



## 103RD GENERAL ASSEMBLY

### State of Illinois

2023 and 2024

HB5195

Introduced 2/9/2024, by Rep. Brad Halbrook

#### SYNOPSIS AS INTRODUCED:

10 ILCS 5/1-26 new  
10 ILCS 5/16-5.01

from Ch. 46, par. 16-5.01

Amends the Election Code. Provides that a ranked-choice voting method that allows voters to rank candidates for an office in order of preference and tabulates cast ballots in multiple rounds following the elimination of a candidate until a single candidate attains a majority shall not be used in determining the election or nomination of any candidate to any local, State, or federal elective office in this State. Provides that an ordinance existing on the effective date of the amendatory Act or adopted after the effective date of the amendatory Act by a county, a municipality, or any other unit of local government that is in conflict with the provisions is void. Repeals the provision on January 1, 2034. Removes a provision allowing a municipality to adopt an ordinance to administer an election using a ranked ballot for municipal and township office candidates to be voted on in the consolidated election.

LRB103 38458 SPS 68594 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 Section 16-5.01 and by adding Section 1-26 as follows:

6 (10 ILCS 5/1-26 new)

7 Sec. 1-26. Ranked-choice voting prohibited.

8 (a) A ranked-choice voting method that allows voters to  
9 rank candidates for an office in order of preference and  
10 tabulates cast ballots in multiple rounds following the  
11 elimination of a candidate until a single candidate attains a  
12 majority shall not be used in determining the election or  
13 nomination of any candidate to any local, State, or federal  
14 elective office in this State.

15 (b) An ordinance existing on the effective date of this  
16 amendatory Act of the 103rd General Assembly or adopted after  
17 the effective date of this amendatory Act of the 103rd General  
18 Assembly by a county, a municipality, or any other unit of  
19 local government that is in conflict with this Section is  
20 void.

21 (c) This Section is repealed on January 1, 2034.

22 (10 ILCS 5/16-5.01) (from Ch. 46, par. 16-5.01)

1           Sec. 16-5.01. (a) Except as otherwise provided in this  
 2 Code, the election authority shall, at least 46 days prior to  
 3 the date of any election at which federal officers are elected  
 4 and 45 days prior to any other regular election, have a  
 5 sufficient number of ballots printed so that such ballots will  
 6 be available for mailing 45 days prior to the date of the  
 7 election to persons who have filed application for a ballot  
 8 under the provisions of Article 20 of this Code.

9           (b) If at any election at which federal offices are  
 10 elected or nominated the election authority is unable to  
 11 comply with the provisions of subsection (a), the election  
 12 authority shall mail to each such person, in lieu of the  
 13 ballot, a Special Write-in Vote by Mail Voter's Blank Ballot.  
 14 The Special Write-in Vote by Mail Voter's Blank Ballot shall  
 15 be used at all elections at which federal officers are elected  
 16 or nominated and shall be prepared by the election authority  
 17 in substantially the following form:

18                   Special Write-in Vote by Mail Voter's Blank Ballot

19           (To vote for a person, write the title of the office and  
 20 his or her name on the lines provided. Place to the left of and  
 21 opposite the title of office a square and place a cross (X) in  
 22 the square.)

23	Title of Office	Name of Candidate
24	(    )	
25	(    )	
26	(    )	

1 ( )

2 ( )

3 ( )

4 The election authority shall send with the Special  
5 Write-in Vote by Mail Voter's Blank Ballot a list of all  
6 referenda for which the voter is qualified to vote and all  
7 candidates for whom nomination papers have been filed and for  
8 whom the voter is qualified to vote. The voter shall be  
9 entitled to write in the name of any candidate seeking  
10 election and any referenda for which he or she is entitled to  
11 vote.

12 On the back or outside of the ballot, so as to appear when  
13 folded, shall be printed the words "Official Ballot", the date  
14 of the election and a facsimile of the signature of the  
15 election authority who has caused the ballot to be printed.

16 The provisions of Article 20, insofar as they may be  
17 applicable to the Special Write-in Vote by Mail Voter's Blank  
18 Ballot, shall be applicable herein.

19 (c) (Blank). ~~Notwithstanding any provision of this Code or~~  
20 ~~other law to the contrary, the governing body of a~~  
21 ~~municipality may adopt, upon submission of a written statement~~  
22 ~~by the municipality's election authority attesting to the~~  
23 ~~administrative ability of the election authority to administer~~  
24 ~~an election using a ranked ballot to the municipality's~~  
25 ~~governing body, an ordinance requiring, and that~~  
26 ~~municipality's election authority shall prepare, a ranked vote~~

1 ~~by mail ballot for municipal and township office candidates to~~  
2 ~~be voted on in the consolidated election. This ranked ballot~~  
3 ~~shall be for use only by a qualified voter who either is a~~  
4 ~~member of the United States military or will be outside of the~~  
5 ~~United States on the consolidated primary election day and the~~  
6 ~~consolidated election day. The ranked ballot shall contain a~~  
7 ~~list of the titles of all municipal and township offices~~  
8 ~~potentially contested at both the consolidated primary~~  
9 ~~election and the consolidated election and the candidates for~~  
10 ~~each office and shall permit the elector to vote in the~~  
11 ~~consolidated election by indicating his or her order of~~  
12 ~~preference for each candidate for each office. To indicate his~~  
13 ~~or her order of preference for each candidate for each office,~~  
14 ~~the voter shall put the number one next to the name of the~~  
15 ~~candidate who is the voter's first choice, the number 2 for his~~  
16 ~~or her second choice, and so forth so that, in consecutive~~  
17 ~~numerical order, a number indicating the voter's preference is~~  
18 ~~written by the voter next to each candidate's name on the~~  
19 ~~ranked ballot. The voter shall not be required to indicate his~~  
20 ~~or her preference for more than one candidate on the ranked~~  
21 ~~ballot. The voter may not cast a write-in vote using the ranked~~  
22 ~~ballot for the consolidated election. The election authority~~  
23 ~~shall, if using the ranked vote by mail ballot authorized by~~  
24 ~~this subsection, also prepare instructions for use of the~~  
25 ~~ranked ballot. The ranked ballot for the consolidated election~~  
26 ~~shall be mailed to the voter at the same time that the ballot~~

1 ~~for the consolidated primary election is mailed to the voter~~  
2 ~~and the election authority shall accept the completed ranked~~  
3 ~~ballot for the consolidated election when the authority~~  
4 ~~accepts the completed ballot for the consolidated primary~~  
5 ~~election.~~

6 ~~The voter shall also be sent a vote by mail ballot for the~~  
7 ~~consolidated election for those races that are not related to~~  
8 ~~the results of the consolidated primary election as soon as~~  
9 ~~the consolidated election ballot is certified.~~

10 ~~The State Board of Elections shall adopt rules for~~  
11 ~~election authorities for the implementation of this~~  
12 ~~subsection, including, but not limited to, the application for~~  
13 ~~and counting of ranked ballots.~~

14 (Source: P.A. 102-15, eff. 6-17-21; 103-154, eff. 6-30-23.)