

1 AN ACT concerning elections.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Election Code is amended by changing  
5 Sections 7-11 and 21-1 as follows:

6 (10 ILCS 5/7-11) (from Ch. 46, par. 7-11)

7 Sec. 7-11. Any candidate for President of the United States  
8 may have his name printed upon the primary ballot of his  
9 political party by (1) filing in the office of the State Board  
10 of Elections not more than 113 and not less than 106 days prior  
11 to the date of the general primary, in any year in which a  
12 Presidential election is to be held, a petition signed by not  
13 less than 3000 or more than 5000 primary electors, members of  
14 and affiliated with the party of which he is a candidate and  
15 (2) filing in the office of the Secretary of State a copy of  
16 the candidate's income tax returns for the 5 previous years,  
17 and no candidate for President of the United States, who fails  
18 to comply with the provisions of this Article shall have his  
19 name printed upon any primary ballot: Provided, however, that  
20 if the rules or policies of a national political party conflict  
21 with such requirements for filing petitions for President of  
22 the United States in a presidential preference primary, the  
23 Chair of the State central committee of such national political

1 party shall notify the State Board of Elections in writing,  
2 citing by reference the rules or policies of the national  
3 political party in conflict, and in such case the Board shall  
4 direct such petitions to be filed in accordance with the  
5 delegate selection plan adopted by the state central committee  
6 of such national political party. Provided, further, unless  
7 rules or policies of a national political party otherwise  
8 provide, the vote for President of the United States, as herein  
9 provided for, shall be for the sole purpose of securing an  
10 expression of the sentiment and will of the party voters with  
11 respect to candidates for nomination for said office, and the  
12 vote of the state at large shall be taken and considered as  
13 advisory to the delegates and alternates at large to the  
14 national conventions of respective political parties; and the  
15 vote of the respective congressional districts shall be taken  
16 and considered as advisory to the delegates and alternates of  
17 said congressional districts to the national conventions of the  
18 respective political parties.

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

20 (10 ILCS 5/21-1) (from Ch. 46, par. 21-1)

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

24 (a) In each year in which a President and Vice-President of  
25 the United States are chosen, each political party or group in

1 this State shall choose by its State Convention or State  
2 central committee electors of President and Vice-President of  
3 the United States and such State Convention or State central  
4 committee of such party or group shall also choose electors at  
5 large, if any are to be appointed for this State and such State  
6 Convention or State central committee of such party or group  
7 shall by its chair and secretary certify the total list of such  
8 electors together with electors at large so chosen to the State  
9 Board of Elections.

10 The filing of such certificate with the Board, of such  
11 choosing of electors shall be deemed and taken to be the  
12 choosing and selection of the electors of this State, if such  
13 party or group is successful at the polls as herein provided in  
14 choosing their candidates for President and Vice-President of  
15 the United States.

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

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

22 (b-5) Notwithstanding the provisions of subsection (b) of  
23 this Section, no candidate for President or Vice President of  
24 the United States shall appear on the official ballot for the  
25 general election if that candidate has not released his or her  
26 income tax returns for the 5 tax years immediately preceding

1 the year of the general election. The Secretary of State shall  
2 certify to the State Board that the income tax returns have  
3 been filed in accordance with this subsection (b-5) and shall  
4 post the income tax returns on the Secretary of State's  
5 website. The Secretary of State shall redact the social  
6 security number, address, and telephone number of any  
7 individual in an income tax return submitted under this  
8 subsection (b-5). The Secretary of State may adopt rules for  
9 the implementation of this subsection (b-5).

10 If a candidate for President or Vice President has not  
11 filed his or her income tax return with the Internal Revenue  
12 Service for the tax year immediately preceding the year of the  
13 general election by the time electors have been chosen under  
14 subsection (a), then the candidate must submit his or her  
15 income tax return to the Secretary of State within 5 days after  
16 he or she files the income tax return with the Internal Revenue  
17 Service.

18 As used in this subsection (b-5), "income tax return" means  
19 a tax or information return, declaration of estimated tax, or  
20 claim for refund required by, or provided for or permitted  
21 under, the Internal Revenue Code and that is filed on behalf of  
22 or with respect to any person, and any amendment or supplement  
23 thereto, including supporting schedules, attachments, or lists  
24 that are supplemental to, or part of, the return so filed.

25 As used in this subsection (b-5), "released his or her  
26 income tax returns" means that the income tax returns for the 5

1 tax years immediately preceding the year of the general  
2 election are filed by the candidates for President and Vice  
3 President of the United States with the Secretary of State  
4 before the filing deadline for the office. The candidates shall  
5 file the income tax returns when filing a statement of economic  
6 interests.

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

12 (d) Should more than one certificate of choice and  
13 selection of electors of the same political party or group be  
14 filed by contesting conventions or contesting groups, it shall  
15 be the duty of the State Board of Elections within 10 days  
16 after the adjournment of the last of such conventions to meet  
17 and determine which set of nominees for electors of such party  
18 or group was chosen and selected by the authorized convention  
19 of such party or group. The Board, after notice to the chair  
20 and secretaries or managers of the conventions or groups and  
21 after a hearing shall determine which set of electors was so  
22 chosen by the authorized convention and shall so announce and  
23 publish the fact, and such decision shall be final and the set  
24 of electors so determined upon by the electoral board to be so  
25 chosen shall be the list or set of electors to be deemed  
26 elected if that party shall be successful at the polls, as

1 herein provided.

2 (e) Should a vacancy occur in the choice of an elector in a  
3 congressional district, such vacancy may be filled by the  
4 executive committee of the party or group for such  
5 congressional district, to be certified by such committee to  
6 the State Board of Elections. Should a vacancy occur in the  
7 office of elector at large, such vacancy shall be filled by the  
8 State committee of such political party or group, and certified  
9 by it to the State Board of Elections.

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