

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 16-3 and 16-6.1 as follows:

6 (10 ILCS 5/16-3) (from Ch. 46, par. 16-3)

7 Sec. 16-3. The names of all candidates to be voted for  
8 in each election district or precinct shall be printed on one  
9 ballot, except as is provided in Sections 16-6.1 and 21-1.01  
10 of this Act and except as otherwise provided in this Act with  
11 respect to the odd year regular elections and the emergency  
12 referenda; all nominations of any political party being  
13 placed under the party appellation or title of such party as  
14 designated in the certificates of nomination or petitions.  
15 The names of all independent candidates shall be printed upon  
16 the ballot in a column or columns under the heading  
17 "independent" arranged under the names or titles of the  
18 respective offices for which such independent candidates  
19 shall have been nominated and so far as practicable, the name  
20 or names of any independent candidate or candidates for any  
21 office shall be printed upon the ballot opposite the name or  
22 names of any candidate or candidates for the same office  
23 contained in any party column or columns upon said ballot.  
24 The ballot shall contain no other names, except that in cases  
25 of electors for President and Vice-President of the United  
26 States, the names of the candidates for President and  
27 Vice-President may be added to the party designation and  
28 words calculated to aid the voter in his choice of candidates  
29 may be added, such as "Vote for one," "Vote for three." When  
30 an electronic voting system is used which utilizes a ballot  
31 label booklet, the candidates and questions shall appear on

1 the pages of such booklet in the order provided by this Code;  
2 and, in any case where candidates for an office appear on a  
3 page which does not contain the name of any candidate for  
4 another office, and where less than 50% of the page is  
5 utilized, the name of no candidate shall be printed on the  
6 lowest 25% of such page. On the back or outside of the  
7 ballot, so as to appear when folded, shall be printed the  
8 words "Official Ballot", followed by the designation of the  
9 polling place for which the ballot is prepared, the date of  
10 the election and a facsimile of the signature of the election  
11 authority who has caused the ballots to be printed. The  
12 ballots shall be of plain white paper, through which the  
13 printing or writing cannot be read. However, ballots for use  
14 at the nonpartisan and consolidated elections may be printed  
15 on different color paper, except blue paper, whenever  
16 necessary or desirable to facilitate distinguishing between  
17 ballots for different political subdivisions. In the case of  
18 nonpartisan elections for officers of a political  
19 subdivision, unless the statute or an ordinance adopted  
20 pursuant to Article VII of the Constitution providing the  
21 form of government therefor requires otherwise, the column  
22 listing such nonpartisan candidates shall be printed with no  
23 appellation or circle at its head. The party appellation or  
24 title, or the word "independent" at the head of any column  
25 provided for independent candidates, shall be printed in  
26 ~~capital~~ letters not less than one-fourth of an inch in height  
27 and a circle one-half inch in diameter shall be printed at  
28 the beginning of the line in which such appellation or title  
29 is printed, provided, however, that no such circle shall be  
30 printed at the head of any column or columns provided for  
31 such independent candidates. The names of candidates shall be  
32 printed in ~~capital~~ letters not less than one-eighth nor more  
33 than one-fourth of an inch in height, and at the beginning of  
34 each line in which a name of a candidate is printed a square

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

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

28 WRITE-IN VOTES

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

31 \_\_\_\_\_

32 Title of Office

33 ( ) \_\_\_\_\_

34 Name of Candidate

1           When an electronic voting system is used which uses a  
2 ballot sheet, the instructions to voters on the ballot sheet  
3 shall refer the voter to the card of instructions for  
4 specific information on write-in voting. Below each office  
5 appearing on such ballot sheet there shall be a provision for  
6 the casting of a write-in vote.

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

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

8 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  
11 known, or a combination thereof, may be used in addition to  
12 the candidate's surname. No other designation such as a title  
13 or degree or nickname suggesting or implying possession of a  
14 title, degree or professional status, or similar information  
15 may be used in connection with the candidate's surname,  
16 except that the title "Mrs." may be used in the case of a  
17 married woman.

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

22 Nothing in this Section shall prohibit election  
23 authorities from using or reusing ballot card envelopes which  
24 were printed before the effective date of this amendatory Act  
25 of 1985.

26 (Source: P.A. 84-1308.)

27 (10 ILCS 5/16-6.1) (from Ch. 46, par. 16-6.1)

28 Sec. 16-6.1. In elections held pursuant to the  
29 provisions of Section 12 of Article VI of the Constitution  
30 relating to retention of judges in office, the form of the  
31 proposition to be submitted for each candidate shall be as  
32 provided in paragraph (1) or (2), as the election authority  
33 may choose.

1           (1) The names of all persons seeking retention in  
2           the same office shall be listed, in the order provided in  
3           this Section, with one proposition that reads  
4           substantially as follows: "Shall each of the persons  
5           listed be retained in office as (insert name of office  
6           and court)?". To the right of each candidate's name must  
7           be places for the voter to mark "Yes" or "No". If the  
8           list of candidates for retention in the same office  
9           exceeds one page of the ballot, the proposition must  
10           appear on each page upon which the list of candidates  
11           continues.

12           (2) The form of the proposition for each candidate  
13           shall be substantially as follows:

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Shall .....	(insert name	YES
of candidate) be retained in		
office as .....	(insert name	
of office and Court)?		NO

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20           The names of all candidates thus submitting their names  
21           for retention in office in any particular judicial district  
22           or circuit shall appear on the same ballot which shall be  
23           separate from all other ballots voted on at the general  
24           election.

25           Propositions on Supreme Court judges, if any are seeking  
26           retention, shall appear on the ballot in the first group, for  
27           judges of the Appellate Court in the second group immediately  
28           under the first, and for circuit judges in the last group.  
29           The grouping of candidates for the same office shall be  
30           preceded by a heading describing the office and the court.  
31           If there are two or more candidates for each office, the  
32           names of such candidates in each group shall be listed in the  
33           order determined as follows: The name of the person with the  
34           greatest length of time served in the specified office of the

1 specified court shall be listed first in each group. The  
2 rest of the names shall be listed in the appropriate order  
3 based on the same seniority standard. If two or more  
4 candidates for each office have served identical periods of  
5 time in the specified office, such candidates shall be listed  
6 alphabetically at the appropriate place in the order of names  
7 based on seniority in the office as described. Circuit  
8 judges shall be credited for the purposes of this section  
9 with service as associate judges prior to July 1, 1971 and  
10 with service on any court the judges of which were made  
11 associate judges on January 1, 1964 by virtue of Paragraph 4,  
12 subparagraphs (c) and (d) of the Schedule to Article VI of  
13 the former Illinois Constitution.

14 At the top of the ballot on the same side as the  
15 propositions on the candidates are listed shall be printed an  
16 explanation to read substantially as follows: "Vote on the  
17 proposition with respect to all or any of the judges listed  
18 on this ballot. No judge listed is running against any other  
19 judge. The sole question is whether each judge shall be  
20 retained in his present office".

21 Such separate ballot shall be printed on paper of  
22 sufficient size so that when folded once it shall be large  
23 enough to contain the following words, which shall be printed  
24 on the back, "Ballot for judicial candidates seeking  
25 retention in office". Such ballot shall be handed to the  
26 elector at the same time as the ballot containing the names  
27 of other candidates for the general election and shall be  
28 returned therewith by the elector to the proper officer in  
29 the manner designated by this Act. All provisions of this  
30 Act relating to ballots shall apply to such separate ballot,  
31 except as otherwise specifically provided in this section.  
32 Such separate ballot shall be printed upon paper of a green  
33 color. No other ballot at the same election shall be green  
34 in color.

1           In precincts in which voting machines are used, the  
2 special ballot containing the propositions on the retention  
3 of judges may be placed on the voting machines if such voting  
4 machines permit the casting of votes on such propositions.

5           An electronic voting system authorized by Article 24A may  
6 be used in voting and tabulating the judicial retention  
7 ballots. When an electronic voting system is used which  
8 utilizes a ballot label booklet and ballot card, there shall  
9 be used in the label booklet a separate ballot label page or  
10 pages as required for such proposition, which page or pages  
11 for such proposition shall be of a green color separate and  
12 distinct from the ballot label page or pages used for any  
13 other proposition or candidates.

14       (Source: P.A. 79-201.)