore, is more similar in nature to the facts found in *O’Donohue* and in another decision of the Illinois Appellate Court for the First District, *Cortez v. Municipal Officers Electoral Board for the City of Calumet City*, 2013 IL App (1st) 130442, rather than it is to *Atkinson*.

20. In *O’Donaghue*, a candidate for commissioner on the Cook County Board of Commissioners, which is defined by law as a “unit of local government,” filed a statement of economic interests with the Secretary of State instead of with the Cook County Clerk, where he

was required to file under Section 4A-101(g) of the Illinois Governmental Ethics Act. He also filed the wrong statement of economic interests form – he filed the form prescribed in Section 4A-103 of the Act for state officers and candidates, instead of the form that he needed to file as prescribed by Section 4A-104 of the Act for officers and candidates for units of local government. The court held that the electoral board correctly exercised its jurisdiction to find that the candidate “filed the wrong form with the wrong office” and this finding “justified the board’s decision not to include petitioner’s name on the ballot.” 295 Ill.App.3d at 498.

21. In *Cortez*, a candidate for municipal office in Calumet City timely filed a statement of economic interests in the *right* place – the Cook County Clerk’s Office – but used the *wrong* form. Instead of using the form prescribed for candidates seeking election to units of local government as prescribed by Section 4A-104 of the Illinois Governmental Ethics Act (see ¶ 12 above), the candidate used the form for candidates for statewide office required by Section 4A-103 of the Act and which asks questions pertaining to the State of Illinois. *Cortez*, ¶ 28. As the court explained, “the eight questions on the two forms are substantially different.” *Id.* While not commenting on the candidate’s actual motives or intent in that case, the *Cortez* court observed that “if a hypothetical ‘bad guy’ wanted to avoid answering questions about his connections to the municipality, he would have done exactly what Caballero did here.” *Id.*, ¶34. “Filling out the wrong form completely insulates a candidate from any charges of perjury.” *Id.* “In addition,” the court continued, “using the wrong form also insulates the candidate from any criticism by the media or his constituents that his answers about his dealings with the municipality were incomplete or less than forthcoming.” *Id.*, ¶35.

22. The First District concluded in *Cortez* that “filling out the wrong [economic interests statement] form does not constitute substantial compliance.” *Cortez*, ¶ 39. Noting that

the “doctrine of substantial compliance will save a candidate’s nominating papers only when the defect is minor and the papers still satisfy ‘the apparent purpose’ of the statute’s requirements,” the *Cortez* court explained that by using the wrong statement of economic interests form, “the apparent purpose [of filing an economic interests statement] was circumvented, and thus the doctrine of substantial compliance cannot save this candidate’s papers.” *Id.*, ¶ 40.

23. Here, the Candidate, unlike the candidate in *Atkinson*, not only filed a statement of economic interests in the *wrong* place, she also filed the *wrong* economic interests statement form.

24. Here, the Candidate, like the candidates in *O’Donaghue* and *Cortez*, failed to substantially comply with the requirements of the Illinois Constitution, the Illinois Governmental Ethics Act and the Illinois Election Code to timely file the proper economic interests statement form and receipt therefor with her Nomination Papers.

25. Candidate argues that under the “relation-back doctrine,” her December 16, 2013 Amended Statement of Economic Interests filed with the Illinois Secretary of State cures her failure to file such statement with the Secretary of State and a receipt therefor with her Nomination Papers on or before the December 2, 2013 deadline for filing nomination papers. The Candidate, however, cites no authority for applying such doctrine to the requirement to file economic interest statements.

26. In *Lawrence v. Board of Election Commissioners for the City of Chicago*, 524 F.Supp.2d 1011 (N.D. Ill. 2007), the United States District Court for the Northern District of Illinois had occasion to comment on the deadline for filing economic interest statement receipts under the Illinois Election Code. The court agreed that the filing of the receipt is necessary so that election officials and potential objectors will know if potential candidates have filed the

necessary paperwork. 542 F. Supp.2d at 1025. The candidate argued that the deadline imposed under the Illinois statute for filing the economic interest statement receipt was irrational because it would do no harm to either objectors or election officials to allow a candidate, if challenged, to prove he had filed the statement even after the deadline had passed. The court held, however, that it is not irrational to require the receipt to be filed by the last day for which to file nomination papers as the deadline gives objectors the opportunity to know in advance whether a candidate has complied with the statutes before initiating an objection and thereby save objectors and election officials the time of initiating needless hearings or objections. 524 F.Supp.2d at 1025-1026. The court also observed that "filing deadlines are constitutionally permissible given the 'cascade of exceptions' that might otherwise result, citing *United States v. Locke*, 471 U.S. 84, 100-101, 105 S.Ct. 1785, 85 L.Ed.2d 64 (1985). In *Locke*, the Supreme Court noted,

The notion that a filing deadline can be complied with by filing sometime after the deadline falls due is, to day the least, a surprising notion, and it is a notion without limiting principle. If 1-day late filings are acceptable, 10-day late filings might be equally acceptable, and so on in a cascade of exceptions that would engulf the rule erected by the filing deadline; yet regardless of where the cutoff line is set, some individuals will always fall just on the other side of it. Filing deadlines, like statutes of limitations, necessarily operate harshly and arbitrarily with respect to individuals who fall just on the other side of them, but if the concept of a filing deadline is to have any content, the deadline must be enforced. 'Any less rigid standard would risk encouraging a lax attitude toward filing dates,' [citation]. A filing deadline cannot be complied with, substantially or otherwise, by filing late – even by one day.

The court in *Lawrence* concluded, "it is not unconstitutional to disqualify candidates for filing the receipt late" and that "[T]here would be no rational way for the state or Board to enforce the receipt-filing requirement if the failure to file the receipt could not result in the disqualification of the candidate." 524 F.Supp.2d at 1026.

27. Here, the Electoral Board finds that the Illinois Constitution and statutes are clear. Article XIII, Section 2, of the Illinois Constitution provides that the "[F]ailure to file a statement

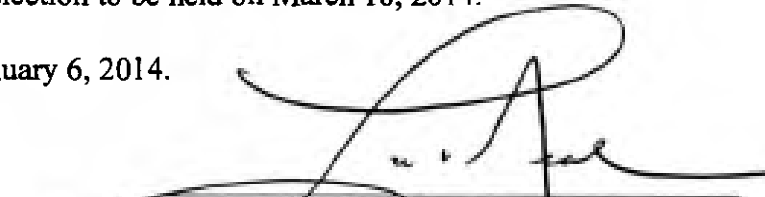
[of economic interests] within the time prescribed shall result in ineligibility for, or forfeiture of, office.” Further, Section 7-12(8) of the Election Code provides, “Nomination papers filed under this Section are not valid if the candidate named therein fails to file a statement of economic interests as required by the Illinois Governmental Ethics Act in relation to his candidacy with the appropriate officer by the end of the period for filing of nomination papers” The Electoral Board finds that the Candidate here did not file a statement of economic interests as required by the Illinois Government Ethics Act. Instead of filing the statement form required of candidates for state officers under Section 4A-103 of the Act, she filed the form required of candidates for units of local government under Section 4A-104. The Electoral Board further finds that the Candidate did not file proper form with the appropriate officer by the end of the period for filing nomination papers on December 2, 2013. Instead, she filed the wrong form with the wrong officer on November 22, 2013. She did not file the correct form with the correct officer – the Illinois Secretary of State – until December 16, 2013. It further appears that the Candidate never filed the correct receipt from the Illinois Secretary of State with the State Board of Elections, with which she filed her Nomination Papers.

28. Under the reasoning of the *O’Donaghue* and *Cortez* cases, *infra*, the Electoral Board finds that the Candidate here did not substantially comply with the requirements of the Illinois Constitution, the Illinois Governmental Ethic Act and the Election Code. Article XIII, Section 2 of the Illinois Constitution, Sections 4A-105 and 4A-107 of the Illinois Governmental Ethics Act and Sections 8-8 and 7-12(8) of the Election Code compel a finding that the Candidate’s Nomination Papers are, therefore, invalid.

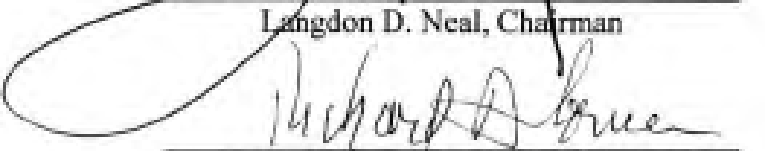
29. For the reasons stated above, the Electoral Board finds that the Objections filed in this matter should be, and hereby are, sustained and that the Candidate's Nomination Papers are invalid.

IT IS THEREFORE ORDERED that the Objections of Marisa Brown and John Parizek to the Nomination Papers of Melanie "Mel" Ferrand, candidate for the nomination of the Democratic Party for the office of Representative in the General Assembly for the 40th Representative District of the State of Illinois, are hereby SUSTAINED and said Nomination Papers are hereby declared INVALID and the name of Melanie "Mel" Ferrand, candidate for the nomination of the Democratic Party for the office of Representative in the General Assembly for the 40th Representative District of the State of Illinois, SHALL NOT be printed on the official ballot for the General Primary Election to be held on March 18, 2014.


Dated: Chicago, Illinois, on January 6, 2014.



Langdon D. Neal, Chairman



Richard A. Cowen, Commissioner



Marisel A. Hernandez, Commissioner

NOTICE: Pursuant to Section 10-10.1 of the Election Code (10 ILCS 5/10-10.1) a party aggrieved of this decision and seeking judicial review of this decision must file a petition for judicial review with the Clerk of the Circuit Court of Cook County within 5 days after service of the decision of the Electoral Board.

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

Melanie "Mel" Felland

petitioner

v.

No. 2014 COEL 001

Brown, Patrick, Chao, David
Election Commissioners, et al

ORDER

this matter concerning the hearing of Petitioner,
Mel Felland's Petition for Judicial Review. The
Court reviewing the written submissions and the
oral arguments to the parties;

IT IS HEREBY ORDERED that: (1) the court stated
in the record (1) Petitioner's motion is denied and the decision
of the Chicago Board of Election Commissioners dated
January 6, 2014 is affirmed so that petitioner's name
will not appear on the March 18, 2014 ballot.
(2) This is a final order, all parties to all parties
having been fully advised.

Atty. No.: 39108
Name: Meister
Atty. for: Petitioner
Address: 2124 N. Western Ave
City/State/Zip: Chicago IL 60647
Telephone: 312 344 6555

ENTERED:

Dated: JAN 22 2014
Associate Judge David A. Skryd
Circuit Court 1906
Judge's No.

DOROTHY BROWN, CLERK OF THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

NOTICE
The text of this opinion may be changed or corrected prior to the time for filing of a Petition for Reversing or the disposition of the same.

2014 IL App (1st) 1140225

THIRD DIVISION
February 13, 2014

No. 1-14-0225

MELANIE "MEL" FERRAND,)	Appeal from
)	the Circuit Court
Plaintiff-Appellant,)	of Cook County
)	
v.)	No. 2014 COEL 000001
)	
THE CITY OF CHICAGO BOARD OF)	Honorable David A. Skryd,
ELECTION COMMISSIONERS, LANGDON)	Judge Presiding.
D. NEAL, Chairman, RICHARD A. COHEN,)	
Member, MARISEL A. HERNANDEZ,)	
Member, and MARISA N. BROWN and)	
JOHN W. PARIZEK, Objectors,)	
)	
Defendants-Appellees.)	

JUSTICE MASON delivered the judgment of the court, with opinion.
Justices Hyman and Pucinski concurred in the judgment and opinion.

OPINION

¶ 1 Appellant, Melanie "Mel" Ferrand (Ferrand), is a candidate for the office of Representative in the Illinois General Assembly for the 40th Representative District. Ferrand seeks review of a decision of defendant-appellee, the City of Chicago Board of Election Commissioners (Board), which sustained objections to her nominating papers based on her failure to file with the Secretary of State a statement of economic interests required of candidates for state office. The Board's decision was affirmed by the circuit court. For the reasons that follow, we affirm.

¶ 2 On November 25, 2013, Ferrand filed her nominating petitions with the State Board of

¶ 6 Article XIII, section 2 of the Illinois Constitution requires state officers and all candidates for state office to file a "verified statement of their economic interests, as provided by law." Ill. Const. 1970, art. XIII, §2. Required statements of economic interests must be filed with the Secretary of State and failure to file within the prescribed time "shall result in ineligibility for, or forfeiture of, office ***." *Id.* Pursuant to the permissive language of this same section, the General Assembly may impose a similar requirement upon candidates for offices in units of local government. *Id.* The Illinois Constitution further defines counties as units of local government. *Id.*, art. VII, §1.

¶ 7 In the Illinois Government Ethics Act (5 ILCS 420/4A-101, *et seq.* (West 2012) (The Act)), "the General Assembly both clarified the filing requirements for state officers constitutionally required to file economic interest statements and enacted filing requirements for local officers as permitted by *** article XIII, section 2." *O'Donaghue v. Cook Co. Officers Elec. Bd.*, 295 Ill. App. 3d 493, 495 (1998). The disclosures required on the State and Local Forms are not identical. The State Form requires the state officer or candidate for state office, as the case may be, to disclose ownership interest in, or positions with any legal entity doing business in the state. 5 ILCS 420/4A-103 (West 2012). In contrast, the Local Form requires disclosure by the local officer or candidate of any ownership in, or position with any entity doing business with the unit of local government. *Id.* 420/4A-104.

¶ 8 The disposition of this appeal is controlled by this court's decision in *O'Donaghue*, which involved the inverse of the circumstances presented here. In *O'Donaghue*, petitioner, a candidate for local office (a position on the Cook County Board of Commissioners), filed with the Secretary of State the State Form required of candidates for state office. After objections to his

so. The Local Form filed by Ferrand disclosed nothing of relevance to her candidacy for state office, a matter that, as contended by objectors, goes to the heart of the integrity of the electoral process. The Act is also unambiguous in its requirements for candidates for state office. 5 ILCS 420/4A-103. Finally, article 8 of the Election Code specifically governs the nomination of candidates for the General Assembly and provides that the nomination of all candidates for the General Assembly shall be in the manner provided "in this article 8 *and not otherwise*." 10 ILCS 5/8-1 (West 2012) (emphasis added). Section 8-8 of the Election Code further provides that the receipt issued by the Secretary of State "must" be filed with the petitions for nomination. 10 ILCS 5/8-8 (West 2012). If the candidate fails to file a statement of economic interests with the appropriate officer by the end of the period for filing nominating papers, the Election Code provides that the nomination papers "are not valid." 10 ILCS 5/7-12(8). In order to accept Ferrand's position, we would not only have to excuse her non-compliance with the constitution and the Act, but we would also necessarily have to override the legislature's determination that her nominating papers are "not valid."

¶ 11 There is simply no room in the foregoing mandatory and unambiguous provisions to countenance "substantial compliance" with the constitution, the Act and the Election Code by a candidate for state office. For the foregoing reasons, we affirm the Board's determination that Ferrand's nominating papers are invalid.

¶ 12 Affirmed.