



Sen. Laura M. Murphy

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10200SB1785sam001

LRB102 15247 SMS 25814 a

1 AMENDMENT TO SENATE BILL 1785

2 AMENDMENT NO. _____. Amend Senate Bill 1785 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Election Code is amended by changing
5 Sections 1-3, 7-46, 7-52, 7-53, 7-56, 7-59, 16-3, 17-11,
6 17-18, 18-5, 18-9, 21-2, and 22-7 and by adding Article 22A as
7 follows:

8 (10 ILCS 5/1-3) (from Ch. 46, par. 1-3)

9 Sec. 1-3. As used in this Act, unless the context
10 otherwise requires:

11 1. "Election" includes the submission of all questions of
12 public policy, propositions, and all measures submitted to
13 popular vote, and includes primary elections when so indicated
14 by the context.

15 2. "Regular election" means the general, general primary,
16 consolidated and consolidated primary elections regularly

1 scheduled in Article 2A. The even numbered year municipal
2 primary established in Article 2A is a regular election only
3 with respect to those municipalities in which a primary is
4 required to be held on such date.

5 3. "Special election" means an election not regularly
6 recurring at fixed intervals, irrespective of whether it is
7 held at the same time and place and by the same election
8 officers as a regular election.

9 4. "General election" means the biennial election at which
10 members of the General Assembly are elected. "General primary
11 election", "consolidated election" and "consolidated primary
12 election" mean the respective elections or the election dates
13 designated and established in Article 2A of this Code.

14 5. "Municipal election" means an election or primary,
15 either regular or special, in cities, villages, and
16 incorporated towns; and "municipality" means any such city,
17 village or incorporated town.

18 6. "Political or governmental subdivision" means any unit
19 of local government, or school district in which elections are
20 or may be held. "Political or governmental subdivision" also
21 includes, for election purposes, Regional Boards of School
22 Trustees, and Township Boards of School Trustees.

23 7. The word "township" and the word "town" shall apply
24 interchangeably to the type of governmental organization
25 established in accordance with the provisions of the Township
26 Code. The term "incorporated town" shall mean a municipality

1 referred to as an incorporated town in the Illinois Municipal
2 Code, as now or hereafter amended.

3 8. "Election authority" means a county clerk or a Board of
4 Election Commissioners.

5 9. "Election Jurisdiction" means (a) an entire county, in
6 the case of a county in which no city board of election
7 commissioners is located or which is under the jurisdiction of
8 a county board of election commissioners; (b) the territorial
9 jurisdiction of a city board of election commissioners; and
10 (c) the territory in a county outside of the jurisdiction of a
11 city board of election commissioners. In each instance
12 election jurisdiction shall be determined according to which
13 election authority maintains the permanent registration
14 records of qualified electors.

15 10. "Local election official" means the clerk or secretary
16 of a unit of local government or school district, as the case
17 may be, the treasurer of a township board of school trustees,
18 and the regional superintendent of schools with respect to the
19 various school officer elections and school referenda for
20 which the regional superintendent is assigned election duties
21 by The School Code, as now or hereafter amended.

22 11. "Judges of election", "primary judges" and similar
23 terms, as applied to cases where there are 2 sets of judges,
24 when used in connection with duties at an election during the
25 hours the polls are open, refer to the team of judges of
26 election on duty during such hours; and, when used with

1 reference to duties after the closing of the polls, refer to
2 the team of tally judges designated to count the vote after the
3 closing of the polls and the holdover judges designated
4 pursuant to Section 13-6.2 or 14-5.2. In such case, where,
5 after the closing of the polls, any act is required to be
6 performed by each of the judges of election, it shall be
7 performed by each of the tally judges and by each of the
8 holdover judges.

9 12. "Petition" of candidacy as used in Sections 7-10 and
10 7-10.1 shall consist of a statement of candidacy, candidate's
11 statement containing oath, and sheets containing signatures of
12 qualified primary electors bound together.

13 13. "Election district" and "precinct", when used with
14 reference to a 30-day residence requirement, means the
15 smallest constituent territory in which electors vote as a
16 unit at the same polling place in any election governed by this
17 Act.

18 14. "District" means any area which votes as a unit for the
19 election of any officer, other than the State or a unit of
20 local government or school district, and includes, but is not
21 limited to, legislative, congressional and judicial districts,
22 judicial circuits, county board districts, municipal and
23 sanitary district wards, school board districts, and
24 precincts.

25 15. "Question of public policy" or "public question" means
26 any question, proposition or measure submitted to the voters

1 at an election dealing with subject matter other than the
2 nomination or election of candidates and shall include, but is
3 not limited to, any bond or tax referendum, and questions
4 relating to the Constitution.

5 16. "Ordinance providing the form of government of a
6 municipality or county pursuant to Article VII of the
7 Constitution" includes ordinances, resolutions and petitions
8 adopted by referendum which provide for the form of
9 government, the officers or the manner of selection or terms
10 of office of officers of such municipality or county, pursuant
11 to the provisions of Sections 4, 6 or 7 of Article VII of the
12 Constitution.

13 17. "List" as used in Sections 4-11, 4-22, 5-14, 5-29,
14 6-60, and 6-66 shall include a computer tape or computer disc
15 or other electronic data processing information containing
16 voter information.

17 18. "Accessible" means accessible to persons with
18 disabilities and elderly individuals for the purpose of voting
19 or registration, as determined by rule of the State Board of
20 Elections.

21 19. "Elderly" means 65 years of age or older.

22 20. "Person with a disability" means a person having a
23 temporary or permanent physical disability.

24 21. "Leading political party" means one of the two
25 political parties whose candidates for governor at the most
26 recent three gubernatorial elections received either the

1 highest or second highest average number of votes. The
2 political party whose candidates for governor received the
3 highest average number of votes shall be known as the first
4 leading political party and the political party whose
5 candidates for governor received the second highest average
6 number of votes shall be known as the second leading political
7 party.

8 22. "Business day" means any day in which the office of an
9 election authority, local election official or the State Board
10 of Elections is open to the public for a minimum of 7 hours.

11 23. "Homeless individual" means any person who has a
12 nontraditional residence, including, but not limited to, a
13 shelter, day shelter, park bench, street corner, or space
14 under a bridge.

15 24. "Signature" means a name signed in ink or in digitized
16 form. This definition does not apply to a nominating or
17 candidate petition or a referendum petition.

18 25. "Intelligent mail barcode tracking system" means a
19 printed trackable barcode attached to the return business
20 reply envelope for mail-in ballots under Article 19 or Article
21 20 that allows an election authority to determine the date the
22 envelope was mailed in absence of a postmark.

23 26. "Office elected by ranked choice voting" means any of
24 the following offices: member of the General Assembly,
25 Governor, Lieutenant Governor, Attorney General, Secretary of
26 State, Comptroller, State Treasurer, Judges of the Supreme,

1 Appellate, and Circuit Courts, United States Representative,
2 United States Senator, and President of the United States.
3 These offices shall be elected by ranked choice voting during
4 a general or special election, and during a primary,
5 consolidated primary, or similar election. Presidential
6 preference primaries shall also be conducted by ranked choice
7 voting.

8 (Source: P.A. 99-143, eff. 7-27-15; 99-522, eff. 6-30-16.)

9 (10 ILCS 5/7-46) (from Ch. 46, par. 7-46)

10 Sec. 7-46. On receiving from the primary judges a primary
11 ballot of his party, the primary elector shall forthwith and
12 without leaving the polling place, retire alone to one of the
13 voting booths and prepare such primary ballot by marking a
14 cross (X) in the square in front of and opposite the name of
15 each candidate of his choice for each office to be filled, and
16 for delegates and alternate delegates to national nominating
17 conventions, and for committeepersons, if committeepersons are
18 being elected at such primary. A cross (X) in the square in
19 front of the bracket enclosing the names of a team of
20 candidates for Governor and Lieutenant Governor counts as one
21 vote for each of those candidates.

22 Any primary elector may, instead of voting for any
23 candidate for nomination or for committeeperson or for
24 delegate or alternate delegate to national nominating
25 conventions, whose name is printed on the primary ballot,

1 write in the name of any other person affiliated with such
2 party as a candidate for the nomination for any office, or for
3 committeeperson, or for delegates or alternate delegates to
4 national nominating conventions, and indicate his choice of
5 such candidate or committeeperson or delegate or alternate
6 delegate, by placing to the left of and opposite the name thus
7 written a square and placing in the square a cross (X). A
8 primary elector, however, may not by this method vote
9 separately for Governor and Lieutenant Governor but must write
10 in the names of candidates of his or her choice for both
11 offices and indicate his or her choice of those names by
12 placing a single square to the left of those names and placing
13 in that square a cross (X).

14 Where voting machines or electronic voting systems are
15 used, the provisions of this section may be modified as
16 required or authorized by Article 24 or Article 24A, whichever
17 is applicable.

18 For an office elected by ranked choice voting, the
19 provisions of this Section may be modified as required or
20 authorized by Article 22A.

21 (Source: P.A. 100-1027, eff. 1-1-19.)

22 (10 ILCS 5/7-52) (from Ch. 46, par. 7-52)

23 Sec. 7-52. Immediately upon closing the polls, the primary
24 judges shall proceed to canvass the votes in the manner
25 following:

1 (1) They shall separate and count the ballots of each
2 political party.

3 (2) They shall then proceed to ascertain the number of
4 names entered on the applications for ballot under each
5 party affiliation.

6 (3) If the primary ballots of any political party
7 exceed the number of applications for ballot by voters of
8 such political party, the primary ballots of such
9 political party shall be folded and replaced in the ballot
10 box, the box closed, well shaken and again opened and one
11 of the primary judges, who shall be blindfolded, shall
12 draw out so many of the primary ballots of such political
13 party as shall be equal to such excess. Such excess
14 ballots shall be marked "Excess-Not Counted" and signed by
15 a majority of the judges and shall be placed in the "After
16 6:00 p.m. Defective Ballots Envelope". The number of
17 excess ballots shall be noted in the remarks section of
18 the Certificate of Results. "Excess" ballots shall not be
19 counted in the total of "defective" ballots.

20 (4) The primary judges shall then proceed to count the
21 primary ballots of each political party separately; and as
22 the primary judges shall open and read the primary
23 ballots, 3 of the judges shall carefully and correctly
24 mark upon separate tally sheets the votes which each
25 candidate of the party whose name is written or printed on
26 the primary ballot has received, in a separate column for

1 that purpose, with the name of such candidate, the name of
2 his political party and the name of the office for which he
3 is a candidate for nomination at the head of such column.
4 The same column, however, shall be used for both names of
5 the same team of candidates for Governor and Lieutenant
6 Governor.

7 Where voting machines or electronic voting systems are
8 used, the provisions of this Section may be modified as
9 required or authorized by Article 24 or Article 24A, whichever
10 is applicable.

11 For an office elected by ranked choice voting, the
12 provisions of this Section may be modified as required or
13 authorized by Article 22A.

14 (Source: P.A. 96-1018, eff. 1-1-11; 97-333, eff. 8-12-11.)

15 (10 ILCS 5/7-53) (from Ch. 46, par. 7-53)

16 Sec. 7-53. As soon as the ballots of a political party
17 shall have been read and the votes of the political party
18 counted, as provided in the last above section, the 3 judges in
19 charge of the tally sheets shall foot up the tally sheets so as
20 to show the total number of votes cast for each candidate of
21 the political party and for each candidate for State Central
22 committeeperson and precinct committeeperson, township
23 committeeperson or ward committeeperson, and delegate and
24 alternate delegate to National nominating conventions, and
25 certify the same to be correct. Thereupon, the primary judges

1 shall set down in a certificate of results on the tally sheet,
 2 under the name of the political party, the name of each
 3 candidate voted for upon the primary ballot, written at full
 4 length, the name of the office for which he is a candidate for
 5 nomination or for committeeperson, or delegate or alternate
 6 delegate to National nominating conventions, the total number
 7 of votes which the candidate received, and they shall also set
 8 down the total number of ballots voted by the primary electors
 9 of the political party in the precinct. The certificate of
 10 results shall be made substantially in the following form:

11 Party

12 At the primary election held in the precinct of the
 13 (1) *township of, or (2) *City of, or (3) *.... ward
 14 in the city of on (insert date), the primary electors of
 15 the party voted ballots, and the respective
 16 candidates whose names were written or printed on the primary
 17 ballot of the party, received respectively the following
 18 votes:

19 Name of		No. of
20 Candidate,	Title of Office,	Votes
21 John Jones	Governor	100
22 Jane James	Lieutenant Governor	100
23 Sam Smith	Governor	70
24 Samantha Smythe	Lieutenant Governor	70
25 Frank Martin	Attorney General	150
26 William Preston	Rep. in Congress	200

1 Frederick John Circuit Judge 50

2 *Fill in either (1), (2) or (3).

3 And so on for each candidate.

4 We hereby certify the above and foregoing to be true and
5 correct.

6 Dated (insert date).

7

8 Name Address

9

10 Name Address

11

12 Name Address

13

14 Name Address

15

16 Name Address

17 Judges of Primary

18 Where voting machines or electronic voting systems are
19 used, the provisions of this Section may be modified as
20 required or authorized by Article 24 and Article 24A,
21 whichever is applicable.

22 For an office elected by ranked choice voting, the
23 provisions of this Section may be modified as required or
24 authorized by Article 22A.

25 (Source: P.A. 100-1027, eff. 1-1-19.)

1 (10 ILCS 5/7-56) (from Ch. 46, par. 7-56)

2 Sec. 7-56. As soon as complete returns are delivered to
3 the proper election authority, the returns shall be canvassed
4 for all primary elections as follows. The election authority
5 acting as the canvassing board pursuant to Section 1-8 of this
6 Code shall also open and canvass the returns of a primary. Upon
7 the completion of the canvass of the returns by the election
8 authority, the election authority shall make a tabulated
9 statement of the returns for each political party separately,
10 stating in appropriate columns and under proper headings, the
11 total number of votes cast in said county for each candidate
12 for nomination or election by said party, including candidates
13 for President of the United States and for State central
14 committeepersons, and for delegates and alternate delegates to
15 National nominating conventions, and for precinct
16 committeepersons, township committeepersons, and for ward
17 committeepersons. Within 2 days after the completion of said
18 canvass by the election authority, the county clerk shall mail
19 to the State Board of Elections a certified copy of such
20 tabulated statement of returns. The election authority shall
21 also determine and set down as to each precinct the number of
22 ballots voted by the primary electors of each party at the
23 primary.

24 In the case of the nomination or election of candidates
25 for offices, including President of the United States and the

1 State central committeepersons, and delegates and alternate
2 delegates to National nominating conventions, certified
3 tabulated statement of returns for which are filed with the
4 State Board of Elections, said returns shall be canvassed by
5 the election authority. And, provided, further, that within 5
6 days after said returns shall be canvassed by the said Board,
7 the Board shall provide each political party with the results
8 of the ranked choice voting tabulation for President of the
9 United States, including the results after each round of
10 tabulation, and cause to be published in one daily newspaper
11 of general circulation at the seat of the State government in
12 Springfield a certified statement of the returns filed in its
13 office, showing the total vote cast in the State for each
14 candidate of each political party for President of the United
15 States, and showing the total vote for each candidate of each
16 political party for President of the United States, cast in
17 each of the several congressional districts in the State.

18 Within 48 hours of conducting a canvass, as required by
19 this Code, of the consolidated primary, the election authority
20 shall deliver an original certificate of results to each local
21 election official, with respect to whose political
22 subdivisions nominations were made at such primary, for each
23 precinct in his jurisdiction in which such nominations were on
24 the ballot. Such original certificate of results need not
25 include any offices or nominations for any other political
26 subdivisions.

1 (Source: P.A. 100-1027, eff. 1-1-19.)

2 (10 ILCS 5/7-59) (from Ch. 46, par. 7-59)

3 Sec. 7-59. (a) The person receiving the highest number of
4 votes at a primary as a candidate of a party for the nomination
5 for an office shall be the candidate of that party for such
6 office, and his name as such candidate shall be placed on the
7 official ballot at the election then next ensuing; provided,
8 that where there are two or more persons to be nominated for
9 the same office or board, the requisite number of persons
10 receiving the highest number of votes shall be nominated and
11 their names shall be placed on the official ballot at the
12 following election. For an office elected by ranked choice
13 voting, the person receiving the highest number of votes is
14 determined by ranked choice voting tabulation as described in
15 Article 22A.

16 Except as otherwise provided by Section 7-8 of this Act,
17 the person receiving the highest number of votes of his party
18 for State central committeeperson of his congressional
19 district shall be declared elected State central
20 committeeperson from said congressional district.

21 Unless a national political party specifies that delegates
22 and alternate delegates to a National nominating convention be
23 allocated by proportional selection representation according
24 to the results of a Presidential preference primary, the
25 requisite number of persons receiving the highest number of

1 votes of their party for delegates and alternate delegates to
2 National nominating conventions from the State at large, and
3 the requisite number of persons receiving the highest number
4 of votes of their party for delegates and alternate delegates
5 to National nominating conventions in their respective
6 congressional districts shall be declared elected delegates
7 and alternate delegates to the National nominating conventions
8 of their party.

9 A political party which elects the members to its State
10 Central Committee by Alternative B under paragraph (a) of
11 Section 7-8 shall select its congressional district delegates
12 and alternate delegates to its national nominating convention
13 by proportional selection representation according to the
14 results of a Presidential preference primary in each
15 congressional district in the manner provided by the rules of
16 the national political party and the State Central Committee,
17 when the rules and policies of the national political party so
18 require.

19 A political party which elects the members to its State
20 Central Committee by Alternative B under paragraph (a) of
21 Section 7-8 shall select its at large delegates and alternate
22 delegates to its national nominating convention by
23 proportional selection representation according to the results
24 of a Presidential preference primary in the whole State in the
25 manner provided by the rules of the national political party
26 and the State Central Committee, when the rules and policies

1 of the national political party so require.

2 The person receiving the highest number of votes of his
3 party for precinct committeeperson of his precinct shall be
4 declared elected precinct committeeperson from said precinct.

5 The person receiving the highest number of votes of his
6 party for township committeeperson of his township or part of
7 a township as the case may be, shall be declared elected
8 township committeeperson from said township or part of a
9 township as the case may be. In cities where ward
10 committeepersons are elected, the person receiving the highest
11 number of votes of his party for ward committeeperson of his
12 ward shall be declared elected ward committeeperson from said
13 ward.

14 When two or more persons receive an equal and the highest
15 number of votes for the nomination for the same office or for
16 committeeperson of the same political party, or where more
17 than one person of the same political party is to be nominated
18 as a candidate for office or committeeperson, if it appears
19 that more than the number of persons to be nominated for an
20 office or elected committeeperson have the highest and an
21 equal number of votes for the nomination for the same office or
22 for election as committeeperson, the election authority by
23 which the returns of the primary are canvassed shall decide by
24 lot which of said persons shall be nominated or elected, as the
25 case may be. In such case the election authority shall issue
26 notice in writing to such persons of such tie vote stating

1 therein the place, the day (which shall not be more than 5 days
2 thereafter) and the hour when such nomination or election
3 shall be so determined.

4 (b) Write-in votes shall be counted only for persons who
5 have filed notarized declarations of intent to be write-in
6 candidates with the proper election authority or authorities
7 not later than 61 days prior to the primary. However, whenever
8 an objection to a candidate's nominating papers or petitions
9 for any office is sustained under Section 10-10 after the 61st
10 day before the election, then write-in votes shall be counted
11 for that candidate if he or she has filed a notarized
12 declaration of intent to be a write-in candidate for that
13 office with the proper election authority or authorities not
14 later than 7 days prior to the election.

15 Forms for the declaration of intent to be a write-in
16 candidate shall be supplied by the election authorities. Such
17 declaration shall specify the office for which the person
18 seeks nomination or election as a write-in candidate.

19 The election authority or authorities shall deliver a list
20 of all persons who have filed such declarations to the
21 election judges in the appropriate precincts prior to the
22 primary.

23 (c) (1) Notwithstanding any other provisions of this
24 Section, where the number of candidates whose names have been
25 printed on a party's ballot for nomination for or election to
26 an office at a primary is less than the number of persons the

1 party is entitled to nominate for or elect to the office at the
2 primary, a person whose name was not printed on the party's
3 primary ballot as a candidate for nomination for or election
4 to the office, is not nominated for or elected to that office
5 as a result of a write-in vote at the primary unless the number
6 of votes he received equals or exceeds the number of
7 signatures required on a petition for nomination for that
8 office; or unless the number of votes he receives exceeds the
9 number of votes received by at least one of the candidates
10 whose names were printed on the primary ballot for nomination
11 for or election to the same office.

12 (2) Paragraph (1) of this subsection does not apply where
13 the number of candidates whose names have been printed on the
14 party's ballot for nomination for or election to the office at
15 the primary equals or exceeds the number of persons the party
16 is entitled to nominate for or elect to the office at the
17 primary.

18 (Source: P.A. 100-1027, eff. 1-1-19.)

19 (10 ILCS 5/16-3) (from Ch. 46, par. 16-3)

20 Sec. 16-3. (a) The names of all candidates to be voted for
21 in each election district or precinct shall be printed on one
22 ballot, except as is provided in Sections 16-6.1 and 21-1.01
23 of this Act and except as otherwise provided in this Act with
24 respect to the odd year regular elections and the emergency
25 referenda; all nominations of any political party being placed

1 under the party appellation or title of such party as
2 designated in the certificates of nomination or petitions. The
3 names of all independent candidates shall be printed upon the
4 ballot in a column or columns under the heading "independent"
5 arranged under the names or titles of the respective offices
6 for which such independent candidates shall have been
7 nominated and so far as practicable, the name or names of any
8 independent candidate or candidates for any office shall be
9 printed upon the ballot opposite the name or names of any
10 candidate or candidates for the same office contained in any
11 party column or columns upon said ballot. The ballot shall
12 contain no other names, except that in cases of electors for
13 President and Vice-President of the United States, the names
14 of the candidates for President and Vice-President may be
15 added to the party designation and words calculated to aid the
16 voter in his choice of candidates may be added, such as "Vote
17 for one," "Vote for not more than three." If no candidate or
18 candidates file for an office and if no person or persons file
19 a declaration as a write-in candidate for that office, then
20 below the title of that office the election authority instead
21 shall print "No Candidate". When an electronic voting system
22 is used which utilizes a ballot label booklet, the candidates
23 and questions shall appear on the pages of such booklet in the
24 order provided by this Code; and, in any case where candidates
25 for an office appear on a page which does not contain the name
26 of any candidate for another office, and where less than 50% of

1 the page is utilized, the name of no candidate shall be printed
2 on the lowest 25% of such page. On the back or outside of the
3 ballot, so as to appear when folded, shall be printed the words
4 "Official Ballot", followed by the designation of the polling
5 place for which the ballot is prepared, the date of the
6 election and a facsimile of the signature of the election
7 authority who has caused the ballots to be printed. The
8 ballots shall be of plain white paper, through which the
9 printing or writing cannot be read. However, ballots for use
10 at the nonpartisan and consolidated elections may be printed
11 on different color paper, except blue paper, whenever
12 necessary or desirable to facilitate distinguishing between
13 ballots for different political subdivisions. In the case of
14 nonpartisan elections for officers of a political subdivision,
15 unless the statute or an ordinance adopted pursuant to Article
16 VII of the Constitution providing the form of government
17 therefor requires otherwise, the column listing such
18 nonpartisan candidates shall be printed with no appellation or
19 circle at its head. The party appellation or title, or the word
20 "independent" at the head of any column provided for
21 independent candidates, shall be printed in letters not less
22 than one-fourth of an inch in height and a circle one-half inch
23 in diameter shall be printed at the beginning of the line in
24 which such appellation or title is printed, provided, however,
25 that no such circle shall be printed at the head of any column
26 or columns provided for such independent candidates. The names

1 of candidates shall be printed in letters not less than
2 one-eighth nor more than one-fourth of an inch in height, and
3 at the beginning of each line in which a name of a candidate is
4 printed a square shall be printed, the sides of which shall be
5 not less than one-fourth of an inch in length. However, the
6 names of the candidates for Governor and Lieutenant Governor
7 on the same ticket shall be printed within a bracket and a
8 single square shall be printed in front of the bracket. The
9 list of candidates of the several parties and any such list of
10 independent candidates shall be placed in separate columns on
11 the ballot in such order as the election authorities charged
12 with the printing of the ballots shall decide; provided, that
13 the names of the candidates of the several political parties,
14 certified by the State Board of Elections to the several
15 county clerks shall be printed by the county clerk of the
16 proper county on the official ballot in the order certified by
17 the State Board of Elections. Any county clerk refusing,
18 neglecting or failing to print on the official ballot the
19 names of candidates of the several political parties in the
20 order certified by the State Board of Elections, and any
21 county clerk who prints or causes to be printed upon the
22 official ballot the name of a candidate, for an office to be
23 filled by the Electors of the entire State, whose name has not
24 been duly certified to him upon a certificate signed by the
25 State Board of Elections shall be guilty of a Class C
26 misdemeanor.

1 (b) When an electronic voting system is used which
2 utilizes a ballot card, on the inside flap of each ballot card
3 envelope there shall be printed a form for write-in voting
4 which shall be substantially as follows:

5 WRITE-IN VOTES

6 (See card of instructions for specific information.
7 Duplicate form below by hand for additional write-in votes.)

8 _____
9 Title of Office

10 () _____

11 Name of Candidate

12 Write-in lines equal to the number of candidates for which
13 a voter may vote shall be printed for an office only if one or
14 more persons filed declarations of intent to be write-in
15 candidates or qualify to file declarations to be write-in
16 candidates under Sections 17-16.1 and 18-9.1 when the
17 certification of ballot contains the words "OBJECTION
18 PENDING".

19 (c) When an electronic voting system is used which uses a
20 ballot sheet, the instructions to voters on the ballot sheet
21 shall refer the voter to the card of instructions for specific
22 information on write-in voting. Below each office appearing on
23 such ballot sheet there shall be a provision for the casting of
24 a write-in vote. Write-in lines equal to the number of
25 candidates for which a voter may vote shall be printed for an
26 office only if one or more persons filed declarations of

1 intent to be write-in candidates or qualify to file
2 declarations to be write-in candidates under Sections 17-16.1
3 and 18-9.1 when the certification of ballot contains the words
4 "OBJECTION PENDING".

5 (d) When such electronic system is used, there shall be
6 printed on the back of each ballot card, each ballot card
7 envelope, and the first page of the ballot label when a ballot
8 label is used, the words "Official Ballot," followed by the
9 number of the precinct or other precinct identification, which
10 may be stamped, in lieu thereof and, as applicable, the number
11 and name of the township, ward or other election district for
12 which the ballot card, ballot card envelope, and ballot label
13 are prepared, the date of the election and a facsimile of the
14 signature of the election authority who has caused the ballots
15 to be printed. The back of the ballot card shall also include a
16 method of identifying the ballot configuration such as a
17 listing of the political subdivisions and districts for which
18 votes may be cast on that ballot, or a number code identifying
19 the ballot configuration or color coded ballots, except that
20 where there is only one ballot configuration in a precinct,
21 the precinct identification, and any applicable ward
22 identification, shall be sufficient. Ballot card envelopes
23 used in punch card systems shall be of paper through which no
24 writing or punches may be discerned and shall be of sufficient
25 length to enclose all voting positions. However, the election
26 authority may provide ballot card envelopes on which no

1 precinct number or township, ward or other election district
2 designation, or election date are preprinted, if space and a
3 preprinted form are provided below the space provided for the
4 names of write-in candidates where such information may be
5 entered by the judges of election. Whenever an election
6 authority utilizes ballot card envelopes on which the election
7 date and precinct is not preprinted, a judge of election shall
8 mark such information for the particular precinct and election
9 on the envelope in ink before tallying and counting any
10 write-in vote written thereon. If some method of insuring
11 ballot secrecy other than an envelope is used, such
12 information must be provided on the ballot itself.

13 (e) In the designation of the name of a candidate on the
14 ballot, the candidate's given name or names, initial or
15 initials, a nickname by which the candidate is commonly known,
16 or a combination thereof, may be used in addition to the
17 candidate's surname. If a candidate has changed his or her
18 name, whether by a statutory or common law procedure in
19 Illinois or any other jurisdiction, within 3 years before the
20 last day for filing the petition for nomination, nomination
21 papers, or certificate of nomination for that office,
22 whichever is applicable, then (i) the candidate's name on the
23 ballot must be followed by "formerly known as (list all prior
24 names during the 3-year period) until name changed on (list
25 date of each such name change)" and (ii) the petition, papers,
26 or certificate must be accompanied by the candidate's

1 affidavit stating the candidate's previous names during the
2 period specified in (i) and the date or dates each of those
3 names was changed; failure to meet these requirements shall be
4 grounds for denying certification of the candidate's name for
5 the ballot or removing the candidate's name from the ballot,
6 as appropriate, but these requirements do not apply to name
7 changes resulting from adoption to assume an adoptive parent's
8 or parents' surname, marriage to assume a spouse's surname, or
9 dissolution of marriage or declaration of invalidity of
10 marriage to assume a former surname. No other designation such
11 as a political slogan, title, or degree or nickname suggesting
12 or implying possession of a title, degree or professional
13 status, or similar information may be used in connection with
14 the candidate's surname. For purposes of this Section, a
15 "political slogan" is defined as any word or words expressing
16 or connoting a position, opinion, or belief that the candidate
17 may espouse, including but not limited to, any word or words
18 conveying any meaning other than that of the personal identity
19 of the candidate. A candidate may not use a political slogan as
20 part of his or her name on the ballot, notwithstanding that the
21 political slogan may be part of the candidate's name.

22 (f) The State Board of Elections, a local election
23 official, or an election authority shall remove any
24 candidate's name designation from a ballot that is
25 inconsistent with subsection (e) of this Section. In addition,
26 the State Board of Elections, a local election official, or an

1 election authority shall not certify to any election authority
2 any candidate name designation that is inconsistent with
3 subsection (e) of this Section.

4 (g) If the State Board of Elections, a local election
5 official, or an election authority removes a candidate's name
6 designation from a ballot under subsection (f) of this
7 Section, then the aggrieved candidate may seek appropriate
8 relief in circuit court.

9 (h) Where voting machines or electronic voting systems are
10 used, the provisions of this Section may be modified as
11 required or authorized by Article 24 or Article 24A, whichever
12 is applicable.

13 (i) Nothing in this Section shall prohibit election
14 authorities from using or reusing ballot card envelopes which
15 were printed before the effective date of this amendatory Act
16 of 1985.

17 (j) For an office elected by ranked choice voting, the
18 provisions of this Section may be modified as required or
19 authorized by Article 22A.

20 (Source: P.A. 94-1090, eff. 6-1-07; 95-699, eff. 11-9-07;
21 95-862, eff. 8-19-08.)

22 (10 ILCS 5/17-11) (from Ch. 46, par. 17-11)

23 Sec. 17-11. On receipt of his ballot the voter shall
24 forthwith, and without leaving the inclosed space, retire
25 alone, or accompanied by children as provided in Section 17-8,

1 to one of the voting booths so provided and shall prepare his
2 ballot by making in the appropriate margin or place a cross (X)
3 opposite the name of the candidate of his choice for each
4 office to be filled, or by writing in the name of the candidate
5 of his choice in a blank space on said ticket, making a cross
6 (X) opposite thereto; and in case of a question submitted to
7 the vote of the people, by making in the appropriate margin or
8 place a cross (X) against the answer he desires to give. A
9 cross (X) in the square in front of the bracket enclosing the
10 names of a team of candidates for Governor and Lieutenant
11 Governor counts as one vote for each of such candidates.
12 Before leaving the voting booth the voter shall fold his
13 ballot in such manner as to conceal the marks thereon. He shall
14 then vote forthwith in the manner herein provided, except that
15 the number corresponding to the number of the voter on the poll
16 books shall not be indorsed on the back of his ballot. He shall
17 mark and deliver his ballot without undue delay, and shall
18 quit said inclosed space as soon as he has voted; except that
19 immediately after voting, the voter shall be instructed
20 whether the voting equipment, if used, accepted or rejected
21 the ballot or identified the ballot as under-voted for a
22 statewide constitutional office. A voter whose ballot is
23 identified as under-voted may return to the voting booth and
24 complete the voting of that ballot. A voter whose ballot is not
25 accepted by the voting equipment may, upon surrendering the
26 ballot, request and vote another ballot. If a ballot for an

1 office elected by ranked choice voting is considered
2 under-voted pursuant to Section 22A-5, the voter may, upon
3 surrendering the ballot, request and vote upon another ballot.

4 The voter's surrendered ballot shall be initialed by the
5 election judge and handled as provided in the appropriate
6 Article governing that voting equipment.

7 No voter shall be allowed to occupy a voting booth already
8 occupied by another, nor remain within said inclosed space
9 more than ten minutes, nor to occupy a voting booth more than
10 five minutes in case all of said voting booths are in use and
11 other voters waiting to occupy the same. No voter not an
12 election officer, shall, after having voted, be allowed to
13 re-enter said inclosed space during said election. No person
14 shall take or remove any ballot from the polling place before
15 the close of the poll. No voter shall vote or offer to vote any
16 ballot except such as he has received from the judges of
17 election in charge of the ballots. Any voter who shall, by
18 accident or mistake, spoil his ballot, may, on returning said
19 spoiled ballot, receive another in place thereof only after
20 the word "spoiled" has been written in ink diagonally across
21 the entire face of the ballot returned by the voter.

22 Where voting machines or electronic voting systems are
23 used, the provisions of this section may be modified as
24 required or authorized by Article 24, 24A, 24B, or 24C,
25 whichever is applicable, except that the requirements of this
26 Section that (i) the voter must be notified of the voting

1 equipment's acceptance or rejection of the voter's ballot or
2 identification of an under-vote for a statewide constitutional
3 office and (ii) the voter shall have the opportunity to
4 correct an under-vote or surrender the ballot that was not
5 accepted and vote another ballot shall not be modified.

6 For an office elected by ranked choice voting, the
7 provisions of this Section may be modified as required or
8 authorized by Article 22A.

9 (Source: P.A. 94-288, eff. 1-1-06; 95-699, eff. 11-9-07.)

10 (10 ILCS 5/17-18) (from Ch. 46, par. 17-18)

11 Sec. 17-18. Immediately upon closing the polls the judges
12 shall proceed to canvass the votes polled. They shall first
13 count the whole number of ballots in the box. If 2 or more
14 ballots are folded together so as to appear to have been cast
15 by the same person, all of the ballots so folded together shall
16 be marked and returned with the other ballots in the same
17 conditions, as near as may be, in which they were found when
18 first opened, but shall not be counted. If the remaining
19 ballots shall be found to exceed the number of applications
20 for ballot, the ballots shall be replaced in the box, and the
21 box closed and well shaken and again opened and one of the
22 judges shall publicly draw out so many ballots unopened as
23 shall be equal to such excess; and the number of the ballots
24 agreeing with the poll lists, or being made to agree. Such
25 excess ballots shall be marked "Excess-Not Counted" and signed

1 by a majority of the judges and shall be placed in the "After
2 6:00 p.m. Defective Ballots Envelope". The number of excess
3 ballots shall be noted in the remarks section of the
4 Certificate of Results. "Excess" ballots shall not be counted
5 in the total of "defective" ballots.

6 The judges shall then proceed to count and record the
7 votes; and when the judges of election shall open and read the
8 ballots, 3 judges, with at least one from each political party
9 from which the precinct judges were chosen, shall carefully
10 and correctly mark down upon the three tally sheets the vote
11 each candidate has received, in a separate box prepared for
12 that purpose, with the name of such candidate at the head of
13 such box, and the office designated by the votes such
14 candidate shall fill. Whenever a proposition is submitted to
15 the electors at the same election, the ballots for or against
16 such proposition shall always be canvassed, counted or
17 tallied. The votes shall be canvassed in the room or place
18 where the election is held, and the judges shall not allow the
19 ballot box, or any of the ballots, or the applications for
20 ballot, or any of the tally sheets to be removed or carried
21 away from such room or place, until the canvass of the vote is
22 completed, and the returns carefully enveloped and sealed up
23 as provided by law.

24 Where voting machines or electronic voting systems are
25 used, the provisions of this section may be modified as
26 required or authorized by Article 24 or Article 24A, whichever

1 is applicable.

2 For an office elected by ranked choice voting, the
3 provisions of this Section may be modified as required or
4 authorized by Article 22A.

5 (Source: P.A. 83-333.)

6 (10 ILCS 5/18-5) (from Ch. 46, par. 18-5)

7 Sec. 18-5. Any person desiring to vote and whose name is
8 found upon the register of voters by the person having charge
9 thereof, shall then be questioned by one of the judges as to
10 his nativity, his term of residence at present address,
11 precinct, State and United States, his age, whether
12 naturalized and if so the date of naturalization papers and
13 court from which secured, and he shall be asked to state his
14 residence when last previously registered and the date of the
15 election for which he then registered. The judges of elections
16 shall check each application for ballot against the list of
17 voters registered in that precinct to whom grace period, vote
18 by mail, and early ballots have been issued for that election,
19 which shall be provided by the election authority and which
20 list shall be available for inspection by pollwatchers. A
21 voter applying to vote in the precinct on election day whose
22 name appears on the list as having been issued a grace period,
23 vote by mail, or early ballot shall not be permitted to vote in
24 the precinct, except that a voter to whom a vote by mail ballot
25 was issued may vote in the precinct if the voter submits to the

1 election judges that vote by mail ballot for cancellation. If
2 the voter is unable to submit the vote by mail ballot, it shall
3 be sufficient for the voter to submit to the election judges
4 (i) a portion of the vote by mail ballot if the vote by mail
5 ballot was torn or mutilated or (ii) an affidavit executed
6 before the election judges specifying that (A) the voter never
7 received a vote by mail ballot or (B) the voter completed and
8 returned a vote by mail ballot and was informed that the
9 election authority did not receive that vote by mail ballot.
10 If such person so registered shall be challenged as
11 disqualified, the party challenging shall assign his reasons
12 therefor, and thereupon one of the judges shall administer to
13 him an oath to answer questions, and if he shall take the oath
14 he shall then be questioned by the judge or judges touching
15 such cause of challenge, and touching any other cause of
16 disqualification. And he may also be questioned by the person
17 challenging him in regard to his qualifications and identity.
18 But if a majority of the judges are of the opinion that he is
19 the person so registered and a qualified voter, his vote shall
20 then be received accordingly. But if his vote be rejected by
21 such judges, such person may afterward produce and deliver an
22 affidavit to such judges, subscribed and sworn to by him
23 before one of the judges, in which it shall be stated how long
24 he has resided in such precinct, and state; that he is a
25 citizen of the United States, and is a duly qualified voter in
26 such precinct, and that he is the identical person so

1 registered. In addition to such an affidavit, the person so
2 challenged shall provide to the judges of election proof of
3 residence by producing 2 forms of identification showing the
4 person's current residence address, provided that such
5 identification may include a lease or contract for a residence
6 and not more than one piece of mail addressed to the person at
7 his current residence address and postmarked not earlier than
8 30 days prior to the date of the election, or the person shall
9 procure a witness personally known to the judges of election,
10 and resident in the precinct (or district), or who shall be
11 proved by some legal voter of such precinct or district, known
12 to the judges to be such, who shall take the oath following,
13 viz:

14 I do solemnly swear (or affirm) that I am a resident of
15 this election precinct (or district), and entitled to vote at
16 this election, and that I have been a resident of this State
17 for 30 days last past, and am well acquainted with the person
18 whose vote is now offered; that he is an actual and bona fide
19 resident of this election precinct (or district), and has
20 resided herein 30 days, and as I verily believe, in this State,
21 30 days next preceding this election.

22 The oath in each case may be administered by one of the
23 judges of election, or by any officer, resident in the
24 precinct or district, authorized by law to administer oaths.
25 Also supported by an affidavit by a registered voter residing
26 in such precinct, stating his own residence, and that he knows

1 such person; and that he does reside at the place mentioned and
2 has resided in such precinct and state for the length of time
3 as stated by such person, which shall be subscribed and sworn
4 to in the same way. For purposes of this Section, the
5 submission of a photo identification issued by a college or
6 university, accompanied by either (i) a copy of the
7 applicant's contract or lease for a residence or (ii) one
8 piece of mail addressed to the person at his or her current
9 residence address and postmarked not earlier than 30 days
10 prior to the date of the election, shall be sufficient to
11 establish proof of residence. Whereupon the vote of such
12 person shall be received, and entered as other votes. But such
13 judges, having charge of such registers, shall state in their
14 respective books the facts in such case, and the affidavits,
15 so delivered to the judges, shall be preserved and returned to
16 the office of the commissioners of election. Blank affidavits
17 of the character aforesaid shall be sent out to the judges of
18 all the precincts, and the judges of election shall furnish
19 the same on demand and administer the oaths without criticism.
20 Such oaths, if administered by any other officer than such
21 judge of election, shall not be received. Whenever a proposal
22 for a constitutional amendment or for the calling of a
23 constitutional convention is to be voted upon at the election,
24 the separate blue ballot or ballots pertaining thereto shall
25 be placed on top of the other ballots to be voted at the
26 election in such manner that the legend appearing on the back

1 thereof, as prescribed in Section 16-6 of this Act, shall be
2 plainly visible to the voter, and in this fashion the ballots
3 shall be handed to the voter by the judge.

4 Immediately after voting, the voter shall be instructed
5 whether the voting equipment, if used, accepted or rejected
6 the ballot or identified the ballot as under-voted. A voter
7 whose ballot is identified as under-voted for a statewide
8 constitutional office may return to the voting booth and
9 complete the voting of that ballot. A voter whose ballot is not
10 accepted by the voting equipment may, upon surrendering the
11 ballot, request and vote another ballot. If a ballot for an
12 office elected by ranked choice voting is considered
13 under-voted as defined in Section 22A-5, the voter may, upon
14 surrendering the ballot, request and vote upon another ballot.
15 The voter's surrendered ballot shall be initialed by the
16 election judge and handled as provided in the appropriate
17 Article governing that voting equipment.

18 The voter shall, upon quitting the voting booth, deliver
19 to one of the judges of election all of the ballots, properly
20 folded, which he received. The judge of election to whom the
21 voter delivers his ballots shall not accept the same unless
22 all of the ballots given to the voter are returned by him. If a
23 voter delivers less than all of the ballots given to him, the
24 judge to whom the same are offered shall advise him in a voice
25 clearly audible to the other judges of election that the voter
26 must return the remainder of the ballots. The statement of the

1 judge to the voter shall clearly express the fact that the
2 voter is not required to vote such remaining ballots but that
3 whether or not he votes them he must fold and deliver them to
4 the judge. In making such statement the judge of election
5 shall not indicate by word, gesture or intonation of voice
6 that the unreturned ballots shall be voted in any particular
7 manner. No new voter shall be permitted to enter the voting
8 booth of a voter who has failed to deliver the total number of
9 ballots received by him until such voter has returned to the
10 voting booth pursuant to the judge's request and again quit
11 the booth with all of the ballots required to be returned by
12 him. Upon receipt of all such ballots the judges of election
13 shall enter the name of the voter, and his number, as above
14 provided in this Section, and the judge to whom the ballots are
15 delivered shall immediately put the ballots into the ballot
16 box. If any voter who has failed to deliver all the ballots
17 received by him refuses to return to the voting booth after
18 being advised by the judge of election as herein provided, the
19 judge shall inform the other judges of such refusal, and
20 thereupon the ballot or ballots returned to the judge shall be
21 deposited in the ballot box, the voter shall be permitted to
22 depart from the polling place, and a new voter shall be
23 permitted to enter the voting booth.

24 The judge of election who receives the ballot or ballots
25 from the voter shall announce the residence and name of such
26 voter in a loud voice. The judge shall put the ballot or

1 ballots received from the voter into the ballot box in the
2 presence of the voter and the judges of election, and in plain
3 view of the public. The judges having charge of such registers
4 shall then, in a column prepared thereon, in the same line of,
5 the name of the voter, mark "Voted" or the letter "V".

6 No judge of election shall accept from any voter less than
7 the full number of ballots received by such voter without
8 first advising the voter in the manner above provided of the
9 necessity of returning all of the ballots, nor shall any such
10 judge advise such voter in a manner contrary to that which is
11 herein permitted, or in any other manner violate the
12 provisions of this Section; provided, that the acceptance by a
13 judge of election of less than the full number of ballots
14 delivered to a voter who refuses to return to the voting booth
15 after being properly advised by such judge shall not be a
16 violation of this Section.

17 (Source: P.A. 98-1171, eff. 6-1-15.)

18 (10 ILCS 5/18-9) (from Ch. 46, par. 18-9)

19 Sec. 18-9. The judges of election shall first count the
20 whole number of ballots in the box. If the ballots shall be
21 found to exceed the number of applications for ballot, they
22 shall reject the ballots, if any, found folded inside of a
23 ballot. And if the ballots and the applications for ballot
24 still do not agree after such rejection, the ballots shall be
25 replaced in the box and the box closed and well shaken, and

1 again opened; and one of the judges shall publicly draw out so
2 many ballots unopened as shall be equal to such excess. Such
3 excess ballots shall be marked "Excess-Not Counted" and signed
4 by a majority of judges and shall be placed in the "After 6:00
5 p.m. Defective Ballots Envelope". The number of excess ballots
6 shall be noted in the remarks section of the Certificate of
7 Results. "Excess" ballots shall not be counted in the total of
8 "defective" ballots. And the ballots and applications for
9 ballot being made to agree in this way, the judges shall
10 proceed to count the votes in the following manner: The judges
11 shall open the ballots and place those which contain the same
12 names together, so that the several kinds shall be in separate
13 piles or on separate files. Each of the judges shall examine
14 the separate files which are, or are supposed to be, alike, and
15 exclude from such files any which may have a name or an
16 erasure, or in any manner shall be different from the others of
17 such file. One of the judges shall then take one file of the
18 kind of ballots which contain the same names, and count them by
19 tens, carefully examining each name on each of the ballots.
20 Such judge shall then pass the ten ballots aforesaid to the
21 judge sitting next to him, who shall count them in the same
22 manner, who shall then pass them to a third judge, who shall
23 also count them in the same manner. Then the third judge shall
24 call the names of the persons named in the ten ballots, and the
25 offices for which they are designated, and 2 of the judges, who
26 did not assist in the counting shall tally ten votes for each

1 of such persons, except as herein otherwise provided. When the
2 judges shall have gone through such file of ballots,
3 containing the same names, and shall count them by tens in the
4 same way, and shall call the names of the persons named in the
5 ballots and the office for which they are designated, the
6 tally judges shall tally the votes by tens for each of such
7 persons in the same manner as in the first instance. When the
8 counting of each file of ballots which contain the same names
9 shall be completed, the tally judges shall compare their
10 tallies together and ascertain the total number of ballots of
11 that kind so canvassed; and when they agree upon the number,
12 one of them shall announce it in a loud voice to the other
13 judges. The judges shall then canvass the other kinds of
14 ballots which do not correspond, those containing names partly
15 from one kind of ballots and partly from another, being those
16 from which the name of the person proper to be voted for on
17 such ballots has been omitted or erased, usually called
18 "scratched tickets". They shall be canvassed separately by one
19 of the judges sitting between 2 other judges, which judge
20 shall call each name to the tally judges and the office for
21 which it is designated, and the other judges looking at the
22 ballot at the same time, and the tally judges making tally of
23 the same. When all the ballots have been canvassed in this
24 manner, the tally judges shall compare their tallies together,
25 and ascertain the total number of votes received by each
26 candidate and when they agree upon the numbers one of them

1 shall announce in a loud voice to the judges the number of
2 votes received by each candidate on each of the kinds of
3 ballots containing his name, the number received by him on
4 scratch tickets, and the total number of votes received by
5 him.

6 The votes for the offices of Governor and Lieutenant
7 Governor shall be counted and tallied jointly.

8 Where voting machines or electronic voting systems are
9 used, the provisions of this section may be modified as
10 required or authorized by Article 24 or Article 24A, whichever
11 is applicable.

12 For an office elected by ranked choice voting, the
13 provisions of this Section may be modified as required or
14 authorized by Article 22A.

15 (Source: P.A. 89-700, eff. 1-17-97.)

16 (10 ILCS 5/21-2) (from Ch. 46, par. 21-2)

17 Sec. 21-2. The county clerks of the several counties
18 shall, within 21 days next after holding the election named in
19 subsection (1) of Section 2A-1.2 and Section 2A-2, make 2
20 copies of the abstract of the votes cast for electors by each
21 political party or group, as indicated by the voter for an
22 office elected by ranked choice voting, ~~as aforesaid, by a~~
23 ~~cross in the square to the left of the bracket aforesaid, or as~~
24 ~~indicated by a cross in the appropriate place preceding the~~
25 ~~appellation or title of the particular political party or~~

1 ~~group~~ and transmit by mail one of the copies to the office of
2 the State Board of Elections and retain the other in his
3 office, to be sent for by the electoral board in case the other
4 should be mislaid. Within 31 days after the holding of such
5 election, and sooner if all the returns are received by the
6 State Board of Elections, the State Board of Elections shall
7 proceed to open and canvass said election returns by ranked
8 choice voting tabulation as described in Article 22A, and to
9 declare which set of candidates for President and
10 Vice-President received, as aforesaid, the highest number of
11 votes cast at such election as aforesaid; and the electors of
12 that party whose candidates for President and Vice-President
13 received the highest number of votes so cast shall be taken and
14 deemed to be elected as electors of President and
15 Vice-President, but should 2 or more sets of candidates for
16 President and Vice-President be returned with an equal and the
17 highest vote, the State Board of Elections shall cause a
18 notice of the same to be published, which notice shall name
19 some day and place, not less than 5 days from the time of such
20 publication of such notice, upon which the State Board of
21 Elections will decide by lot which of the sets of candidates
22 for President and Vice-President so equal and highest shall be
23 declared to be highest. And upon the day and at the place so
24 appointed in the notice, the board shall so decide by lot and
25 declare which is deemed highest of the sets of candidates for
26 President and Vice-President so equal and highest, thereby

1 determining only that the electors chosen as aforesaid by such
2 candidates' party or group are thereby elected by general
3 ticket to be such electors.

4 (Source: P.A. 100-863, eff. 8-14-18.)

5 (10 ILCS 5/22-7) (from Ch. 46, par. 22-7)

6 Sec. 22-7. Canvass of votes; declaration and proclamation
7 of result. The State Board of Elections, shall proceed within
8 31 days after the election, and sooner if all the returns are
9 received, to canvass the votes given for United States
10 Senators and Representatives to Congress, State executive
11 officers, judges of the Supreme Court, judges of the Appellate
12 Court, judges of the Circuit Court, Senators, Representatives
13 to the General Assembly, State's Attorneys and Regional
14 Superintendents of Schools elected from 2 or more counties,
15 respectively. For an office elected by ranked choice voting,
16 the canvass shall be done by ranked choice voting tabulation
17 as described in Article 22A. The ~~, and the~~ persons having the
18 highest number of votes for the respective offices shall be
19 declared duly elected, but if it appears that more than the
20 number of persons to be elected have the highest and an equal
21 number of votes for the same office, the electoral board shall
22 decide by lot which of such persons shall be elected; and to
23 each person duly elected, the Governor shall give a
24 certificate of election or commission, as the case may
25 require, and shall cause proclamation to be made of the result

1 of the canvass, and they shall at the same time and in the same
2 manner, canvass the vote cast upon amendments to the
3 Constitution, and upon other propositions submitted to the
4 electors of the entire State; and the Governor shall cause to
5 be made such proclamation of the result of the canvass as the
6 statutes elsewhere provide. The State Board of Elections shall
7 transmit to the State Comptroller a list of the persons
8 elected to the various offices. The State Board of Elections
9 shall also transmit to the Supreme Court the names of persons
10 elected to judgeships in adversary elections and the names of
11 judges who fail to win retention in office.

12 No person who is shown by the canvassing board's
13 proclamation to have been elected at the consolidated election
14 or general election as a write-in candidate shall take office
15 unless that person has first filed with the certifying office
16 or board a statement of candidacy pursuant to Section 7-10 or
17 Section 10-5, a statement pursuant to Section 7-10.1, and a
18 receipt for filing a statement of economic interests in
19 relation to the unit of government to which he or she has been
20 elected. For officers elected at the consolidated election,
21 the certifying officer shall notify the election authority of
22 the receipt of those documents, and the county clerk shall
23 issue the certification of election under the provisions of
24 Section 22-18.

25 (Source: P.A. 93-847, eff. 7-30-04; 94-645, eff. 8-22-05.)

1 (10 ILCS 5/Art. 22A heading new)

2 ARTICLE 22A. RANKED CHOICE VOTING

3 (10 ILCS 5/22A-1 new)

4 Sec. 22A-1. Applicability. An election for an office
5 elected by ranked choice voting involving 3 or more
6 candidates, including qualified write-in candidates, shall be
7 conducted pursuant to the procedures set forth in this
8 Article.

9 (10 ILCS 5/22A-5 new)

10 Sec. 22A-5. Definitions. As used in this Article:

11 "Active ballot" means a ballot that is not an inactive
12 ballot.

13 "Active candidate" means a candidate who has not been
14 defeated.

15 "Inactive ballot" is a ballot that does not count for any
16 candidate for any of the reasons given in Section 22A-45.

17 "Highest-ranked active candidate" means the highest
18 ranking on a voter's ballot for an active candidate.

19 "Overvote" means a circumstance in which a voter has
20 ranked more than one candidate at the same ranking.

21 "Ranking" means the number available to be assigned by a
22 voter to a candidate to express the voter's choice for that
23 candidate. The number "1" is the highest ranking, followed by
24 "2" and then "3" and so on.

1 "Round" means an instance of the sequence of voting
2 tabulation steps established in Section 22A-30.

3 "Skipped ranking" means a voter has left a ranking
4 unassigned but ranks a candidate at a subsequent ranking.

5 "Undervote" means a circumstance in which a voter has not
6 ranked any candidate for a particular office.

7 "Under-voted" means a case where a ballot does not contain
8 rankings for any candidate for a particular office.

9 (10 ILCS 5/22A-10 new)

10 Sec. 22A-10. Ranked choice voting ballots. A ranked choice
11 voting ballot shall be laid out to allow the voter to rank the
12 candidates for an office in order of preference. The ballot
13 shall allow voters to rank as many choices as there are
14 qualified candidates, including qualified write-in candidates,
15 except as provided in this Section. If the voting equipment
16 cannot accommodate a number of rankings on the ballot equal to
17 the number of qualified candidates, an election authority may
18 limit the number of choices a voter may rank on a ballot to the
19 maximum number allowed by the equipment. If multiple types of
20 voting equipment are used in an election for the same office,
21 the State Board of Elections shall ensure that every ballot
22 allows voters to rank the same number of candidates.

23 (10 ILCS 5/22A-15 new)

24 Sec. 22A-15. Mixed-election method ballots. If elections

1 are held in which ranked choice voting is used in addition to
2 other methods of voting, the ranked choice and non-ranked
3 choice voting elections must be on the same ballot if
4 possible, with ranked choice voting and non-ranked choice
5 voting portions clearly separated on the ballot. If placement
6 of all offices to be elected cannot be placed on a single
7 ballot, a separate ballot may be used for those offices to be
8 elected using ranked choice voting. Ballots may deviate from
9 the ordering established in Section 7-19 to allow for
10 separation of ranked choice voting and non-ranked choice
11 voting elections.

12 (10 ILCS 5/22A-20 new)

13 Sec. 22A-20. Ballot requirements. All other ballot
14 requirements of this Code apply to ranked choice voting
15 ballots to the extent that they do not contradict the
16 requirements of this Article.

17 (10 ILCS 5/22A-25 new)

18 Sec. 22A-25. First ranked choice tabulation.

19 (a) A first ranked choice tabulation shall be done under
20 this Section before tabulation as described in Section 22A-30.
21 A first ranked choice tabulation will consist of a first round
22 only. Under the first ranked choice tabulation, the vote total
23 will be the sum of the number 1 ranked votes.

24 (b) If the vote total for a candidate is greater than 50%

1 of the active ballots, the candidate shall be declared duly
2 elected. If not, tabulation shall proceed in rounds as
3 described in Section 22A-30.

4 (10 ILCS 5/22A-30 new)

5 Sec. 22A-30. Ranked choice voting tabulation. Tabulation
6 must proceed in rounds as follows:

7 (1) If 2 or fewer active candidates remain, the
8 candidate with the greatest number of votes is declared
9 the winner of the election and tabulation is complete.

10 (2) If more than 2 active candidates remain, the
11 active candidate with the fewest votes is defeated. Votes
12 for the defeated candidate are transferred to each
13 ballot's next-highest-ranked active candidate and a new
14 round begins.

15 (10 ILCS 5/22A-35 new)

16 Sec. 22A-35. Ties. If during any round of tabulation 2 or
17 more candidates are tied with the fewest votes, and tabulation
18 cannot continue until the candidate with the fewest votes is
19 defeated, then the candidate to be defeated will be chosen by
20 lot. The result of the tie resolution must be recorded and
21 reused in the event of a recount. Election authorities may
22 resolve prospective ties between candidates before the
23 election.

1 (10 ILCS 5/22A-40 new)

2 Sec. 22A-40. Batch elimination. In any election conducted
3 by ranked choice voting, the election authority may modify the
4 tabulation to include batch elimination. If the tabulation
5 does include batch elimination, then any time the active
6 candidate with the fewest votes would be defeated, all active
7 candidates in the elimination batch are simultaneously
8 defeated instead. An active candidate is in the elimination
9 batch if the number of elected and active candidates with more
10 votes than that candidate is greater than the number of
11 offices to be elected, and it is mathematically impossible for
12 that candidate to be elected for any of the following reasons:

13 (1) The candidate could never win because the
14 candidate's current vote total plus all votes that could
15 possibly be transferred to the candidate in future rounds
16 would not be enough to equal or surpass the active
17 candidate with the next higher current vote total.

18 (2) The candidate has a lower current vote total than
19 an active candidate who is described in paragraph (1).

20 (10 ILCS 5/22A-45 new)

21 Sec. 22A-45. Inactive ballots and undervotes.

22 (a) In any round of tabulation in an election conducted by
23 ranked choice voting, an inactive ballot does not count for
24 any candidate. A ballot is inactive if any of the following is
25 true:

1 (1) It does not contain any active candidates and is
2 not an undervote.

3 (2) It has reached an overvote.

4 (3) It has reached 2 consecutive skipped rankings.

5 (b) A ballot that is under-voted does not count as an
6 active or inactive ballot in any round of tabulation.

7 (10 ILCS 5/22A-50 new)

8 Sec. 22A-50. Precinct returns.

9 (a) For elections for an office elected by ranked choice
10 voting, precinct returns must include, at minimum, the number
11 of votes in the first ranking for each candidate.

12 (b) The processes for making precinct returns, as
13 described in Articles 7, 17, and 18, may be modified by the
14 State Board of Elections or other election authority to allow
15 for compliance with this Section.

16 (10 ILCS 5/22A-55 new)

17 Sec. 22A-55. Rights of political parties. For all
18 statutory and constitutional provisions in the State
19 pertaining to the rights of political parties or the number of
20 votes cast for an officer or candidate, the number of votes
21 cast for a party's candidate for an office elected by ranked
22 choice voting is the number of votes credited to that
23 candidate in the first ranked choice tabulation described in
24 Section 22A-25.

1 (10 ILCS 5/22A-60 new)

2 Sec. 22A-60. Adoption of rules. The State Board of
3 Elections may adopt rules to implement the provisions of this
4 Article."