

# HB0539



## 100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

HB0539

by Rep. Jay Hoffman

### SYNOPSIS AS INTRODUCED:

10 ILCS 5/13-1  
10 ILCS 5/13-2

from Ch. 46, par. 13-1  
from Ch. 46, par. 13-2

Amends the Election Code. Provides that county boards outside of the jurisdiction of boards of election commissioners may reduce the number of judges of election from 5 to 3 for primary elections. Effective immediately.

LRB100 06922 MLM 16973 b

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  
5 Sections 13-1 and 13-2 as follows:

6 (10 ILCS 5/13-1) (from Ch. 46, par. 13-1)

7 Sec. 13-1. In counties not under township organization, the  
8 county board of commissioners shall at its meeting in July in  
9 each even-numbered year appoint in each election precinct 5  
10 capable and discreet persons meeting the qualifications of  
11 Section 13-4 to be judges of election. Where neither voting  
12 machines nor electronic, mechanical or electric voting systems  
13 are used, the county board may, for any precinct with respect  
14 to which the board considers such action necessary or desirable  
15 in view of the number of voters, and shall for general  
16 elections for any precinct containing more than 600 registered  
17 voters, appoint in addition to the 5 judges of election a team  
18 of 5 tally judges. In such precincts the judges of election  
19 shall preside over the election during the hours the polls are  
20 open, and the tally judges, with the assistance of the holdover  
21 judges designated pursuant to Section 13-6.2, shall count the  
22 vote after the closing of the polls. However, the County Board  
23 of Commissioners may appoint 3 judges of election to serve in

1 lieu of the 5 judges of election otherwise required by this  
2 Section (1) to serve in any emergency referendum, or in any  
3 odd-year regular election or in any special primary or special  
4 election called for the purpose of filling a vacancy in the  
5 office of representative in the United States Congress or to  
6 nominate candidates for such purpose or (2) if the county board  
7 passes an ordinance to reduce the number of judges of election  
8 to 3 for primary elections. The tally judges shall possess the  
9 same qualifications and shall be appointed in the same manner  
10 and with the same division between political parties as is  
11 provided for judges of election.

12 In addition to such precinct judges, the county board of  
13 commissioners shall appoint special panels of 3 judges each,  
14 who shall possess the same qualifications and shall be  
15 appointed in the same manner and with the same division between  
16 political parties as is provided for other judges of election.  
17 The number of such panels of judges required shall be  
18 determined by regulations of the State Board of Elections which  
19 shall base the required numbers of special panels on the number  
20 of registered voters in the jurisdiction or the number of vote  
21 by mail ballots voted at recent elections, or any combination  
22 of such factors.

23 Such appointment shall be confirmed by the court as  
24 provided in Section 13-3 of this Article. No more than 3  
25 persons of the same political party shall be appointed judges  
26 of the same election precinct or election judge panel. The

1 appointment shall be made in the following manner: The county  
2 board of commissioners shall select and approve 3 persons as  
3 judges of election in each election precinct from a certified  
4 list, furnished by the chairman of the County Central Committee  
5 of the first leading political party in such precinct; and the  
6 county board of commissioners shall also select and approve 2  
7 persons as judges of election in each election precinct from a  
8 certified list, furnished by the chairman of the County Central  
9 Committee of the second leading political party. However, if  
10 only 3 judges of election serve in each election precinct, no  
11 more than 2 persons of the same political party shall be judges  
12 of election in the same election precinct; and which political  
13 party is entitled to 2 judges of election and which political  
14 party is entitled to one judge of election shall be determined  
15 in the same manner as set forth in the next two preceding  
16 sentences with regard to 5 election judges in each precinct.  
17 Such certified list shall be filed with the county clerk not  
18 less than 10 days before the annual meeting of the county board  
19 of commissioners. Such list shall be arranged according to  
20 precincts. The chairman of each county central committee shall,  
21 insofar as possible, list persons who reside within the  
22 precinct in which they are to serve as judges. However, he may,  
23 in his sole discretion, submit the names of persons who reside  
24 outside the precinct but within the county embracing the  
25 precinct in which they are to serve. He must, however, submit  
26 the names of at least 2 residents of the precinct for each

1 precinct in which his party is to have 3 judges and must submit  
2 the name of at least one resident of the precinct for each  
3 precinct in which his party is to have 2 judges. The county  
4 board of commissioners shall acknowledge in writing to each  
5 county chairman the names of all persons submitted on such  
6 certified list and the total number of persons listed thereon.  
7 If no such list is filed or such list is incomplete (that is,  
8 no names or an insufficient number of names are furnished for  
9 certain election precincts), the county board of commissioners  
10 shall make or complete such list from the names contained in  
11 the supplemental list provided for in Section 13-1.1. The  
12 election judges shall hold their office for 2 years from their  
13 appointment, and until their successors are duly appointed in  
14 the manner provided in this Act. The county board of  
15 commissioners shall fill all vacancies in the office of judge  
16 of election at any time in the manner provided in this Act.

17 (Source: P.A. 98-1171, eff. 6-1-15.)

18 (10 ILCS 5/13-2) (from Ch. 46, par. 13-2)

19 Sec. 13-2. In counties under the township organization the  
20 county board shall at its meeting in July in each even-numbered  
21 year except in counties containing a population of 3,000,000  
22 inhabitants or over and except when such judges are appointed  
23 by election commissioners, select in each election precinct in  
24 the county, 5 capable and discreet persons to be judges of  
25 election who shall possess the qualifications required by this

1 Act for such judges. Where neither voting machines nor  
2 electronic, mechanical or electric voting systems are used, the  
3 county board may, for any precinct with respect to which the  
4 board considers such action necessary or desirable in view of  
5 the number of voters, and shall for general elections for any  
6 precinct containing more than 600 registered voters, appoint in  
7 addition to the 5 judges of election a team of 5 tally judges.  
8 In such precincts the judges of election shall preside over the  
9 election during the hours the polls are open, and the tally  
10 judges, with the assistance of the holdover judges designated  
11 pursuant to Section 13-6.2, shall count the vote after the  
12 closing of the polls. The tally judges shall possess the same  
13 qualifications and shall be appointed in the same manner and  
14 with the same division between political parties as is provided  
15 for judges of election.

16 However, the county board may appoint 3 judges of election  
17 to serve in lieu of the 5 judges of election otherwise required  
18 by this Section (1) to serve in any emergency referendum, or in  
19 any odd-year regular election or in any special primary or  
20 special election called for the purpose of filling a vacancy in  
21 the office of representative in the United States Congress or  
22 to nominate candidates for such purpose or (2) if the county  
23 board passes an ordinance to reduce the number of judges of  
24 election to 3 for primary elections.

25 In addition to such precinct judges, the county board shall  
26 appoint special panels of 3 judges each, who shall possess the

1 same qualifications and shall be appointed in the same manner  
2 and with the same division between political parties as is  
3 provided for other judges of election. The number of such  
4 panels of judges required shall be determined by regulations of  
5 the State Board of Elections, which shall base the required  
6 number of special panels on the number of registered voters in  
7 the jurisdiction or the number of absentee ballots voted at  
8 recent elections or any combination of such factors.

9 No more than 3 persons of the same political party shall be  
10 appointed judges in the same election district or undivided  
11 precinct. The election of the judges of election in the various  
12 election precincts shall be made in the following manner: The  
13 county board shall select and approve 3 of the election judges  
14 in each precinct from a certified list furnished by the  
15 chairman of the County Central Committee of the first leading  
16 political party in such election precinct and shall also select  
17 and approve 2 judges of election in each election precinct from  
18 a certified list furnished by the chairman of the County  
19 Central Committee of the second leading political party in such  
20 election precinct. However, if only 3 judges of election serve  
21 in each election precinct, no more than 2 persons of the same  
22 political party shall be judges of election in the same  
23 election precinct; and which political party is entitled to 2  
24 judges of election and which political party is entitled to one  
25 judge of election shall be determined in the same manner as set  
26 forth in the next two preceding sentences with regard to 5

1 election judges in each precinct. The respective County Central  
2 Committee chairman shall notify the county board by June 1 of  
3 each odd-numbered year immediately preceding the annual  
4 meeting of the county board whether or not such certified list  
5 will be filed by such chairman. Such list shall be arranged  
6 according to precincts. The chairman of each county central  
7 committee shall, insofar as possible, list persons who reside  
8 within the precinct in which they are to serve as judges.  
9 However, he may, in his sole discretion, submit the names of  
10 persons who reside outside the precinct but within the county  
11 embracing the precinct in which they are to serve. He must,  
12 however, submit the names of at least 2 residents of the  
13 precinct for each precinct in which his party is to have 3  
14 judges and must submit the name of at least one resident of the  
15 precinct for each precinct in which his party is to have 2  
16 judges. Such certified list, if filed, shall be filed with the  
17 county clerk not less than 20 days before the annual meeting of  
18 the county board. The county board shall acknowledge in writing  
19 to each county chairman the names of all persons submitted on  
20 such certified list and the total number of persons listed  
21 thereon. If no such list is filed or the list is incomplete  
22 (that is, no names or an insufficient number of names are  
23 furnished for certain election precincts), the county board  
24 shall make or complete such list from the names contained in  
25 the supplemental list provided for in Section 13-1.1. Provided,  
26 further, that in any case where a township has been or shall be



1 redistricted, in whole or in part, subsequent to one general  
2 election for Governor, and prior to the next, the judges of  
3 election to be selected for all new or altered precincts shall  
4 be selected in that one of the methods above detailed, which  
5 shall be applicable according to the facts and circumstances of  
6 the particular case, but the majority of such judges for each  
7 such precinct shall be selected from the first leading  
8 political party, and the minority judges from the second  
9 leading political party. Provided, further, that in counties  
10 having a population of 3,000,000 inhabitants or over the  
11 selection of judges of election shall be made in the same  
12 manner in all respects as in other counties, except that the  
13 provisions relating to tally judges are inapplicable to such  
14 counties and except that the county board shall meet during the  
15 month of January for the purpose of making such selection, each  
16 township committeeperson shall assume the responsibilities  
17 given to the chairman of the county central committee in this  
18 Section for the precincts within his or her township, and the  
19 township committeeperson shall notify the county board by the  
20 preceding October 1 whether or not the certified list will be  
21 filed. Such judges of election shall hold their office for 2  
22 years from their appointment and until their successors are  
23 duly appointed in the manner provided in this Act. The county  
24 board shall fill all vacancies in the office of judges of  
25 elections at any time in the manner herein provided.

26 Such selections under this Section shall be confirmed by

1 the circuit court as provided in Section 13-3 of this Article.

2 (Source: P.A. 98-1171, eff. 6-1-15.)

3 Section 99. Effective date. This Act takes effect upon  
4 becoming law.