1   AN ACT in relation to 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 adding
5   Sections 7-80, 16-15, and 17-50 as follows:

6   (10 ILCS 5/7-80 new)
7   Sec. 7-80. Municipal run-off. Any provision   of this
8   Article to the contrary notwithstanding,   the   election
9   authority of a municipality may conduct instant run-off
10   elections as provided in the Illinois Municipal Code. Any
11   provision of this Article that would otherwise preclude an
12   instant run-off election is deemed inapplicable to instant
13   run-off elections conducted in accordance with the Illinois
14   Municipal Code.

15   (10 ILCS 5/16-15 new)
16   Sec. 16-15. Municipal run-off. Any provision   of this
17   Article   to   the   contrary notwithstanding, the election
18   authority of a municipality may prepare instant run-off
19   election ballots as provided in the Illinois Municipal Code.
20   Any provision of this Article that would otherwise preclude
21   an instant run-off election ballot is deemed inapplicable to
22   instant run-off election ballots prepared in accordance with
23   the Illinois Municipal Code.

24   (10 ILCS 5/17-50 new)
25   Sec. 17-50. Municipal run-off. Any provision of this
26   Article to the contrary notwithstanding,   the   election
27   authority of a municipality may conduct instant run-off
28   elections as provided in the Illinois Municipal Code. Any
29   provision of this Article that would otherwise preclude an

1   instant run-off election is deemed inapplicable to instant

2   run-off elections conducted in accordance with the Illinois

3   Municipal Code.

4   Section 10. The Illinois Municipal Code is amended by

5   adding   Sections 3.1-15-45, 3.1-15-50, and 3.1-15-55 as

6   follows:

7   (65 ILCS 5/3.1-15-45 new)

8   Sec. 3.1-15-45. Instant runoff voting.

9   (a) Whenever the question of incorporation as a city

10   under this Code is submitted for adoption to the electors of

11   any territory, village, incorporated town, or city under

12   special charter, there may be submitted at the same time for

13   adoption or rejection the question of instant runoff voting

14   for mayor, city clerk, city treasurer, and city councilman or

15   alderman. The proposition shall be in the following form:

16   Shall instant runoff voting for mayor, city clerk, city

17   treasurer, and city councilman or alderman be adopted?

18   (b) If a majority of the votes cast on the question at

19   any election are for instant runoff voting for mayor, city

20   clerk, city treasurer, and city councilman or alderman, the

21   mayor, city clerk, city treasurer, and city councilman or

22   alderman, except as otherwise provided, thereafter shall be

23   elected as provided in Section 3.1-15-50.

24   (c) If a majority of the votes cast on the question at

25   any election are against instant runoff voting for mayor,

26   city clerk, city treasurer, and city councilman or alderman,

27   the mayor, city clerk, city treasurer, and city councilman or

28   alderman shall be elected as otherwise provided in this Code.

29   (d) At any time after the incorporation of a city under

30   this Code, on petition of electors equal in number to

31   one-eighth the number of legal votes cast at the next

32   preceding general municipal election, the city clerk shall

1   certify the question of the adoption or retention of instant

2   runoff voting to the proper election authority for submission

3   to the electors of that city. The proposition shall be in the

4   same form as provided in this Section, except that the word

5   "retained" shall be substituted for the word "adopted" when

6   appropriate. A question of instant runoff voting, however,

7   shall not be submitted more than once within 32 months.

8   (65 ILCS 5/3.1-15-50 new)

9   Sec. 3.1-15-50. Mayor, city clerk, city treasurer, and

10   city councilman or alderman under instant runoff voting plan.

11   (a) The ballot shall be designed to allow an elector to

12   vote for the elector's first, second, and third choices from

13   among the candidates, including candidates listed on the

14   ballot or one write-in candidate.

15   (b) Ballots shall be counted as follows:

16   (1) The elector's vote shall be assigned to the

17   candidate marked as the elector's first choice. If one

18   candidate receives a majority of the first-choice votes,

19   that candidate shall be declared nominated.

20   (2) If no candidate receives a majority of the

21   first-choice votes, the candidate receiving the fewest

22   first-choice votes shall be eliminated. Each vote cast

23   for the eliminated candidate shall be transferred to the

24   candidate who was each elector's next choice on the

25   ballot.

26   (3) Candidates with the fewest votes shall continue

27   to be eliminated, with the votes for those candidates

28   transferred to the candidate who was each elector's next

29   choice on the ballot until a candidate receives a

30   majority of the votes cast. When a candidate receives a

31   majority of votes, that candidate shall be declared

32   nominated.

33   (4) Notwithstanding any provision of this Section,

1   a candidate shall be eliminated before the first tally of

2   ballots if the candidate receives fewer than 500 votes,

3   or fewer than 10% of the total votes cast for the

4   nomination, whichever is less.

5   (C) An elector may vote the elector's choices   as

6   follows:

7   (1) For each office for which there are 3 or more

8   candidates listed on the ballot, an elector may indicate

9   3 choices.

10   (2) For   each   office   for which there are 2

11   candidates listed on the ballot, an elector may indicate

12   2 choices.

13   (3) For   each   office for which there is one or no

14   candidate listed on the ballot, an elector may indicate

15   one choice.

16   (d) If all candidates for whom an elector voted on a

17   ballot are eliminated, the ballot shall be declared exhausted

18   and may not be considered in any continuing determination of

19   whether a candidate for the nomination received a majority of

20   votes cast. If the ballot of an elector does not list the

21   elector's choices in numerical order, the elector's next

22   clearly indicated choice in order shall be counted. If an

23   elector's ballot assigns the same numeric choice to more than

24   one candidate, those assignments are invalid, and   the

25   elector's vote is transferred to the next numeric choice, if

26   any.

27   (e) If 2 or more candidates for the same nomination or

28   election, after a recount of the votes cast, have an equal

29   number of votes at any stage of the counting of the votes and

30   one of the candidates is to be eliminated, the tie shall be

31   resolved by lot.

32   (65 ILCS 5/3.1-15-55 new)

33   Sec. 3.1-15-55.   Instant runoff election validation. In

1   any case in which a city held an election for city officers,

2   such election is declared to be legal and valid if an instant

3   runoff method was used, as described in Section 3.1-15-45, if

4   the election was in other respects in conformity with law.