

# HB3109



## 101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB3109

by Rep. Tim Butler

### SYNOPSIS AS INTRODUCED:

10 ILCS 5/21-1

from Ch. 46, par. 21-1

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.

LRB101 10757 SMS 55878 b

A BILL FOR

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 Section  
5 21-1 as follows:

6 (10 ILCS 5/21-1) (from Ch. 46, par. 21-1)

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

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

22 The filing of such certificate with the Board, of such  
23 choosing of electors shall be deemed and taken to be the

1 choosing and selection of the electors for the individual  
2 congressional districts of this State, if such party or group  
3 is successful at the polls in the individual congressional  
4 district as herein provided in choosing their candidates for  
5 President and Vice-President of the United States.

6 (b) The names of the candidates of the several political  
7 parties or groups for electors of President and Vice-President  
8 shall not be printed on the official ballot to be voted in the  
9 election to be held on the day in this Act above named. In lieu  
10 of the names of the candidates for such electors of President  
11 and Vice-President, immediately under the appellation of party  
12 name of a party or group in the column of its candidates on the  
13 official ballot, to be voted at said election first above named  
14 in subsection (1) of Section 2A-1.2 and Section 2A-2, there  
15 shall be printed within a bracket the name of the candidate for  
16 President and the name of the candidate for Vice-President of  
17 such party or group with a square to the left of such bracket.  
18 Each voter in this State from the several lists or sets of  
19 electors so chosen and selected by the said respective  
20 political parties or groups, may choose and elect an elector  
21 ~~one of such lists or sets of electors~~ by placing a cross in the  
22 square to the left of the bracket aforesaid of one of such  
23 parties or groups. Placing a cross within the square before the  
24 bracket enclosing the names of President and Vice-President  
25 shall not be deemed and taken as a direct vote for such  
26 candidates for President and Vice-President, or either of them,

1 but shall only be deemed and taken to be a vote for the elector  
2 ~~entire list or set of electors~~ chosen by that political party  
3 or group for that congressional district so certified to the  
4 State Board of Elections as herein provided. Voting by means of  
5 placing a cross in the appropriate place preceding the  
6 appellation or title of the particular political party or  
7 group, shall not be deemed or taken as a direct vote for the  
8 candidates for President and Vice-President, or either of them,  
9 but instead to the Presidential vote, as a vote for the elector  
10 ~~entire list or set of electors~~ chosen by that political party  
11 or group so certified to the State Board of Elections as herein  
12 provided.

13 (c) Such certification by the respective political parties  
14 or groups in this State of electors of President and  
15 Vice-President shall be made to the State Board of Elections  
16 within 2 days after such State convention or meeting of the  
17 State central committee in which the electors were chosen.

18 (d) Should more than one certificate of choice and  
19 selection of electors of the same political party or group be  
20 filed by contesting conventions or contesting groups, it shall  
21 be the duty of the State Board of Elections within 10 days  
22 after the adjournment of the last of such conventions to meet  
23 and determine which set of nominees for electors of such party  
24 or group was chosen and selected by the authorized convention  
25 of such party or group. The Board, after notice to the chair  
26 and secretaries or managers of the conventions or groups and

1 after a hearing shall determine which elector ~~set of electors~~  
2 was so chosen for each congressional district by the authorized  
3 convention and shall so announce and publish the fact, and such  
4 decision shall be final and the set of electors so determined  
5 upon by the electoral board to be so chosen shall be the list  
6 or set of electors to be deemed elected if that party shall be  
7 successful at the polls in each congressional district, as  
8 herein provided.

9 (e) Should a vacancy occur in the choice of an elector in a  
10 congressional district, such vacancy may be filled by the  
11 executive committee of the party or group for such  
12 congressional district, to be certified by such committee to  
13 the State Board of Elections. Should a vacancy occur in the  
14 office of elector at large, such vacancy shall be filled by the  
15 State committee of such political party or group, and certified  
16 by it to the State Board of Elections.

17 (f) Each congressional district presidential elector shall  
18 cast his or her ballot for the Presidential and Vice  
19 Presidential candidate who received the highest number of votes  
20 in his or her congressional district. Each elector at large  
21 shall cast his or her ballot for the Presidential and Vice  
22 Presidential candidate who received the highest number of votes  
23 in the State.

24 (Source: P.A. 99-522, eff. 6-30-16; 100-1027, eff. 1-1-19.)