



Sen. Terry Link

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10000HB3519sam002

LRB100 06967 MLM 27360 a

1 AMENDMENT TO HOUSE BILL 3519

2 AMENDMENT NO. _____. Amend House Bill 3519 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Election Code is amended by changing
5 Sections 1-3, 19-3, 19A-10, 19A-15 as follows:

6 (10 ILCS 5/1-3) (from Ch. 46, par. 1-3)

7 Sec. 1-3. As used in this Act, unless the context otherwise
8 requires:

9 1. "Election" includes the submission of all questions of
10 public policy, propositions, and all measures submitted to
11 popular vote, and includes primary elections when so indicated
12 by the context.

13 2. "Regular election" means the general, general primary,
14 consolidated and consolidated primary elections regularly
15 scheduled in Article 2A. The even numbered year municipal
16 primary established in Article 2A is a regular election only

1 with respect to those municipalities in which a primary is
2 required to be held on such date.

3 3. "Special election" means an election not regularly
4 recurring at fixed intervals, irrespective of whether it is
5 held at the same time and place and by the same election
6 officers as a regular election.

7 4. "General election" means the biennial election at which
8 members of the General Assembly are elected. "General primary
9 election", "consolidated election" and "consolidated primary
10 election" mean the respective elections or the election dates
11 designated and established in Article 2A of this Code.

12 5. "Municipal election" means an election or primary,
13 either regular or special, in cities, villages, and
14 incorporated towns; and "municipality" means any such city,
15 village or incorporated town.

16 6. "Political or governmental subdivision" means any unit
17 of local government, or school district in which elections are
18 or may be held. "Political or governmental subdivision" also
19 includes, for election purposes, Regional Boards of School
20 Trustees, and Township Boards of School Trustees.

21 7. The word "township" and the word "town" shall apply
22 interchangeably to the type of governmental organization
23 established in accordance with the provisions of the Township
24 Code. The term "incorporated town" shall mean a municipality
25 referred to as an incorporated town in the Illinois Municipal
26 Code, as now or hereafter amended.

1 8. "Election authority" means a county clerk or a Board of
2 Election Commissioners.

3 9. "Election Jurisdiction" means (a) an entire county, in
4 the case of a county in which no city board of election
5 commissioners is located or which is under the jurisdiction of
6 a county board of election commissioners; (b) the territorial
7 jurisdiction of a city board of election commissioners; and (c)
8 the territory in a county outside of the jurisdiction of a city
9 board of election commissioners. In each instance election
10 jurisdiction shall be determined according to which election
11 authority maintains the permanent registration records of
12 qualified electors.

13 10. "Local election official" means the clerk or secretary
14 of a unit of local government or school district, as the case
15 may be, the treasurer of a township board of school trustees,
16 and the regional superintendent of schools with respect to the
17 various school officer elections and school referenda for which
18 the regional superintendent is assigned election duties by The
19 School Code, as now or hereafter amended.

20 11. "Judges of election", "primary judges" and similar
21 terms, as applied to cases where there are 2 sets of judges,
22 when used in connection with duties at an election during the
23 hours the polls are open, refer to the team of judges of
24 election on duty during such hours; and, when used with
25 reference to duties after the closing of the polls, refer to
26 the team of tally judges designated to count the vote after the

1 closing of the polls and the holdover judges designated
2 pursuant to Section 13-6.2 or 14-5.2. In such case, where,
3 after the closing of the polls, any act is required to be
4 performed by each of the judges of election, it shall be
5 performed by each of the tally judges and by each of the
6 holdover judges.

7 12. "Petition" of candidacy as used in Sections 7-10 and
8 7-10.1 shall consist of a statement of candidacy, candidate's
9 statement containing oath, and sheets containing signatures of
10 qualified primary electors bound together.

11 13. "Election district" and "precinct", when used with
12 reference to a 30-day residence requirement, means the smallest
13 constituent territory in which electors vote as a unit at the
14 same polling place in any election governed by this Act.

15 14. "District" means any area which votes as a unit for the
16 election of any officer, other than the State or a unit of
17 local government or school district, and includes, but is not
18 limited to, legislative, congressional and judicial districts,
19 judicial circuits, county board districts, municipal and
20 sanitary district wards, school board districts, and
21 precincts.

22 15. "Question of public policy" or "public question" means
23 any question, proposition or measure submitted to the voters at
24 an election dealing with subject matter other than the
25 nomination or election of candidates and shall include, but is
26 not limited to, any bond or tax referendum, and questions

1 relating to the Constitution.

2 16. "Ordinance providing the form of government of a
3 municipality or county pursuant to Article VII of the
4 Constitution" includes ordinances, resolutions and petitions
5 adopted by referendum which provide for the form of government,
6 the officers or the manner of selection or terms of office of
7 officers of such municipality or county, pursuant to the
8 provisions of Sections 4, 6 or 7 of Article VII of the
9 Constitution.

10 17. "List" as used in Sections 4-11, 4-22, 5-14, 5-29,
11 6-60, and 6-66 shall include a computer tape or computer disc
12 or other electronic data processing information containing
13 voter information.

14 18. "Accessible" means accessible to persons with
15 disabilities and elderly individuals for the purpose of voting
16 or registration, as determined by rule of the State Board of
17 Elections.

18 19. "Elderly" means 65 years of age or older.

19 20. "Person with a disability" means a person having a
20 temporary or permanent physical disability.

21 21. "Leading political party" means one of the two
22 political parties whose candidates for governor at the most
23 recent three gubernatorial elections received either the
24 highest or second highest average number of votes. The
25 political party whose candidates for governor received the
26 highest average number of votes shall be known as the first

1 leading political party and the political party whose
2 candidates for governor received the second highest average
3 number of votes shall be known as the second leading political
4 party.

5 22. "Business day" means any day in which the office of an
6 election authority, local election official or the State Board
7 of Elections is open to the public for a minimum of 7 hours.

8 23. "Homeless individual" means any person who has a
9 nontraditional residence, including, but not limited to, a
10 shelter, day shelter, park bench, street corner, or space under
11 a bridge.

12 24. "Signature" means a name signed in ink or signed in
13 digitized form using a graphic tablet, digitizer, or digital
14 drawing tablet provided by an election authority. This
15 definition does not apply to a nominating or candidate petition
16 or a referendum petition.

17 25. "Intelligent mail barcode tracking system" means a
18 printed trackable barcode attached to the return business reply
19 envelope for mail-in ballots under Article 19 or Article 20
20 that allows an election authority to determine the date the
21 envelope was mailed in absence of a postmark.

22 (Source: P.A. 99-143, eff. 7-27-15; 99-522, eff. 6-30-16.)

23 (10 ILCS 5/19-3) (from Ch. 46, par. 19-3)

24 Sec. 19-3. The application for vote by mail ballot shall be
25 substantially in the following form:

1 APPLICATION FOR VOTE BY MAIL BALLOT

2 To be voted at the election in the County of and
3 State of Illinois, in the precinct of the (1) *township of
4 (2) *City of or (3) *.... ward in the City of

5 I state that I am a resident of the precinct of the
6 (1) *township of (2) *City of or (3) *.... ward in
7 the city of residing at in such city or town in the
8 county of and State of Illinois; that I have lived at such
9 address for month(s) last past; that I am lawfully
10 entitled to vote in such precinct at the election to be
11 held therein on; and that I wish to vote by vote by mail
12 ballot.

13 I hereby make application for an official ballot or ballots
14 to be voted by me at such election, and I agree that I shall
15 return such ballot or ballots to the official issuing the same
16 prior to the closing of the polls on the date of the election
17 or, if returned by mail, postmarked no later than election day,
18 for counting no later than during the period for counting
19 provisional ballots, the last day of which is the 14th day
20 following election day.

21 I understand that this application is made for an official
22 vote by mail ballot or ballots to be voted by me at the
23 election specified in this application and that I must submit a
24 separate application for an official vote by mail ballot or
25 ballots to be voted by me at any subsequent election.

26 Under penalties as provided by law pursuant to Section

1 29-10 of the Election Code, the undersigned certifies that the
2 statements set forth in this application are true and correct.

3

4 *fill in either (1), (2) or (3).

5 Post office address to which ballot is mailed:

6

7 However, if application is made for a primary election
8 ballot, such application shall require the applicant to
9 designate the name of the political party with which the
10 applicant is affiliated.

11 If application is made electronically, the applicant shall
12 mark the box associated with the above described statement
13 included as part of the online application certifying that the
14 statements set forth in this application are true and correct,
15 and a signature is not required.

16 Any person may produce, reproduce, distribute, or return to
17 an election authority the application for vote by mail ballot.
18 If applications are sent to a post office box controlled by any
19 individual or organization that is not an election authority,
20 those applications shall (i) include a valid and current phone
21 number for the individual or organization controlling the post
22 office box and (ii) be turned over to the appropriate election
23 authority within 7 days of receipt or, if received within 2
24 weeks of the election in which an applicant intends to vote,
25 within 2 days of receipt. Failure to turn over the applications
26 in compliance with this paragraph shall constitute a violation

1 of this Code and shall be punishable as a petty offense with a
2 fine of \$100 per application. Removing, tampering with, or
3 otherwise knowingly making the postmark on the application
4 unreadable by the election authority shall establish a
5 rebuttable presumption of a violation of this paragraph. Upon
6 receipt, the appropriate election authority shall accept and
7 promptly process any application for vote by mail ballot
8 submitted in a form substantially similar to that required by
9 this Section, including any substantially similar production
10 or reproduction generated by the applicant.

11 (Source: P.A. 98-115, eff. 7-29-13; 98-1171, eff. 6-1-15;
12 99-522, eff. 6-30-16.)

13 (10 ILCS 5/19A-10)

14 Sec. 19A-10. Permanent polling places for early voting.

15 (a) An election authority may establish permanent polling
16 places for early voting by personal appearance at locations
17 throughout the election authority's jurisdiction, including
18 but not limited to a municipal clerk's office, a township
19 clerk's office, a road district clerk's office, or a county or
20 local public agency office. Any person entitled to vote early
21 by personal appearance may do so at any polling place
22 established for early voting.

23 (b) (Blank).

24 (c) During each general primary and general election, each
25 election authority in a county with a population over 250,000

1 shall establish at least one permanent polling place for early
2 voting by personal appearance at a location within each of the
3 3 largest municipalities within its jurisdiction. If any of the
4 3 largest municipalities is over 80,000, the election authority
5 shall establish at least 2 permanent polling places within the
6 municipality. One of the locations for early voting may be the
7 election authority's main office or another location
8 designated by the election authority. The election authority
9 may designate additional sites for early voting by personal
10 appearance. All population figures shall be determined by the
11 federal census.

12 (d) During each general primary and general election, each
13 board of election commissioners established under Article 6 of
14 this Code in any city, village, or incorporated town with a
15 population over 100,000 shall establish at least 2 permanent
16 polling places for early voting by personal appearance. All
17 population figures shall be determined by the federal census.

18 (e) During each general primary and general election, each
19 election authority in a county with a population ~~of over~~
20 ~~100,000 but~~ under 250,000 persons shall establish at least one
21 permanent polling place for early voting by personal
22 appearance. The location for early voting may be the election
23 authority's main office or another location designated by the
24 election authority. The election authority may designate
25 additional sites for early voting by personal appearance. All
26 population figures shall be determined by the federal census.

1 (f) No permanent polling place required by this Section
2 shall be located within 1.5 miles from another permanent
3 polling place required by this Section, unless such permanent
4 polling place is within a municipality with a population of
5 500,000 or more.

6 (Source: P.A. 98-691, eff. 7-1-14; 98-1171, eff. 6-1-15.)

7 (10 ILCS 5/19A-15)

8 Sec. 19A-15. Period for early voting; hours.

9 (a) The period for early voting by personal appearance
10 begins the 40th day preceding a general primary, consolidated
11 primary, consolidated, or general election and extends through
12 the end of the day before election day.

13 (b) Except as otherwise provided by this Section, a
14 permanent polling place for early voting must remain open
15 beginning the 15th day before an election through the end of
16 the second day before election day during the hours of 8:30
17 a.m. to 4:30 p.m., or 9:00 a.m. to 5:00 p.m., on weekdays,
18 except that beginning 8 days before election day, a permanent
19 polling place for early voting must remain open during the
20 hours of 8:30 a.m. to 7:00 p.m., or 9:00 a.m. to 7:00 p.m., and
21 9:00 a.m. to 5:00 p.m. ~~12:00 p.m.~~ on Saturdays and holidays,
22 and 9:00 a.m. ~~10:00 a.m.~~ to 7:00 p.m. ~~4 p.m.~~ on Sundays; except
23 that, in addition to the hours required by this subsection, a
24 permanent polling place designated by an election authority
25 under subsections (c), (d), and (e) of Section 19A-10 must

1 remain open for a total of at least 8 hours on any holiday
2 during the early voting period and a total of at least 14 hours
3 on the final weekend during the early voting period.

4 (c) Notwithstanding subsection (b), an election authority
5 may close an early voting polling place if the building in
6 which the polling place is located has been closed by the State
7 or unit of local government in response to a severe weather
8 emergency or other force majeure. The election authority shall
9 notify the State Board of Elections of any closure and shall
10 make reasonable efforts to provide notice to the public of an
11 alternative location for early voting.

12 (d) (Blank).

13 (Source: P.A. 97-81, eff. 7-5-11; 97-766, eff. 7-6-12; 98-4,
14 eff. 3-12-13; 98-115, eff. 7-29-13; 98-691, eff. 7-1-14;
15 98-1171, eff. 6-1-15.)

16 Section 99. Effective date. This Act takes effect upon
17 becoming law."