SB0439

LRB09510021JAM30235b

95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

SB0439

Introduced 2/8/2007, by Sen. Michael W. Frerichs

SYNOPSIS AS INTRODUCED:

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

Amends the Election Code. Permits a municipality to require its election authority to prepare and provide special consolidated primary election absentee ballots that permit ranked run-off voting for municipal office candidates for use by 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.

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A BILL FOR

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

1   his or her name on the lines provided. Place to the left of and

2   opposite the title of office a square and place a cross (X) in

3   the square.)

4   Title of Office   Name of Candidate

5   (   )

6   (   )

7   (   )

8   (   )

9   (   )

10 (   )

11   The election authority shall send with the Special Write-in

12 Absentee Voter's Blank Ballot a list of all referenda for which

13 the voter is qualified to vote and all candidates for whom

14 nomination papers have been filed and for whom the voter is

15 qualified to vote. The voter shall be entitled to write in the

16 name of any candidate seeking election and any referenda for

17 which he or she is entitled to vote.

18   On the back or outside of the ballot, so as to appear when

19 folded, shall be printed the words "Official Ballot", the date

20 of the election and a facsimile of the signature of the

21 election authority who has caused the ballot to be printed.

22   The provisions of Article 20, insofar as they may be

23 applicable to the Special Write-in Absentee Voter's Blank

24 Ballot, shall be applicable herein.

25   (c) Notwithstanding any provision of this Code or other law

26 to the contrary, the governing body of a municipality may adopt

1   an ordinance requiring, and that municipality's election

2   authority shall prepare, a special absentee ballot for

3   municipal office candidates to be voted on in the consolidated

4   primary election. This special ballot shall be for use only by

5   a qualified voter who either is a member of the United States

6   military or will be outside of the United States on the

7   consolidated primary election day and the consolidated

8   election day. The special ballot shall contain a list of the

9   titles of all municipal offices contested at the consolidated

10   primary election and the candidates for each office and shall

11   permit the elector to vote in the run-off election by

12   indicating his or her order of preference for each candidate

13   for each office. To indicate his or her order of preference for

14   each candidate for each office, the voter shall put the number

15   one next to the name of the candidate who is the voter's first

16   choice, the number 2 for his or her second choice, and so forth

17   so that, in consecutive numerical order, a number indicating

18   the voter's preference is written by the voter next to each

19   candidate's name on the ballot. The voter shall not be required

20   to indicate his or her preference for more than one candidate

21   on the ballot. The election authority shall, if using the

22   special absentee ballot authorized by this subsection, also

23   prepare instructions for use of the special ballot.

24   The State Board of Elections shall adopt rules for election

25   authorities for the implementation of this subsection,

26   including but not limited to the application for and counting

1   <u>of special ballots.</u>

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