



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

SB2241

Introduced 2/7/2025, by Sen. Sally J. Turner

SYNOPSIS AS INTRODUCED:

10 ILCS 5/7-61	from Ch. 46, par. 7-61
10 ILCS 5/10-3	from Ch. 46, par. 10-3
10 ILCS 5/17-16.1	from Ch. 46, par. 17-16.1
60 ILCS 1/45-50	

Amends the Election Code. Provides that a candidate seeking election to an office for which candidates of political parties are nominated by caucus who is a participant in the caucus and who has signed a petition of another established political party, a new political party, or an independent candidate is ineligible to be listed on the ballot at that general or consolidated election as a candidate of the political party holding the caucus. Makes conforming changes. Amends the Township Code. Provides that no participant shall be able to participate or vote at any township or multi-township caucus if the person signed a petition for a candidate of another established political party, a new political party, or an independent candidate at anytime during the 12 months before the caucus.

LRB104 09173 SPS 19229 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 5. The Election Code is amended by changing
5 Sections 7-61, 10-3, and 17-16.1 as follows:

6 (10 ILCS 5/7-61) (from Ch. 46, par. 7-61)

7 Sec. 7-61. Whenever a special election is necessary, the
8 provisions of this Article are applicable to the nomination of
9 candidates to be voted for at such special election.

10 In cases where a primary election is required, the officer
11 or board or commission whose duty it is under the provisions of
12 this Code relating to general elections to call an election
13 shall fix a date for the primary for the nomination of
14 candidates to be voted for at such special election. Notice of
15 such primary shall be given at least 15 days prior to the
16 maximum time provided for the filing of petitions for such a
17 primary as provided in Section 7-12.

18 Any vacancy in nomination under the provisions of this
19 Article 7 occurring on or after the primary and prior to
20 certification of candidates by the certifying board or officer
21 must be filled prior to the date of certification. Any vacancy
22 in nomination occurring after certification but prior to 15
23 days before the general election shall be filled within 8 days

1 after the event creating the vacancy. The resolution filling
2 the vacancy shall be sent by U. S. mail or personal delivery to
3 the certifying officer or board within 3 days of the action by
4 which the vacancy was filled; provided, if such resolution is
5 sent by mail and the U. S. postmark on the envelope containing
6 such resolution is dated prior to the expiration of such 3-day
7 limit, the resolution shall be deemed filed within such 3-day
8 limit. Failure to so transmit the resolution within the time
9 specified in this Section shall authorize the certifying
10 officer or board to certify the original candidate. Vacancies
11 shall be filled by the officers of a local municipal or
12 township political party as specified in subsection (h) of
13 Section 7-8, other than a statewide political party, that is
14 established only within a municipality or township and the
15 managing committee (or legislative committee in case of a
16 candidate for State Senator or representative committee in the
17 case of a candidate for State Representative in the General
18 Assembly or State central committee in the case of a candidate
19 for statewide office, including, but not limited to, the
20 office of United States Senator) of the respective political
21 party for the territorial area in which such vacancy occurs.

22 The resolution to fill a vacancy in nomination shall be
23 duly acknowledged before an officer qualified to take
24 acknowledgments of deeds and shall include, upon its face, the
25 following information:

26 (a) the name of the original nominee and the office

1 vacated;

2 (b) the date on which the vacancy occurred;

3 (c) the name and address of the nominee selected to
4 fill the vacancy and the date of selection.

5 The resolution to fill a vacancy in nomination shall be
6 accompanied by a Statement of Candidacy, as prescribed in
7 Section 7-10, completed by the selected nominee and a receipt
8 indicating that such nominee has filed a statement of economic
9 interests as required by the Illinois Governmental Ethics Act.

10 The provisions of Section 10-8 through 10-10.1 relating to
11 objections to certificates of nomination and nomination
12 papers, hearings on objections, and judicial review, shall
13 apply to and govern objections to resolutions for filling a
14 vacancy in nomination.

15 Any vacancy in nomination occurring 15 days or less before
16 the consolidated election or the general election shall not be
17 filled. In this event, the certification of the original
18 candidate shall stand and his name shall appear on the
19 official ballot to be voted at the general election.

20 A vacancy in nomination occurs when a candidate who has
21 been nominated under the provisions of this Article 7 dies
22 before the election (whether death occurs prior to, on or
23 after the day of the primary), or declines the nomination;
24 provided that nominations may become vacant for other reasons.

25 If the name of no established political party candidate
26 was printed on the consolidated primary ballot for a

1 particular office and if no person was nominated as a write-in
2 candidate for such office, a vacancy in nomination shall be
3 created which may be filled in accordance with the
4 requirements of this Section. Except as otherwise provided in
5 this Code, if the name of no established political party
6 candidate was printed on the general primary ballot for an
7 office nominated under this Article and if no person was
8 nominated as a write-in candidate for such office, a vacancy
9 in nomination shall be filled only by a person designated by
10 the appropriate committee of the political party and only if
11 that designated person files nominating petitions with the
12 number of signatures required for an established party
13 candidate for that office within 75 days after the day of the
14 general primary. The circulation period for those petitions
15 begins on the day the appropriate committee designates that
16 person. The person shall file his or her nominating petitions,
17 statements of candidacy, notice of appointment by the
18 appropriate committee, and receipt of filing his or her
19 statement of economic interests together. These documents
20 shall be filed at the same location as provided in Section
21 7-12. The electoral boards having jurisdiction under Section
22 10-9 to hear and pass upon objections to nominating petitions
23 also shall hear and pass upon objections to nomination
24 petitions filed by candidates under this paragraph.

25 A candidate for whom a nomination paper has been filed as a
26 partisan candidate at a primary election, and who is defeated

1 for his or her nomination at such primary election, is
2 ineligible to be listed on the ballot at that general or
3 consolidated election as a candidate of another political
4 party.

5 A candidate seeking election to an office for which
6 candidates of political parties are nominated by caucus who is
7 a participant in the caucus and who is defeated for his or her
8 nomination at such caucus is ineligible to be listed on the
9 ballot at that general or consolidated election as a candidate
10 of another political party.

11 A candidate seeking election to an office for which
12 candidates of political parties are nominated by caucus who is
13 a participant in the caucus and who has signed a petition of
14 another established political party, a new political party, or
15 an independent candidate is ineligible to be listed on the
16 ballot at that general or consolidated election as a candidate
17 of the political party holding the caucus.

18 In the proceedings to nominate a candidate to fill a
19 vacancy or to fill a vacancy in the nomination, each precinct,
20 township, ward, county, or congressional district, as the case
21 may be, shall, through its representative on such central or
22 managing committee, be entitled to one vote for each ballot
23 voted in such precinct, township, ward, county, or
24 congressional district, as the case may be, by the primary
25 electors of its party at the primary election immediately
26 preceding the meeting at which such vacancy is to be filled.

1 For purposes of this Section, the words "certify" and
2 "certification" shall refer to the act of officially declaring
3 the names of candidates entitled to be printed upon the
4 official ballot at an election and directing election
5 authorities to place the names of such candidates upon the
6 official ballot. "Certifying officers or board" shall refer to
7 the local election official, the election authority, or the
8 State Board of Elections, as the case may be, with whom
9 nomination papers, including certificates of nomination and
10 resolutions to fill vacancies in nomination, are filed and
11 whose duty it is to certify candidates.

12 (Source: P.A. 102-15, eff. 6-17-21; 103-154, eff. 6-30-23;
13 103-586, eff. 5-3-24.)

14 (10 ILCS 5/10-3) (from Ch. 46, par. 10-3)

15 Sec. 10-3. Nomination of independent candidates (not
16 candidates of any political party), for any office to be
17 filled by the voters of the State at large may also be made by
18 nomination papers signed in the aggregate for each candidate
19 by 1% of the number of voters who voted in the next preceding
20 Statewide general election or 25,000 qualified voters of the
21 State, whichever is less. Nominations of independent
22 candidates for public office within any district or political
23 subdivision less than the State, may be made by nomination
24 papers signed in the aggregate for each candidate by qualified
25 voters of such district, or political subdivision, equaling

1 not less than 5%, nor more than 8% (or 50 more than the
2 minimum, whichever is greater) of the number of persons, who
3 voted at the next preceding regular election in such district
4 or political subdivision in which such district or political
5 subdivision voted as a unit for the election of officers to
6 serve its respective territorial area. However, whenever the
7 minimum signature requirement for an independent candidate
8 petition for a district or political subdivision office shall
9 exceed the minimum number of signatures for an independent
10 candidate petition for an office to be filled by the voters of
11 the State at large at the next preceding State-wide general
12 election, such State-wide petition signature requirement shall
13 be the minimum for an independent candidate petition for such
14 district or political subdivision office. For the first
15 election following a redistricting of congressional districts,
16 nomination papers for an independent candidate for
17 congressperson shall be signed by at least 5,000 qualified
18 voters of the congressional district. For the first election
19 following a redistricting of legislative districts, nomination
20 papers for an independent candidate for State Senator in the
21 General Assembly shall be signed by at least 3,000 qualified
22 voters of the legislative district. For the first election
23 following a redistricting of representative districts,
24 nomination papers for an independent candidate for State
25 Representative in the General Assembly shall be signed by at
26 least 1,500 qualified voters of the representative district.

1 For the first election following redistricting of county board
2 districts, or of municipal wards or districts, or for the
3 first election following the initial establishment of such
4 districts or wards in a county or municipality, nomination
5 papers for an independent candidate for county board member,
6 or for alderperson or trustee of such municipality, shall be
7 signed by qualified voters of the district or ward equal to not
8 less than 5% nor more than 8% (or 50 more than the minimum,
9 whichever is greater) of the total number of votes cast at the
10 preceding general or general municipal election, as the case
11 may be, for the county or municipal office voted on throughout
12 such county or municipality for which the greatest total
13 number of votes were cast for all candidates, divided by the
14 number of districts or wards, but in any event not less than 25
15 qualified voters of the district or ward. Each voter signing a
16 nomination paper shall add to his signature his place of
17 residence, and each voter may subscribe to one nomination for
18 such office to be filled, and no more: Provided that the name
19 of any candidate whose name may appear in any other place upon
20 the ballot shall not be so added by petition for the same
21 office.

22 The person circulating the petition, or the candidate on
23 whose behalf the petition is circulated, may strike any
24 signature from the petition, provided that;

25 (1) the person striking the signature shall initial
26 the petition at the place where the signature is struck;

1 and

2 (2) the person striking the signature shall sign a
3 certification listing the page number and line number of
4 each signature struck from the petition. Such
5 certification shall be filed as a part of the petition.

6 (3) the persons striking signatures from the petition
7 shall each sign an additional certificate specifying the
8 number of certification pages listing stricken signatures
9 which are attached to the petition and the page numbers
10 indicated on such certifications. The certificate shall be
11 filed as a part of the petition, shall be numbered, and
12 shall be attached immediately following the last page of
13 voters' signatures and before the certifications of
14 stricken signatures.

15 (4) all of the foregoing requirements shall be
16 necessary to effect a valid striking of any signature. The
17 provisions of this Section authorizing the striking of
18 signatures shall not impose any criminal liability on any
19 person so authorized for signatures which may be
20 fraudulent.

21 In the case of the offices of Governor and Lieutenant
22 Governor a joint petition including one candidate for each of
23 those offices must be filed.

24 A candidate for whom a nomination paper has been filed as a
25 partisan candidate at a primary election, and who is defeated
26 for his or her nomination at the primary election, is

1 ineligible to be placed on the ballot as an independent
2 candidate for election in that general or consolidated
3 election.

4 A candidate seeking election to an office for which
5 candidates of political parties are nominated by caucus who is
6 a participant in the caucus and who is defeated for his or her
7 nomination at such caucus, is ineligible to be listed on the
8 ballot at that general or consolidated election as an
9 independent candidate.

10 A candidate seeking election to an office as an
11 independent candidate is ineligible to be listed on the ballot
12 at the general or consolidated election if the candidate has
13 signed a petition of an established political party or a new
14 political party for another office during the same election.

15 (Source: P.A. 102-15, eff. 6-17-21.)

16 (10 ILCS 5/17-16.1) (from Ch. 46, par. 17-16.1)

17 Sec. 17-16.1. Except as otherwise provided in this Code,
18 write-in votes shall be counted only for persons who have
19 filed notarized declarations of intent to be write-in
20 candidates with the proper election authority or authorities
21 not later than 61 days prior to the election. However,
22 whenever an objection to a candidate's nominating papers or
23 petitions for any office is sustained under Section 10-10
24 after the 61st day before the election, then write-in votes
25 shall be counted for that candidate if he or she has filed a

1 notarized declaration of intent to be a write-in candidate for
2 that office with the proper election authority or authorities
3 not later than 7 days prior to the election.

4 Forms for the declaration of intent to be a write-in
5 candidate shall be supplied by the election authorities. Such
6 declaration shall specify the office for which the person
7 seeks election as a write-in candidate.

8 The election authority or authorities shall deliver a list
9 of all persons who have filed such declarations to the
10 election judges in the appropriate precincts prior to the
11 election.

12 A candidate for whom a nomination paper has been filed as a
13 partisan candidate at a primary election, and who is defeated
14 for his or her nomination at the primary election is
15 ineligible to file a declaration of intent to be a write-in
16 candidate for election in that general or consolidated
17 election.

18 A candidate seeking election to an office for which
19 candidates of political parties are nominated by caucus who is
20 a participant in the caucus and who is defeated for his or her
21 nomination at such caucus is ineligible to file a declaration
22 of intent to be a write-in candidate for election in that
23 general or consolidated election.

24 A candidate seeking election to an office for which
25 candidates are nominated at a primary election on a
26 nonpartisan basis and who is defeated for his or her

1 nomination at the primary election is ineligible to file a
2 declaration of intent to be a write-in candidate for election
3 in that general or consolidated election.

4 A candidate seeking election to an office for which
5 candidates are nominated at a primary election on a
6 nonpartisan basis and who has signed a petition of an
7 established political party or a new political party during
8 the same primary election is ineligible to file a declaration
9 of intent to be a write-in candidate for election in that
10 general or consolidated election.

11 Nothing in this Section shall be construed to apply to
12 votes cast under the provisions of subsection (b) of Section
13 16-5.01.

14 (Source: P.A. 102-15, eff. 6-17-21.)

15 Section 10. The Township Code is amended by changing
16 Section 45-50 as follows:

17 (60 ILCS 1/45-50)

18 Sec. 45-50. Caucus procedures.

19 (a) The rules of procedure for conducting a township or
20 multi-township caucus must be approved and may be amended by a
21 majority vote of the qualified participants attending the
22 caucus. No participant shall be able to participate or vote at
23 any township or multi-township caucus if the person is or was
24 at anytime during the 12 months before the caucus any of the

1 following:

2 (1) An elected or appointed public official of another
3 established political party.

4 (2) An elected or appointed officer, director,
5 precinct committeeman or representative of the township
6 committeeman of another established political party.

7 (3) A judge of election under Article 13 or 14 of the
8 Election Code for another statewide established political
9 party.

10 (4) A voter who voted in the primary election of
11 another statewide established political party different
12 from the party holding the caucus.

13 (5) A person who signed a petition for a candidate of
14 another established political party, a new political
15 party, or an independent candidate.

16 (b) The rules of procedure shall include the following:

17 (1) No caucus shall commence earlier than 6:00 p.m.

18 (2) The caucus shall commence at the place specified
19 in the notice of caucus.

20 (3) Procedures by which qualified caucus participants
21 determine by a majority vote the duties of caucus judges
22 of election. Caucus judges of election shall be appointed
23 by a majority vote of the township or multi-township
24 central committee. No judge of the Supreme Court,
25 appellate court, or circuit court or associate judge shall
26 serve as a caucus judge of election.

1 (4) Nominations for selection as a candidate shall be
2 accepted from any qualified participant of the caucus.

3 (5) The method of voting (i.e., written ballot, voice
4 vote, show of hands, standing vote) for determining the
5 candidate or candidates selected for nomination.

6 (6) Whether candidates will be selected as a slate or
7 as individual nominees for each office.

8 (7) Whether written notice of intent to be a caucus
9 nominee is required.

10 (8) Other rules deemed necessary by the central
11 committee at the time the rules are promulgated or by the
12 majority of the qualified caucus participants when the
13 rules are being considered at their meeting.

14 (9) A participant in a caucus shall be entitled to
15 only one vote for each office for which he or she is
16 voting. A participant's vote shall not be weighted to be
17 equal to more than one vote.

18 (c) Individuals participating at an established political
19 party township or multi-township caucus shall comply with each
20 of the following:

21 (1) A participant shall be registered under Article 4,
22 5, or 6 of the Election Code.

23 (2) A participant shall be registered within the
24 territory for which the nomination is made.

25 (3) A participant shall sign an affidavit that he or
26 she is a registered voter and affiliated with the

1 established political party holding the caucus.

2 (4) A participant shall not take part in the
3 proceedings of more than one established political party
4 township and multi-township caucus for the same election.
5 This requirement also applies to the township and
6 multi-township clerks.

7 (5) A participant shall not sign a petition of
8 nomination for an independent or new political party
9 candidate for the same election.

10 (6) A participant shall not become an independent
11 candidate or a candidate of another established political
12 party or a new political party for the same election.

13 (d) The voters participating at an established political
14 party township or multi-township caucus shall not select for
15 nomination more candidates than there are to be elected for
16 each office.

17 (e) No candidate for nomination at a township or
18 multi-township caucus shall be required to do either of the
19 following:

20 (1) Circulate and file nominating petitions to become
21 a candidate at the caucus.

22 (2) File a fee to become a candidate at the caucus.

23 (Source: P.A. 100-219, eff. 8-18-17.)