

1 AN ACT concerning elections.

2 Be it enacted by the People of the State of Illinois,  
3 represented in the General Assembly:

4 Section 5. The Election Code is amended by changing  
5 Sections 6-9, 6-11, 6-74, 7-56, 7-58, 7-59, 7-60, 7-60.1,  
6 7-63, 10-9, 10-10, 21-2, 22-1, 22-8, 22-9, 22-9.1, 22-12,  
7 22-15, 22-17 and 22-18, 23-1.8a, 23-1.9a, and 23-1.10a and  
8 adding Sections 1-8, 22-7.5 and 22-7.10 as follows:

9 (10 ILCS 5/1-8 new)

10 Sec. 1-8. Canvassing boards abolished. Notwithstanding  
11 any other provision of this Code, local canvassing boards are  
12 abolished. In this Code or any other law a reference to a  
13 local or county canvassing board means (i) for elections in  
14 which the the political subdivision that is choosing  
15 candidates or submitting a public question is located  
16 entirely within the jurisdiction of a single election  
17 authority, that election authority and (ii) for elections in  
18 which the political subdivision that is choosing candidates  
19 or submitting a public question is located within the  
20 jurisdiction 2 or more election authorities, the election  
21 authority having jurisdiction over the location at which the  
22 unit of local government has its principal office.

23 (10 ILCS 5/6-9) (from Ch. 46, par. 6-9)

24 Sec. 6-9. After ascertaining and announcing the result as  
25 aforesaid, such judges shall make, fill up and sign duplicate  
26 ~~triplieate~~ returns or statements of the votes cast for and  
27 against such proposition as aforesaid, in the form found in  
28 Section 6--3 of this Article, each of which shall be attested  
29 by the other judges, and each of which shall then be enclosed  
30 and sealed in an envelope, one of which shall be on the

1 outside addressed to the appropriate election authority the  
2 ~~election court, one to the clerk of the election court,~~ and one  
3 to the comptroller of such city, or to the officer whose  
4 duties correspond with those of the comptroller. Upon each of  
5 which statements shall be endorsed "city election law  
6 returns". In the same manner the tally sheet in duplicate  
7 shall be signed by the judges, and shall be enclosed and  
8 sealed in separate envelopes, one of which shall be addressed  
9 to the county judge and one to the city clerk; upon both of  
10 the envelopes shall be endorsed "city election law tallies".  
11 On the outside of each envelope shall be endorsed whether it  
12 contains a statement of the votes cast or the tallies, and  
13 for what precinct and ward. After the envelopes respectively  
14 containing such returns and tallies are closed and sealed,  
15 the judges of election shall each write across the folds of  
16 such envelopes their names, and thereupon each of the judges  
17 of election shall take one of said returns or tallies, and  
18 shall deliver, each one respectively, to the person or  
19 officer to whom addressed, by noon of the next day, and when  
20 delivered he shall receive a receipt therefor from the  
21 officer to whom delivered, and it shall be the duty of such  
22 officer to give such receipts, and to safely keep such  
23 envelopes unopened until called for by the election authority  
24 as canvassing board herein provided.

25 (Source: P.A. 80-704.)

26 (10 ILCS 5/6-11) (from Ch. 46, par. 6-11)

27 Sec. 6-11. The returns must be canvassed in the same  
28 manner as any other referendum held in the municipality. On  
29 ~~the sixth day after such election, the judge of the election~~  
30 ~~court shall call to his assistance two well-known electors of~~  
31 ~~integrity and character, one of whom voted for and one of~~  
32 ~~whom voted against such proposition, who shall constitute the~~  
33 ~~canvassing board to canvass the returns and votes so cast for~~

1 and-against-such-proposition.-Such-canvass-shall-be-conducted  
2 in--public-in-the-room-usually-occupied-by-the-circuit-court.  
3 The-envelopes-containing-all-the-returns-and--all--the--tally  
4 sheets--shall,--upon-the-demand-of-the-judge-of-the-court,--be  
5 delivered-to-said-board-by-the-officers,--so-having-either--of  
6 them-in-his-possession.-Thereupon-the-same-shall-be-opened-in  
7 order--and--the--vote--on--such--proposition--ascertained-and  
8 announced.-All-of-such-returns-and-tallies--may--be--used--in  
9 ascertaining--the--result,--and--when,--in-the-opinion-of-said  
10 board,--any-doubt-exists-as-to-what-the-actual-vote-was--which  
11 was--cast-for-or-against-such-proposition-in-any-precinct,--or  
12 upon-the-written-application-of-2-persons-who--were--at--such  
13 canvass--and--who--shall-make-oath-that-they-believe-that-the  
14 returns-of-the-said-judges-of-election-as-to-such-proposition  
15 are-not-correct,--said--judge--shall--demand--of--and--receive  
16 possession-from-such-county-clerk-the-ballots-so-cast-in-such  
17 precinct--at--such-election,--and-it-shall-then-be-the-duty-of  
18 said-board-to-open-the-envelope-containing-said--ballots--and  
19 to--recount--the--same,--and--to--hear-evidence-of-any-person  
20 present-at-such--precinct--canvass--touching--the--same;--and  
21 thereupon,--said--board--shall--announce-and-declare-the-vote  
22 east-for-and-against-such-proposition-in-such-precinct,--which  
23 shall--be--conclusive--as--to--the--ballots--so--cast;--and,  
24 thereupon,--the--judge--of--the--court,--so--having--received  
25 possession--of--such--ballots,--shall-again-place-them-upon-a  
26 string-or-twine-and-place--them--in--the--same--envelope,--or  
27 another--with-like-endorsements,--and-seal-the-same,--and-shall  
28 write-across-the-face-thereof,--"Opened-by-the--judge--of--the  
29 circuit--court,"--and-sign-his-name-thereunder,--and-shall-then  
30 return-such-ballots-to-the-possession-of--the--county--clerk.  
31 Said--returns--and--tallies--shall--also--be--returned-to-the  
32 officers-from-whom-received,--who-shall-safely-keep--the--same  
33 for--6--months,--and--then--destroy--the--same-if-there-be-no  
34 contest.--At--the--completion--of--the--canvass--of--all--the

1   precincts-in-such-city,--the-total-number-of--votes--cast--for  
2   and---against--such--proposition--in--the--various--precincts  
3   ascertained-as-aforesaid-shall--be--added--together--by--said  
4   board,--who--shall--then--declare-the-total-result;--thereupon  
5   said-court-shall-enter-an-order-declaring-the-number-of-votes  
6   so-ascertained-cast-for,--and-the-number-of-votes-cast-against  
7   such-proposition,--and-if-such-proposition-shall-have-received  
8   a-majority-of-the-votes-cast-for-and-against-the-same-at-such  
9   election,--the-court-shall,--by-its-order,--declare-this-Article  
10   6-and-Articles-14-and-18-of-this-Act-adopted.-And-it-shall-be  
11   the-duty-of-such-judge-to-file-a-copy-of-such--order--in--the  
12   office-of-the-Secretary-of-State,--and-thereupon-said-Articles  
13   of--this--act-shall-become-operative-and-binding,--and-the-law  
14   for-all-elections-in-such-city,--and-for-the-electors-thereof,  
15   and-all-courts-and-other-persons-shall-take-notice-thereof.  
16   (Source: Laws 1965, p. 3481.)

17           (10 ILCS 5/6-74) (from Ch. 46, par. 6-74)  
18           Sec. 6-74. The quadruple returns of the judges of  
19   election of such village or incorporated town, mentioned in  
20   the last section, in case of a village or town election for  
21   any officer of such village or town, shall be made to the  
22   same officer as otherwise required by law, who shall receipt  
23   therefor; and all such returns shall be canvassed by the  
24   election authority canvassing--board of such village or  
25   incorporated town, as established by law, with the same  
26   powers of investigation and examination by the election  
27   authority such--board as is authorized by this act to the  
28   canvassing board of any such city.  
29   (Source: Laws 1957, p. 1450.)

30           (10 ILCS 5/7-56) (from Ch. 46, par. 7-56)  
31           Sec. 7-56. As soon as complete returns are delivered to  
32   the proper election authority, the returns shall be canvassed

1 for all primary elections, as follows:

2 1. In the case of the nomination of candidates for city  
3 offices, by the mayor, the city attorney and the city clerk.

4 2. In the case of nomination of candidates for village  
5 offices, by the president of the board of trustees, one  
6 member of the board of trustees, and the village clerk.

7 3. In the case of nomination of candidates for township  
8 offices, by the town supervisor, the town assessor and the  
9 town clerk; in the case of nomination of candidates for  
10 incorporated town offices, by the corporate authorities of  
11 the incorporated town.

12 3.5. For multi-township assessment districts, by the  
13 chairman, clerk, and assessor of the multi-township  
14 assessment district.

15 4. For road district offices, by the highway  
16 commissioner and the road district clerk.

17 5. The election authority acting as the canvassing board  
18 pursuant to Section 1-8 of this Code The officers who are  
19 charged by law with the duty of canvassing returns of general  
20 elections made to the county clerk, shall also open and  
21 canvass the returns of a primary made to such county clerk.  
22 Upon the completion of the canvass of the returns by the  
23 election authority county canvassing board, the election  
24 authority said canvassing board shall make a tabulated  
25 statement of the returns for each political party separately,  
26 stating in appropriate columns and under proper headings, the  
27 total number of votes cast in said county for each candidate  
28 for nomination or election by said party, including  
29 candidates for President of the United States and for State  
30 central committeemen, and for delegates and alternate  
31 delegates to National nominating conventions, and for  
32 precinct committeemen, township committeemen, and for ward  
33 committeemen. Within 48 hours after the election, the  
34 election authority must transmit, by facsimile, e-mail, or

1 other electronic means, a preliminary statement of returns to  
 2 the State Board of Elections. The State Board of Elections  
 3 must use the preliminary statement to determine if a recount  
 4 under Section 22-7.10 is necessary. Within 2 two-(2) days  
 5 after the completion of said canvass by the election  
 6 authority said--canvassing-board the county clerk shall mail  
 7 to the State Board of Elections a certified copy of such  
 8 tabulated statement of returns. ~~Provided, however, that the~~  
 9 ~~number of votes cast for the nomination for offices, the~~  
 10 ~~certificates of election for which offices, under this Act or~~  
 11 ~~any other laws are issued by the county clerk shall not be~~  
 12 ~~included in such certified copy of said tabulated statement~~  
 13 ~~of returns, nor shall the returns on the election of~~  
 14 ~~precinct, township or ward committeemen be so certified to~~  
 15 ~~the State Board of Elections.~~ The election authority said  
 16 officers shall also determine and set down as to each  
 17 precinct the number of ballots voted by the primary electors  
 18 of each party at the primary.

19 6. In the case of the nomination or election of  
 20 candidates for offices, including President of the United  
 21 States and the State central committeemen, and delegates and  
 22 alternate delegates to National nominating conventions,  
 23 certified tabulated statement of returns for which are filed  
 24 with the State Board of Elections, said returns shall be  
 25 canvassed by the election authority board. Within 48 hours  
 26 after the election, the election authority must transmit, by  
 27 facsimile, e-mail or other electronic means, a preliminary  
 28 statement of results to the State Board of Elections. The  
 29 State Board of Elections must use the preliminary statement  
 30 to conduct a canvass to determine if a recount under Section  
 31 22-7.10 is necessary. And, provided, further, that within 5  
 32 days after said returns shall be canvassed by the said Board,  
 33 the Board shall cause to be published in one daily newspaper  
 34 of general circulation at the seat of the State government in

1 Springfield a certified statement of the returns filed in its  
 2 office, showing the total vote cast in the State for each  
 3 candidate of each political party for President of the United  
 4 States, and showing the total vote for each candidate of each  
 5 political party for President of the United States, cast in  
 6 each of the several congressional districts in the State.

7 ~~7.---Where---in---cities---or---villages---which---have---a---board---of~~  
 8 ~~election-commissioners,---the---returns---of---a---primary---are---made---to~~  
 9 ~~such---board---of---election-commissioners,---said---return---shall---be~~  
 10 ~~canvassed---by---such---board,---and,---excepting---in---the---case---of---the~~  
 11 ~~nomination---for---any---municipal---office,---tabulated---statements---of~~  
 12 ~~the---returns---of---such---primary---shall---be---made---to---the---county~~  
 13 ~~clerk.~~

14 8. Within 48 hours of conducting a canvass, as required  
 15 by this Code, the--delivery--of--complete--returns of the  
 16 consolidated primary, to the election authority, the election  
 17 authority shall deliver an original certificate of results to  
 18 each local election official, with respect to whose political  
 19 subdivisions nominations were made at such primary, for each  
 20 precinct in his jurisdiction in which such nominations were  
 21 on the ballot. Such original certificate of results need not  
 22 include any offices or nominations for any other political  
 23 subdivisions. The--local-election-official--shall--immediately  
 24 transmit--the--certificates--to--the--canvassing--board--for--his  
 25 political--subdivisions,--which--shall--open--and--canvass--the  
 26 returns,--make--a--tabulated--statement--of--the--returns--for--each  
 27 political-party--separately,--and--as--nearly--as--possible,--follow  
 28 the--procedures--required--for--the--county--canvassing--board.  
 29 Such--canvass--of--votes--shall--be--conducted--within--7--days--after  
 30 the--close--of--the--consolidated--primary.

31 (Source: P.A. 87-1052.)

32 (10 ILCS 5/7-58) (from Ch. 46, par. 7-58)

33 Sec. 7-58. Each county clerk or board of election

1 ~~commissioners of the canvassing boards~~ respectively shall,  
2 upon completion of the canvassing of the returns, make and  
3 transmit to the State Board of Elections and to each election  
4 authority whose duty it is to print the official ballot for  
5 the election for which the nomination is made a proclamation  
6 of the results of the primary. The proclamation shall state  
7 the name of each candidate of each political party so  
8 nominated or elected, as shown by the returns, together with  
9 the name of the office for which he or she was nominated or  
10 elected, including precinct, township and ward committeemen,  
11 and including in the case of the State Board of Elections,  
12 candidates for State central committeemen, and delegates and  
13 alternate delegates to National nominating conventions. If a  
14 notice of contest is filed, the election authority such  
15 ~~canvassing board~~ shall, within one business day after  
16 receiving a certified copy of the court's judgment or order,  
17 amend its proclamation accordingly and proceed to file an  
18 amended proclamation with the appropriate election  
19 authorities and with the State Board of Elections.

20 The State Board of Elections shall issue a certificate of  
21 election to each of the persons shown by the returns and the  
22 proclamation thereof to be elected State central  
23 committeemen, and delegates and alternate delegates to  
24 National nomination conventions; and the county clerk shall  
25 issue a certificate of election to each person shown by the  
26 returns to be elected precinct, township or ward  
27 committeeman. The certificate issued to such precinct  
28 committeeman shall state the number of ballots voted in his  
29 or her precinct by the primary electors of his or her party  
30 at the primary at which he or she was elected. The  
31 certificate issued to such township committeeman shall state  
32 the number of ballots voted in his or her township or part of  
33 a township, as the case may be, by the primary electors of  
34 his or her party at the primary at which he or she was



1 elected. The certificate issued to such ward committeeman  
2 shall state the number of ballots voted in his or her ward by  
3 the primary electors of his or her party at the primary at  
4 which he or she was elected.

5 (Source: P.A. 84-1308.)

6 (10 ILCS 5/7-59) (from Ch. 46, par. 7-59)

7 Sec. 7-59. (a) The person receiving the highest number  
8 of votes at a primary as a candidate of a party for the  
9 nomination for an office shall be the candidate of that party  
10 for such office, and his name as such candidate shall be  
11 placed on the official ballot at the election then next  
12 ensuing; provided, that where there are two or more persons  
13 to be nominated for the same office or board, the requisite  
14 number of persons receiving the highest number of votes shall  
15 be nominated and their names shall be placed on the official  
16 ballot at the following election.

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

22 Unless a national political party specifies that  
23 delegates and alternate delegates to a National nominating  
24 convention be allocated by proportional selection  
25 representation according to the results of a Presidential  
26 preference primary, the requisite number of persons receiving  
27 the highest number of votes of their party for delegates and  
28 alternate delegates to National nominating conventions from  
29 the State at large, and the requisite number of persons  
30 receiving the highest number of votes of their party for  
31 delegates and alternate delegates to National nominating  
32 conventions in their respective congressional districts shall  
33 be declared elected delegates and alternate delegates to the

1 National nominating conventions of their party.

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

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

22 The person receiving the highest number of votes of his  
23 party for precinct committeeman of his precinct shall be  
24 declared elected precinct committeeman from said precinct.

25 The person receiving the highest number of votes of his  
26 party for township committeeman of his township or part of a  
27 township as the case may be, shall be declared elected  
28 township committeeman from said township or part of a  
29 township as the case may be. In cities where ward  
30 committeemen are elected, the person receiving the highest  
31 number of votes of his party for ward committeeman of his  
32 ward shall be declared elected ward committeeman from said  
33 ward.

34 When two or more persons receive an equal and the highest

1 number of votes for the nomination for the same office or for  
2 committeeman of the same political party, or where more than  
3 one person of the same political party is to be nominated as  
4 a candidate for office or committeeman, if it appears that  
5 more than the number of persons to be nominated for an office  
6 or elected committeeman have the highest and an equal number  
7 of votes for the nomination for the same office or for  
8 election as committeeman, the election authority board by  
9 which the returns of the primary are canvassed shall decide  
10 by lot which of said persons shall be nominated or elected,  
11 as the case may be. In such case the election authority such  
12 ~~canvassing--board~~ shall issue notice in writing to such  
13 persons of such tie vote stating therein the place, the day  
14 (which shall not be more than 5 ~~five~~ (5) days thereafter) and  
15 the hour when such nomination or election shall be so  
16 determined.

17 (b) Write-in votes shall be counted only for persons who  
18 have filed notarized declarations of intent to be write-in  
19 candidates with the proper election authority or authorities  
20 not later than 5:00 p.m. on the Tuesday immediately preceding  
21 the primary.

22 Forms for the declaration of intent to be a write-in  
23 candidate shall be supplied by the election authorities.  
24 Such declaration shall specify the office for which the  
25 person seeks nomination or election as a write-in candidate.

26 The election authority or authorities shall deliver a  
27 list of all persons who have filed such declarations to the  
28 election judges in the appropriate precincts prior to the  
29 primary.

30 (c) (1) Notwithstanding any other provisions of this  
31 Section, where the number of candidates whose names have been  
32 printed on a party's ballot for nomination for or election to  
33 an office at a primary is less than the number of persons the  
34 party is entitled to nominate for or elect to the office at

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

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

17 (Source: P.A. 89-653, eff. 8-14-96.)

18 (10 ILCS 5/7-60) (from Ch. 46, par. 7-60)

19 Sec. 7-60. Not less than 67 days before the date of the  
20 general election, the State Board of Elections shall certify  
21 to the county clerks the names of each of the candidates who  
22 have been nominated as shown by the proclamation of the State  
23 Board of Elections as a canvassing board or who have been  
24 nominated to fill a vacancy in nomination and direct the  
25 election authority to place upon the official ballot for the  
26 general election the names of such candidates in the same  
27 manner and in the same order as shown upon the certification,  
28 except as otherwise provided in this Section.

29 Not less than 61 days before the date of the general  
30 election, each county clerk shall certify the names of each  
31 of the candidates for county offices who have been nominated  
32 as shown by the proclamation of the election authority ~~county~~  
33 ~~canvassing-board~~ or who have been nominated to fill a vacancy

1 in nomination and declare that the names of such candidates  
2 for the respective offices shall be placed upon the official  
3 ballot for the general election in the same manner and in the  
4 same order as shown upon the certification, except as  
5 otherwise provided by this Section. Each county clerk shall  
6 place a copy of the certification on file in his or her  
7 office and at the same time issue to the State Board of  
8 Elections a copy of such certification. In addition, each  
9 county clerk in whose county there is a board of election  
10 commissioners shall, not less than 61 days before the date of  
11 the general election, issue to such board a copy of the  
12 certification that has been filed in the county clerk's  
13 office, together with a copy of the certification that has  
14 been issued to the clerk by the State Board of Elections,  
15 with directions to the board of election commissioners to  
16 place upon the official ballot for the general election in  
17 that election jurisdiction the names of all candidates that  
18 are listed on such certifications, in the same manner and in  
19 the same order as shown upon such certifications, except as  
20 otherwise provided in this Section.

21 Whenever there are two or more persons nominated by the  
22 same political party for multiple offices for any board, the  
23 name of the candidate of such party receiving the highest  
24 number of votes in the primary election as a candidate for  
25 such office, as shown by the official election returns of the  
26 primary, shall be certified first under the name of such  
27 offices, and the names of the remaining candidates of such  
28 party for such offices shall follow in the order of the  
29 number of votes received by them respectively at the primary  
30 election as shown by the official election results.

31 No person who is shown by the election authority's  
32 ~~canvassing-board's~~ proclamation to have been nominated at the  
33 primary as a write-in candidate shall have his or her name  
34 certified unless such person shall have filed with the

1 certifying office or board within 10 days after the election  
2 authority's canvassing-board's proclamation a statement of  
3 candidacy pursuant to Section 7-10 and a statement pursuant  
4 to Section 7-10.1.

5 Each county clerk and board of election commissioners  
6 shall determine by a fair and impartial method of random  
7 selection the order of placement of established political  
8 party candidates for the general election ballot. Such  
9 determination shall be made within 30 days following the  
10 canvass and proclamation of the results of the general  
11 primary in the office of the county clerk or board of  
12 election commissioners and shall be open to the public.  
13 Seven days written notice of the time and place of conducting  
14 such random selection shall be given, by each such election  
15 authority, to the County Chairman of each established  
16 political party, and to each organization of citizens within  
17 the election jurisdiction which was entitled, under this  
18 Article, at the next preceding election, to have pollwatchers  
19 present on the day of election. Each election authority  
20 shall post in a conspicuous, open and public place, at the  
21 entrance of the election authority office, notice of the time  
22 and place of such lottery. However, a board of election  
23 commissioners may elect to place established political party  
24 candidates on the general election ballot in the same order  
25 determined by the county clerk of the county in which the  
26 city under the jurisdiction of such board is located.

27 Each certification shall indicate, where applicable, the  
28 following:

- 29 (1) The political party affiliation of the candidates  
30 for the respective offices;
- 31 (2) If there is to be more than one candidate elected to  
32 an office from the State, political subdivision or district;
- 33 (3) If the voter has the right to vote for more than one  
34 candidate for an office;

1           (4) The term of office, if a vacancy is to be filled for  
2 less than a full term or if the offices to be filled in a  
3 political subdivision are for different terms.

4           The State Board of Elections or the county clerk, as the  
5 case may be, shall issue an amended certification whenever it  
6 is discovered that the original certification is in error.

7 (Source: P.A. 86-867; 86-875; 86-1028.)

8           (10 ILCS 5/7-60.1) (from Ch. 46, par. 7-60.1)

9           Sec. 7-60.1. Certification of Candidates - Consolidated  
10 Election. Each local election official of a political  
11 subdivision in which candidates for the respective local  
12 offices are nominated at the consolidated primary shall, no  
13 later than 5 days following the canvass and proclamation of  
14 the results of the consolidated primary, certify to each  
15 election authority whose duty it is to prepare the official  
16 ballot for the consolidated election in that political  
17 subdivision the names of each of the candidates who have been  
18 nominated as shown by the proclamation of the appropriate  
19 election authority canvassing--board or who have been  
20 nominated to fill a vacancy in nomination and direct the  
21 election authority to place upon the official ballot for the  
22 consolidated election the names of such candidates in the  
23 same manner and in the same order as shown upon the  
24 certification, except as otherwise provided by this Section.

25           Whenever there are two or more persons nominated by the  
26 same political party for multiple offices for any board, the  
27 name of the candidate of such party receiving the highest  
28 number of votes in the consolidated primary election as a  
29 candidate for such consolidated primary, shall be certified  
30 first under the name of such office, and the names of the  
31 remaining candidates of such party for such offices shall  
32 follow in the order of the number of votes received by them  
33 respectively at the consolidated primary election as shown by

1 the official election results.

2 No person who is shown by the election authority's  
3 canvassing-board's proclamation to have been nominated at the  
4 consolidated primary as a write-in candidate shall have his  
5 or her name certified unless such person shall have filed  
6 with the certifying office or board within 5 days after the  
7 election authority's canvassing--board's proclamation a  
8 statement of candidacy pursuant to Section 7-10 and a  
9 statement pursuant to Section 7-10.1.

10 Each board of election commissioners of the cities in  
11 which established political party candidates for city offices  
12 are nominated at the consolidated primary shall determine by  
13 a fair and impartial method of random selection the order of  
14 placement of the established political party candidates for  
15 the consolidated ballot. Such determination shall be made  
16 within 5 days following the canvass and proclamation of the  
17 results of the consolidated primary and shall be open to the  
18 public. Three days written notice of the time and place of  
19 conducting such random selection shall be given, by each such  
20 election authority, to the County Chairman of each  
21 established political party, and to each organization of  
22 citizens within the election jurisdiction which was entitled,  
23 under this Article, at the next preceding election, to have  
24 pollwatchers present on the day of election. Each election  
25 authority shall post in a conspicuous, open and public place,  
26 at the entrance of the election authority office, notice of  
27 the time and place of such lottery.

28 Each local election official of a political subdivision  
29 in which established political party candidates for the  
30 respective local offices are nominated by primary shall  
31 determine by a fair and impartial method of random selection  
32 the order of placement of the established political party  
33 candidates for the consolidated election ballot and, in the  
34 case of certain municipalities having annual elections, on



1 the general primary ballot for election. Such determination  
2 shall be made prior to the canvass and proclamation of  
3 results of the consolidated primary or special municipal  
4 primary, as the case may be, in the office of the local  
5 election official and shall be open to the public. Three  
6 days written notice of the time and place of conducting such  
7 random selection shall be given, by each such local election  
8 official, to the County Chairman of each established  
9 political party, and to each organization of citizens within  
10 the election jurisdiction which was entitled, under this  
11 Article, at the next preceding election, to have pollwatchers  
12 present on the day of election. Each local election official  
13 shall post in a conspicuous, open and public place notice of  
14 such lottery. Immediately thereafter, the local election  
15 official shall certify the ballot placement order so  
16 determined to the proper election authorities charged with  
17 the preparation of the consolidated election, or general  
18 primary, ballot for that political subdivision.

19 Not less than 61 days before the date of the consolidated  
20 election, each local election official of a political  
21 subdivision in which established political party candidates  
22 for the respective local offices have been nominated by  
23 caucus or have been nominated because no primary was required  
24 to be held shall certify to each election authority whose  
25 duty it is to prepare the official ballot for the  
26 consolidated election in that political subdivision the names  
27 of each of the candidates whose certificates of nomination or  
28 nomination papers have been filed in his or her office and  
29 direct the election authority to place upon the official  
30 ballot for the consolidated election the names of such  
31 candidates in the same manner and in the same order as shown  
32 upon the certification. Such local election official shall,  
33 prior to certification, determine by a fair and impartial  
34 method of random selection the order of placement of the

1 established political party candidates for the consolidated  
2 election ballot. Such determination shall be made in the  
3 office of the local election official and shall be open to  
4 the public. Three days written notice of the time and place  
5 of conducting such random selection shall be given by each  
6 such local election official to the county chairman of each  
7 established political party, and to each organization of  
8 citizens within the election jurisdiction which was entitled,  
9 under this Article, at the next preceding election, to have  
10 pollwatchers present on the day of election. Each local  
11 election official shall post in a conspicuous, open and  
12 public place, at the entrance of the office, notice of the  
13 time and place of such lottery. The local election official  
14 shall certify the ballot placement order so determined as  
15 part of his official certification of candidates to the  
16 election authorities whose duty it is to prepare the official  
17 ballot for the consolidated election in that political  
18 subdivision.

19 The certification shall indicate, where applicable, the  
20 following:

21 (1) The political party affiliation of the candidates  
22 for the respective offices;

23 (2) If there is to be more than one candidate elected or  
24 nominated to an office from the State, political subdivision  
25 or district;

26 (3) If the voter has the right to vote for more than one  
27 candidate for an office;

28 (4) The term of office, if a vacancy is to be filled for  
29 less than a full term or if the offices to be filled in a  
30 political subdivision or district are for different terms.

31 The local election official shall issue an amended  
32 certification whenever it is discovered that the original  
33 certification is in error.

34 (Source: P.A. 84-1308.)

1 (10 ILCS 5/7-63) (from Ch. 46, par. 7-63)

2 Sec. 7-63. Any candidate whose name appears upon the  
3 primary ballot of any political party may contest the  
4 election of the candidate or candidates nominated for the  
5 office for which he or she was a candidate by his or her  
6 political party, upon the face of the returns, by filing with  
7 the clerk of the circuit court a petition in writing, setting  
8 forth the grounds of contest, which petition shall be  
9 verified by the affidavit of the petitioner or other person,  
10 and which petition shall be filed within 10 days after the  
11 completion of the canvass of the returns by the election  
12 authority ~~canvassing--board~~ making the final canvass of  
13 returns. The contestant shall also file with that election  
14 authority ~~canvassing-board~~ (and if for the nomination for an  
15 office, certified tabulated statements of the returns of  
16 which are to be filed with the State Board of Elections, also  
17 with the election authorities in whose jurisdiction the  
18 election was held ~~county-canvassing-board~~), a notice of the  
19 pendency of the contest.

20 If the contest relates to an office involving more than  
21 one county, the venue of the contest is (a) in the county in  
22 which the alleged grounds of the contest exist or (b) if  
23 grounds for the contest are alleged to exist in more than one  
24 county, then in any of those counties or in the county in  
25 which any defendant resides.

26 Authority and jurisdiction are hereby vested in the  
27 circuit court, to hear and determine primary contests. When a  
28 petition to contest a primary is filed in the office of the  
29 clerk of the court, the petition shall forthwith be presented  
30 to a judge thereof, who shall note thereon the date of  
31 presentation, and shall note thereon the day when the  
32 petition will be heard, which shall not be more than 10 days  
33 thereafter.

34 Summons shall forthwith issue to each defendant named in

1 the petition and shall be served for the same manner as is  
2 provided for other civil cases. Summons may be issued and  
3 served in any county in the State. The case may be heard and  
4 determined by the circuit court at any time not less than 5  
5 days after service of process, and shall have preference in  
6 the order of hearing to all other cases. The petitioner shall  
7 give security for all costs.

8 In any contest involving the selection of nominees for  
9 the office of State representative, each candidate of the  
10 party and district involved, who is not a petitioner or a  
11 named defendant in the contest, shall be given notice of the  
12 contest at the same time summons is issued to the defendants,  
13 and any other candidate may, upon application to the court  
14 within 5 days after receiving such notice, be made a party to  
15 the contest.

16 Any defendant may, within 5 days after service of process  
17 upon him or her, file a counterclaim in the same manner as in  
18 other civil cases and shall give security for all costs  
19 relating to such counterclaim.

20 Any party to such proceeding may have a substitution of  
21 judge from the judge to whom such contest is assigned for  
22 hearing, where he or she fears or has cause to believe such  
23 judge is prejudiced against, or is related to any of the  
24 parties either by blood or by marriage. Notice of the  
25 application for such substitution of judge must be served  
26 upon the opposite party and filed with such judge not later  
27 than one day after such contest is assigned to such judge,  
28 Sundays and legal holidays excepted. No party shall be  
29 entitled to more than one substitution of judge in such  
30 proceeding.

31 If, in the opinion of the court, in which the petition is  
32 filed, the grounds for contest alleged are insufficient in  
33 law the petition shall be dismissed. If the grounds alleged  
34 are sufficient in law, the court shall proceed in a summary

1 manner--and--may--hear--evidence,--examine--the--returns,--recount  
2 the--ballots--and--make--such--orders--and--enter--such--judgment--as  
3 justice--may--require.---In--the--case--of--a--contest--relating--to  
4 nomination--for--the--office--of--Representative--in--the--General  
5 Assembly--where--the--contestant--received--votes--equal--in--number  
6 to--at--least--95%--of--the--number--of--votes--cast--for--any  
7 apparently--successful--candidate--for--nomination--for--that  
8 office--by--the--same--political--party,--the--court--may--order--a  
9 recount--for--the--entire--district--and--may--order--the--cost--of  
10 such--recount--to--be--borne--by--the--respective--counties. The  
11 court shall ascertain and declare by a judgment to be entered  
12 of record, the result of such election in--the--territorial  
13 area--for--which--the--contest--is--made. The judgment of the court  
14 shall be appealable as in other civil cases. A certified copy  
15 of the judgment shall forthwith be made by the clerk of the  
16 court and transmitted to the election authorities board  
17 canvassing the returns for such office, and in case of  
18 contest, if for nomination for an office, tabulated  
19 statements of returns for which are filed with the State  
20 Board of Elections, also in the office of the election  
21 authorities having jurisdiction county-clerk-in-the-proper  
22 county. The proper election authority or authorities  
23 canvassing--board,--or--boards, as the case may be, shall  
24 correct the returns or the tabulated statement of returns in  
25 accordance with the judgment.

26 (Source: P.A. 84-1308.)

27 (10 ILCS 5/10-9) (from Ch. 46, par. 10-9)

28 Sec. 10-9. The following electoral boards are designated  
29 for the purpose of hearing and passing upon the objector's  
30 petition described in Section 10-8.

31 1. The State Board of Elections will hear and pass upon  
32 objections to the nominations of candidates for State  
33 offices, nominations of candidates for congressional,

1 legislative and judicial offices of districts or circuits  
2 situated in more than one county, nominations of candidates  
3 for the offices of State's attorney or regional  
4 superintendent of schools to be elected from more than one  
5 county, and petitions for proposed amendments to the  
6 Constitution of the State of Illinois as provided for in  
7 Section 3 of Article XIV of the Constitution.

8 2. Except as provided in paragraph 2.5, the county  
9 officers electoral board to hear and pass upon objections to  
10 the nominations of candidates for county offices, for  
11 congressional, legislative and judicial offices of a district  
12 or circuit coterminous with or less than a county, for school  
13 trustees to be voted for by the electors of the county or by  
14 the electors of a township of the county, for the office of  
15 multi-township assessor where candidates for such office are  
16 nominated in accordance with this Code, and for all special  
17 district offices, shall be composed of the county clerk, or  
18 an assistant designated by the county clerk, the State's  
19 attorney of the county or an Assistant State's Attorney  
20 designated by the State's Attorney, and the clerk of the  
21 circuit court, or an assistant designated by the clerk of the  
22 circuit court, of the county, of whom the county clerk or his  
23 designee shall be the chairman, except that in any county  
24 which has established a county board of election  
25 commissioners that board shall constitute the county officers  
26 electoral board ex-officio.

27 3. The municipal officers electoral board to hear and  
28 pass upon objections to the nominations of candidates for  
29 officers of municipalities shall be composed of the mayor or  
30 president of the board of trustees of the city, village or  
31 incorporated town, and the city, village or incorporated town  
32 clerk, and one member of the city council or board of  
33 trustees, that member being designated who is eligible to  
34 serve on the electoral board and has had the longest term of

1 continuous service served-the-greatest-number-of-years as a  
2 member of the city council or board of trustees, of whom the  
3 mayor or president of the board of trustees shall be the  
4 chairman.

5 4. The township officers electoral board to pass upon  
6 objections to the nominations of township officers shall be  
7 composed of the township supervisor, the town clerk, and that  
8 eligible town trustee elected in the township who has had the  
9 longest term of continuous service as town trustee, of whom  
10 the township supervisor shall be the chairman.

11 5. The education officers electoral board to hear and  
12 pass upon objections to the nominations of candidates for  
13 offices in school or community college districts shall be  
14 composed of the presiding officer of the school or community  
15 college district board, who shall be the chairman, the  
16 secretary of the school or community college district board  
17 and the eligible elected school or community college board  
18 member who has the longest term of continuous service as a  
19 board member.

20 6. In all cases, however, where the Congressional or  
21 Legislative district is wholly within the jurisdiction of a  
22 board of election commissioners, and in all cases where the  
23 school district or special district is wholly within the  
24 jurisdiction of a municipal board of election commissioners,  
25 and in all cases where the municipality or township is wholly  
26 or partially within the jurisdiction of a municipal board of  
27 election commissioners, and in all cases in which a judicial  
28 district, judicial subcircuit, or county board district is  
29 located wholly within the jurisdiction of a Board of Election  
30 Commissioners, the board of election commissioners shall  
31 ex-officio constitute the electoral board.

32 For special districts situated in more than one county,  
33 the county officers electoral board of the county in which  
34 the principal office of the district is located has

1 jurisdiction to hear and pass upon objections. For purposes  
2 of this Section, "special districts" means all political  
3 subdivisions other than counties, municipalities, townships  
4 and school and community college districts.

5 In the event that any member of the appropriate board is  
6 a candidate for the office with relation to which the  
7 objector's petition is filed, he shall not be eligible to  
8 serve on that board and shall not act as a member of the  
9 board and his place shall be filled as follows:

10 a. In the county officers electoral board by the  
11 county treasurer, or his or her designee, and if he or  
12 she is ineligible to serve, by the sheriff of the county  
13 or his or her designee.

14 b. In the municipal officers electoral board by the  
15 eligible elected city council or board of trustees member  
16 who has served the second greatest number of years as a  
17 city council or board of trustees member.

18 c. In the township officers electoral board by the  
19 eligible elected town trustee who has had the second  
20 longest term of continuous service as a town trustee.

21 d. In the education officers electoral board by the  
22 eligible elected school or community college district  
23 board member who has had the second longest term of  
24 continuous service as a board member.

25 In the event that the chairman of the electoral board is  
26 ineligible to act because of the fact that he is a candidate  
27 for the office with relation to which the objector's petition  
28 is filed, then the substitute chosen under the provisions of  
29 this Section shall be the chairman; In this case, the officer  
30 or board with whom the objector's petition is filed, shall  
31 transmit the certificate of nomination or nomination papers  
32 as the case may be, and the objector's petition to the  
33 substitute chairman of the electoral board.

34 When 2 or more eligible individuals, by reason of their



1 terms of service on a city council or board of trustees,  
2 township board of trustees, or school or community college  
3 district board, qualify to serve on an electoral board, the  
4 one to serve shall be chosen by lot by the local election  
5 official with whom nomination papers are filed.

6 Any vacancies on an electoral board not otherwise filled  
7 pursuant to this Section shall be filled by public members  
8 appointed by the Chief Judge of the Circuit Court for the  
9 county wherein the electoral board hearing is being held upon  
10 notification to the Chief Judge of such vacancies. The Chief  
11 Judge shall be so notified by a member of the electoral board  
12 or the officer or board with whom the objector's petition was  
13 filed. In the event that none of the individuals designated  
14 by this Section to serve on the electoral board are eligible,  
15 the chairman of an electoral board shall be designated by the  
16 Chief Judge.

17 (Source: P.A. 87-570.)

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

19 Sec. 10-10. Within 24 hours after the receipt of the  
20 certificate of nomination or nomination papers or proposed  
21 question of public policy, as the case may be, and the  
22 objector's petition, the chairman of the electoral board  
23 other than the State Board of Elections shall send a call by  
24 registered or certified mail to each of the members of the  
25 electoral board, and to the objector who filed the objector's  
26 petition, and either to the candidate whose certificate of  
27 nomination or nomination papers are objected to or to the  
28 principal proponent or attorney for proponents of a question  
29 of public policy, as the case may be, whose petitions are  
30 objected to, and shall also cause the sheriff of the county  
31 or counties in which such officers and persons reside to  
32 serve a copy of such call upon each of such officers and  
33 persons, which call shall set out the fact that the electoral

1 board is required to meet to hear and pass upon the  
2 objections to nominations made for the office, designating  
3 it, and shall state the day, hour and place at which the  
4 electoral board shall meet for the purpose, which place shall  
5 be in any public and convenient place ~~the-county-court--house~~  
6 in the county in the case of the County Officers Electoral  
7 Board, the Municipal Officers Electoral Board, the Township  
8 Officers Electoral Board or the Education Officers Electoral  
9 Board. ~~The-Township-Officers-Electoral-Board-may-meet-in-the~~  
10 ~~township-offices, if they are available, rather than the~~  
11 ~~county--courthouse.~~ In those cases where the State Board of  
12 Elections is the electoral board designated under Section  
13 10-9, the chairman of the State Board of Elections shall,  
14 within 24 hours after the receipt of the certificate of  
15 nomination or nomination papers or petitions for a proposed  
16 amendment to Article IV of the Constitution or proposed  
17 statewide question of public policy, send a call by  
18 registered or certified mail to the objector who files the  
19 objector's petition, and either to the candidate whose  
20 certificate of nomination or nomination papers are objected  
21 to or to the principal proponent or attorney for proponents  
22 of the proposed Constitutional amendment or statewide  
23 question of public policy and shall state the day, hour and  
24 place at which the electoral board shall meet for the  
25 purpose, which place may be in the Capitol Building or in the  
26 principal or permanent branch office of the State Board. The  
27 day of the meeting shall not be less than 3 nor more than 6 5  
28 days after the receipt of the certificate of nomination or  
29 nomination papers and the objector's petition by the chairman  
30 of the electoral board.

31 The electoral board shall have the power to administer  
32 oaths and to subpoena and examine witnesses and at the  
33 request of either party the chairman may issue subpoenas  
34 requiring the attendance of witnesses and subpoenas duces

1 tecum requiring the production of such books, papers, records  
2 and documents as may be evidence of any matter under inquiry  
3 before the electoral board, in the same manner as witnesses  
4 are subpoenaed in the Circuit Court.

5 Service of such subpoenas shall be made by any sheriff or  
6 other person in the same manner as in cases in such court and  
7 the fees of such sheriff shall be the same as is provided by  
8 law, and shall be paid by the objector or candidate who  
9 causes the issuance of the subpoena. In case any person so  
10 served shall knowingly neglect or refuse to obey any such  
11 subpoena, or to testify, the electoral board shall at once  
12 file a petition in the circuit court of the county in which  
13 such hearing is to be heard, or has been attempted to be  
14 heard, setting forth the facts, of such knowing refusal or  
15 neglect, and accompanying the petition with a copy of the  
16 citation and the answer, if one has been filed, together with  
17 a copy of the subpoena and the return of service thereon, and  
18 shall apply for an order of court requiring such person to  
19 attend and testify, and forthwith produce books and papers,  
20 before the electoral board. Any circuit court of the state,  
21 excluding the judge who is sitting on the electoral board,  
22 upon such showing shall order such person to appear and  
23 testify, and to forthwith produce such books and papers,  
24 before the electoral board at a place to be fixed by the  
25 court. If such person shall knowingly fail or refuse to obey  
26 such order of the court without lawful excuse, the court  
27 shall punish him or her by fine and imprisonment, as the  
28 nature of the case may require and may be lawful in cases of  
29 contempt of court.

30 The electoral board on the first day of its meeting shall  
31 adopt rules of procedure for the introduction of evidence and  
32 the presentation of arguments and may, in its discretion,  
33 provide for the filing of briefs by the parties to the  
34 objection or by other interested persons.

1           In the event of a State Electoral Board hearing on  
2 objections to a petition for an amendment to Article IV of  
3 the Constitution pursuant to Section 3 of Article XIV of the  
4 Constitution, or to a petition for a question of public  
5 policy to be submitted to the voters of the entire State, the  
6 certificates of the county clerks and boards of election  
7 commissioners showing the results of the random sample of  
8 signatures on the petition shall be prima facie valid and  
9 accurate, and shall be presumed to establish the number of  
10 valid and invalid signatures on the petition sheets reviewed  
11 in the random sample, as prescribed in Section 28-11 and  
12 28-12 of this Code. Either party, however, may introduce  
13 evidence at such hearing to dispute the findings as to  
14 particular signatures. In addition to the foregoing, in the  
15 absence of competent evidence presented at such hearing by a  
16 party substantially challenging the results of a random  
17 sample, or showing a different result obtained by an  
18 additional sample, this certificate of a county clerk or  
19 board of election commissioners shall be presumed to  
20 establish the ratio of valid to invalid signatures within the  
21 particular election jurisdiction.

22           The electoral board shall take up the question as to  
23 whether or not the certificate of nomination or nomination  
24 papers or petitions are in proper form, and whether or not  
25 they were filed within the time and under the conditions  
26 required by law, and whether or not they are the genuine  
27 certificate of nomination or nomination papers or petitions  
28 which they purport to be, and whether or not in the case of  
29 the certificate of nomination in question it represents  
30 accurately the decision of the caucus or convention issuing  
31 it, and in general shall decide whether or not the  
32 certificate of nomination or nominating papers or petitions  
33 on file are valid or whether the objections thereto should be  
34 sustained and the decision of a majority of the electoral

1 board shall be final subject to judicial review as provided  
2 in Section 10-10.1. The electoral board must state its  
3 findings in writing and must state in writing which  
4 objections, if any, it has sustained.

5 Upon the expiration of the period within which a  
6 proceeding for judicial review must be commenced under  
7 Section 10--10.1, the electoral board shall, unless a  
8 proceeding for judicial review has been commenced within such  
9 period, transmit, by registered or certified mail, a  
10 certified copy of its ruling, together with the original  
11 certificate of nomination or nomination papers or petitions  
12 and the original objector's petition, to the officer or board  
13 with whom the certificate of nomination or nomination papers  
14 or petitions, as objected to, were on file, and such officer  
15 or board shall abide by and comply with the ruling so made to  
16 all intents and purposes.

17 (Source: P.A. 91-285, eff. 1-1-00.)

18 (10 ILCS 5/21-2) (from Ch. 46, par. 21-2)

19 Sec. 21-2. Within 48 hours after the election, the  
20 county clerk must transmit, by facsimile, e-mail, or other  
21 electronic means, a preliminary statement to the State Board  
22 of Elections. Within 72 hours after the close of the  
23 election, the State Board must conduct a preliminary canvass  
24 under Section 22-7.5 to determine if a recount is necessary.

25 The county clerks of the several counties shall, within 8  
26 days next after holding the election named in subsection (1)  
27 of Section 2A-1.2 and Section 2A-2 make 2 copies of the  
28 abstract of the votes cast for electors by each political  
29 party or group, as indicated by the voter, as aforesaid, by a  
30 cross in the square to the left of the bracket aforesaid, or  
31 as indicated by a cross in the appropriate place preceding  
32 the appellation or title of the particular political party or  
33 group, and transmit by mail one of the copies to the office

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

28 (Source: P.A. 84-861.)

29 (10 ILCS 5/22-1) (from Ch. 46, par. 22-1)

30 Sec. 22-1. Abstracts of votes. Within 48 hours after  
31 the election, but in no case later than 7 days after the  
32 close of the election at which candidates for offices  
33 hereinafter named in this Section are voted upon, the

1 election authorities county---clerks--of--the--respective  
 2 counties, with the assistance of the chairmen of the county  
 3 central committees of the Republican and Democratic parties  
 4 of the county, shall open the returns and make abstracts of  
 5 the votes votes for each office or question voted on at the  
 6 election. on a separate sheet for each of the following:

- 7 A.--For Governor and Lieutenant Governor;
- 8 B.--For State officers;
- 9 C.--For presidential electors;
- 10 D.--For United States Senators and Representatives to  
 11 Congress;
- 12 E.--For judges of the Supreme Court;
- 13 F.--For judges of the Appellate Court;
- 14 G.--For judges of the circuit court;
- 15 H.--For Senators and Representatives to the General  
 16 Assembly;
- 17 I.--For State's Attorneys elected from 2 or more  
 18 counties;
- 19 J.--For amendments to the Constitution, and for other  
 20 propositions submitted to the electors of the entire State;
- 21 K.--For county officers and for propositions submitted to  
 22 the electors of the county only;
- 23 L.--For Regional Superintendent of Schools;
- 24 M.--For trustees of Sanitary Districts; and
- 25 N.--For Trustee of a Regional Board of School Trustees.

26 Multiple originals of each of the sheets shall be  
 27 prepared and one of each shall be immediately turned over to  
 28 the chairman of the county central committee of each of the  
 29 then existing established political parties, as defined in  
 30 Section 10-2, or his duly authorized representative  
 31 immediately after the completion of the entries on the sheets  
 32 and before the totals have been compiled.

33 Within 48 hours after the election, the county clerk must  
 34 transmit, by facsimile, e-mail, or other electronic means, a

1 preliminary abstract of votes for State Officers, Senators  
 2 and Representatives of the General Assembly, Judges of the  
 3 Supreme, Appellate, and Circuit Courts, and United State  
 4 Senators and Representatives of Congress to the State Board  
 5 of Elections. Within 72 hours after the election, the State  
 6 Board must conduct a preliminary canvass under Section 22-7.5  
 7 to determine if a recount is necessary.

8 The foregoing abstracts shall be preserved by the  
 9 election authority county-clerk in its his office.

10 Whenever any ~~county-chairman--is--also~~ county clerk or  
 11 whenever any county chairman is unable to canvass the vote,  
 12 ~~serve-as-a-member-of-such-canvassing-board~~ the deputy county  
 13 clerk or a designee of the county clerk or deputy county  
 14 clerk vice-chairman--or--secretary--of--his--county--central  
 15 committee, in that order, shall serve in his or her place as  
 16 ~~member--of--such--canvassing-board;~~ provided, that if none of  
 17 ~~these-persons-is-able--to--serve,~~ the ~~county--chairman--may~~  
 18 ~~appoint--a-member-of-his-county-central-committee-to-serve-as~~  
 19 ~~a-member-of-such-canvassing-board.~~

20 The powers and duties of the the election authority  
 21 canvassing the votes ~~county-canvassing-board~~ are limited to  
 22 those specified in this Section. ~~In--no--event--shall--such~~  
 23 ~~canvassing--board--open-any-package-in-which-the-ballets-have~~  
 24 ~~been--wrapped--or--any--envelope--containing--"defective"--or~~  
 25 ~~"objected-to"-ballets,~~ or in any manner undertake to examine  
 26 ~~the--ballets--used--in--the--election,~~ except as provided in  
 27 ~~Section-22-9.1-or-when-directed-by-a--court--in--an--election~~  
 28 ~~contest.~~ ~~Nor shall such canvassing board call in the precinct~~  
 29 ~~judges--of--election--or-any-other-persons-to-open-or-recount~~  
 30 ~~the-ballets.~~

31 (Source: P.A. 89-5, eff. 1-1-96.)

32 (10 ILCS 5/22-7.5 new)

33 Sec. 22-7.5. Preliminary canvass.



1       (a) The State Board of Elections must conduct a  
2 preliminary canvass of the returns for candidates for State  
3 offices, Senators and Representatives of the General  
4 Assembly, judges of the Supreme, Appellate, and Circuit  
5 Courts, and United States Senators and Representatives of  
6 Congress. The preliminary canvass must be conducted in the  
7 same manner as canvasses under Section 22-7.

8       The results of the preliminary canvass shall be used to  
9 determine whether or not a recount must be conducted under  
10 Section 22-7.10.

11       If the State Board determines that a recount is  
12 necessary, the original canvass of the votes may not be  
13 considered final until the recount is finished.

14       (b) Except for a preliminary canvass conducted under  
15 subsection (a), each election authority must determine from  
16 the results of the canvass of the votes if a recount is  
17 necessary under Section 22-7.10. If an election authority  
18 determines that a recount is necessary the original canvass  
19 may not be considered final until the recount is finished.

20       (10 ILCS 5/22-7.10 new)

21       Sec. 22-7.10. Automatic recount. If the preliminary  
22 canvass by the State Board of Elections or canvass by an  
23 election authority shows that a candidate has a margin of  
24 victory of, or if a referendum is approved by, less than 1%  
25 of the votes cast for the nomination or office that the  
26 candidate is seeking, or for the approval of the referendum,  
27 the votes must be recounted as quickly as possible after the  
28 date of the election. Ballots, voting machines, or ballot  
29 cards, as the case may be, must be examined, any automatic  
30 tabulating equipment must be tested, and ballots, recorded  
31 votes, or ballot cards, as the case may be, must be counted  
32 in specified precincts within the entire area in which the  
33 votes were cast. The recount must include a hand count of all

1 punch or computer card ballots; provided, however, that only  
2 those computer card ballots that did not register a vote on  
3 the computer shall be counted by hand. The State Board of  
4 Elections must adopt uniform standards for the counting of  
5 ballots by hand, including what indications of voter intent  
6 are to be counted and recorded. The results of the recount  
7 shall be used to determine the winning candidate or whether  
8 the referendum was approved.

9 In conducting a recount, any and all materials relevant  
10 to the election may be examined. Candidates for any race  
11 being recounted, and proponents and opponents of any  
12 referendum being recounted, and a reasonable number of their  
13 assistants, are entitled to attend the recount and to observe  
14 all recount activities.

15 (10 ILCS 5/22-8) (from Ch. 46, par. 22-8)

16 Sec. 22-8. In municipalities operating under Article 6 of  
17 this Act, within 48 hours after the election, the board of  
18 election commissioners must transmit, by facsimile, e-mail,  
19 or other electronic means, a preliminary abstract or  
20 statement of votes to the State Board of Elections. The  
21 State Board of Elections must conduct a preliminary canvass  
22 of the returns for State Officers, Senators and  
23 Representatives of the General Assembly, judges of the  
24 Supreme, Appellate, and Circuit Courts, and United States  
25 Senators and Representatives to determine whether or not a  
26 recount is needed. Within 48 hours after the election, but in  
27 any case no later than 7 days after the close of such  
28 election, a judge of the circuit court, with the assistance  
29 of the city attorney and the board of election commissioners,  
30 who are hereby declared a canvassing board for such city,  
31 shall open all returns left respectively, with the election  
32 commissioners, the county clerk, and city comptroller, and  
33 shall make abstracts or statements of the votes for all

1 offices and questions voted on at the election in the  
2 following manner, as the case may require, viz: All votes for  
3 Governor and Lieutenant Governor on one sheet; all votes for  
4 other State officers on another sheet; all votes for  
5 presidential electors on another sheet; all votes for United  
6 States Senators and Representatives to Congress on another  
7 sheet; all votes for judges of the Supreme Court on another  
8 sheet; all votes for judges of the Appellate Court on another  
9 sheet; all votes for Judges of the Circuit Court on another  
10 sheet; all votes for Senators and Representatives to the  
11 General Assembly on another sheet; all votes for State's  
12 Attorneys where elected from 2 or more counties on another  
13 sheet; all votes for County Officers on another sheet; all  
14 votes for City Officers on another sheet; all votes for Town  
15 Officers on another sheet; and all votes for any other office  
16 on a separate and appropriate sheet; all votes for any  
17 proposition which may be submitted to a vote of the people,  
18 on another sheet, and all votes against any proposition,  
19 submitted to a vote of the people, on another sheet.

20 Multiple originals of each of the sheets shall be  
21 prepared and one of each shall be immediately turned over to  
22 the chairman of the county central committee of each of the  
23 then existing established political parties, as defined in  
24 Section 10-2, or his duly authorized representative  
25 immediately after the completion of the entries on the sheets  
26 and before the totals have been compiled.

27 (Source: P.A. 77-2626.)

28 (10 ILCS 5/22-9) (from Ch. 46, par. 22-9)

29 Sec. 22-9. It shall be the duty of the election authority  
30 such Board of Canvassers to canvass, and add up and declare  
31 the result of every election hereafter held within the  
32 boundaries of such city, village or incorporated town,  
33 operating under Article 6 of this Act, and the election

1 authority shall file judge--of--the--circuit--court--shall  
 2 thereupon--enter--of--record--such--abstract--and--result, and a  
 3 certified copy of the such record shall--thereupon--be--filed  
 4 with the County Clerk of the county; and such abstracts or  
 5 results shall be treated, by the County Clerk in all  
 6 respects, as if made by the election authority Canvassing  
 7 Board now provided by the foregoing sections of this law, and  
 8 he shall transmit the same, by facsimile, e-mail, or any  
 9 other electronic means, to the State Board of Elections, or  
 10 other proper officer, as required hereinabove. And such  
 11 abstracts or results so entered--and declared by--such--judge,  
 12 and a certified copy thereof, shall be treated everywhere  
 13 within the state, and by all public officers, with the same  
 14 binding force and effect as the abstract of votes now  
 15 authorized by the foregoing provisions of this Act.

16 (Source: P.A. 78-918.)

17 (10 ILCS 5/22-9.1) (from Ch. 46, par. 22-9.1)

18 Sec. 22-9.1. Within 5 days after the last day for  
 19 proclamation of the results of any canvass declaring persons  
 20 nominated, elected or declared eligible for a runoff election  
 21 for any office or declaring the adoption or rejection of a  
 22 question of public policy, the following persons may file a  
 23 petition for discovery:

24 (a) any candidate who, ~~in the entire area in which votes~~  
 25 ~~may be cast for the office--for--which--he--is--a--candidate,~~  
 26 ~~received--votes--equal--in--number--to--at--least--95%--of--the--number~~  
 27 ~~of--votes--cast--for--any--successful--candidate--for--the--same~~  
 28 ~~office;~~ and

29 (b) any 5 electors of the same area within which votes  
 30 may be cast on a question of public policy, if the results of  
 31 the canvass are such that the losing side on the question  
 32 would have been the prevailing side had it received an  
 33 additional number of votes equal to 5% of the total number of

1 votes cast on the question.

2 A petition under this Section shall be filed with the  
3 election authority for purposes of discovery only. The  
4 petition shall ask that ballots, voting machines, or ballot  
5 cards as the case may be shall be examined, that any  
6 automatic tabulating equipment shall be tested, and that  
7 ballots, recorded votes, or ballot cards as the case may be  
8 shall be counted in specified precincts, not exceeding 25%  
9 of the total number of precincts within the jurisdiction of  
10 the election authority. Where there are fewer than 4  
11 precincts under the jurisdiction of the election authority  
12 and within the area in which votes could be cast in the  
13 election in connection with which the petition has been  
14 filed, discovery shall be permitted in one of such precincts.

15 A petition filed under this Section shall be accompanied  
16 by the payment of a fee of \$25 \$10.00 per precinct specified.  
17 All such fees shall be paid by the election authority into  
18 the county or city treasury, as the case may be.

19 Upon receipt of such petition the county canvassing board  
20 or board of election commissioners shall reconvene. Where a  
21 local canvassing board, as provided in Section 22-17, has  
22 jurisdiction, the election authority shall notify the  
23 chairman of such board who shall reconvene such board in the  
24 office of the election authority or other location designated  
25 by the election authority.

26 After 3 days notice in writing to all other candidates  
27 the successful candidate for the same office or, in the case  
28 of a question of public policy, such notice as will  
29 reasonably inform interested persons of the time and place of  
30 the discovery proceedings, the election authority such board  
31 shall examine any and all materials relevant to the election  
32 the ballots, voting machines, ballot cards, voter affidavits  
33 and applications for ballot, test the automatic tabulating  
34 equipment, and count the ballots, recorded votes, and ballot

1 eards in the specified election-districts-or precincts. At  
 2 the--request--of-any-candidate-entitled-to-participate-in-the  
 3 discovery-proceedings, the-election-authority-shall-also-make  
 4 available-for-examination-the-ballot-applications--and--voter  
 5 affidavits--for--the--specified--precincts. Each candidate  
 6 affected by such examination shall have the right to attend  
 7 the same in person or by his representative. In the case of  
 8 a question of public policy, the board shall permit an equal  
 9 number of acknowledged proponents and acknowledged opponents  
 10 to attend the examination.

11 On completion of the count of any ballots in each  
 12 district-or precinct, the ballots shall be secured and sealed  
 13 in the same manner required of judges of election by Sections  
 14 7-54 and 17-20 of the Election Code. The handling of the  
 15 ballots in accord with this Section shall not of itself  
 16 affect the admissibility in evidence of the ballots in any  
 17 other proceedings, either legislative or judicial.

18 The results of the examination and count shall not be  
 19 certified, used to amend or change the abstracts of the votes  
 20 previously completed, used to deny the successful candidate  
 21 for the same office his certificate of nomination or  
 22 election, nor used to change the previously declared result  
 23 of the vote on a question of public policy. Such count shall  
 24 not be binding in an election contest brought about under the  
 25 provisions of the Election Code, shall not be a prerequisite  
 26 to bringing such an election contest, shall not prevent the  
 27 bringing of such an election contest, nor shall it affect the  
 28 results of the canvass previously proclaimed.

29 (Source: P.A. 84-966.)

30 (10 ILCS 5/22-12) (from Ch. 46, par. 22-12)

31 Sec. 22-12. In the canvass of such votes by the election  
 32 authority canvassing-board, provided in section 22-8 hereof,  
 33 the election authority said--board shall declare who is

1 elected to any city or town office. In the case of a tie in  
2 the election to any city, or to any office voted for only  
3 within the territory of such city, it shall be determined by  
4 lot, in such manner as such canvassers shall direct, which  
5 candidate or candidates shall hold the office, and thereupon  
6 the person in whose favor it shall result, shall be declared  
7 elected by the order entered in the court as aforesaid.

8 (Source: Laws 1967, p. 3843.)

9 (10 ILCS 5/22-15) (from Ch. 46, par. 22-15)

10 Sec. 22-15. The election authority county-clerk-or--board  
11 of-election-commissioners shall, upon request, and by mail if  
12 so requested, furnish free of charge to any candidate for any  
13 State office, including-State-Senator-and-Representative-in  
14 the-General-Assembly,--and--any--candidate--for--congressional  
15 office, whose name appeared upon the ballot within the  
16 jurisdiction of the election authority county-clerk-or--board  
17 of-election-commissioners, a copy of the abstract of votes by  
18 precinct for all candidates for the office for which such  
19 person was a candidate. Such abstract shall be furnished no  
20 later than 2 days after the receipt of the request or 8 days  
21 after the completing of the canvass, whichever is later.

22 Within 48 hours after the election, each election  
23 authority must transmit, by facsimile, e-mail, or other  
24 electronic means, to the principal office of the State Board  
25 of Elections copies of the preliminary abstracts of votes by  
26 precincts for all candidates for State offices, Senators and  
27 Representatives of the General Assembly, Judges of the  
28 Supreme, Appellate, and Circuit Courts, and United States  
29 Senators and Representatives of Congress.

30 Within 10 days following the canvass and proclamation of  
31 each general primary election and general election, each  
32 election authority shall transmit to the principal office of  
33 the State Board of Elections copies of the abstracts of votes

1 by precinct for the above-named offices and for the offices  
2 of ward, township, and precinct committeeman. Each election  
3 authority shall also transmit to the principal office of the  
4 State Board of Elections copies of current precinct poll  
5 lists.

6 (Source: P.A. 83-880.)

7 (10 ILCS 5/22-17) (from Ch. 46, par. 22-17)

8 Sec. 22-17. (a) Except as provided in subsection (b),  
9 the canvass of votes cast at the nonpartisan and consolidated  
10 election elections shall be conducted by the election  
11 authority within 48 hours after the election, but in any case  
12 not later than following canvassing boards within 7 days  
13 after the close of such elections.†

14 1. For city offices, by the mayor, the city  
15 attorney and the city clerk.

16 2. For village and incorporated town offices, by  
17 the president of the board of trustees, one member of the  
18 board of trustees, and the village or incorporated town  
19 clerk.

20 3. For township offices, by the township  
21 supervisor, the eligible town trustee elected in the  
22 township who has the longest term of continuous service  
23 as town trustee, and the township clerk.

24 4. For road district offices, by the highway  
25 commissioner and the road district clerk.

26 5. For school district or community college  
27 district offices, by the school or community college  
28 district board.

29 6. For special district elected offices, by the  
30 board of the special district.

31 7. For multi-county educational service region  
32 offices, by the regional board of school trustees.

33 8. For township trustee of schools or land



1 commissioner, by the township trustees of schools or land  
2 commissioners.

3 9. For park district offices, by the president of  
4 the park board, one member of the board of park  
5 commissioners and the secretary of the park district.

6 10. For multi-township assessment districts, by the  
7 chairman, clerk, and assessor of the multi-township  
8 assessment district.

9 (b) The board of election commissioners as city  
10 canvassing board provided in Section 22-8 shall canvass the  
11 votes cast at the nonpartisan and consolidated election  
12 elections for offices of any political subdivision entirely  
13 within the jurisdiction of a municipal board of election  
14 commissioners.

15 (c) The canvass of votes cast upon any public questions  
16 submitted to the voters of any political subdivision, or any  
17 precinct or combination of precincts within a political  
18 subdivision, at any regular election or at any emergency  
19 referendum election, including votes cast by voters outside  
20 of the political subdivision where the question is for  
21 annexation thereto, shall be canvassed by the same election  
22 authority board provided for in this Section for the canvass  
23 of votes of the officers of such political subdivision.  
24 However, referenda conducted throughout a county and  
25 referenda of sanitary districts whose officers are elected at  
26 general elections shall be canvassed by the county clerk  
27 county canvassing board. The votes cast on a public question  
28 for the formation of a political subdivision shall be  
29 canvassed by the relevant election authority and filed with  
30 the circuit court that ordered the question submitted, or by  
31 such officers of the court as may be appointed for such  
32 purpose, except where in the formation or reorganization of a  
33 school district or districts the regional superintendent of  
34 schools is designated by law as the canvassing official.

1 (d) The canvass of votes for offices of political  
 2 subdivisions cast at special elections to fill vacancies held  
 3 on the day of any regular election shall be conducted by the  
 4 election authority that canvassing-board-which is responsible  
 5 for canvassing the votes at the regularly scheduled election  
 6 for such office.

7 (Source: P.A. 87-738; 87-1052.)

8 (10 ILCS 5/22-18) (from Ch. 46, par. 22-18)

9 Sec. 22-18. The canvass of votes and the proclamation of  
 10 results by the election authority local-canvassing-boards  
 11 provided in Section 22-17 shall be conducted in accordance  
 12 with the procedures and requirements otherwise provided in  
 13 this Article. Each ~~local-canvassing-board~~ shall immediately  
 14 transmit A signed copy or original duplicate of its completed  
 15 abstract of votes must be transmitted to each election  
 16 authority having jurisdiction over any of the territory of  
 17 the respective political subdivision, and transmitted, by  
 18 facsimile, e-mail, or any other electronic means, to the  
 19 State Board of Elections in the same manner as provided in  
 20 Section 22-5.

21 The county clerk shall make out a certificate of election  
 22 to each person declared elected to an office by the election  
 23 authorities ~~such--local-canvassing-boards~~, and transmit such  
 24 certificate to the person so entitled, upon his application.  
 25 For political subdivisions whose territory extends into more  
 26 than one county, the certificates of election shall be issued  
 27 by the county clerk of the county which contains the  
 28 principal office of the political subdivision.

29 Whenever an election authority ~~a---canvassing---board~~  
 30 canvasses the votes cast upon a public question submitted to  
 31 referendum pursuant to a court order, the election authority  
 32 ~~board~~ shall immediately transmit a signed copy or an original  
 33 duplicate of its completed abstract of the votes to the court

1 which ordered the referendum.

2 (Source: P.A. 81-1050.)

3 (10 ILCS 5/23-1.8a) (from Ch. 46, par. 23-1.8a)

4 Sec. 23-1.8a. Election contest - Statewide - Procedures  
5 for recount and initial hearing. In all cases for which the  
6 Supreme Court finds it appropriate that there be conducted a  
7 ~~recount-or-partial-recount-of-ballots-east--in--any--election~~  
8 ~~jurisdiction,~~--or a hearing regarding the conduct of the  
9 election within any election jurisdiction, the Supreme Court  
10 shall, in consultation with the Chief Judge of the Judicial  
11 Circuit in which each such election jurisdiction is located,  
12 assign a Circuit Judge of that Judicial circuit to preside  
13 over the ~~recount--or~~ hearing. If more than one election  
14 jurisdiction within a single Judicial circuit is subject to  
15 ~~recount--or~~ hearing, the Supreme Court may assign a different  
16 Circuit Judge to preside over the ~~recount-or~~ hearing for each  
17 such election jurisdiction. The State Board of Elections  
18 must be appointed to conduct any necessary recount of ballots  
19 or votes conducted under the direction of the Supreme Court  
20 or the the Circuit Judge.

21 Each Circuit Judge appointed pursuant to this Section  
22 shall supervise the examination of the records or equipment  
23 of the election authority whose jurisdiction is subject to  
24 the ~~recount--or~~ hearing, and shall take evidence in the same  
25 manner and upon like notice as in other civil cases. At the  
26 conclusion of the recount or hearing, the Circuit Judge shall  
27 make a recommendation as to the assessment of the costs of  
28 any examination of records and equipment of the election  
29 authority against the party requesting the examination;  
30 provided that such recommendation shall not call for the  
31 assessment of more than \$50 per precinct. If one party  
32 requests the right to examine some but not all records and  
33 equipment in one precinct and another party requests the

1 right to examine other records or equipment in the same  
 2 precinct, the Circuit Judge shall recommend an appropriate  
 3 apportionment of the costs between the parties. During any  
 4 recount or hearing presided over by a Circuit Judge, or the  
 5 State Board of Elections, pursuant to this Section the  
 6 Supreme Court shall retain jurisdiction over the contest, and  
 7 may issue procedural orders or interim rulings regarding the  
 8 recount or hearing, either upon motion of a party or upon its  
 9 own motion.

10 (Source: P.A. 86-873.)

11 (10 ILCS 5/23-1.9a) (from Ch. 46, par. 23-1.9a)

12 Sec. 23-1.9a. Election contest - Statewide - Recommended  
 13 findings of State Board of Elections or Circuit Judge. Each  
 14 recount or hearing presided over by the State Board of  
 15 Elections or a Circuit Judge pursuant to Section 23-1.8a and  
 16 23-1.8b shall be concluded as soon as possible after the  
 17 election  ~~,--as-to-a-general-election,-on-or-before-the-150th~~  
 18 ~~day-after-the-election,-and,-as-to-a-primary-election,-on--or~~  
 19 ~~before--the-87th-day-after-the-election,~~ by the State Board's  
 20 or Circuit Judge's issuance of written Recommended Findings  
 21 of Fact on all disputed issues, including a proposed  
 22 statement of the correct tally of votes for the contested  
 23 election in each election jurisdiction in question. The  
 24 Recommended Findings of Fact shall be forwarded immediately  
 25 to the Supreme Court.

26 (Source: P.A. 86-873.)

27 (10 ILCS 5/23-1.10a) (from Ch. 46, par. 23-1.10a)

28 Sec. 23-1.10a. Election contest - Statewide - Final  
 29 Decision by Supreme Court. Within 15 days of the issuance of  
 30 Recommended Findings of Fact by the State Board of Elections  
 31 or a Circuit Judge, any party may serve and file with the  
 32 Clerk of the Supreme Court written objections to the

1 Recommended Findings. Subsequent to the time that all  
 2 challenges to Recommended Findings of Fact by the State Board  
 3 of Elections or a Circuit Judge are required to be filed, the  
 4 Supreme Court shall determine the contest, either annulling  
 5 the contested election or declaring the correct results  
 6 thereof. The Supreme Court may make a de novo determination  
 7 of those portions of the Recommended Findings to which  
 8 objection is made. The Supreme Court may accept, reject, or  
 9 modify, in whole or in part, any of the findings recommended  
 10 by the State Board of Elections or a Circuit Judge, and may  
 11 hear witnesses and examine physical evidence to the extent it  
 12 deems necessary for such determination.

13 (Source: P.A. 86-873.)

14 (10 ILCS 5/22-1.2 rep.)

15 (10 ILCS 5/22-14 rep.)

16 Section 10. The Election Code is amended by repealing  
 17 Sections 22-1.2 and 22-14.

18 Section 15. The Revised Cities and Villages Act of 1941  
 19 is amended by changing Section 21-17 as follows:

20 (65 ILCS 20/21-27) (from Ch. 24, par. 21-27)

21 Sec. 21-27. Election contest-Complaint. Any candidate  
 22 whose name appears on the ballots used in any ward of the  
 23 city at any election for alderman, may contest the election  
 24 of the candidate who appears to be elected from such ward on  
 25 the face of the returns, or may contest the right of the  
 26 candidates who appear to have received the highest and second  
 27 highest number of votes to places on the official ballot at  
 28 any supplementary election in accordance with the Election  
 29 Code, ~~by filing within 5 days after such election with the~~  
 30 ~~Clerk of the Circuit Court of Cook County, a complaint in~~  
 31 ~~writing, verified by the candidate making the contest,~~

1 setting forth the grounds of the contest. The contestant in  
2 each contest shall also serve notice on all persons who were  
3 candidates for alderman of such ward at the election, within  
4 such 5 days, informing them that such complaint has been or  
5 will be filed. The Circuit Court of Cook County shall have  
6 jurisdiction to hear and determine such contest. All  
7 proceedings in relation to such contest after the filing of  
8 such complaint shall be the same, as near as may be, as  
9 provided for in the case of a contest at a primary election  
10 in such city. In case the court shall decide that the  
11 complaint is insufficient in law, or that the candidate who  
12 appears to have been elected on the face of the return has  
13 been duly elected, the complaint shall be dismissed. If it  
14 shall appear to the satisfaction of the court that the face  
15 of the returns are not correct, and that the candidate who  
16 appears thereby to have been elected was not in fact elected,  
17 then the candidates having the highest and second highest  
18 number of votes as determined by such contest shall be  
19 candidates at the subsequent supplementary election as  
20 provided for in section 21-26.

21 (Source: P.A. 83-334.)

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- 10 ILCS 5/7-63 from Ch. 46, par. 7-63
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