



## 103RD GENERAL ASSEMBLY

### State of Illinois

2023 and 2024

SB0315

Introduced 2/2/2023, by Sen. Laura M. Murphy

#### SYNOPSIS AS INTRODUCED:

See Index

Creates the Ranked Choice Voting Article in the Election Code. Provides that members of the General Assembly and the offices of Governor, Lieutenant Governor, Attorney General, Secretary of State, Comptroller, State Treasurer, Judge of the Supreme, Appellate, and Circuit Court, United States Representative, United States Senator, and President of the United States shall be elected by ranked choice voting. Allows the voter to rank the candidates for an office in order of preference. Provides that elections in which ranked choice voting is used with other methods, if possible, the same ballot must be used for all offices being voted on, with the different methods of voting clearly separated on the ballot. Provides tabulation procedures for first ranked choices and any subsequent rounds of voting required. Provides that if 2 or more candidates are tied and tabulation cannot continue until the candidate with the fewest votes is defeated, provides for the defeated candidate to be chosen by lot. Allows an election authority to resolve prospective ties between candidates before the election. Allows an election authority to modify the tabulation of ranked choice voting to include batch elimination. Provides that for elections using ranked choice voting, precinct returns must include the number of votes in the first ranking for each candidate. Allows the State Board of Elections and election authorities to modify the processes for precinct returns to allow for compliance with the provisions. Provides the State Board of Elections rulemaking authority to implement the provisions of the Article. Makes other and conforming changes throughout the Code.

LRB103 26093 BMS 52448 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 1-3, 7-46, 7-52, 7-53, 7-56, 7-59, 16-3, 17-11,  
6 17-18, 18-5, 18-9, 21-2, and 22-7 and by adding Article 22A as  
7 follows:

8 (10 ILCS 5/1-3) (from Ch. 46, par. 1-3)

9 Sec. 1-3. As used in this Act, unless the context  
10 otherwise requires:

11 1. "Election" includes the submission of all questions of  
12 public policy, propositions, and all measures submitted to  
13 popular vote, and includes primary elections when so indicated  
14 by the context.

15 2. "Regular election" means the general, general primary,  
16 consolidated and consolidated primary elections regularly  
17 scheduled in Article 2A. The even numbered year municipal  
18 primary established in Article 2A is a regular election only  
19 with respect to those municipalities in which a primary is  
20 required to be held on such date.

21 3. "Special election" means an election not regularly  
22 recurring at fixed intervals, irrespective of whether it is  
23 held at the same time and place and by the same election

1 officers as a regular election.

2 4. "General election" means the biennial election at which  
3 members of the General Assembly are elected. "General primary  
4 election", "consolidated election" and "consolidated primary  
5 election" mean the respective elections or the election dates  
6 designated and established in Article 2A of this Code.

7 5. "Municipal election" means an election or primary,  
8 either regular or special, in cities, villages, and  
9 incorporated towns; and "municipality" means any such city,  
10 village or incorporated town.

11 6. "Political or governmental subdivision" means any unit  
12 of local government, or school district in which elections are  
13 or may be held. "Political or governmental subdivision" also  
14 includes, for election purposes, Regional Boards of School  
15 Trustees, and Township Boards of School Trustees.

16 7. The word "township" and the word "town" shall apply  
17 interchangeably to the type of governmental organization  
18 established in accordance with the provisions of the Township  
19 Code. The term "incorporated town" shall mean a municipality  
20 referred to as an incorporated town in the Illinois Municipal  
21 Code, as now or hereafter amended.

22 8. "Election authority" means a county clerk or a Board of  
23 Election Commissioners.

24 9. "Election Jurisdiction" means (a) an entire county, in  
25 the case of a county in which no city board of election  
26 commissioners is located or which is under the jurisdiction of

1 a county board of election commissioners; (b) the territorial  
2 jurisdiction of a city board of election commissioners; and  
3 (c) the territory in a county outside of the jurisdiction of a  
4 city board of election commissioners. In each instance  
5 election jurisdiction shall be determined according to which  
6 election authority maintains the permanent registration  
7 records of qualified electors.

8 10. "Local election official" means the clerk or secretary  
9 of a unit of local government or school district, as the case  
10 may be, the treasurer of a township board of school trustees,  
11 and the regional superintendent of schools with respect to the  
12 various school officer elections and school referenda for  
13 which the regional superintendent is assigned election duties  
14 by The School Code, as now or hereafter amended.

15 11. "Judges of election", "primary judges" and similar  
16 terms, as applied to cases where there are 2 sets of judges,  
17 when used in connection with duties at an election during the  
18 hours the polls are open, refer to the team of judges of  
19 election on duty during such hours; and, when used with  
20 reference to duties after the closing of the polls, refer to  
21 the team of tally judges designated to count the vote after the  
22 closing of the polls and the holdover judges designated  
23 pursuant to Section 13-6.2 or 14-5.2. In such case, where,  
24 after the closing of the polls, any act is required to be  
25 performed by each of the judges of election, it shall be  
26 performed by each of the tally judges and by each of the

1 holdover judges.

2 12. "Petition" of candidacy as used in Sections 7-10 and  
3 7-10.1 shall consist of a statement of candidacy, candidate's  
4 statement containing oath, and sheets containing signatures of  
5 qualified primary electors bound together.

6 13. "Election district" and "precinct", when used with  
7 reference to a 30-day residence requirement, means the  
8 smallest constituent territory in which electors vote as a  
9 unit at the same polling place in any election governed by this  
10 Act.

11 14. "District" means any area which votes as a unit for the  
12 election of any officer, other than the State or a unit of  
13 local government or school district, and includes, but is not  
14 limited to, legislative, congressional and judicial districts,  
15 judicial circuits, county board districts, municipal and  
16 sanitary district wards, school board districts, and  
17 precincts.

18 15. "Question of public policy" or "public question" means  
19 any question, proposition or measure submitted to the voters  
20 at an election dealing with subject matter other than the  
21 nomination or election of candidates and shall include, but is  
22 not limited to, any bond or tax referendum, and questions  
23 relating to the Constitution.

24 16. "Ordinance providing the form of government of a  
25 municipality or county pursuant to Article VII of the  
26 Constitution" includes ordinances, resolutions and petitions

1 adopted by referendum which provide for the form of  
2 government, the officers or the manner of selection or terms  
3 of office of officers of such municipality or county, pursuant  
4 to the provisions of Sections 4, 6 or 7 of Article VII of the  
5 Constitution.

6 17. "List" as used in Sections 4-11, 4-22, 5-14, 5-29,  
7 6-60, and 6-66 shall include a computer tape or computer disc  
8 or other electronic data processing information containing  
9 voter information.

10 18. "Accessible" means accessible to persons with  
11 disabilities and elderly individuals for the purpose of voting  
12 or registration, as determined by rule of the State Board of  
13 Elections.

14 19. "Elderly" means 65 years of age or older.

15 20. "Person with a disability" means a person having a  
16 temporary or permanent physical disability.

17 21. "Leading political party" means one of the two  
18 political parties whose candidates for governor at the most  
19 recent three gubernatorial elections received either the  
20 highest or second highest average number of votes. The  
21 political party whose candidates for governor received the  
22 highest average number of votes shall be known as the first  
23 leading political party and the political party whose  
24 candidates for governor received the second highest average  
25 number of votes shall be known as the second leading political  
26 party.

1           22. "Business day" means any day in which the office of an  
2 election authority, local election official or the State Board  
3 of Elections is open to the public for a minimum of 7 hours.

4           23. "Homeless individual" means any person who has a  
5 nontraditional residence, including, but not limited to, a  
6 shelter, day shelter, park bench, street corner, or space  
7 under a bridge.

8           24. "Signature" means a name signed in ink or in digitized  
9 form. This definition does not apply to a nominating or  
10 candidate petition or a referendum petition.

11           25. "Intelligent mail barcode tracking system" means a  
12 printed trackable barcode attached to the return business  
13 reply envelope for mail-in ballots under Article 19 or Article  
14 20 that allows an election authority to determine the date the  
15 envelope was mailed in absence of a postmark.

16           26. "Office elected by ranked choice voting" means any of  
17 the following offices: member of the General Assembly,  
18 Governor, Lieutenant Governor, Attorney General, Secretary of  
19 State, Comptroller, State Treasurer, Judges of the Supreme,  
20 Appellate, and Circuit Courts, United States Representative,  
21 United States Senator, and President of the United States.  
22 These offices shall be elected by ranked choice voting during  
23 a general or special election, and during a primary,  
24 consolidated primary, or similar election. Presidential  
25 preference primaries shall also be conducted by ranked choice  
26 voting.

1 (Source: P.A. 99-143, eff. 7-27-15; 99-522, eff. 6-30-16.)

2 (10 ILCS 5/7-46) (from Ch. 46, par. 7-46)

3 Sec. 7-46. On receiving from the primary judges a primary  
4 ballot of his party, the primary elector shall forthwith and  
5 without leaving the polling place, retire alone to one of the  
6 voting booths and prepare such primary ballot by marking a  
7 cross (X) in the square in front of and opposite the name of  
8 each candidate of his choice for each office to be filled, and  
9 for delegates and alternate delegates to national nominating  
10 conventions, and for committeepersons, if committeepersons are  
11 being elected at such primary. A cross (X) in the square in  
12 front of the bracket enclosing the names of a team of  
13 candidates for Governor and Lieutenant Governor counts as one  
14 vote for each of those candidates.

15 Any primary elector may, instead of voting for any  
16 candidate for nomination or for committeeperson or for  
17 delegate or alternate delegate to national nominating  
18 conventions, whose name is printed on the primary ballot,  
19 write in the name of any other person affiliated with such  
20 party as a candidate for the nomination for any office, or for  
21 committeeperson, or for delegates or alternate delegates to  
22 national nominating conventions, and indicate his choice of  
23 such candidate or committeeperson or delegate or alternate  
24 delegate, by placing to the left of and opposite the name thus  
25 written a square and placing in the square a cross (X). A



1 primary elector, however, may not by this method vote  
2 separately for Governor and Lieutenant Governor but must write  
3 in the names of candidates of his or her choice for both  
4 offices and indicate his or her choice of those names by  
5 placing a single square to the left of those names and placing  
6 in that square a cross (X).

7 Where voting machines or electronic voting systems are  
8 used, the provisions of this section may be modified as  
9 required or authorized by Article 24 or Article 24A, whichever  
10 is applicable.

11 For an office elected by ranked choice voting, the  
12 provisions of this Section may be modified as required or  
13 authorized by Article 22A.

14 (Source: P.A. 100-1027, eff. 1-1-19.)

15 (10 ILCS 5/7-52) (from Ch. 46, par. 7-52)

16 Sec. 7-52. Immediately upon closing the polls, the primary  
17 judges shall proceed to canvass the votes in the manner  
18 following:

19 (1) They shall separate and count the ballots of each  
20 political party.

21 (2) They shall then proceed to ascertain the number of  
22 names entered on the applications for ballot under each  
23 party affiliation.

24 (3) If the primary ballots of any political party  
25 exceed the number of applications for ballot by voters of

1 such political party, the primary ballots of such  
2 political party shall be folded and replaced in the ballot  
3 box, the box closed, well shaken and again opened and one  
4 of the primary judges, who shall be blindfolded, shall  
5 draw out so many of the primary ballots of such political  
6 party as shall be equal to such excess. Such excess  
7 ballots shall be marked "Excess-Not Counted" and signed by  
8 a majority of the judges and shall be placed in the "After  
9 6:00 p.m. Defective Ballots Envelope". The number of  
10 excess ballots shall be noted in the remarks section of  
11 the Certificate of Results. "Excess" ballots shall not be  
12 counted in the total of "defective" ballots.

13 (4) The primary judges shall then proceed to count the  
14 primary ballots of each political party separately; and as  
15 the primary judges shall open and read the primary  
16 ballots, 3 of the judges shall carefully and correctly  
17 mark upon separate tally sheets the votes which each  
18 candidate of the party whose name is written or printed on  
19 the primary ballot has received, in a separate column for  
20 that purpose, with the name of such candidate, the name of  
21 his political party and the name of the office for which he  
22 is a candidate for nomination at the head of such column.  
23 The same column, however, shall be used for both names of  
24 the same team of candidates for Governor and Lieutenant  
25 Governor.

26 Where voting machines or electronic voting systems are

1 used, the provisions of this Section may be modified as  
2 required or authorized by Article 24 or Article 24A, whichever  
3 is applicable.

4 For an office elected by ranked choice voting, the  
5 provisions of this Section may be modified as required or  
6 authorized by Article 22A.

7 (Source: P.A. 96-1018, eff. 1-1-11; 97-333, eff. 8-12-11.)

8 (10 ILCS 5/7-53) (from Ch. 46, par. 7-53)

9 Sec. 7-53. As soon as the ballots of a political party  
10 shall have been read and the votes of the political party  
11 counted, as provided in the last above section, the 3 judges in  
12 charge of the tally sheets shall foot up the tally sheets so as  
13 to show the total number of votes cast for each candidate of  
14 the political party and for each candidate for State Central  
15 committeeperson and precinct committeeperson, township  
16 committeeperson or ward committeeperson, and delegate and  
17 alternate delegate to National nominating conventions, and  
18 certify the same to be correct. Thereupon, the primary judges  
19 shall set down in a certificate of results on the tally sheet,  
20 under the name of the political party, the name of each  
21 candidate voted for upon the primary ballot, written at full  
22 length, the name of the office for which he is a candidate for  
23 nomination or for committeeperson, or delegate or alternate  
24 delegate to National nominating conventions, the total number  
25 of votes which the candidate received, and they shall also set

1 down the total number of ballots voted by the primary electors  
2 of the political party in the precinct. The certificate of  
3 results shall be made substantially in the following form:

4 ..... Party

5 At the primary election held in the .... precinct of the  
6 (1) \*township of ....., or (2) \*City of ....., or (3) \*.... ward  
7 in the city of .... on (insert date), the primary electors of  
8 the .... party voted .... ballots, and the respective  
9 candidates whose names were written or printed on the primary  
10 ballot of the .... party, received respectively the following  
11 votes:

12	Name of		No. of
13	Candidate,	Title of Office,	Votes
14	John Jones	Governor	100
15	Jane James	Lieutenant Governor	100
16	Sam Smith	Governor	70
17	Samantha Smythe	Lieutenant Governor	70
18	Frank Martin	Attorney General	150
19	William Preston	Rep. in Congress	200
20	Frederick John	Circuit Judge	50

21 \*Fill in either (1), (2) or (3).

22 And so on for each candidate.

23 We hereby certify the above and foregoing to be true and  
24 correct.

25 Dated (insert date).

26 .....

1	Name	Address
2	.....	.....
3	Name	Address
4	.....	.....
5	Name	Address
6	.....	.....
7	Name	Address
8	.....	.....
9	Name	Address
10	Judges of Primary	

11       Where voting machines or electronic voting systems are  
 12 used, the provisions of this Section may be modified as  
 13 required or authorized by Article 24 and Article 24A,  
 14 whichever is applicable.

15       For an office elected by ranked choice voting, the  
 16 provisions of this Section may be modified as required or  
 17 authorized by Article 22A.

18       (Source: P.A. 100-1027, eff. 1-1-19.)

19       (10 ILCS 5/7-56) (from Ch. 46, par. 7-56)

20       Sec. 7-56. As soon as complete returns are delivered to  
 21 the proper election authority, the returns shall be canvassed  
 22 for all primary elections as follows. The election authority  
 23 acting as the canvassing board pursuant to Section 1-8 of this  
 24 Code shall also open and canvass the returns of a primary. Upon

1 the completion of the canvass of the returns by the election  
2 authority, the election authority shall make a tabulated  
3 statement of the returns for each political party separately,  
4 stating in appropriate columns and under proper headings, the  
5 total number of votes cast in said county for each candidate  
6 for nomination or election by said party, including candidates  
7 for President of the United States and for State central  
8 committeepersons, and for delegates and alternate delegates to  
9 National nominating conventions, and for precinct  
10 committeepersons, township committeepersons, and for ward  
11 committeepersons. Within 2 days after the completion of said  
12 canvass by the election authority, the county clerk shall mail  
13 to the State Board of Elections a certified copy of such  
14 tabulated statement of returns. The election authority shall  
15 also determine and set down as to each precinct the number of  
16 ballots voted by the primary electors of each party at the  
17 primary.

18 In the case of the nomination or election of candidates  
19 for offices, including President of the United States and the  
20 State central committeepersons, and delegates and alternate  
21 delegates to National nominating conventions, certified  
22 tabulated statement of returns for which are filed with the  
23 State Board of Elections, said returns shall be canvassed by  
24 the election authority. And, provided, further, that within 5  
25 days after said returns shall be canvassed by the said Board,  
26 the Board shall provide each political party with the results

1 of the ranked choice voting tabulation for President of the  
2 United States, including the results after each round of  
3 tabulation, and cause to be published in one daily newspaper  
4 of general circulation at the seat of the State government in  
5 Springfield a certified statement of the returns filed in its  
6 office, showing the total vote cast in the State for each  
7 candidate of each political party for President of the United  
8 States, and showing the total vote for each candidate of each  
9 political party for President of the United States, cast in  
10 each of the several congressional districts in the State.

11 Within 48 hours of conducting a canvass, as required by  
12 this Code, of the consolidated primary, the election authority  
13 shall deliver an original certificate of results to each local  
14 election official, with respect to whose political  
15 subdivisions nominations were made at such primary, for each  
16 precinct in his jurisdiction in which such nominations were on  
17 the ballot. Such original certificate of results need not  
18 include any offices or nominations for any other political  
19 subdivisions.

20 (Source: P.A. 100-1027, eff. 1-1-19.)

21 (10 ILCS 5/7-59) (from Ch. 46, par. 7-59)

22 Sec. 7-59. (a) The person receiving the highest number of  
23 votes at a primary as a candidate of a party for the nomination  
24 for an office shall be the candidate of that party for such  
25 office, and his name as such candidate shall be placed on the

1 official ballot at the election then next ensuing; provided,  
2 that where there are 2 ~~two~~ or more persons to be nominated for  
3 the same office or board, the requisite number of persons  
4 receiving the highest number of votes shall be nominated, and  
5 their names shall be placed on the official ballot at the  
6 following election. For an office elected by ranked choice  
7 voting, the person receiving the highest number of votes is  
8 determined by ranked choice voting tabulation as described in  
9 Article 22A.

10 Except as otherwise provided by Section 7-8 of this Code  
11 ~~Act~~, the person receiving the highest number of votes of his  
12 party for State central committeeperson of his congressional  
13 district shall be declared elected State central  
14 committeeperson from said congressional district.

15 Unless a national political party specifies that delegates  
16 and alternate delegates to a National nominating convention be  
17 allocated by proportional selection representation according  
18 to the results of a Presidential preference primary, the  
19 requisite number of persons receiving the highest number of  
20 votes of their party for delegates and alternate delegates to  
21 National nominating conventions from the State at large, and  
22 the requisite number of persons receiving the highest number  
23 of votes of their party for delegates and alternate delegates  
24 to National nominating conventions in their respective  
25 congressional districts shall be declared elected delegates  
26 and alternate delegates to the National nominating conventions



1 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 so  
11 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 results  
17 of a Presidential preference primary in the whole State in the  
18 manner provided by the rules of the national political party  
19 and the State Central Committee, when the rules and policies  
20 of the national political party so require.

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

24 The person receiving the highest number of votes of his  
25 party for township committeeperson of his township or part of  
26 a township as the case may be, shall be declared elected

1 township committeeperson from said township or part of a  
2 township as the case may be. In cities where ward  
3 committeepersons are elected, the person receiving the highest  
4 number of votes of his party for ward committeeperson of his  
5 ward shall be declared elected ward committeeperson from said  
6 ward.

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

23 (b) Except as otherwise provided in this Code, write-in  
24 votes shall be counted only for persons who have filed  
25 notarized declarations of intent to be write-in candidates  
26 with the proper election authority or authorities not later

1 than 61 days prior to the primary. However, whenever an  
2 objection to a candidate's nominating papers or petitions for  
3 any office is sustained under Section 10-10 after the 61st day  
4 before the election, then write-in votes shall be counted for  
5 that candidate if he or she has filed a notarized declaration  
6 of intent to be a write-in candidate for that office with the  
7 proper election authority or authorities not later than 7 days  
8 prior to the election.

9 Forms for the declaration of intent to be a write-in  
10 candidate shall be supplied by the election authorities. Such  
11 declaration shall specify the office for which the person  
12 seeks nomination or election as a write-in candidate.

13 The election authority or authorities shall deliver a list  
14 of all persons who have filed such declarations to the  
15 election judges in the appropriate precincts prior to the  
16 primary.

17 (c) (1) Notwithstanding any other provisions of this  
18 Section, where the number of candidates whose names have been  
19 printed on a party's ballot for nomination for or election to  
20 an office at a primary is less than the number of persons the  
21 party is entitled to nominate for or elect to the office at the  
22 primary, a person whose name was not printed on the party's  
23 primary ballot as a candidate for nomination for or election  
24 to the office, is not nominated for or elected to that office  
25 as a result of a write-in vote at the primary unless the number  
26 of votes he received equals or exceeds the number of

1 signatures required on a petition for nomination for that  
2 office; or unless the number of votes he receives exceeds the  
3 number of votes received by at least one of the candidates  
4 whose names were printed on the primary ballot for nomination  
5 for or election to the same office.

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

12 (Source: P.A. 102-15, eff. 6-17-21; revised 2-28-22.)

13 (10 ILCS 5/16-3) (from Ch. 46, par. 16-3)

14 Sec. 16-3. (a) The names of all candidates to be voted for  
15 in each election district or precinct shall be printed on one  
16 ballot, except as is provided in Sections 16-6.1 and 21-1.01  
17 of this Code Act and except as otherwise provided in this Code  
18 ~~Act~~ with respect to the odd year regular elections and the  
19 emergency referenda; all nominations of any political party  
20 being placed under the party appellation or title of such  
21 party as designated in the certificates of nomination or  
22 petitions. The names of all independent candidates shall be  
23 printed upon the ballot in a column or columns under the  
24 heading "independent" arranged under the names or titles of  
25 the respective offices for which such independent candidates

1 shall have been nominated and so far as practicable, the name  
2 or names of any independent candidate or candidates for any  
3 office shall be printed upon the ballot opposite the name or  
4 names of any candidate or candidates for the same office  
5 contained in any party column or columns upon said ballot. The  
6 ballot shall contain no other names, except that in cases of  
7 electors for President and Vice-President of the United  
8 States, the names of the candidates for President and  
9 Vice-President may be added to the party designation and words  
10 calculated to aid the voter in his choice of candidates may be  
11 added, such as "Vote for one," "Vote for not more than three."  
12 If no candidate or candidates file for an office and if no  
13 person or persons file a declaration as a write-in candidate  
14 for that office, then below the title of that office the  
15 election authority instead shall print "No Candidate". When an  
16 electronic voting system is used which utilizes a ballot label  
17 booklet, the candidates and questions shall appear on the  
18 pages of such booklet in the order provided by this Code; and,  
19 in any case where candidates for an office appear on a page  
20 which does not contain the name of any candidate for another  
21 office, and where less than 50% of the page is utilized, the  
22 name of no candidate shall be printed on the lowest 25% of such  
23 page. On the back or outside of the ballot, so as to appear  
24 when folded, shall be printed the words "Official Ballot",  
25 followed by the designation of the polling place for which the  
26 ballot is prepared, the date of the election and a facsimile of

1 the signature of the election authority who has caused the  
2 ballots to be printed. The ballots shall be of plain white  
3 paper, through which the printing or writing cannot be read.  
4 However, ballots for use at the nonpartisan and consolidated  
5 elections may be printed on different color paper, except blue  
6 paper, whenever necessary or desirable to facilitate  
7 distinguishing between ballots for different political  
8 subdivisions. In the case of nonpartisan elections for  
9 officers of a political subdivision, unless the statute or an  
10 ordinance adopted pursuant to Article VII of the Constitution  
11 providing the form of government therefor requires otherwise,  
12 the column listing such nonpartisan candidates shall be  
13 printed with no appellation or circle at its head. The party  
14 appellation or title, or the word "independent" at the head of  
15 any column provided for independent candidates, shall be  
16 printed in letters not less than one-fourth of an inch in  
17 height and a circle one-half inch in diameter shall be printed  
18 at the beginning of the line in which such appellation or title  
19 is printed, provided, however, that no such circle shall be  
20 printed at the head of any column or columns provided for such  
21 independent candidates. The names of candidates shall be  
22 printed in letters not less than one-eighth nor more than  
23 one-fourth of an inch in height, and at the beginning of each  
24 line in which a name of a candidate is printed a square shall  
25 be printed, the sides of which shall be not less than  
26 one-fourth of an inch in length. However, the names of the

1 candidates for Governor and Lieutenant Governor on the same  
2 ticket shall be printed within a bracket and a single square  
3 shall be printed in front of the bracket. The list of  
4 candidates of the several parties and any such list of  
5 independent candidates shall be placed in separate columns on  
6 the ballot in such order as the election authorities charged  
7 with the printing of the ballots shall decide; provided, that  
8 the names of the candidates of the several political parties,  
9 certified by the State Board of Elections to the several  
10 county clerks shall be printed by the county clerk of the  
11 proper county on the official ballot in the order certified by  
12 the State Board of Elections. Any county clerk refusing,  
13 neglecting or failing to print on the official ballot the  
14 names of candidates of the several political parties in the  
15 order certified by the State Board of Elections, and any  
16 county clerk who prints or causes to be printed upon the  
17 official ballot the name of a candidate, for an office to be  
18 filled by the Electors of the entire State, whose name has not  
19 been duly certified to him upon a certificate signed by the  
20 State Board of Elections shall be guilty of a Class C  
21 misdemeanor.

22 (b) When an electronic voting system is used which  
23 utilizes a ballot card, on the inside flap of each ballot card  
24 envelope there shall be printed a form for write-in voting  
25 which shall be substantially as follows:

26 WRITE-IN VOTES

1 (See card of instructions for specific information.

2 Duplicate form below by hand for additional write-in votes.)

3 .....

4 Title of Office

5 ( ) .....

6 Name of Candidate

7 Write-in lines equal to the number of candidates for which  
8 a voter may vote shall be printed for an office only if one or  
9 more persons filed declarations of intent to be write-in  
10 candidates or qualify to file declarations to be write-in  
11 candidates under Sections 17-16.1 and 18-9.1 when the  
12 certification of ballot contains the words "OBJECTION  
13 PENDING".

14 (c) When an electronic voting system is used which uses a  
15 ballot sheet, the instructions to voters on the ballot sheet  
16 shall refer the voter to the card of instructions for specific  
17 information on write-in voting. Below each office appearing on  
18 such ballot sheet there shall be a provision for the casting of  
19 a write-in vote. Write-in lines equal to the number of  
20 candidates for which a voter may vote shall be printed for an  
21 office only if one or more persons filed declarations of  
22 intent to be write-in candidates or qualify to file  
23 declarations to be write-in candidates under Sections 17-16.1  
24 and 18-9.1 when the certification of ballot contains the words  
25 "OBJECTION PENDING".

26 (d) When such electronic system is used, there shall be



1 printed on the back of each ballot card, each ballot card  
2 envelope, and the first page of the ballot label when a ballot  
3 label is used, the words "Official Ballot," followed by the  
4 number of the precinct or other precinct identification, which  
5 may be stamped, in lieu thereof and, as applicable, the number  
6 and name of the township, ward or other election district for  
7 which the ballot card, ballot card envelope, and ballot label  
8 are prepared, the date of the election and a facsimile of the  
9 signature of the election authority who has caused the ballots  
10 to be printed. The back of the ballot card shall also include a  
11 method of identifying the ballot configuration such as a  
12 listing of the political subdivisions and districts for which  
13 votes may be cast on that ballot, or a number code identifying  
14 the ballot configuration or color coded ballots, except that  
15 where there is only one ballot configuration in a precinct,  
16 the precinct identification, and any applicable ward  
17 identification, shall be sufficient. Ballot card envelopes  
18 used in punch card systems shall be of paper through which no  
19 writing or punches may be discerned and shall be of sufficient  
20 length to enclose all voting positions. However, the election  
21 authority may provide ballot card envelopes on which no  
22 precinct number or township, ward or other election district  
23 designation, or election date are preprinted, if space and a  
24 preprinted form are provided below the space provided for the  
25 names of write-in candidates where such information may be  
26 entered by the judges of election. Whenever an election

1 authority utilizes ballot card envelopes on which the election  
2 date and precinct is not preprinted, a judge of election shall  
3 mark such information for the particular precinct and election  
4 on the envelope in ink before tallying and counting any  
5 write-in vote written thereon. If some method of insuring  
6 ballot secrecy other than an envelope is used, such  
7 information must be provided on the ballot itself.

8 (e) In the designation of the name of a candidate on the  
9 ballot, the candidate's given name or names, initial or  
10 initials, a nickname by which the candidate is commonly known,  
11 or a combination thereof, may be used in addition to the  
12 candidate's surname. If a candidate has changed his or her  
13 name, whether by a statutory or common law procedure in  
14 Illinois or any other jurisdiction, within 3 years before the  
15 last day for filing the petition for nomination, nomination  
16 papers, or certificate of nomination for that office,  
17 whichever is applicable, then (i) the candidate's name on the  
18 ballot must be followed by "formerly known as (list all prior  
19 names during the 3-year period) until name changed on (list  
20 date of each such name change)" and (ii) the petition, papers,  
21 or certificate must be accompanied by the candidate's  
22 affidavit stating the candidate's previous names during the  
23 period specified in (i) and the date or dates each of those  
24 names was changed; failure to meet these requirements shall be  
25 grounds for denying certification of the candidate's name for  
26 the ballot or removing the candidate's name from the ballot,

1 as appropriate, but these requirements do not apply to name  
2 changes resulting from adoption to assume an adoptive parent's  
3 or parents' surname, marriage or civil union to assume a  
4 spouse's surname, or dissolution of marriage or civil union or  
5 declaration of invalidity of marriage or civil union to assume  
6 a former surname or a name change that conforms the  
7 candidate's name to his or her gender identity. No other  
8 designation such as a political slogan, title, or degree or  
9 nickname suggesting or implying possession of a title, degree  
10 or professional status, or similar information may be used in  
11 connection with the candidate's surname. For purposes of this  
12 Section, a "political slogan" is defined as any word or words  
13 expressing or connoting a position, opinion, or belief that  
14 the candidate may espouse, including, but not limited to, any  
15 word or words conveying any meaning other than that of the  
16 personal identity of the candidate. A candidate may not use a  
17 political slogan as part of his or her name on the ballot,  
18 notwithstanding that the political slogan may be part of the  
19 candidate's name.

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

1 subsection (e) of this Section.

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

7 (h) Where voting machines or electronic voting systems are  
8 used, the provisions of this Section may be modified as  
9 required or authorized by Article 24 or Article 24A, whichever  
10 is applicable.

11 (i) Nothing in this Section shall prohibit election  
12 authorities from using or reusing ballot card envelopes which  
13 were printed before January 1, 1986 (the effective date of  
14 Public Act 84-820) ~~this amendatory Act of 1985.~~

15 (j) For an office elected by ranked choice voting, the  
16 provisions of this Section may be modified as required or  
17 authorized by Article 22A.

18 (Source: P.A. 102-15, eff. 6-17-21; revised 2-28-22.)

19 (10 ILCS 5/17-11) (from Ch. 46, par. 17-11)

20 Sec. 17-11. On receipt of his ballot the voter shall  
21 forthwith, and without leaving the inclosed space, retire  
22 alone, or accompanied by children as provided in Section 17-8,  
23 to one of the voting booths so provided and shall prepare his  
24 ballot by making in the appropriate margin or place a cross (X)  
25 opposite the name of the candidate of his choice for each

1 office to be filled, or by writing in the name of the candidate  
2 of his choice in a blank space on said ticket, making a cross  
3 (X) opposite thereto; and in case of a question submitted to  
4 the vote of the people, by making in the appropriate margin or  
5 place a cross (X) against the answer he desires to give. A  
6 cross (X) in the square in front of the bracket enclosing the  
7 names of a team of candidates for Governor and Lieutenant  
8 Governor counts as one vote for each of such candidates.  
9 Before leaving the voting booth the voter shall fold his  
10 ballot in such manner as to conceal the marks thereon. He shall  
11 then vote forthwith in the manner herein provided, except that  
12 the number corresponding to the number of the voter on the poll  
13 books shall not be indorsed on the back of his ballot. He shall  
14 mark and deliver his ballot without undue delay, and shall  
15 quit said inclosed space as soon as he has voted; except that  
16 immediately after voting, the voter shall be instructed  
17 whether the voting equipment, if used, accepted or rejected  
18 the ballot or identified the ballot as under-voted for a  
19 statewide constitutional office. A voter whose ballot is  
20 identified as under-voted may return to the voting booth and  
21 complete the voting of that ballot. A voter whose ballot is not  
22 accepted by the voting equipment may, upon surrendering the  
23 ballot, request and vote another ballot. If a ballot for an  
24 office elected by ranked choice voting is considered  
25 under-voted pursuant to Section 22A-5, the voter may, upon  
26 surrendering the ballot, request and vote upon another ballot.

1 The voter's surrendered ballot shall be initialed by the  
2 election judge and handled as provided in the appropriate  
3 Article governing that voting equipment.

4 No voter shall be allowed to occupy a voting booth already  
5 occupied by another, nor remain within said inclosed space  
6 more than ten minutes, nor to occupy a voting booth more than  
7 five minutes in case all of said voting booths are in use and  
8 other voters waiting to occupy the same. No voter not an  
9 election officer, shall, after having voted, be allowed to  
10 re-enter said inclosed space during said election. No person  
11 shall take or remove any ballot from the polling place before  
12 the close of the poll. No voter shall vote or offer to vote any  
13 ballot except such as he has received from the judges of  
14 election in charge of the ballots. Any voter who shall, by  
15 accident or mistake, spoil his ballot, may, on returning said  
16 spoiled ballot, receive another in place thereof only after  
17 the word "spoiled" has been written in ink diagonally across  
18 the entire face of the ballot returned by the voter.

19 Where voting machines or electronic voting systems are  
20 used, the provisions of this section may be modified as  
21 required or authorized by Article 24, 24A, 24B, or 24C,  
22 whichever is applicable, except that the requirements of this  
23 Section that (i) the voter must be notified of the voting  
24 equipment's acceptance or rejection of the voter's ballot or  
25 identification of an under-vote for a statewide constitutional  
26 office and (ii) the voter shall have the opportunity to

1 correct an under-vote or surrender the ballot that was not  
2 accepted and vote another ballot shall not be modified.

3 For an office elected by ranked choice voting, the  
4 provisions of this Section may be modified as required or  
5 authorized by Article 22A.

6 (Source: P.A. 94-288, eff. 1-1-06; 95-699, eff. 11-9-07.)

7 (10 ILCS 5/17-18) (from Ch. 46, par. 17-18)

8 Sec. 17-18. Immediately upon closing the polls the judges  
9 shall proceed to canvass the votes polled. They shall first  
10 count the whole number of ballots in the box. If 2 or more  
11 ballots are folded together so as to appear to have been cast  
12 by the same person, all of the ballots so folded together shall  
13 be marked and returned with the other ballots in the same  
14 conditions, as near as may be, in which they were found when  
15 first opened, but shall not be counted. If the remaining  
16 ballots shall be found to exceed the number of applications  
17 for ballot, the ballots shall be replaced in the box, and the  
18 box closed and well shaken and again opened and one of the  
19 judges shall publicly draw out so many ballots unopened as  
20 shall be equal to such excess; and the number of the ballots  
21 agreeing with the poll lists, or being made to agree. Such  
22 excess ballots shall be marked "Excess-Not Counted" and signed  
23 by a majority of the judges and shall be placed in the "After  
24 6:00 p.m. Defective Ballots Envelope". The number of excess  
25 ballots shall be noted in the remarks section of the

1 Certificate of Results. "Excess" ballots shall not be counted  
2 in the total of "defective" ballots.

3 The judges shall then proceed to count and record the  
4 votes; and when the judges of election shall open and read the  
5 ballots, 3 judges, with at least one from each political party  
6 from which the precinct judges were chosen, shall carefully  
7 and correctly mark down upon the three tally sheets the vote  
8 each candidate has received, in a separate box prepared for  
9 that purpose, with the name of such candidate at the head of  
10 such box, and the office designated by the votes such  
11 candidate shall fill. Whenever a proposition is submitted to  
12 the electors at the same election, the ballots for or against  
13 such proposition shall always be canvassed, counted or  
14 tallied. The votes shall be canvassed in the room or place  
15 where the election is held, and the judges shall not allow the  
16 ballot box, or any of the ballots, or the applications for  
17 ballot, or any of the tally sheets to be removed or carried  
18 away from such room or place, until the canvass of the vote is  
19 completed, and the returns carefully enveloped and sealed up  
20 as provided by law.

21 Where voting machines or electronic voting systems are  
22 used, the provisions of this section may be modified as  
23 required or authorized by Article 24 or Article 24A, whichever  
24 is applicable.

25 For an office elected by ranked choice voting, the  
26 provisions of this Section may be modified as required or



1 authorized by Article 22A.

2 (Source: P.A. 83-333.)

3 (10 ILCS 5/18-5) (from Ch. 46, par. 18-5)

4 Sec. 18-5. Any person desiring to vote and whose name is  
5 found upon the register of voters by the person having charge  
6 thereof, shall then be questioned by one of the judges as to  
7 his nativity, his term of residence at present address,  
8 precinct, State and United States, his age, whether  
9 naturalized and if so the date of naturalization papers and  
10 court from which secured, and he shall be asked to state his  
11 residence when last previously registered and the date of the  
12 election for which he then registered. The judges of elections  
13 shall check each application for ballot against the list of  
14 voters registered in that precinct to whom grace period, vote  
15 by mail, and early ballots have been issued for that election,  
16 which shall be provided by the election authority and which  
17 list shall be available for inspection by pollwatchers. A  
18 voter applying to vote in the precinct on election day whose  
19 name appears on the list as having been issued a grace period,  
20 vote by mail, or early ballot shall not be permitted to vote in  
21 the precinct, except that a voter to whom a vote by mail ballot  
22 was issued may vote in the precinct if the voter submits to the  
23 election judges that vote by mail ballot for cancellation. If  
24 the voter is unable to submit the vote by mail ballot, it shall  
25 be sufficient for the voter to submit to the election judges

1 (i) a portion of the vote by mail ballot if the vote by mail  
2 ballot was torn or mutilated or (ii) an affidavit executed  
3 before the election judges specifying that (A) the voter never  
4 received a vote by mail ballot or (B) the voter completed and  
5 returned a vote by mail ballot and was informed that the  
6 election authority did not receive that vote by mail ballot.  
7 If such person so registered shall be challenged as  
8 disqualified, the party challenging shall assign his reasons  
9 therefor, and thereupon one of the judges shall administer to  
10 him an oath to answer questions, and if he shall take the oath  
11 he shall then be questioned by the judge or judges touching  
12 such cause of challenge, and touching any other cause of  
13 disqualification. And he may also be questioned by the person  
14 challenging him in regard to his qualifications and identity.  
15 But if a majority of the judges are of the opinion that he is  
16 the person so registered and a qualified voter, his vote shall  
17 then be received accordingly. But if his vote be rejected by  
18 such judges, such person may afterward produce and deliver an  
19 affidavit to such judges, subscribed and sworn to by him  
20 before one of the judges, in which it shall be stated how long  
21 he has resided in such precinct, and state; that he is a  
22 citizen of the United States, and is a duly qualified voter in  
23 such precinct, and that he is the identical person so  
24 registered. In addition to such an affidavit, the person so  
25 challenged shall provide to the judges of election proof of  
26 residence by producing 2 forms of identification showing the

1 person's current residence address, provided that such  
2 identification may include a lease or contract for a residence  
3 and not more than one piece of mail addressed to the person at  
4 his current residence address and postmarked not earlier than  
5 30 days prior to the date of the election, or the person shall  
6 procure a witness personally known to the judges of election,  
7 and resident in the precinct (or district), or who shall be  
8 proved by some legal voter of such precinct or district, known  
9 to the judges to be such, who shall take the oath following,  
10 viz:

11 I do solemnly swear (or affirm) that I am a resident of  
12 this election precinct (or district), and entitled to vote at  
13 this election, and that I have been a resident of this State  
14 for 30 days last past, and am well acquainted with the person  
15 whose vote is now offered; that he is an actual and bona fide  
16 resident of this election precinct (or district), and has  
17 resided herein 30 days, and as I verily believe, in this State,  
18 30 days next preceding this election.

19 The oath in each case may be administered by one of the  
20 judges of election, or by any officer, resident in the  
21 precinct or district, authorized by law to administer oaths.  
22 Also supported by an affidavit by a registered voter residing  
23 in such precinct, stating his own residence, and that he knows  
24 such person; and that he does reside at the place mentioned and  
25 has resided in such precinct and state for the length of time  
26 as stated by such person, which shall be subscribed and sworn

1 to in the same way. For purposes of this Section, the  
2 submission of a photo identification issued by a college or  
3 university, accompanied by either (i) a copy of the  
4 applicant's contract or lease for a residence or (ii) one  
5 piece of mail addressed to the person at his or her current  
6 residence address and postmarked not earlier than 30 days  
7 prior to the date of the election, shall be sufficient to  
8 establish proof of residence. Whereupon the vote of such  
9 person shall be received, and entered as other votes. But such  
10 judges, having charge of such registers, shall state in their  
11 respective books the facts in such case, and the affidavits,  
12 so delivered to the judges, shall be preserved and returned to  
13 the office of the commissioners of election. Blank affidavits  
14 of the character aforesaid shall be sent out to the judges of  
15 all the precincts, and the judges of election shall furnish  
16 the same on demand and administer the oaths without criticism.  
17 Such oaths, if administered by any other officer than such  
18 judge of election, shall not be received. Whenever a proposal  
19 for a constitutional amendment or for the calling of a  
20 constitutional convention is to be voted upon at the election,  
21 the separate blue ballot or ballots pertaining thereto shall  
22 be placed on top of the other ballots to be voted at the  
23 election in such manner that the legend appearing on the back  
24 thereof, as prescribed in Section 16-6 of this Act, shall be  
25 plainly visible to the voter, and in this fashion the ballots  
26 shall be handed to the voter by the judge.

1           Immediately after voting, the voter shall be instructed  
2 whether the voting equipment, if used, accepted or rejected  
3 the ballot or identified the ballot as under-voted. A voter  
4 whose ballot is identified as under-voted for a statewide  
5 constitutional office may return to the voting booth and  
6 complete the voting of that ballot. A voter whose ballot is not  
7 accepted by the voting equipment may, upon surrendering the  
8 ballot, request and vote another ballot. If a ballot for an  
9 office elected by ranked choice voting is considered  
10 under-voted as defined in Section 22A-5, the voter may, upon  
11 surrendering the ballot, request and vote upon another ballot.  
12 The voter's surrendered ballot shall be initialed by the  
13 election judge and handled as provided in the appropriate  
14 Article governing that voting equipment.

15           The voter shall, upon quitting the voting booth, deliver  
16 to one of the judges of election all of the ballots, properly  
17 folded, which he received. The judge of election to whom the  
18 voter delivers his ballots shall not accept the same unless  
19 all of the ballots given to the voter are returned by him. If a  
20 voter delivers less than all of the ballots given to him, the  
21 judge to whom the same are offered shall advise him in a voice  
22 clearly audible to the other judges of election that the voter  
23 must return the remainder of the ballots. The statement of the  
24 judge to the voter shall clearly express the fact that the  
25 voter is not required to vote such remaining ballots but that  
26 whether or not he votes them he must fold and deliver them to

1 the judge. In making such statement the judge of election  
2 shall not indicate by word, gesture or intonation of voice  
3 that the unreturned ballots shall be voted in any particular  
4 manner. No new voter shall be permitted to enter the voting  
5 booth of a voter who has failed to deliver the total number of  
6 ballots received by him until such voter has returned to the  
7 voting booth pursuant to the judge's request and again quit  
8 the booth with all of the ballots required to be returned by  
9 him. Upon receipt of all such ballots the judges of election  
10 shall enter the name of the voter, and his number, as above  
11 provided in this Section, and the judge to whom the ballots are  
12 delivered shall immediately put the ballots into the ballot  
13 box. If any voter who has failed to deliver all the ballots  
14 received by him refuses to return to the voting booth after  
15 being advised by the judge of election as herein provided, the  
16 judge shall inform the other judges of such refusal, and  
17 thereupon the ballot or ballots returned to the judge shall be  
18 deposited in the ballot box, the voter shall be permitted to  
19 depart from the polling place, and a new voter shall be  
20 permitted to enter the voting booth.

21 The judge of election who receives the ballot or ballots  
22 from the voter shall announce the residence and name of such  
23 voter in a loud voice. The judge shall put the ballot or  
24 ballots received from the voter into the ballot box in the  
25 presence of the voter and the judges of election, and in plain  
26 view of the public. The judges having charge of such registers

1 shall then, in a column prepared thereon, in the same line of,  
2 the name of the voter, mark "Voted" or the letter "V".

3 No judge of election shall accept from any voter less than  
4 the full number of ballots received by such voter without  
5 first advising the voter in the manner above provided of the  
6 necessity of returning all of the ballots, nor shall any such  
7 judge advise such voter in a manner contrary to that which is  
8 herein permitted, or in any other manner violate the  
9 provisions of this Section; provided, that the acceptance by a  
10 judge of election of less than the full number of ballots  
11 delivered to a voter who refuses to return to the voting booth  
12 after being properly advised by such judge shall not be a  
13 violation of this Section.

14 (Source: P.A. 98-1171, eff. 6-1-15.)

15 (10 ILCS 5/18-9) (from Ch. 46, par. 18-9)

16 Sec. 18-9. The judges of election shall first count the  
17 whole number of ballots in the box. If the ballots shall be  
18 found to exceed the number of applications for ballot, they  
19 shall reject the ballots, if any, found folded inside of a  
20 ballot. And if the ballots and the applications for ballot  
21 still do not agree after such rejection, the ballots shall be  
22 replaced in the box and the box closed and well shaken, and  
23 again opened; and one of the judges shall publicly draw out so  
24 many ballots unopened as shall be equal to such excess. Such  
25 excess ballots shall be marked "Excess-Not Counted" and signed

1 by a majority of judges and shall be placed in the "After 6:00  
2 p.m. Defective Ballots Envelope". The number of excess ballots  
3 shall be noted in the remarks section of the Certificate of  
4 Results. "Excess" ballots shall not be counted in the total of  
5 "defective" ballots. And the ballots and applications for  
6 ballot being made to agree in this way, the judges shall  
7 proceed to count the votes in the following manner: The judges  
8 shall open the ballots and place those which contain the same  
9 names together, so that the several kinds shall be in separate  
10 piles or on separate files. Each of the judges shall examine  
11 the separate files which are, or are supposed to be, alike, and  
12 exclude from such files any which may have a name or an  
13 erasure, or in any manner shall be different from the others of  
14 such file. One of the judges shall then take one file of the  
15 kind of ballots which contain the same names, and count them by  
16 tens, carefully examining each name on each of the ballots.  
17 Such judge shall then pass the ten ballots aforesaid to the  
18 judge sitting next to him, who shall count them in the same  
19 manner, who shall then pass them to a third judge, who shall  
20 also count them in the same manner. Then the third judge shall  
21 call the names of the persons named in the ten ballots, and the  
22 offices for which they are designated, and 2 of the judges, who  
23 did not assist in the counting shall tally ten votes for each  
24 of such persons, except as herein otherwise provided. When the  
25 judges shall have gone through such file of ballots,  
26 containing the same names, and shall count them by tens in the



1 same way, and shall call the names of the persons named in the  
2 ballots and the office for which they are designated, the  
3 tally judges shall tally the votes by tens for each of such  
4 persons in the same manner as in the first instance. When the  
5 counting of each file of ballots which contain the same names  
6 shall be completed, the tally judges shall compare their  
7 tallies together and ascertain the total number of ballots of  
8 that kind so canvassed; and when they agree upon the number,  
9 one of them shall announce it in a loud voice to the other  
10 judges. The judges shall then canvass the other kinds of  
11 ballots which do not correspond, those containing names partly  
12 from one kind of ballots and partly from another, being those  
13 from which the name of the person proper to be voted for on  
14 such ballots has been omitted or erased, usually called  
15 "scratched tickets". They shall be canvassed separately by one  
16 of the judges sitting between 2 other judges, which judge  
17 shall call each name to the tally judges and the office for  
18 which it is designated, and the other judges looking at the  
19 ballot at the same time, and the tally judges making tally of  
20 the same. When all the ballots have been canvassed in this  
21 manner, the tally judges shall compare their tallies together,  
22 and ascertain the total number of votes received by each  
23 candidate and when they agree upon the numbers one of them  
24 shall announce in a loud voice to the judges the number of  
25 votes received by each candidate on each of the kinds of  
26 ballots containing his name, the number received by him on

1 scratch tickets, and the total number of votes received by  
2 him.

3 The votes for the offices of Governor and Lieutenant  
4 Governor shall be counted and tallied jointly.

5 Where voting machines or electronic voting systems are  
6 used, the provisions of this section may be modified as  
7 required or authorized by Article 24 or Article 24A, whichever  
8 is applicable.

9 For an office elected by ranked choice voting, the  
10 provisions of this Section may be modified as required or  
11 authorized by Article 22A.

12 (Source: P.A. 89-700, eff. 1-17-97.)

13 (10 ILCS 5/21-2) (from Ch. 46, par. 21-2)

14 Sec. 21-2. The county clerks of the several counties  
15 shall, within 21 days next after holding the election named in  
16 subsection (1) of Section 2A-1.2 and Section 2A-2, make 2  
17 copies of the abstract of the votes cast for electors by each  
18 political party or group, as indicated by the voter for an  
19 office elected by ranked choice voting, as aforesaid, by a  
20 cross in the square to the left of the bracket aforesaid, or as  
21 indicated by a cross in the appropriate place preceding the  
22 appellation or title of the particular political party or  
23 group, and transmit by mail one of the copies to the office of  
24 the State Board of Elections and retain the other in his  
25 office, to be sent for by the electoral board in case the other

1 should be mislaid. Within 31 days after the holding of such  
2 election, and sooner if all the returns are received by the  
3 State Board of Elections, the State Board of Elections shall  
4 proceed to open and canvass said election returns by ranked  
5 choice voting tabulation as described in Article 22A, and to  
6 declare which set of candidates for President and  
7 Vice-President received, as aforesaid, the highest number of  
8 votes cast at such election as aforesaid; and the electors of  
9 that party whose candidates for President and Vice-President  
10 received the highest number of votes so cast shall be taken and  
11 deemed to be elected as electors of President and  
12 Vice-President, but should 2 or more sets of candidates for  
13 President and Vice-President be returned with an equal and the  
14 highest vote, the State Board of Elections shall cause a  
15 notice of the same to be published, which notice shall name  
16 some day and place, not less than 5 days from the time of such  
17 publication of such notice, upon which the State Board of  
18 Elections will decide by lot which of the sets of candidates  
19 for President and Vice-President so equal and highest shall be  
20 declared to be highest. And upon the day and at the place so  
21 appointed in the notice, the board shall so decide by lot and  
22 declare which is deemed highest of the sets of candidates for  
23 President and Vice-President so equal and highest, thereby  
24 determining only that the electors chosen as aforesaid by such  
25 candidates' party or group are thereby elected by general  
26 ticket to be such electors.

1 (Source: P.A. 100-863, eff. 8-14-18.)

2 (10 ILCS 5/22-7) (from Ch. 46, par. 22-7)

3 Sec. 22-7. Canvass of votes; declaration and proclamation  
4 of result. The State Board of Elections, shall proceed within  
5 31 days after the election, and sooner if all the returns are  
6 received, to canvass the votes given for United States  
7 Senators and Representatives to Congress, State executive  
8 officers, judges of the Supreme Court, judges of the Appellate  
9 Court, judges of the Circuit Court, Senators, Representatives  
10 to the General Assembly, State's Attorneys and Regional  
11 Superintendents of Schools elected from 2 or more counties,  
12 respectively. For an office elected by ranked choice voting,  
13 the canvass shall be done by ranked choice voting tabulation  
14 as described in Article 22A. The ,~~and the~~ persons having the  
15 highest number of votes for the respective offices shall be  
16 declared duly elected, but if it appears that more than the  
17 number of persons to be elected have the highest and an equal  
18 number of votes for the same office, the electoral board shall  
19 decide by lot which of such persons shall be elected; and to  
20 each person duly elected, the Governor shall give a  
21 certificate of election or commission, as the case may  
22 require, and shall cause proclamation to be made of the result  
23 of the canvass, and they shall at the same time and in the same  
24 manner, canvass the vote cast upon amendments to the  
25 Constitution, and upon other propositions submitted to the

1 electors of the entire State; and the Governor shall cause to  
2 be made such proclamation of the result of the canvass as the  
3 statutes elsewhere provide. The State Board of Elections shall  
4 transmit to the State Comptroller a list of the persons  
5 elected to the various offices. The State Board of Elections  
6 shall also transmit to the Supreme Court the names of persons  
7 elected to judgeships in adversary elections and the names of  
8 judges who fail to win retention in office.

9 No person who is shown by the canvassing board's  
10 proclamation to have been elected at the consolidated election  
11 or general election as a write-in candidate shall take office  
12 unless that person has first filed with the certifying office  
13 or board a statement of candidacy pursuant to Section 7-10 or  
14 Section 10-5, a statement pursuant to Section 7-10.1, and a  
15 receipt for filing a statement of economic interests in  
16 relation to the unit of government to which he or she has been  
17 elected. For officers elected at the consolidated election,  
18 the certifying officer shall notify the election authority of  
19 the receipt of those documents, and the county clerk shall  
20 issue the certification of election under the provisions of  
21 Section 22-18.

22 (Source: P.A. 93-847, eff. 7-30-04; 94-645, eff. 8-22-05.)

23 (10 ILCS 5/Art. 22A heading new)

24 ARTICLE 22A. RANKED CHOICE VOTING

1 (10 ILCS 5/22A-1 new)

2 Sec. 22A-1. Applicability. An election for an office  
3 elected by ranked choice voting involving 3 or more  
4 candidates, including qualified write-in candidates, shall be  
5 conducted pursuant to the procedures set forth in this  
6 Article.

7 (10 ILCS 5/22A-5 new)

8 Sec. 22A-5. Definitions. As used in this Article:

9 "Active ballot" means a ballot that is not an inactive  
10 ballot.

11 "Active candidate" means a candidate who has not been  
12 defeated.

13 "Highest-ranked active candidate" means the highest  
14 ranking on a voter's ballot for an active candidate.

15 "Inactive ballot" is a ballot that does not count for any  
16 candidate for any of the reasons given in Section 22A-45.

17 "Overvote" means a circumstance in which a voter has  
18 ranked more than one candidate at the same ranking.

19 "Ranking" means the number available to be assigned by a  
20 voter to a candidate to express the voter's choice for that  
21 candidate. The number "1" is the highest ranking, followed by  
22 "2" and then "3" and so on.

23 "Round" means an instance of the sequence of voting  
24 tabulation steps established in Section 22A-30.

25 "Skipped ranking" means a voter has left a ranking

1 unassigned but ranks a candidate at a subsequent ranking.

2 "Undervote" means a circumstance in which a voter has not  
3 ranked any candidate for a particular office.

4 "Under-voted" means a case where a ballot does not contain  
5 rankings for any candidate for a particular office.

6 (10 ILCS 5/22A-10 new)

7 Sec. 22A-10. Ranked choice voting ballots. A ranked choice  
8 voting ballot shall be laid out to allow the voter to rank the  
9 candidates for an office in order of preference. The ballot  
10 shall allow voters to rank as many choices as there are  
11 qualified candidates, including qualified write-in candidates,  
12 except as provided in this Section. If the voting equipment  
13 cannot accommodate a number of rankings on the ballot equal to  
14 the number of qualified candidates, an election authority may  
15 limit the number of choices a voter may rank on a ballot to the  
16 maximum number allowed by the equipment. If multiple types of  
17 voting equipment are used in an election for the same office,  
18 the State Board of Elections shall ensure that every ballot  
19 allows voters to rank the same number of candidates.

20 (10 ILCS 5/22A-15 new)

21 Sec. 22A-15. Mixed-election method ballots. If elections  
22 are held in which ranked choice voting is used in addition to  
23 other methods of voting, the ranked choice and non-ranked  
24 choice voting elections must be on the same ballot if

1 possible, with ranked choice voting and non-ranked choice  
2 voting portions clearly separated on the ballot. If placement  
3 of all offices to be elected cannot be placed on a single  
4 ballot, a separate ballot may be used for those offices to be  
5 elected using ranked choice voting. Ballots may deviate from  
6 the ordering established in Section 7-19 to allow for  
7 separation of ranked choice voting and non-ranked choice  
8 voting elections.

9 (10 ILCS 5/22A-20 new)

10 Sec. 22A-20. Ballot requirements. All other ballot  
11 requirements of this Code apply to ranked choice voting  
12 ballots to the extent that they do not contradict the  
13 requirements of this Article.

14 (10 ILCS 5/22A-25 new)

15 Sec. 22A-25. First ranked choice tabulation.

16 (a) A first ranked choice tabulation shall be done under  
17 this Section before tabulation as described in Section 22A-30.  
18 A first ranked choice tabulation will consist of a first round  
19 only. Under the first ranked choice tabulation, the vote total  
20 will be the sum of the number one ranked votes.

21 (b) If the vote total for a candidate is greater than 50%  
22 of the active ballots, the candidate shall be declared duly  
23 elected. If not, tabulation shall proceed in rounds as  
24 described in Section 22A-30.



1 (10 ILCS 5/22A-30 new)

2 Sec. 22A-30. Ranked choice voting tabulation. Tabulation  
3 must proceed in rounds as follows:

4 (1) If 2 or fewer active candidates remain, the  
5 candidate with the greatest number of votes is declared  
6 the winner of the election and tabulation is complete.

7 (2) If more than 2 active candidates remain, the  
8 active candidate with the fewest votes is defeated. Votes  
9 for the defeated candidate are transferred to each  
10 ballot's next-highest-ranked active candidate and a new  
11 round begins.

12 (10 ILCS 5/22A-35 new)

13 Sec. 22A-35. Ties. If during any round of tabulation 2 or  
14 more candidates are tied with the fewest votes, and tabulation  
15 cannot continue until the candidate with the fewest votes is  
16 defeated, then the candidate to be defeated will be chosen by  
17 lot. The result of the tie resolution must be recorded and  
18 reused in the event of a recount. Election authorities may  
19 resolve prospective ties between candidates before the  
20 election.

21 (10 ILCS 5/22A-40 new)

22 Sec. 22A-40. Batch elimination. In any election conducted  
23 by ranked choice voting, the election authority may modify the

1 tabulation to include batch elimination. If the tabulation  
2 does include batch elimination, then any time the active  
3 candidate with the fewest votes would be defeated, all active  
4 candidates in the elimination batch are simultaneously  
5 defeated instead. An active candidate is in the elimination  
6 batch if the number of elected and active candidates with more  
7 votes than that candidate is greater than the number of  
8 offices to be elected, and it is mathematically impossible for  
9 that candidate to be elected for any of the following reasons:

10 (1) The candidate could never win because the  
11 candidate's current vote total plus all votes that could  
12 possibly be transferred to the candidate in future rounds  
13 would not be enough to equal or surpass the active  
14 candidate with the next higher current vote total.

15 (2) The candidate has a lower current vote total than  
16 an active candidate who is described in paragraph (1).

17 (10 ILCS 5/22A-45 new)

18 Sec. 22A-45. Inactive ballots and undervotes.

19 (a) In any round of tabulation in an election conducted by  
20 ranked choice voting, an inactive ballot does not count for  
21 any candidate. A ballot is inactive if any of the following is  
22 true:

23 (1) It does not contain any active candidates and is  
24 not an undervote.

25 (2) It has reached an overvote.

1           (3) It has reached 2 consecutive skipped rankings.

2           (b) A ballot that is under-voted does not count as an  
3 active or inactive ballot in any round of tabulation.

4           (10 ILCS 5/22A-50 new)

5           Sec. 22A-50. Precinct returns.

6           (a) For elections for an office elected by ranked choice  
7 voting, precinct returns must include, at minimum, the number  
8 of votes in the first ranking for each candidate.

9           (b) The processes for making precinct returns, as  
10 described in Articles 7, 17, and 18, may be modified by the  
11 State Board of Elections or other election authority to allow  
12 for compliance with this Section.

13           (10 ILCS 5/22A-55 new)

14           Sec. 22A-55. Rights of political parties. For all  
15 statutory and constitutional provisions in the State  
16 pertaining to the rights of political parties or the number of  
17 votes cast for an officer or candidate, the number of votes  
18 cast for a party's candidate for an office elected by ranked  
19 choice voting is the number of votes credited to that  
20 candidate in the first ranked choice tabulation described in  
21 Section 22A-25.

22           (10 ILCS 5/22A-60 new)

23           Sec. 22A-60. Adoption of rules. The State Board of

1 Elections may adopt rules to implement the provisions of this  
2 Article.

	INDEX	
	Statutes amended in order of appearance	
1		
2		
3	10 ILCS 5/1-3	from Ch. 46, par. 1-3
4	10 ILCS 5/7-46	from Ch. 46, par. 7-46
5	10 ILCS 5/7-52	from Ch. 46, par. 7-52
6	10 ILCS 5/7-53	from Ch. 46, par. 7-53
7	10 ILCS 5/7-56	from Ch. 46, par. 7-56
8	10 ILCS 5/7-59	from Ch. 46, par. 7-59
9	10 ILCS 5/16-3	from Ch. 46, par. 16-3
10	10 ILCS 5/17-11	from Ch. 46, par. 17-11
11	10 ILCS 5/17-18	from Ch. 46, par. 17-18
12	10 ILCS 5/18-5	from Ch. 46, par. 18-5
13	10 ILCS 5/18-9	from Ch. 46, par. 18-9
14	10 ILCS 5/21-2	from Ch. 46, par. 21-2
15	10 ILCS 5/22-7	from Ch. 46, par. 22-7
16	10 ILCS 5/Art. 22A heading	
17	new	
18	10 ILCS 5/22A-1 new	
19	10 ILCS 5/22A-5 new	
20	10 ILCS 5/22A-10 new	
21	10 ILCS 5/22A-15 new	
22	10 ILCS 5/22A-20 new	
23	10 ILCS 5/22A-25 new	
24	10 ILCS 5/22A-30 new	
25	10 ILCS 5/22A-35 new	

- 1 10 ILCS 5/22A-40 new
- 2 10 ILCS 5/22A-45 new
- 3 10 ILCS 5/22A-50 new
- 4 10 ILCS 5/22A-55 new
- 5 10 ILCS 5/22A-60 new