



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB1734

Introduced 1/28/2025, by Rep. Ryan Spain

SYNOPSIS AS INTRODUCED:

10 ILCS 5/21-1

from Ch. 46, par. 21-1

Specifies that the amendatory Act may be referred to as the Electoral College Equity Law. Amends the Election Code. Provides that electors of President and Vice President of the United States shall be chosen by congressional district. Provides that 2 electors at large shall cast their ballot for the Presidential and Vice Presidential candidate that received the highest number of votes in the State.

LRB104 10436 RLC 20511 b

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 1. References to Act. This Act may be referred to
5 as the Electoral College Equity Law.

6 Section 5. The Election Code is amended by changing
7 Section 21-1 as follows:

8 (10 ILCS 5/21-1) (from Ch. 46, par. 21-1)

9 Sec. 21-1. Choosing and election of electors of President
10 and Vice-President of the United States shall be in the
11 following manner:

12 (a) In each year in which a President and Vice-President
13 of the United States are chosen, each political party or group
14 in this State shall choose by its State Convention or State
15 central committee one elector ~~electors~~ and alternate electors
16 of President and Vice-President of the United States from each
17 congressional district and such State Convention or State
18 central committee of such party or group shall also choose 2
19 electors at large and alternate electors at large, if any are
20 to be appointed for this State and such State Convention or
21 State central committee of such party or group shall by its
22 chair and secretary certify the total list of such electors

1 and alternate electors together with electors at large and
2 alternate electors at large so chosen to the State Board of
3 Elections.

4 The filing of such certificate with the Board, of such
5 choosing of electors and alternate electors shall be deemed
6 and taken to be the choosing and selection of the electors and
7 alternate electors for the individual congressional districts
8 of this State, if such party or group is successful at the
9 polls in the individual congressional district as herein
10 provided in choosing their candidates for President and
11 Vice-President of the United States.

12 (b) The names of the candidates of the several political
13 parties or groups for electors and alternate electors of
14 President and Vice-President shall not be printed on the
15 official ballot to be voted in the election to be held on the
16 day in this Act above named. In lieu of the names of the
17 candidates for such electors and alternate electors of
18 President and Vice-President, immediately under the
19 appellation of party name of a party or group in the column of
20 its candidates on the official ballot, to be voted at said
21 election first above named in subsection (1) of Section 2A-1.2
22 and Section 2A-2, there shall be printed within a bracket the
23 name of the candidate for President and the name of the
24 candidate for Vice-President of such party or group with a
25 square to the left of such bracket. Each voter in this State
26 from the several lists or sets of electors and alternate

1 electors so chosen and selected by the said respective
2 political parties or groups, may choose and elect an elector
3 ~~one of such lists or sets of electors~~ and alternate electors by
4 placing a cross in the square to the left of the bracket
5 aforesaid of one of such parties or groups. Placing a cross
6 within the square before the bracket enclosing the names of
7 President and Vice-President shall not be deemed and taken as
8 a direct vote for such candidates for President and
9 Vice-President, or either of them, but shall only be deemed
10 and taken to be a vote for the elector ~~entire list or set of~~
11 ~~electors~~ and alternate electors chosen by that political party
12 or group for that congressional district so certified to the
13 State Board of Elections as herein provided. Voting by means
14 of placing a cross in the appropriate place preceding the
15 appellation or title of the particular political party or
16 group, shall not be deemed or taken as a direct vote for the
17 candidates for President and Vice-President, or either of
18 them, but instead to the Presidential vote, as a vote for the
19 elector ~~entire list or set of electors~~ and alternate electors
20 chosen by that political party or group so certified to the
21 State Board of Elections as herein provided.

22 (c) Such certification by the respective political parties
23 or groups in this State of electors and alternate electors of
24 President and Vice-President shall be made to the State Board
25 of Elections within 2 days after such State convention or
26 meeting of the State central committee in which the electors

1 and alternate electors were chosen.

2 (d) Should more than one certificate of choice and
3 selection of electors and alternate electors of the same
4 political party or group be filed by contesting conventions or
5 contesting groups, it shall be the duty of the State Board of
6 Elections within 10 days after the adjournment of the last of
7 such conventions to meet and determine which set of nominees
8 for electors and alternate electors of such party or group was
9 chosen and selected by the authorized convention of such party
10 or group. The Board, after notice to the chair and secretaries
11 or managers of the conventions or groups and after a hearing
12 shall determine which elector ~~set of electors~~ and alternate
13 electors was so chosen for each congressional district by the
14 authorized convention and shall so announce and publish the
15 fact, and such decision shall be final and the set of electors
16 and alternate electors so determined upon by the electoral
17 board to be so chosen shall be the list or set of electors and
18 alternate electors to be deemed elected if that party shall be
19 successful at the polls in each congressional district, as
20 herein provided.

21 (e) Should a vacancy occur in the office of elector, such
22 vacancy shall be filled in accordance with Section 25 of the
23 Uniform Faithful Presidential Electors Act.

24 (f) Each congressional district presidential elector shall
25 cast his or her ballot for the Presidential and Vice
26 Presidential candidate who received the highest number of

1 votes in his or her congressional district. Each elector at
2 large shall cast his or her ballot for the Presidential and
3 Vice Presidential candidate who received the highest number of
4 votes in the State.

5 (Source: P.A. 103-600, eff. 7-1-24.)