

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 7-43 and 7-44 as follows:

6 (10 ILCS 5/7-43) (from Ch. 46, par. 7-43)

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

12 The following regulations shall be applicable to  
13 primaries:

14 No person shall be entitled to vote at a primary:

15 ~~(a) Unless he declares his party affiliations as~~  
16 ~~required by this Article.~~

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

20 (a) ~~(c)~~ Who shall have signed the nominating papers of  
21 an independent candidate for any office for which office  
22 candidates for nomination are to be voted for at such  
23 primary.

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

29 ~~(d) If he has voted at a primary held under this Article~~  
30 ~~7 of another political party within a period of 23 calendar~~  
31 ~~months next preceding the calendar month in which such~~

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

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

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

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

26 (10 ILCS 5/7-44) (from Ch. 46, par. 7-44)

27 Sec. 7-44. (a) 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  
 30 thereupon announce the same in a distinct tone of voice,  
 31 sufficiently loud to be heard by all persons in the polling  
 32 place. When article 4, 5 or 6 is applicable the Certificate  
 33 of Registered Voter therein prescribed shall be made and

1 signed and the official poll record shall be made. If the  
2 person desiring to vote is not challenged, one of the primary  
3 judges shall give to him or her one, ~~and only one,~~ primary  
4 ballot of each of the established political parties  
5 nominating candidates for office at the primary election, but  
6 the voter may cast a ballot of only one political party,  
7 except as otherwise provided in subsection (b) party--with  
8 which--he--declares--himself--affiliated, on the back of which  
9 the such primary judge shall endorse his or her initials in  
10 such manner that they may be seen when the primary ballot is  
11 properly folded. If the person desiring to vote is challenged  
12 he or she shall not receive a primary ballot from the primary  
13 judges until he or she shall have established his or her  
14 right to vote as hereinafter provided in this Article. No  
15 ~~person who refuses to state his party--affiliation--shall--be~~  
16 ~~allowed to vote at a primary.~~

17 (b) A person who casts a ballot of declares his party  
18 affiliation with a statewide established political party and  
19 ~~requests--a primary ballot of such party may nonetheless also~~  
20 ~~declare his affiliation with a--political--party--established~~  
21 ~~only within a political subdivision,~~ and may also vote in the  
22 primary of a such local political party established only  
23 within a political subdivision on the same election day,  
24 provided that the such voter may not vote in both such party  
25 primaries with respect to offices of the same political  
26 subdivision. However, no person casting a ballot of  
27 ~~declaring--his--affiliation--with~~ a statewide established  
28 political party may vote in the primary of any other  
29 statewide political party on the same election day. A space  
30 shall be provided on the primary ballot indicating for which  
31 political party the voter cast his or her votes and the voter  
32 may mark the space on the ballot of only one political party  
33 indicating that party, except as otherwise provided in this  
34 Section. If the voter desires to cast his or her ballot of a

1 statewide political party and a political party established  
2 only within a political subdivision, the voter may indicate  
3 that choice by marking the space provided on the ballot of  
4 the statewide political party and by also marking the space  
5 provided on the ballot of the political party established  
6 only within a political subdivision. If the voter does not  
7 mark the space on the primary ballot indicating the political  
8 party in which the voter cast his or her ballot, or marks  
9 more than one such space, the judges of election shall count  
10 only the votes of the political party in which the voter cast  
11 a vote for the office nearest the top of the ballot.

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

13 Section 99. Effective date. This Act takes effect on  
14 January 1, 2002.