

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 7-10.2, 7-17, 8-8.1, 10-5.1, and 16-3 as follows:

6 (10 ILCS 5/7-10.2) (from Ch. 46, par. 7-10.2)

7 Sec. 7-10.2. In the designation of the name of a candidate
8 on a petition for nomination or certificate of nomination the
9 candidate's given name or names, initial or initials, a
10 nickname by which the candidate is commonly known, or a
11 combination thereof, may be used in addition to the candidate's
12 surname. If a candidate has changed his or her name, whether by
13 a statutory or common law procedure in Illinois or any other
14 jurisdiction, within 3 years before the last day for filing the
15 petition or certificate for that office, whichever is
16 applicable, then (i) the candidate's name on the petition or
17 certificate must be followed by "formerly known as (list all
18 prior names during the 3-year period) until name changed on
19 (list date of each such name change)" and (ii) the petition or
20 certificate must be accompanied by the candidate's affidavit
21 stating the candidate's previous names during the period
22 specified in (i) and the date or dates each of those names was
23 changed; failure to meet these requirements shall be grounds
24 for denying certification of the candidate's name for the
25 ballot or removing the candidate's name from the ballot, as
26 appropriate, but these requirements do not apply to name
27 changes resulting from adoption to assume an adoptive parent's
28 or parents' surname, marriage to assume a spouse's surname, or
29 dissolution of marriage or declaration of invalidity of
30 marriage to assume a former surname. No other designation such
31 as a political slogan, as defined by Section 7-17, title or
32 degree, or nickname suggesting or implying possession of a

1 title, degree or professional status, or similar information
2 may be used in connection with the candidate's surname, ~~except~~
3 ~~that the title "Mrs." may be used in the case of a married~~
4 ~~woman.~~

5 (Source: P.A. 93-574, eff. 8-21-03.)

6 (10 ILCS 5/7-17) (from Ch. 46, par. 7-17)

7 Sec. 7-17. Candidate ballot name procedures.

8 (a) Each election authority in each county shall cause to
9 be printed upon the general primary ballot of each party for
10 each precinct in his jurisdiction the name of each candidate
11 whose petition for nomination or for committeeman has been
12 filed in the office of the county clerk, as herein provided;
13 and also the name of each candidate whose name has been
14 certified to his office by the State Board of Elections, and in
15 the order so certified, except as hereinafter provided.

16 It shall be the duty of the election authority to cause to
17 be printed upon the consolidated primary ballot of each
18 political party for each precinct in his jurisdiction the name
19 of each candidate whose name has been certified to him, as
20 herein provided and which is to be voted for in such precinct.

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

1 specified in (i) and the date or dates each of those names was
2 changed; failure to meet these requirements shall be grounds
3 for denying certification of the candidate's name for the
4 ballot or removing the candidate's name from the ballot, as
5 appropriate, but these requirements do not apply to name
6 changes resulting from adoption to assume an adoptive parent's
7 or parents' surname, marriage to assume a spouse's surname, or
8 dissolution of marriage or declaration of invalidity of
9 marriage to assume a former surname. No other designation such

10 as a political slogan, title, or degree, or nickname suggesting
11 or implying possession of a title, degree or professional
12 status, or similar information may be used in connection with
13 the candidate's surname, ~~except that the title "Mrs." may be~~
14 ~~used in the case of a married woman.~~ For purposes of this
15 Section, a "political slogan" is defined as any word or words
16 expressing or connoting a position, opinion, or belief that the
17 candidate may espouse, including but not limited to, any word
18 or words conveying any meaning other than that of the personal
19 identity of the candidate. A candidate may not use a political
20 slogan as part of his or her name on the ballot,
21 notwithstanding that the political slogan may be part of the
22 candidate's name.

23 (c) The State Board of Elections, a local election
24 official, or an election authority shall remove any candidate's
25 name designation from a ballot that is inconsistent with
26 subsection (b) of this Section. In addition, the State Board of
27 Elections, a local election official, or an election authority
28 shall not certify to any election authority any candidate name
29 designation that is inconsistent with subsection (b) of this
30 Section.

31 (d) If the State Board of Elections, a local election
32 official, or an election authority removes a candidate's name
33 designation from a ballot under subsection (c) of this Section,
34 then the aggrieved candidate may seek appropriate relief in
35 circuit court.

36 (Source: P.A. 93-574, eff. 8-21-03.)

1 (10 ILCS 5/8-8.1) (from Ch. 46, par. 8-8.1)

2 Sec. 8-8.1. In the designation of the name of a candidate
3 on a petition for nomination, the candidate's given name or
4 names, initial or initials, a nickname by which the candidate
5 is commonly known, or a combination thereof, may be used in
6 addition to the candidate's surname. If a candidate has changed
7 his or her name, whether by a statutory or common law procedure
8 in Illinois or any other jurisdiction, within 3 years before
9 the last day for filing the petition for that office, then (i)
10 the candidate's name on the petition must be followed by
11 "formerly known as (list all prior names during the 3-year
12 period) until name changed on (list date of each such name
13 change)" and (ii) the petition must be accompanied by the
14 candidate's affidavit stating the candidate's previous names
15 during the period specified in (i) and the date or dates each
16 of those names was changed; failure to meet these requirements
17 shall be grounds for denying certification of the candidate's
18 name for the ballot or removing the candidate's name from the
19 ballot, as appropriate, but these requirements do not apply to
20 name changes resulting from adoption to assume an adoptive
21 parent's or parents' surname, marriage to assume a spouse's
22 surname, or dissolution of marriage or declaration of
23 invalidity of marriage to assume a former surname. No other
24 designation such as a political slogan, title, or degree, or
25 nickname suggesting or implying possession of a title, degree
26 or professional status, or similar information may be used in
27 connection with the candidate's surname, ~~except that the title~~
28 ~~"Mrs." may be used in the case of a married woman.~~

29 (Source: P.A. 93-574, eff. 8-21-03.)

30 (10 ILCS 5/10-5.1) (from Ch. 46, par. 10-5.1)

31 Sec. 10-5.1. In the designation of the name of a candidate
32 on a certificate of nomination or nomination papers the
33 candidate's given name or names, initial or initials, a
34 nickname by which the candidate is commonly known, or a

1 combination thereof, may be used in addition to the candidate's
2 surname. If a candidate has changed his or her name, whether by
3 a statutory or common law procedure in Illinois or any other
4 jurisdiction, within 3 years before the last day for filing the
5 certificate of nomination or nomination papers for that office,
6 whichever is applicable, then (i) the candidate's name on the
7 certificate or papers must be followed by "formerly known as
8 (list all prior names during the 3-year period) until name
9 changed on (list date of each such name change)" and (ii) the
10 certificate or paper must be accompanied by the candidate's
11 affidavit stating the candidate's previous names during the
12 period specified in (i) and the date or dates each of those
13 names was changed; failure to meet these requirements shall be
14 grounds for denying certification of the candidate's name for
15 the ballot or removing the candidate's name from the ballot, as
16 appropriate, but these requirements do not apply to name
17 changes resulting from adoption to assume an adoptive parent's
18 or parents' surname, marriage to assume a spouse's surname, or
19 dissolution of marriage or declaration of invalidity of
20 marriage to assume a former surname. No other designation such
21 as a political slogan, title, or degree, or nickname suggesting
22 or implying possession of a title, degree or professional
23 status, or similar information may be used in connection with
24 the candidate's surname, ~~except that the title "Mrs." may be~~
25 ~~used in the case of a married woman.~~

26 (Source: P.A. 93-574, eff. 8-21-03.)

27 (10 ILCS 5/16-3) (from Ch. 46, par. 16-3)

28 Sec. 16-3. (a) The names of all candidates to be voted for
29 in each election district or precinct shall be printed on one
30 ballot, except as is provided in Sections 16-6.1 and 21-1.01 of
31 this Act and except as otherwise provided in this Act with
32 respect to the odd year regular elections and the emergency
33 referenda; all nominations of any political party being placed
34 under the party appellation or title of such party as
35 designated in the certificates of nomination or petitions. The

1 names of all independent candidates shall be printed upon the
2 ballot in a column or columns under the heading "independent"
3 arranged under the names or titles of the respective offices
4 for which such independent candidates shall have been nominated
5 and so far as practicable, the name or names of any independent
6 candidate or candidates for any office shall be printed upon
7 the ballot opposite the name or names of any candidate or
8 candidates for the same office contained in any party column or
9 columns upon said ballot. The ballot shall contain no other
10 names, except that in cases of electors for President and
11 Vice-President of the United States, the names of the
12 candidates for President and Vice-President may be added to the
13 party designation and words calculated to aid the voter in his
14 choice of candidates may be added, such as "Vote for one,"
15 "Vote for three." When an electronic voting system is used
16 which utilizes a ballot label booklet, the candidates and
17 questions shall appear on the pages of such booklet in the
18 order provided by this Code; and, in any case where candidates
19 for an office appear on a page which does not contain the name
20 of any candidate for another office, and where less than 50% of
21 the page is utilized, the name of no candidate shall be printed
22 on the lowest 25% of such page. On the back or outside of the
23 ballot, so as to appear when folded, shall be printed the words
24 "Official Ballot", followed by the designation of the polling
25 place for which the ballot is prepared, the date of the
26 election and a facsimile of the signature of the election
27 authority who has caused the ballots to be printed. The ballots
28 shall be of plain white paper, through which the printing or
29 writing cannot be read. However, ballots for use at the
30 nonpartisan and consolidated elections may be printed on
31 different color paper, except blue paper, whenever necessary or
32 desirable to facilitate distinguishing between ballots for
33 different political subdivisions. In the case of nonpartisan
34 elections for officers of a political subdivision, unless the
35 statute or an ordinance adopted pursuant to Article VII of the
36 Constitution providing the form of government therefor

1 requires otherwise, the column listing such nonpartisan
2 candidates shall be printed with no appellation or circle at
3 its head. The party appellation or title, or the word
4 "independent" at the head of any column provided for
5 independent candidates, shall be printed in letters not less
6 than one-fourth of an inch in height and a circle one-half inch
7 in diameter shall be printed at the beginning of the line in
8 which such appellation or title is printed, provided, however,
9 that no such circle shall be printed at the head of any column
10 or columns provided for such independent candidates. The names
11 of candidates shall be printed in letters not less than
12 one-eighth nor more than one-fourth of an inch in height, and
13 at the beginning of each line in which a name of a candidate is
14 printed a square shall be printed, the sides of which shall be
15 not less than one-fourth of an inch in length. However, the
16 names of the candidates for Governor and Lieutenant Governor on
17 the same ticket shall be printed within a bracket and a single
18 square shall be printed in front of the bracket. The list of
19 candidates of the several parties and any such list of
20 independent candidates shall be placed in separate columns on
21 the ballot in such order as the election authorities charged
22 with the printing of the ballots shall decide; provided, that
23 the names of the candidates of the several political parties,
24 certified by the State Board of Elections to the several county
25 clerks shall be printed by the county clerk of the proper
26 county on the official ballot in the order certified by the
27 State Board of Elections. Any county clerk refusing, neglecting
28 or failing to print on the official ballot the names of
29 candidates of the several political parties in the order
30 certified by the State Board of Elections, and any county clerk
31 who prints or causes to be printed upon the official ballot the
32 name of a candidate, for an office to be filled by the Electors
33 of the entire State, whose name has not been duly certified to
34 him upon a certificate signed by the State Board of Elections
35 shall be guilty of a Class C misdemeanor.

36 (b) When an electronic voting system is used which utilizes

1 a ballot card, on the inside flap of each ballot card envelope
 2 there shall be printed a form for write-in voting which shall
 3 be substantially as follows:

4 WRITE-IN VOTES

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

7 _____
 8 Title of Office
 9 () _____
 10 Name of Candidate

11 (c) When an electronic voting system is used which uses a
 12 ballot sheet, the instructions to voters on the ballot sheet
 13 shall refer the voter to the card of instructions for specific
 14 information on write-in voting. Below each office appearing on
 15 such ballot sheet there shall be a provision for the casting of
 16 a write-in vote.

17 (d) When such electronic system is used, there shall be
 18 printed on the back of each ballot card, each ballot card
 19 envelope, and the first page of the ballot label when a ballot
 20 label is used, the words "Official Ballot," followed by the
 21 number of the precinct or other precinct identification, which
 22 may be stamped, in lieu thereof and, as applicable, the number
 23 and name of the township, ward or other election district for
 24 which the ballot card, ballot card envelope, and ballot label
 25 are prepared, the date of the election and a facsimile of the
 26 signature of the election authority who has caused the ballots
 27 to be printed. The back of the ballot card shall also include a
 28 method of identifying the ballot configuration such as a
 29 listing of the political subdivisions and districts for which
 30 votes may be cast on that ballot, or a number code identifying
 31 the ballot configuration or color coded ballots, except that
 32 where there is only one ballot configuration in a precinct, the
 33 precinct identification, and any applicable ward
 34 identification, shall be sufficient. Ballot card envelopes
 35 used in punch card systems shall be of paper through which no
 36 writing or punches may be discerned and shall be of sufficient

1 length to enclose all voting positions. However, the election
2 authority may provide ballot card envelopes on which no
3 precinct number or township, ward or other election district
4 designation, or election date are preprinted, if space and a
5 preprinted form are provided below the space provided for the
6 names of write-in candidates where such information may be
7 entered by the judges of election. Whenever an election
8 authority utilizes ballot card envelopes on which the election
9 date and precinct is not preprinted, a judge of election shall
10 mark such information for the particular precinct and election
11 on the envelope in ink before tallying and counting any
12 write-in vote written thereon. If some method of insuring
13 ballot secrecy other than an envelope is used, such information
14 must be provided on the ballot itself.

15 (e) In the designation of the name of a candidate on the
16 ballot, the candidate's given name or names, initial or
17 initials, a nickname by which the candidate is commonly known,
18 or a combination thereof, may be used in addition to the
19 candidate's surname. If a candidate has changed his or her
20 name, whether by a statutory or common law procedure in
21 Illinois or any other jurisdiction, within 3 years before the
22 last day for filing the petition for nomination, nomination
23 papers, or certificate of nomination for that office, whichever
24 is applicable, then (i) the candidate's name on the ballot must
25 be followed by "formerly known as (list all prior names during
26 the 3-year period) until name changed on (list date of each
27 such name change)" and (ii) the petition, papers, or
28 certificate must be accompanied by the candidate's affidavit
29 stating the candidate's previous names during the period
30 specified in (i) and the date or dates each of those names was
31 changed; failure to meet these requirements shall be grounds
32 for denying certification of the candidate's name for the
33 ballot or removing the candidate's name from the ballot, as
34 appropriate, but these requirements do not apply to name
35 changes resulting from adoption to assume an adoptive parent's
36 or parents' surname, marriage to assume a spouse's surname, or

1 dissolution of marriage or declaration of invalidity of
2 marriage to assume a former surname. No other designation such
3 as a political slogan, title, or degree or nickname suggesting
4 or implying possession of a title, degree or professional
5 status, or similar information may be used in connection with
6 the candidate's surname, ~~except that the title "Mrs." may be~~
7 ~~used in the case of a married woman.~~ For purposes of this
8 Section, a "political slogan" is defined as any word or words
9 expressing or connoting a position, opinion, or belief that the
10 candidate may espouse, including but not limited to, any word
11 or words conveying any meaning other than that of the personal
12 identity of the candidate. A candidate may not use a political
13 slogan as part of his or her name on the ballot,
14 notwithstanding that the political slogan may be part of the
15 candidate's name.

16 (f) The State Board of Elections, a local election
17 official, or an election authority shall remove any candidate's
18 name designation from a ballot that is inconsistent with
19 subsection (e) of this Section. In addition, the State Board of
20 Elections, a local election official, or an election authority
21 shall not certify to any election authority any candidate name
22 designation that is inconsistent with subsection (e) of this
23 Section.

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

29 Where voting machines or electronic voting systems are
30 used, the provisions of this Section may be modified as
31 required or authorized by Article 24 or Article 24A, whichever
32 is applicable.

33 Nothing in this Section shall prohibit election
34 authorities from using or reusing ballot card envelopes which
35 were printed before the effective date of this amendatory Act
36 of 1985.

1 (Source: P.A. 92-178, eff. 1-1-02; 93-574, eff. 8-21-03.)