



94TH GENERAL ASSEMBLY

State of Illinois

2005 and 2006

HB5774

Introduced 03/24/06, by Rep. Bill Mitchell

SYNOPSIS AS INTRODUCED:

10 ILCS 5/7-19	from Ch. 46, par. 7-19
10 ILCS 5/7-43	from Ch. 46, par. 7-43
10 ILCS 5/7-44	from Ch. 46, par. 7-44

Amends the Election Code. Eliminates separate primary ballots for different political parties. Requires that all candidates for all offices appear on a universal primary ballot. Permits a primary voter, without specifying party affiliation, to vote for candidates from more than one party. Prohibits voting for more than one candidate for each office unless otherwise authorized by law.

LRB094 20032 JAM 57571 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 Sections 7-19, 7-43, and 7-44 as follows:

6 (10 ILCS 5/7-19) (from Ch. 46, par. 7-19)

7 Sec. 7-19. Universal primary ballot. Notwithstanding any
8 provision of this Code to the contrary, all candidates
9 certified to appear on the primary ballot for nomination to the
10 same office shall appear on a universal primary ballot with
11 appropriate political party designations; no political party
12 shall have a separate primary ballot. Each qualified primary
13 voter shall receive a universal primary ballot containing the
14 names of the certified candidates for the offices for which he
15 or she is entitled to vote and may vote for candidates of one
16 or more political parties but may not vote for more than one
17 candidate for each office unless otherwise authorized by law.
18 References in this Code to primary ballots of each political
19 party or to primary ballots of political parties shall be
20 construed to mean the universal primary ballot required by this
21 amendatory Act of the 94th General Assembly. The primary ballot
22 ~~of each political party~~ for each precinct shall be arranged and
23 printed substantially in the manner following:

24 1. Designating words. At the top of each political party's
25 portion of the ballot shall be printed in large capital
26 letters, words designating the portion ballot, if a Republican
27 portion ballot, the designating words shall be: "REPUBLICAN
28 PRIMARY BALLOT"; if a Democratic portion ballot the designating
29 words shall be: "DEMOCRATIC PRIMARY BALLOT"; and in like manner
30 for each political party.

31 2. Order of Names, Directions to Voters, etc. Beginning not
32 less than one inch below designating words, the name of each

1 office to be filled shall be printed in capital letters. Such
2 names may be printed on the ballot either in a single column or
3 in 2 or more columns and in the following order, to-wit:

4 President of the United States, State offices,
5 congressional offices, delegates and alternate delegates to be
6 elected from the State at large to National nominating
7 conventions, delegates and alternate delegates to be elected
8 from congressional districts to National nominating
9 conventions, member or members of the State central committee,
10 trustees of sanitary districts, county offices, judicial
11 officers, city, village and incorporated town offices, town
12 offices, or of such of the said offices as candidates are to be
13 nominated for at such primary, and precinct, township or ward
14 committeemen. If two or more columns are used, the foregoing
15 offices to and including member of the State central committee
16 shall be listed in the left-hand column and Senatorial offices,
17 as defined in Section 8-3, shall be the first offices listed in
18 the second column.

19 Below the name of each office shall be printed in small
20 letters the directions to voters: "Vote for one"; "Vote for
21 two"; "Vote for three"; or a spelled number designating how
22 many persons under that head are to be voted for.

23 Next to the name of each candidate for delegate or
24 alternate delegate to a national nominating convention shall
25 appear either (a) the name of the candidate's preference for
26 President of the United States or the word "uncommitted" or (b)
27 no official designation, depending upon the action taken by the
28 State central committee pursuant to Section 7-10.3 of this Act.

29 Below the name of each office shall be printed in capital
30 letters the names of all candidates, arranged in the order in
31 which their petitions for nominations were filed, except as
32 otherwise provided in Sections 7-14 and 7-17 of this Article.
33 Opposite and in front of the name of each candidate shall be
34 printed a square and all squares upon the primary ballot shall
35 be of uniform size. Spaces between the names of candidates
36 under each office shall be uniform and sufficient spaces shall

1 separate the names of candidates for one office from the names
2 of candidates for another office, to avoid confusion and to
3 permit the writing in of the names of other candidates.

4 Where voting machines or electronic voting systems are
5 used, the provisions of this Section may be modified as
6 required or authorized by Article 24, ~~or~~ Article 24A, Article
7 24B, or Article 24C, whichever is applicable.

8 (Source: P.A. 83-33.)

9 (10 ILCS 5/7-43) (from Ch. 46, par. 7-43)

10 Sec. 7-43. Primary voter qualifications. Every person
11 having resided in this State 6 months and in the precinct 30
12 days next preceding any primary therein who shall be a citizen
13 of the United States of the age of 18 or more years, shall be
14 entitled to vote at such primary.

15 The following regulations shall be applicable to
16 primaries:

17 ~~No person shall be entitled to vote at a primary:~~

18 (a) (Blank). ~~Unless he declares his party affiliations as~~
19 ~~required by this Article.~~

20 (b) (Blank). ~~Who shall have signed the petition for~~
21 ~~nomination of a candidate of any party with which he does not~~
22 ~~affiliate, when such candidate is to be voted for at the~~
23 ~~primary.~~

24 (c) (Blank). ~~who shall have signed the nominating papers of~~
25 ~~an independent candidate for any office for which office~~
26 ~~candidates for nomination are to be voted for at such primary.~~

27 (c.5) (Blank). ~~If that person has participated in the town~~
28 ~~political party caucus, under Section 45-50 of the Township~~
29 ~~Code, of another political party by signing an affidavit of~~
30 ~~voters attending the caucus within 45 days before the first day~~
31 ~~of the calendar month in which the primary is held.~~

32 (d) (Blank). ~~If he has voted at a primary held under this~~
33 ~~Article 7 of another political party within a period of 23~~
34 ~~calendar months next preceding the calendar month in which such~~
35 ~~primary is held: Provided, participation by a primary elector~~

1 ~~in a primary of a political party which, under the provisions~~
2 ~~of Section 7-2 of this Article, is a political party within a~~
3 ~~city, village or incorporated town or town only and entitled~~
4 ~~hereunder to make nominations of candidates for city, village~~
5 ~~or incorporated town or town offices only, and for no other~~
6 ~~office or offices, shall not disqualify such primary elector~~
7 ~~from participating in other primaries of his party: And,~~
8 ~~provided, that no qualified voter shall be precluded from~~
9 ~~participating in the primary of any purely city, village or~~
10 ~~incorporated town or town political party under the provisions~~
11 ~~of Section 7-2 of this Article by reason of such voter having~~
12 ~~voted at the primary of another political party within a period~~
13 ~~of 23 calendar months next preceding the calendar month in~~
14 ~~which he seeks to participate is held.~~

15 (e) In cities, villages and incorporated towns having a
16 board of election commissioners only voters registered as
17 provided by Article 6 of this Act shall be entitled to vote at
18 such primary.

19 (f) No person shall be entitled to vote at a primary unless
20 he is registered under the provisions of Articles 4, 5 or 6 of
21 this Act, when his registration is required by any of said
22 Articles to entitle him to vote at the election with reference
23 to which the primary is held.

24 (Source: P.A. 89-331, eff. 8-17-95.)

25 (10 ILCS 5/7-44) (from Ch. 46, par. 7-44)

26 Sec. 7-44. Announcement of voter's name and residence;
27 judge's initials. Any person desiring to vote at a primary
28 shall state his or her name and, residence ~~and party~~
29 ~~affiliation~~ to the primary judges, one of whom shall thereupon
30 announce the same in a distinct tone of voice, sufficiently
31 loud to be heard by all persons in the polling place. When
32 article 4, 5 or 6 is applicable the Certificate of Registered
33 Voter therein prescribed shall be made and signed and the
34 official poll record shall be made. If the person desiring to
35 vote is not challenged, one of the primary judges shall give to

1 him or her one, ~~and only one,~~ primary ballot ~~of the political~~
2 ~~party with which he declares himself affiliated,~~ on the back of
3 which the ~~such~~ primary judge shall endorse his or her initials
4 in such manner that they may be seen when the primary ballot is
5 properly folded. If the person desiring to vote is challenged
6 he or she shall not receive a primary ballot from the primary
7 judges until he or she shall have established his or her right
8 to vote as ~~hereinafter~~ provided in this Article. ~~No person who~~
9 ~~refuses to state his party affiliation shall be allowed to vote~~
10 ~~at a primary.~~

11 ~~A person who declares his party affiliation with a~~
12 ~~statewide established political party and requests a primary~~
13 ~~ballot of such party may nonetheless also declare his~~
14 ~~affiliation with a political party established only within a~~
15 ~~political subdivision, and may also vote in the primary of such~~
16 ~~local party on the same election day, provided that such voter~~
17 ~~may not vote in both such party primaries with respect to~~
18 ~~offices of the same political subdivision. However, no person~~
19 ~~declaring his affiliation with a statewide established~~
20 ~~political party may vote in the primary of any other statewide~~
21 ~~political party on the same election day.~~

22 (Source: P.A. 81-1535.)