



## 93RD GENERAL ASSEMBLY

### State of Illinois

2003 and 2004

HB4139

Introduced 1/16/2004, by Rep. Frank J. Mautino

#### SYNOPSIS AS INTRODUCED:

10 ILCS 5/16-5.01

from Ch. 46, par. 16-5.01

Amends the Election Code. Permits election authorities to prepare and provide special consolidated primary election absentee ballots that permit instant run-off voting for absentee voters in the United States military or outside the United States on the consolidated primary and consolidated election days. Requires the State Board of Elections to adopt implementing rules.

LRB093 14526 RAS 40017 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 Section  
5 16-5.01 as follows:

6 (10 ILCS 5/16-5.01) (from Ch. 46, par. 16-5.01)

7 Sec. 16-5.01. (a) The election authority shall, at least 60  
8 days prior to the date of any general election at which federal  
9 officers are elected and 45 days prior to any other regular  
10 election, have a sufficient number of ballots printed so that  
11 such ballots will be available for mailing 60 days prior to the  
12 date of the election to persons who have filed application for  
13 a ballot under the provisions of Article 20 of this Act.

14 (b) If at any general election at which federal offices are  
15 elected the election authority is unable to comply with the  
16 provisions of subsection (a), the election authority shall mail  
17 to each such person, in lieu of the ballot, a Special Write-in  
18 Absentee Voter's Blank Ballot. The Special Write-in Absentee  
19 Voter's Blank Ballot shall be used only at general elections at  
20 which federal officers are elected and shall be prepared by the  
21 election authority in substantially the following form:

22 Special Write-in Absentee Voter's Blank Ballot

23 (To vote for a person, write the title of the office and  
24 his or her name on the lines provided. Place to the left of and  
25 opposite the title of office a square and place a cross (X) in  
26 the square.)

27	Title of Office	Name of Candidate
28	( )	
29	( )	
30	( )	
31	( )	
32	( )	

1 ( )

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

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

13 The provisions of Article 20, insofar as they may be  
14 applicable to the Special Write-in Absentee Voter's Blank  
15 Ballot, shall be applicable herein.

16 (c) Notwithstanding any provision of this Code to the  
17 contrary, the election authority may prepare a special absentee  
18 ballot for candidates to be voted on in the consolidated  
19 primary election. This special ballot shall be for use only by  
20 a qualified voter who either is a member of the United States  
21 military or will be outside of the United States on the  
22 consolidated primary election day and the consolidated  
23 election day. The special ballot shall contain a list of the  
24 titles of all offices contested at the consolidated primary  
25 election and the candidates for each office and shall permit  
26 the elector to vote in the run-off election by indicating his  
27 or her order of preference for each candidate for each office.  
28 To indicate his or her order of preference for each candidate  
29 for each office, the voter shall put the number one next to the  
30 name of the candidate who is the voter's first choice, the  
31 number 2 for his or her second choice, and so forth so that, in  
32 consecutive numerical order, a number indicating the voter's  
33 preference is written by the voter next to each candidate's  
34 name on the ballot. The voter shall not be required to indicate  
35 his or her preference for more than one candidate on the  
36 ballot. The election authority shall, if using the special

1 absentee ballot authorized by this subsection, also prepare  
2 instructions for use of the special ballot.

3 The State Board of Elections shall adopt rules for the  
4 implementation of this subsection, including but not limited to  
5 the application for and counting of special ballots.

6 (Source: P.A. 86-875.)