

Part 218 Procedures for Ranked Balloting

218.10 Applicability

a) This part implements that portion of 10 ILCS 5/16-5.01 which was amended by Public Act 95-0889.

b) This part is applicable to those municipalities which have chosen to adopt a system of ranked balloting to be used in the Consolidated Election by qualified members of the United States Military or United State Citizens who will be outside the United States on the date of both the consolidated primary and consolidated election in any given year. Municipalities utilizing this ranked ballot provision shall pass an ordinance to that effect prior to the first of the year in which any election occurs at which ranked ballots are intended to be used. The municipality is responsible for transmitting the ordinance to any election authority whose jurisdiction includes the municipality or any portion thereof. Such transmittal must be completed ~~no later than the date upon which candidates for the consolidated primary election will be certified~~ no later than 5 business days following passage of the ordinance.

c) No municipality may offer or accept ranked ballots without first obtaining a written statement of administrative approval by every election authority whose jurisdiction contains a portion of that municipality.

d) Any statement of administrative approval shall only be effective for the next succeeding Consolidated election at which ranked ballots will be used.

218.20 Definitions

a) "election authority" shall have the meaning given by Section 1-3 of the Election Code (10 ILCS 5/1-3(8)).

b) "municipality" shall have the meaning given by 65 ILCS 5/1-1-2.

c) unless otherwise stated, statutory citations within this part shall refer to sections within the Election Code (10 ILCS 5/1, et seq.)

d) "contested primary" shall have the meaning given by Section 7-12(10)(a) for established political party primaries or Section 3.1-20-45, 3.1-25-20, 5-2-18.5, 18.7 and 19 of the Municipal Code, as is applicable to non partisan primaries for the municipality in question as well as that given by any other references in the Municipal or Election Codes.

218.30 Issuance of Ballots

a) A ranking ballot shall be issued to any qualified person under paragraph b) of Section 218.10 requesting a ballot from a location outside of the United States. Such qualified persons must maintain or have maintained a residence within the municipality immediately prior to the person ~~moving overseas~~ being located outside of the United States.

b) Ranking ballots shall be issued and mailed together with the Consolidated primary ballot. An additional ballot containing races for which the voter is entitled to cast a vote but which do not appear on the Consolidated primary ballot shall be sent to the voter as soon as they become available from the Election Authority in charge of printing such ballots.

c) All ranking ballots shall include a set of instructions directing the voter to rank his or her choices for each of the candidates listed on the ballot. The directions shall include a notice that the voter must make a numerical notation (1, 2, 3, and so on) designating a ranked preference for any candidate which he or she intends to cast a vote. Such directions shall also inform the voter that they are not required to indicate a numerical preference for more than one candidate on the ranked ballot.

218.40 Ballots

a) All ranking ballots used under this Part shall include only those municipal and township offices scheduled to be voted on by the individual voter of the issuing municipality at the election in question.

b) The ballot form shall contain a blank line horizontally adjacent and left of the name of every candidate appearing on the ballot for the municipality and township in which the voter resides or previously resided, including those who appear on the ballot because of their potential to be nominated following a write-in candidacy.

c) The ballot shall not contain any blank line which may be used for writing in additional candidate choices.

d) Any municipality which chooses to use ranked balloting and whose officers are elected on a partisan basis shall conduct its lottery for political party position on the ballot after the certification of the primary ballot. All candidates, including write-in candidates, shall be listed in order of filing within each political party grouping. New party and independent candidates shall be listed as otherwise specified in the Election Code. For those municipalities that elect their officers on a non-partisan basis, the order of candidates appearing on the ballot shall be determined by the order of candidate filing, including the results of any lottery held to determine ballot position of those candidates who filed their nominating petitions simultaneously at the opening hour of the filing office.

e) The names of each candidate for each office shall be grouped together vertically. However, there shall be a distinct separation between candidate groupings for

each office in order to clearly indicate to the voter where the grouping of candidates for each office begins and ends.

f) The ballot shall include a notation to each voter at the top of each column of candidates indicating to the voter ~~how many~~ that all candidates should ~~may~~ be ranked for each race appearing on the ballot.

g) The election authority may use multiple columns of candidates on the same ballot form and may print candidate names on both sides of a single ballot but must ensure that all of the candidate names for a given contest appear on the same side, and that writing on one side of the ballot will not obscure candidate names on the reverse side.

h) The ballot shall include an instruction directing the voter to write a numeral, on the ballot in ink, next to the name of each candidate that the voter wishes to rank, and that no two candidates should be assigned the same ranking number on the ballot in ink.

218.50 Tabulation of Ranking Ballots

a) All ranking ballots shall be remade on a ballot of the same type that is used by in-precinct voters in the election authority's jurisdiction. Except as herein provided, the ballots shall be processed in the same manner as those processed at the central counting center (absentee, early and grace period). The provisions in the Election Code allowing for poll-watchers during the counting of provisional ballots shall be applicable to the counting of ranking ballots.

b) A single remade ballot shall be used to record the voters' choices on the ranking ballot and the voters' choices on the consolidated ballot which contains non-municipal and township races. The remade ballot shall be marked so that the highest ranked (closest to "one") candidate(s) among those candidates who appear on the Consolidated Election ballot, shall receive the voter's votes. The remade ballot shall carry an identifying mark which indicates that it was remade based on the corresponding ranking ballot and non municipal and non-township ballot. The election authority shall maintain the voter's absentee ballot application, or a copy thereof, with its records for both the Consolidated Primary and Consolidated Election. The remade ballot shall be stored together with the ranking and non municipal and non-township ballots which were returned by the voter.

c) All ranking ballots must be received and accepted according to the laws governing absentee ballots ~~with the following exception.~~ A ranking ballot shall be deemed to have been timely received if it arrives in the office of the election authority within 14 days after the Consolidated election ~~regardless of the date of any postmark.~~

d) The election judges shall be responsible for any determination of voter intent including but not limited to interpretation of illegible or obscured numerical indications. A majority vote of the judges shall be the final determination of the voter's intent.

e) On any ballot where the voter's intent to cast a vote cannot be ascertained due to a lack of a numerical notation on the blank line opposite any of the candidate's names on the ballot at the consolidated election, there shall be no vote cast for that candidate.

f) Ranking ballots shall be safeguarded and secured by the election authority during the period between the municipal primary and municipal election and will not be available for any public inspection. Such ballots shall be destroyed in accordance with existing provisions of the Election Code.

g) In cases where the voter has the opportunity to vote for multiple positions within the same race, the highest ranked candidates appearing on the consolidated election ballot up to the number of candidates to be elected to that office shall receive the votes. The highest ranking shall be the ranking which is closest to the number one.

h) Ballots which are remade and cast pursuant to this Part shall be attributed to the precinct in which the voter resides.

i) Voter history shall be recorded for the Consolidated Election for each individual who casts a ranked ballot. ~~History for both the Consolidated Primary and Consolidated Election shall receive an indication that the individual cast a ballot for those elections~~

j) If the voter only returns a ranking ballot, it shall be remade and counted regardless of the fact that the voter did not return a Consolidated primary or non-municipal and non-township ballot.