



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

SB3530

Introduced 2/14/2020, by Sen. Sara Feigenholtz

SYNOPSIS AS INTRODUCED:

10 ILCS 5/1-3	from Ch. 46, par. 1-3
10 ILCS 5/4-8	from Ch. 46, par. 4-8
10 ILCS 5/4-8.01	from Ch. 46, par. 4-8.01
10 ILCS 5/5-7	from Ch. 46, par. 5-7
10 ILCS 5/5-7.01	from Ch. 46, par. 5-7.01
10 ILCS 5/6-35	from Ch. 46, par. 6-35
10 ILCS 5/6-35.01	from Ch. 46, par. 6-35.01
10 ILCS 5/7-47.1	from Ch. 46, par. 7-47.1
10 ILCS 5/7-48	from Ch. 46, par. 7-48
10 ILCS 5/12-1	from Ch. 46, par. 12-1
10 ILCS 5/17-14	from Ch. 46, par. 17-14
10 ILCS 5/19-5	from Ch. 46, par. 19-5
10 ILCS 5/19A-40	
10 ILCS 5/24C-11	

Amends the Election Code. Changes the definition of "person with a disability" to include a person having an intellectual or developmental disability. Makes conforming changes throughout the Code. Requires an election authority to provide public notice 75 days (rather than 60 days) before each general and consolidated election calculated to reach elderly voters and voters with disabilities, of the availability of registration and voting aids under the Federal Voting Accessibility for the Elderly and Handicapped Act, of the availability of assistance in marking the ballot, procedures for voting by vote by mail ballot, and procedures for voting early by personal appearance.

LRB101 19092 SMS 68552 b

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 1-3, 4-8, 4-8.01, 5-7, 5-7.01, 6-35, 6-35.01, 7-47.1,
6 7-48, 12-1, 17-14, 19-5, 19A-40, and 24C-11, as follows:

7 (10 ILCS 5/1-3) (from Ch. 46, par. 1-3)

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

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

14 2. "Regular election" means the general, general primary,
15 consolidated and consolidated primary elections regularly
16 scheduled in Article 2A. The even numbered year municipal
17 primary established in Article 2A is a regular election only
18 with respect to those municipalities in which a primary is
19 required to be held on such date.

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

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

6 5. "Municipal election" means an election or primary,
7 either regular or special, in cities, villages, and
8 incorporated towns; and "municipality" means any such city,
9 village or incorporated town.

10 6. "Political or governmental subdivision" means any unit
11 of local government, or school district in which elections are
12 or may be held. "Political or governmental subdivision" also
13 includes, for election purposes, Regional Boards of School
14 Trustees, and Township Boards of School Trustees.

15 7. The word "township" and the word "town" shall apply
16 interchangeably to the type of governmental organization
17 established in accordance with the provisions of the Township
18 Code. The term "incorporated town" shall mean a municipality
19 referred to as an incorporated town in the Illinois Municipal
20 Code, as now or hereafter amended.

21 8. "Election authority" means a county clerk or a Board of
22 Election Commissioners.

23 9. "Election Jurisdiction" means (a) an entire county, in
24 the case of a county in which no city board of election
25 commissioners is located or which is under the jurisdiction of
26 a county board of election commissioners; (b) the territorial

1 jurisdiction of a city board of election commissioners; and (c)
2 the territory in a county outside of the jurisdiction of a city
3 board of election commissioners. In each instance election
4 jurisdiction shall be determined according to which election
5 authority maintains the permanent registration records of
6 qualified electors.

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

14 11. "Judges of election", "primary judges" and similar
15 terms, as applied to cases where there are 2 sets of judges,
16 when used in connection with duties at an election during the
17 hours the polls are open, refer to the team of judges of
18 election on duty during such hours; and, when used with
19 reference to duties after the closing of the polls, refer to
20 the team of tally judges designated to count the vote after the
21 closing of the polls and the holdover judges designated
22 pursuant to Section 13-6.2 or 14-5.2. In such case, where,
23 after the closing of the polls, any act is required to be
24 performed by each of the judges of election, it shall be
25 performed by each of the tally judges and by each of the
26 holdover judges.

1 12. "Petition" of candidacy as used in Sections 7-10 and
2 7-10.1 shall consist of a statement of candidacy, candidate's
3 statement containing oath, and sheets containing signatures of
4 qualified primary electors bound together.

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

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

16 15. "Question of public policy" or "public question" means
17 any question, proposition or measure submitted to the voters at
18 an election dealing with subject matter other than the
19 nomination or election of candidates and shall include, but is
20 not limited to, any bond or tax referendum, and questions
21 relating to the Constitution.

22 16. "Ordinance providing the form of government of a
23 municipality or county pursuant to Article VII of the
24 Constitution" includes ordinances, resolutions and petitions
25 adopted by referendum which provide for the form of government,
26 the officers or the manner of selection or terms of office of

1 officers of such municipality or county, pursuant to the
2 provisions of Sections 4, 6 or 7 of Article VII of the
3 Constitution.

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

8 18. "Accessible" means accessible to persons with
9 disabilities and elderly individuals for the purpose of voting
10 or registration, as determined by rule of the State Board of
11 Elections.

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

13 20. "Person with a disability", "disability", "disabled
14 voter", or "voter with a disability" means a person having a
15 temporary or permanent physical disability or an intellectual
16 or developmental disability.

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

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

4 23. "Homeless individual" means any person who has a
5 nontraditional residence, including, but not limited to, a
6 shelter, day shelter, park bench, street corner, or space under
7 a bridge.

8 24. "Signature" means a name signed in ink or in digitized
9 form. This definition does not apply to a nominating or
10 candidate petition or a referendum petition.

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

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

17 (10 ILCS 5/4-8) (from Ch. 46, par. 4-8)

18 Sec. 4-8. The county clerk shall provide a sufficient
19 number of blank forms for the registration of electors, which
20 shall be known as registration record cards and which shall
21 consist of loose leaf sheets or cards, of suitable size to
22 contain in plain writing and figures the data hereinafter
23 required thereon or shall consist of computer cards of suitable
24 nature to contain the data required thereon. The registration
25 record cards, which shall include an affidavit of registration

1 as hereinafter provided, shall be executed in duplicate.

2 The registration record card shall contain the following
3 and such other information as the county clerk may think it
4 proper to require for the identification of the applicant for
5 registration:

6 Name. The name of the applicant, giving surname and first
7 or Christian name in full, and the middle name or the initial
8 for such middle name, if any.

9 Sex.

10 Residence. The name and number of the street, avenue, or
11 other location of the dwelling, including the apartment, unit
12 or room number, if any, and in the case of a mobile home the lot
13 number, and such additional clear and definite description as
14 may be necessary to determine the exact location of the
15 dwelling of the applicant. Where the location cannot be
16 determined by street and number, then the section,
17 congressional township and range number may be used, or such
18 other description as may be necessary, including post-office
19 mailing address. In the case of a homeless individual, the
20 individual's voting residence that is his or her mailing
21 address shall be included on his or her registration record
22 card.

23 Term of residence in the State of Illinois and precinct.
24 This information shall be furnished by the applicant stating
25 the place or places where he resided and the dates during which
26 he resided in such place or places during the year next

1 preceding the date of the next ensuing election.

2 Nativity. The state or country in which the applicant was
3 born.

4 Citizenship. Whether the applicant is native born or
5 naturalized. If naturalized, the court, place, and date of
6 naturalization.

7 Date of application for registration, i.e., the day, month
8 and year when applicant presented himself for registration.

9 Age. Date of birth, by month, day and year.

10 Disability ~~Physical disability~~ of the applicant, if any, at
11 the time of registration, which would require assistance in
12 voting.

13 The county and state in which the applicant was last
14 registered.

15 Electronic mail address, if any.

16 Signature of voter. The applicant, after the registration
17 and in the presence of a deputy registrar or other officer of
18 registration shall be required to sign his or her name in ink
19 or digitized form to the affidavit on both the original and
20 duplicate registration record cards.

21 Signature of deputy registrar or officer of registration.

22 In case applicant is unable to sign his name, he may affix
23 his mark to the affidavit. In such case the officer empowered
24 to give the registration oath shall write a detailed
25 description of the applicant in the space provided on the back
26 or at the bottom of the card or sheet; and shall ask the

1 following questions and record the answers thereto:

2 Father's first name.

3 Mother's first name.

4 From what address did the applicant last register?

5 Reason for inability to sign name.

6 Each applicant for registration shall make an affidavit in
7 substantially the following form:

8 AFFIDAVIT OF REGISTRATION

9 STATE OF ILLINOIS

10 COUNTY OF

11 I hereby swear (or affirm) that I am a citizen of the
12 United States; that on the date of the next election I shall
13 have resided in the State of Illinois and in the election
14 precinct in which I reside 30 days and that I intend that this
15 location shall be my residence; that I am fully qualified to
16 vote, and that the above statements are true.

17

18 (His or her signature or mark)

19 Subscribed and sworn to before me on (insert date).

20

21 Signature of registration officer.

22 (To be signed in presence of registrant.)

23 Space shall be provided upon the face of each registration
24 record card for the notation of the voting record of the person
25 registered thereon.

1 Each registration record card shall be numbered according
2 to precincts, and may be serially or otherwise marked for
3 identification in such manner as the county clerk may
4 determine.

5 The registration cards shall be deemed public records and
6 shall be open to inspection during regular business hours,
7 except during the 27 days immediately preceding any election.
8 On written request of any candidate or objector or any person
9 intending to object to a petition, the election authority shall
10 extend its hours for inspection of registration cards and other
11 records of the election authority during the period beginning
12 with the filing of petitions under Sections 7-10, 8-8, 10-6 or
13 28-3 and continuing through the termination of electoral board
14 hearings on any objections to petitions containing signatures
15 of registered voters in the jurisdiction of the election
16 authority. The extension shall be for a period of hours
17 sufficient to allow adequate opportunity for examination of the
18 records but the election authority is not required to extend
19 its hours beyond the period beginning at its normal opening for
20 business and ending at midnight. If the business hours are so
21 extended, the election authority shall post a public notice of
22 such extended hours. Registration record cards may also be
23 inspected, upon approval of the officer in charge of the cards,
24 during the 27 days immediately preceding any election.
25 Registration record cards shall also be open to inspection by
26 certified judges and poll watchers and challengers at the

1 polling place on election day, but only to the extent necessary
2 to determine the question of the right of a person to vote or
3 to serve as a judge of election. At no time shall poll watchers
4 or challengers be allowed to physically handle the registration
5 record cards.

6 Updated copies of computer tapes or computer discs or other
7 electronic data processing information containing voter
8 registration information shall be furnished by the county clerk
9 within 10 days after December 15 and May 15 each year and
10 within 10 days after each registration period is closed to the
11 State Board of Elections in a form prescribed by the Board. For
12 the purposes of this Section, a registration period is closed
13 27 days before the date of any regular or special election.
14 Registration information shall include, but not be limited to,
15 the following information: name, sex, residence, telephone
16 number, if any, age, party affiliation, if applicable,
17 precinct, ward, township, county, and representative,
18 legislative and congressional districts. In the event of
19 noncompliance, the State Board of Elections is directed to
20 obtain compliance forthwith with this nondiscretionary duty of
21 the election authority by instituting legal proceedings in the
22 circuit court of the county in which the election authority
23 maintains the registration information. The costs of
24 furnishing updated copies of tapes or discs shall be paid at a
25 rate of \$.00034 per name of registered voters in the election
26 jurisdiction, but not less than \$50 per tape or disc and shall

1 be paid from appropriations made to the State Board of
2 Elections for reimbursement to the election authority for such
3 purpose. The State Board shall furnish copies of such tapes,
4 discs, other electronic data or compilations thereof to state
5 political committees registered pursuant to the Illinois
6 Campaign Finance Act or the Federal Election Campaign Act and
7 to governmental entities, at their request and at a reasonable
8 cost. To protect the privacy and confidentiality of voter
9 registration information, the disclosure of electronic voter
10 registration records to any person or entity other than to a
11 State or local political committee and other than to a
12 governmental entity for a governmental purpose is specifically
13 prohibited except as follows: subject to security measures
14 adopted by the State Board of Elections which, at a minimum,
15 shall include the keeping of a catalog or database, available
16 for public view, including the name, address, and telephone
17 number of the person viewing the list as well as the time of
18 that viewing, any person may view the centralized statewide
19 voter registration list on a computer screen at the Springfield
20 office of the State Board of Elections, during normal business
21 hours other than during the 27 days before an election, but the
22 person viewing the list under this exception may not print,
23 duplicate, transmit, or alter the list. Copies of the tapes,
24 discs, or other electronic data shall be furnished by the
25 county clerk to local political committees and governmental
26 entities at their request and at a reasonable cost. Reasonable

1 cost of the tapes, discs, et cetera for this purpose would be
2 the cost of duplication plus 15% for administration. The
3 individual representing a political committee requesting
4 copies of such tapes shall make a sworn affidavit that the
5 information shall be used only for bona fide political
6 purposes, including by or for candidates for office or
7 incumbent office holders. Such tapes, discs or other electronic
8 data shall not be used under any circumstances by any political
9 committee or individuals for purposes of commercial
10 solicitation or other business purposes. If such tapes contain
11 information on county residents related to the operations of
12 county government in addition to registration information,
13 that information shall not be used under any circumstances for
14 commercial solicitation or other business purposes. The
15 prohibition in this Section against using the computer tapes or
16 computer discs or other electronic data processing information
17 containing voter registration information for purposes of
18 commercial solicitation or other business purposes shall be
19 prospective only from the effective date of this amended Act of
20 1979. Any person who violates this provision shall be guilty of
21 a Class 4 felony.

22 The State Board of Elections shall promulgate, by October
23 1, 1987, such regulations as may be necessary to ensure
24 uniformity throughout the State in electronic data processing
25 of voter registration information. The regulations shall
26 include, but need not be limited to, specifications for uniform

1 medium, communications protocol and file structure to be
 2 employed by the election authorities of this State in the
 3 electronic data processing of voter registration information.
 4 Each election authority utilizing electronic data processing
 5 of voter registration information shall comply with such
 6 regulations on and after May 15, 1988.

7 If the applicant for registration was last registered in
 8 another county within this State, he shall also sign a
 9 certificate authorizing cancellation of the former
 10 registration. The certificate shall be in substantially the
 11 following form:

12 To the County Clerk of.... County, Illinois. (or)

13 To the Election Commission of the City of, Illinois.

14 This is to certify that I am registered in your (county)
 15 (city) and that my residence was

16 Having moved out of your (county) (city), I hereby authorize
 17 you to cancel said registration in your office.

18 Dated at, Illinois, on (insert date).

19
 20 (Signature of Voter)

21 Attest:, County Clerk,
 22 County, Illinois.

23 The cancellation certificate shall be mailed immediately
 24 by the County Clerk to the County Clerk (or election commission
 25 as the case may be) where the applicant was formerly
 26 registered. Receipt of such certificate shall be full authority

1 for cancellation of any previous registration.

2 (Source: P.A. 98-115, eff. 10-1-13; 99-522, eff. 6-30-16.)

3 (10 ILCS 5/4-8.01) (from Ch. 46, par. 4-8.01)

4 Sec. 4-8.01. If an applicant for registration reports a
5 permanent ~~physical~~ disability which would require assistance
6 in voting, the county clerk shall mark all his registration
7 cards in the right margin on the front of the card with a band
8 of ink running the full margin which shall be of contrast to,
9 and easily distinguishable from, the color of the card. If an
10 applicant for registration declares upon properly witnessed
11 oath, with his signature or mark affixed, that he cannot read
12 the English language and that he will require assistance in
13 voting, all his registration cards shall be marked in a manner
14 similar to the marking on the cards of a voter who requires
15 assistance because of ~~physical~~ disability, except that the
16 marking shall be of a different distinguishing color. Following
17 each election the cards of any voter who has requested
18 assistance as a voter with a disability, and has stated that
19 the disability is permanent, or who has received assistance
20 because of inability to read the English language, shall be
21 marked in the same manner.

22 (Source: P.A. 99-143, eff. 7-27-15.)

23 (10 ILCS 5/5-7) (from Ch. 46, par. 5-7)

24 Sec. 5-7. The county clerk shall provide a sufficient

1 number of blank forms for the registration of electors which
2 shall be known as registration record cards and which shall
3 consist of loose leaf sheets or cards, of suitable size to
4 contain in plain writing and figures the data hereinafter
5 required thereon or shall consist of computer cards of suitable
6 nature to contain the data required thereon. The registration
7 record cards, which shall include an affidavit of registration
8 as hereinafter provided, shall be executed in duplicate.

9 The registration record card shall contain the following
10 and such other information as the county clerk may think it
11 proper to require for the identification of the applicant for
12 registration:

13 Name. The name of the applicant, giving surname and first
14 or Christian name in full, and the middle name or the initial
15 for such middle name, if any.

16 Sex.

17 Residence. The name and number of the street, avenue, or
18 other location of the dwelling, including the apartment, unit
19 or room number, if any, and in the case of a mobile home the lot
20 number, and such additional clear and definite description as
21 may be necessary to determine the exact location of the
22 dwelling of the applicant, including post-office mailing
23 address. In the case of a homeless individual, the individual's
24 voting residence that is his or her mailing address shall be
25 included on his or her registration record card.

26 Term of residence in the State of Illinois and the

1 precinct. Which questions may be answered by the applicant
2 stating, in excess of 30 days in the State and in excess of 30
3 days in the precinct.

4 Nativity. The State or country in which the applicant was
5 born.

6 Citizenship. Whether the applicant is native born or
7 naturalized. If naturalized, the court, place and date of
8 naturalization.

9 Date of application for registration, i.e., the day, month
10 and year when applicant presented himself for registration.

11 Age. Date of birth, by month, day and year.

12 Disability ~~Physical disability~~ of the applicant, if any, at
13 the time of registration, which would require assistance in
14 voting.

15 The county and state in which the applicant was last
16 registered.

17 Electronic mail address, if any.

18 Signature of voter. The applicant, after the registration
19 and in the presence of a deputy registrar or other officer of
20 registration shall be required to sign his or her name in ink
21 or digitized form to the affidavit on the original and
22 duplicate registration record card.

23 Signature of Deputy Registrar.

24 In case applicant is unable to sign his name, he may affix
25 his mark to the affidavit. In such case the officer empowered
26 to give the registration oath shall write a detailed

1 description of the applicant in the space provided at the
2 bottom of the card or sheet; and shall ask the following
3 questions and record the answers thereto:

4 Father's first name

5 Mother's first name

6 From what address did you last register?

7 Reason for inability to sign name.

8 Each applicant for registration shall make an affidavit in
9 substantially the following form:

AFFIDAVIT OF REGISTRATION

11 State of Illinois)

12)ss

13 County of)

14 I hereby swear (or affirm) that I am a citizen of the
15 United States; that on the date of the next election I shall
16 have resided in the State of Illinois and in the election
17 precinct in which I reside 30 days; that I am fully qualified
18 to vote. That I intend that this location shall be my residence
19 and that the above statements are true.

20

21 (His or her signature or mark)

22 Subscribed and sworn to before me on (insert date).

23

24 Signature of Registration Officer.

25 (To be signed in presence of Registrant.)

1 Space shall be provided upon the face of each registration
2 record card for the notation of the voting record of the person
3 registered thereon.

4 Each registration record card shall be numbered according
5 to towns and precincts, wards, cities and villages, as the case
6 may be, and may be serially or otherwise marked for
7 identification in such manner as the county clerk may
8 determine.

9 The registration cards shall be deemed public records and
10 shall be open to inspection during regular business hours,
11 except during the 27 days immediately preceding any election.
12 On written request of any candidate or objector or any person
13 intending to object to a petition, the election authority shall
14 extend its hours for inspection of registration cards and other
15 records of the election authority during the period beginning
16 with the filing of petitions under Sections 7-10, 8-8, 10-6 or
17 28-3 and continuing through the termination of electoral board
18 hearings on any objections to petitions containing signatures
19 of registered voters in the jurisdiction of the election
20 authority. The extension shall be for a period of hours
21 sufficient to allow adequate opportunity for examination of the
22 records but the election authority is not required to extend
23 its hours beyond the period beginning at its normal opening for
24 business and ending at midnight. If the business hours are so
25 extended, the election authority shall post a public notice of
26 such extended hours. Registration record cards may also be

1 inspected, upon approval of the officer in charge of the cards,
2 during the 27 days immediately preceding any election.
3 Registration record cards shall also be open to inspection by
4 certified judges and poll watchers and challengers at the
5 polling place on election day, but only to the extent necessary
6 to determine the question of the right of a person to vote or
7 to serve as a judge of election. At no time shall poll watchers
8 or challengers be allowed to physically handle the registration
9 record cards.

10 Updated copies of computer tapes or computer discs or other
11 electronic data processing information containing voter
12 registration information shall be furnished by the county clerk
13 within 10 days after December 15 and May 15 each year and
14 within 10 days after each registration period is closed to the
15 State Board of Elections in a form prescribed by the Board. For
16 the purposes of this Section, a registration period is closed
17 27 days before the date of any regular or special election.
18 Registration information shall include, but not be limited to,
19 the following information: name, sex, residence, telephone
20 number, if any, age, party affiliation, if applicable,
21 precinct, ward, township, county, and representative,
22 legislative and congressional districts. In the event of
23 noncompliance, the State Board of Elections is directed to
24 obtain compliance forthwith with this nondiscretionary duty of
25 the election authority by instituting legal proceedings in the
26 circuit court of the county in which the election authority

1 maintains the registration information. The costs of
2 furnishing updated copies of tapes or discs shall be paid at a
3 rate of \$.00034 per name of registered voters in the election
4 jurisdiction, but not less than \$50 per tape or disc and shall
5 be paid from appropriations made to the State Board of
6 Elections for reimbursement to the election authority for such
7 purpose. The State Board shall furnish copies of such tapes,
8 discs, other electronic data or compilations thereof to state
9 political committees registered pursuant to the Illinois
10 Campaign Finance Act or the Federal Election Campaign Act and
11 to governmental entities, at their request and at a reasonable
12 cost. To protect the privacy and confidentiality of voter
13 registration information, the disclosure of electronic voter
14 registration records to any person or entity other than to a
15 State or local political committee and other than to a
16 governmental entity for a governmental purpose is specifically
17 prohibited except as follows: subject to security measures
18 adopted by the State Board of Elections which, at a minimum,
19 shall include the keeping of a catalog or database, available
20 for public view, including the name, address, and telephone
21 number of the person viewing the list as well as the time of
22 that viewing, any person may view the centralized statewide
23 voter registration list on a computer screen at the Springfield
24 office of the State Board of Elections, during normal business
25 hours other than during the 27 days before an election, but the
26 person viewing the list under this exception may not print,

1 duplicate, transmit, or alter the list. Copies of the tapes,
2 discs or other electronic data shall be furnished by the county
3 clerk to local political committees and governmental entities
4 at their request and at a reasonable cost. Reasonable cost of
5 the tapes, discs, et cetera for this purpose would be the cost
6 of duplication plus 15% for administration. The individual
7 representing a political committee requesting copies of such
8 tapes shall make a sworn affidavit that the information shall
9 be used only for bona fide political purposes, including by or
10 for candidates for office or incumbent office holders. Such
11 tapes, discs or other electronic data shall not be used under
12 any circumstances by any political committee or individuals for
13 purposes of commercial solicitation or other business
14 purposes. If such tapes contain information on county residents
15 related to the operations of county government in addition to
16 registration information, that information shall not be used
17 under any circumstances for commercial solicitation or other
18 business purposes. The prohibition in this Section against
19 using the computer tapes or computer discs or other electronic
20 data processing information containing voter registration
21 information for purposes of commercial solicitation or other
22 business purposes shall be prospective only from the effective
23 date of this amended Act of 1979. Any person who violates this
24 provision shall be guilty of a Class 4 felony.

25 The State Board of Elections shall promulgate, by October
26 1, 1987, such regulations as may be necessary to ensure

1 uniformity throughout the State in electronic data processing
 2 of voter registration information. The regulations shall
 3 include, but need not be limited to, specifications for uniform
 4 medium, communications protocol and file structure to be
 5 employed by the election authorities of this State in the
 6 electronic data processing of voter registration information.
 7 Each election authority utilizing electronic data processing
 8 of voter registration information shall comply with such
 9 regulations on and after May 15, 1988.

10 If the applicant for registration was last registered in
 11 another county within this State, he shall also sign a
 12 certificate authorizing cancellation of the former
 13 registration. The certificate shall be in substantially the
 14 following form:

15 To the County Clerk of County, Illinois. To the Election
 16 Commission of the City of, Illinois.

17 This is to certify that I am registered in your (county)
 18 (city) and that my residence was

19 Having moved out of your (county) (city), I hereby
 20 authorize you to cancel said registration in your office.

21 Dated at Illinois, on (insert date).

22
 23 (Signature of Voter)

24 Attest, County Clerk, County, Illinois.

25 The cancellation certificate shall be mailed immediately
 26 by the county clerk to the county clerk (or election commission

1 as the case may be) where the applicant was formerly
2 registered. Receipt of such certificate shall be full authority
3 for cancellation of any previous registration.

4 (Source: P.A. 98-115, eff. 10-1-13; 99-522, eff. 6-30-16.)

5 (10 ILCS 5/5-7.01) (from Ch. 46, par. 5-7.01)

6 Sec. 5-7.01. If an applicant for registration reports a
7 permanent ~~physical~~ disability which would require assistance
8 in voting, the county clerk shall mark all his registration
9 cards in the right margin on the front of the card with a band
10 of ink running the full margin which shall be of contrast to,
11 and easily distinguishable from, the color of the card. If an
12 applicant for registration declares upon properly witnessed
13 oath, with his signature or mark affixed, that he cannot read
14 the English language and that he will require assistance in
15 voting, all his registration cards shall be marked in a manner
16 similar to the marking on the cards of a voter who requires
17 assistance because of ~~physical~~ disability, except that the
18 marking shall be of a different distinguishing color. Following
19 each election the cards of any voter who has requested
20 assistance as a voter with a disability, and has stated that
21 the disability is permanent, or who has received assistance
22 because of inability to read the English language, shall be
23 marked in the same manner.

24 (Source: P.A. 99-143, eff. 7-27-15.)

1 (10 ILCS 5/6-35) (from Ch. 46, par. 6-35)

2 Sec. 6-35. The Boards of Election Commissioners shall
3 provide a sufficient number of blank forms for the registration
4 of electors which shall be known as registration record cards
5 and which shall consist of loose leaf sheets or cards, of
6 suitable size to contain in plain writing and figures the data
7 hereinafter required thereon or shall consist of computer cards
8 of suitable nature to contain the data required thereon. The
9 registration record cards, which shall include an affidavit of
10 registration as hereinafter provided, shall be executed in
11 duplicate. The duplicate of which may be a carbon copy of the
12 original or a copy of the original made by the use of other
13 method or material used for making simultaneous true copies or
14 duplications.

15 The registration record card shall contain the following
16 and such other information as the Board of Election
17 Commissioners may think it proper to require for the
18 identification of the applicant for registration:

19 Name. The name of the applicant, giving surname and first
20 or Christian name in full, and the middle name or the initial
21 for such middle name, if any.

22 Sex.

23 Residence. The name and number of the street, avenue, or
24 other location of the dwelling, including the apartment, unit
25 or room number, if any, and in the case of a mobile home the lot
26 number, and such additional clear and definite description as

1 may be necessary to determine the exact location of the
2 dwelling of the applicant, including post-office mailing
3 address. In the case of a homeless individual, the individual's
4 voting residence that is his or her mailing address shall be
5 included on his or her registration record card.

6 Term of residence in the State of Illinois and the
7 precinct.

8 Nativity. The state or country in which the applicant was
9 born.

10 Citizenship. Whether the applicant is native born or
11 naturalized. If naturalized, the court, place, and date of
12 naturalization.

13 Date of application for registration, i.e., the day, month
14 and year when the applicant presented himself for registration.

15 Age. Date of birth, by month, day and year.

16 Disability ~~Physical disability~~ of the applicant, if any, at
17 the time of registration, which would require assistance in
18 voting.

19 The county and state in which the applicant was last
20 registered.

21 Electronic mail address, if any.

22 Signature of voter. The applicant, after registration and
23 in the presence of a deputy registrar or other officer of
24 registration shall be required to sign his or her name in ink
25 or digitized form to the affidavit on both the original and the
26 duplicate registration record card.

1 Signature of deputy registrar.

2 In case applicant is unable to sign his name, he may affix
3 his mark to the affidavit. In such case the registration
4 officer shall write a detailed description of the applicant in
5 the space provided at the bottom of the card or sheet; and
6 shall ask the following questions and record the answers
7 thereto:

8 Father's first name

9 Mother's first name

10 From what address did you last register?

11 Reason for inability to sign name

12 Each applicant for registration shall make an affidavit in
13 substantially the following form:

14 AFFIDAVIT OF REGISTRATION

15 State of Illinois)

16)ss

17 County of)

18 I hereby swear (or affirm) that I am a citizen of the
19 United States, that on the day of the next election I shall
20 have resided in the State of Illinois and in the election
21 precinct 30 days and that I intend that this location is my
22 residence; that I am fully qualified to vote, and that the
23 above statements are true.

24

25 (His or her signature or mark)

26 Subscribed and sworn to before me on (insert date).

1
2

Signature of registration officer

(to be signed in presence of registrant).

3
4 Space shall be provided upon the face of each registration
5 record card for the notation of the voting record of the person
6 registered thereon.

7 Each registration record card shall be numbered according
8 to wards or precincts, as the case may be, and may be serially
9 or otherwise marked for identification in such manner as the
10 Board of Election Commissioners may determine.

11 The registration cards shall be deemed public records and
12 shall be open to inspection during regular business hours,
13 except during the 27 days immediately preceding any election.
14 On written request of any candidate or objector or any person
15 intending to object to a petition, the election authority shall
16 extend its hours for inspection of registration cards and other
17 records of the election authority during the period beginning
18 with the filing of petitions under Sections 7-10, 8-8, 10-6 or
19 28-3 and continuing through the termination of electoral board
20 hearings on any objections to petitions containing signatures
21 of registered voters in the jurisdiction of the election
22 authority. The extension shall be for a period of hours
23 sufficient to allow adequate opportunity for examination of the
24 records but the election authority is not required to extend
25 its hours beyond the period beginning at its normal opening for
26 business and ending at midnight. If the business hours are so

1 extended, the election authority shall post a public notice of
2 such extended hours. Registration record cards may also be
3 inspected, upon approval of the officer in charge of the cards,
4 during the 27 days immediately preceding any election.
5 Registration record cards shall also be open to inspection by
6 certified judges and poll watchers and challengers at the
7 polling place on election day, but only to the extent necessary
8 to determine the question of the right of a person to vote or
9 to serve as a judge of election. At no time shall poll watchers
10 or challengers be allowed to physically handle the registration
11 record cards.

12 Updated copies of computer tapes or computer discs or other
13 electronic data processing information containing voter
14 registration information shall be furnished by the Board of
15 Election Commissioners within 10 days after December 15 and May
16 15 each year and within 10 days after each registration period
17 is closed to the State Board of Elections in a form prescribed
18 by the State Board. For the purposes of this Section, a
19 registration period is closed 27 days before the date of any
20 regular or special election. Registration information shall
21 include, but not be limited to, the following information:
22 name, sex, residence, telephone number, if any, age, party
23 affiliation, if applicable, precinct, ward, township, county,
24 and representative, legislative and congressional districts.
25 In the event of noncompliance, the State Board of Elections is
26 directed to obtain compliance forthwith with this

1 nondiscretionary duty of the election authority by instituting
2 legal proceedings in the circuit court of the county in which
3 the election authority maintains the registration information.
4 The costs of furnishing updated copies of tapes or discs shall
5 be paid at a rate of \$.00034 per name of registered voters in
6 the election jurisdiction, but not less than \$50 per tape or
7 disc and shall be paid from appropriations made to the State
8 Board of Elections for reimbursement to the election authority
9 for such purpose. The State Board shall furnish copies of such
10 tapes, discs, other electronic data or compilations thereof to
11 state political committees registered pursuant to the Illinois
12 Campaign Finance Act or the Federal Election Campaign Act and
13 to governmental entities, at their request and at a reasonable
14 cost. To protect the privacy and confidentiality of voter
15 registration information, the disclosure of electronic voter
16 registration records to any person or entity other than to a
17 State or local political committee and other than to a
18 governmental entity for a governmental purpose is specifically
19 prohibited except as follows: subject to security measures
20 adopted by the State Board of Elections which, at a minimum,
21 shall include the keeping of a catalog or database, available
22 for public view, including the name, address, and telephone
23 number of the person viewing the list as well as the time of
24 that viewing, any person may view the centralized statewide
25 voter registration list on a computer screen at the Springfield
26 office of the State Board of Elections, during normal business

1 hours other than during the 27 days before an election, but the
2 person viewing the list under this exception may not print,
3 duplicate, transmit, or alter the list. Copies of the tapes,
4 discs or other electronic data shall be furnished by the Board
5 of Election Commissioners to local political committees and
6 governmental entities at their request and at a reasonable
7 cost. Reasonable cost of the tapes, discs, et cetera for this
8 purpose would be the cost of duplication plus 15% for
9 administration. The individual representing a political
10 committee requesting copies of such tapes shall make a sworn
11 affidavit that the information shall be used only for bona fide
12 political purposes, including by or for candidates for office
13 or incumbent office holders. Such tapes, discs or other
14 electronic data shall not be used under any circumstances by
15 any political committee or individuals for purposes of
16 commercial solicitation or other business purposes. If such
17 tapes contain information on county residents related to the
18 operations of county government in addition to registration
19 information, that information shall not be used under any
20 circumstances for commercial solicitation or other business
21 purposes. The prohibition in this Section against using the
22 computer tapes or computer discs or other electronic data
23 processing information containing voter registration
24 information for purposes of commercial solicitation or other
25 business purposes shall be prospective only from the effective
26 date of this amended Act of 1979. Any person who violates this

1 provision shall be guilty of a Class 4 felony.

2 The State Board of Elections shall promulgate, by October
3 1, 1987, such regulations as may be necessary to ensure
4 uniformity throughout the State in electronic data processing
5 of voter registration information. The regulations shall
6 include, but need not be limited to, specifications for uniform
7 medium, communications protocol and file structure to be
8 employed by the election authorities of this State in the
9 electronic data processing of voter registration information.
10 Each election authority utilizing electronic data processing
11 of voter registration information shall comply with such
12 regulations on and after May 15, 1988.

13 If the applicant for registration was last registered in
14 another county within this State, he shall also sign a
15 certificate authorizing cancellation of the former
16 registration. The certificate shall be in substantially the
17 following form:

18 To the County Clerk of County, Illinois.

19 To the Election Commission of the City of, Illinois.

20 This is to certify that I am registered in your (county)
21 (city) and that my residence was Having moved out of your
22 (county), (city), I hereby authorize you to cancel that
23 registration in your office.

24 Dated at, Illinois, on (insert date).

25

26 (Signature of Voter)

1 Attest , Clerk, Election Commission of the City of ,
2 Illinois.

3 The cancellation certificate shall be mailed immediately
4 by the clerk of the Election Commission to the county clerk,
5 (or Election Commission as the case may be) where the applicant
6 was formerly registered. Receipt of such certificate shall be
7 full authority for cancellation of any previous registration.
8 (Source: P.A. 98-115, eff. 10-1-13; 99-522, eff. 6-30-16.)

9 (10 ILCS 5/6-35.01) (from Ch. 46, par. 6-35.01)

10 Sec. 6-35.01. If an applicant for registration reports a
11 permanent ~~physical~~ disability which would require assistance
12 in voting, the board of election commissioners shall mark all
13 his registration cards in the right margin on the front of the
14 card with a band of ink running the full margin which shall be
15 of contrast to, and easily distinguishable from, the color of
16 the card. If an applicant for registration declares upon
17 properly witnessed oath, with his signature or mark affixed,
18 that he cannot read the English language and that he will
19 require assistance in voting, all his registration cards shall
20 be marked in a manner similar to the marking on the cards of a
21 voter who requires assistance because of ~~physical~~ disability,
22 except that the marking shall be of a different distinguishing
23 color. Following each election the cards of any voter who has
24 requested assistance as a voter with a disability, and has
25 stated that the disability is permanent, or who has received

1 assistance because of inability to read the English language,
2 shall be marked in the same manner.

3 (Source: P.A. 99-143, eff. 7-27-15.)

4 (10 ILCS 5/7-47.1) (from Ch. 46, par. 7-47.1)

5 Sec. 7-47.1. (a) In the case of an emergency, as determined
6 by the State Board of Elections, or if the Board determines
7 that all potential polling places have been surveyed by the
8 election authority and that no accessible polling place, as
9 defined by rule of the State Board of Elections, is available
10 within a precinct nor is the election authority able to make a
11 polling place within the precinct temporarily accessible, the
12 Board, upon written application by the election authority, is
13 authorized to grant an exemption from the accessibility
14 requirements of the Federal Voting Accessibility for the
15 Elderly and Handicapped Act (Public Law 98-435). Such exemption
16 shall be valid for a period of 2 years.

17 (b) Any temporarily or permanently ~~physically~~ disabled
18 voter who, because of structural features of the building in
19 which the polling place is located, is unable to access or
20 enter the polling place, may request that 2 judges of election
21 of opposite party affiliation deliver a ballot to him or her at
22 the point where he or she is unable to continue forward motion
23 toward the polling place; but, in no case, shall a ballot be
24 delivered to the voter beyond 50 feet of the entrance to the
25 building in which the polling place is located. Such request

1 shall be made to the election authority not later than the
2 close of business at the election authority's office on the day
3 before the election and on a form prescribed by the State Board
4 of Elections. The election authority shall notify the judges of
5 election for the appropriate precinct polling places of such
6 requests.

7 Weather permitting, 2 judges of election shall deliver to
8 the disabled voter the ballot which he or she is entitled to
9 vote, a portable voting booth or other enclosure that will
10 allow such voter to mark his or her ballot in secrecy, and a
11 marking device.

12 (c) The voter must complete the entire voting process,
13 including the application for ballot from which the judges of
14 election shall compare the voter's signature with the signature
15 on his or her registration record card in the precinct binder.

16 After the voter has marked his or her ballot and placed it
17 in the ballot envelope (or folded it in the manner prescribed
18 for paper ballots), the 2 judges of election shall return the
19 ballot to the polling place and give it to the judge in charge
20 of the ballot box who shall deposit it therein.

21 Pollwatchers as provided in Sections 7-34 and 17-23 of this
22 Code shall be permitted to accompany the judges and observe the
23 above procedure.

24 No assistance may be given to such voter in marking his or
25 her ballot, unless the voter requests assistance and completes
26 the affidavit required by Section 17-14 of this Code.

1 (Source: P.A. 84-808.)

2 (10 ILCS 5/7-48) (from Ch. 46, par. 7-48)

3 Sec. 7-48. Any primary elector who may declare upon oath,
4 properly witnessed and with his or her signature or mark
5 affixed, that he or she requires assistance to vote by reason
6 of blindness, ~~physical~~ disability or inability to read, write
7 or speak the English language, shall, upon request, be assisted
8 in marking his or her primary ballot in the same manner as
9 provided by this Act for general elections.

10 (Source: P.A. 84-808.)

11 (10 ILCS 5/12-1) (from Ch. 46, par. 12-1)

12 Sec. 12-1. At least 75 ~~60~~ days prior to each general and
13 consolidated election, the election authority shall provide
14 public notice, calculated to reach elderly voters and voters
15 with disabilities, of the availability of registration and
16 voting aids under the Federal Voting Accessibility for the
17 Elderly and Handicapped Act, of the availability of assistance
18 in marking the ballot, procedures for voting by vote by mail
19 ballot, and procedures for voting early by personal appearance.

20 At least 30 days before any general election, and at least
21 20 days before any special congressional election, the county
22 clerk shall publish a notice of the election in 2 or more
23 newspapers published in the county, city, village,
24 incorporated town or town, as the case may be, or if there is

1 no such newspaper, then in any 2 or more newspapers published
2 in the county and having a general circulation throughout the
3 community. The notice may be substantially as follows:

4 Notice is hereby given that on (give date), at (give the
5 place of holding the election and the name of the precinct or
6 district) in the county of (name county), an election will be
7 held for (give the title of the several offices to be filled),
8 which election will be open at 6:00 a.m. and continued open
9 until 7:00 p.m. of that day.

10 Dated at on (insert date).

11 (Source: P.A. 98-1171, eff. 6-1-15; 99-143, eff. 7-27-15.)

12 (10 ILCS 5/17-14) (from Ch. 46, par. 17-14)

13 Sec. 17-14. Any voter who declares upon oath, properly
14 witnessed and with his or her signature or mark affixed, that
15 he or she requires assistance to vote by reason of blindness,
16 ~~physical~~ disability or inability to read, write or speak the
17 English language shall, upon request, be assisted in marking
18 his or her ballot, by 2 judges of election of different
19 political parties, to be selected by all judges of election of
20 each precinct at the opening of the polls or by a person of the
21 voter's choice, other than the voter's employer or agent of
22 that employer or officer or agent of the voter's union. A voter
23 who presents an Illinois Person with a Disability
24 Identification Card, issued to that person under the provisions
25 of the Illinois Identification Card Act, indicating that such

1 voter has a Class 1A or Class 2 disability under the provisions
2 of Section 4A of the Illinois Identification Card Act, or a
3 voter who declares upon oath, properly witnessed, that by
4 reason of any ~~physical~~ disability he is unable to mark his
5 ballot shall, upon request, be assisted in marking his ballot
6 by 2 of the election officers of different parties as provided
7 above in this Section or by a person of the voter's choice
8 other than the voter's employer or agent of that employer or
9 officer or agent of the voter's union. Such voter shall state
10 specifically the reason why he cannot vote without assistance
11 and, in the case of a voter with a ~~physical~~ disability, what
12 his ~~physical~~ disability is. Prior to entering the voting booth,
13 the person providing the assistance, if other than 2 judges of
14 election, shall be presented with written instructions on how
15 assistance shall be provided. This instruction shall be
16 prescribed by the State Board of Elections and shall include
17 the penalties for attempting to influence the voter's choice of
18 candidates, party, or votes in relation to any question on the
19 ballot and for not marking the ballot as directed by the voter.
20 Additionally, the person providing the assistance shall sign an
21 oath, swearing not to influence the voter's choice of
22 candidates, party, or votes in relation to any question on the
23 ballot and to cast the ballot as directed by the voter. The
24 oath shall be prescribed by the State Board of Elections and
25 shall include the penalty for violating this Section. In the
26 voting booth, such person shall mark the ballot as directed by

1 the voter, and shall thereafter give no information regarding
2 the same. The judges of election shall enter upon the poll
3 lists or official poll record after the name of any elector who
4 received such assistance in marking his ballot a memorandum of
5 the fact and if the disability is permanent. Intoxication shall
6 not be regarded as a ~~physical~~ disability, and no intoxicated
7 person shall be entitled to assistance in marking his ballot.

8 No person shall secure or attempt to secure assistance in
9 voting who is not blind, a person with a ~~physical~~ disability,
10 or illiterate as herein provided, nor shall any person
11 knowingly assist a voter in voting contrary to the provisions
12 of this Section.

13 (Source: P.A. 99-143, eff. 7-27-15.)

14 (10 ILCS 5/19-5) (from Ch. 46, par. 19-5)

15 Sec. 19-5. It shall be the duty of the election authority
16 to fold the ballot or ballots in the manner specified by the
17 statute for folding ballots prior to their deposit in the
18 ballot box, and to enclose such ballot or ballots in an
19 envelope unsealed to be furnished by him, which envelope shall
20 bear upon the face thereof the name, official title and post
21 office address of the election authority, and upon the other
22 side a printed certification in substantially the following
23 form:

24 I state that I am a resident of the precinct of the
25 (1) *township of (2) *City of or (3) *.... ward in

1 the city of residing at in such city or town in the
 2 county of and State of Illinois, that I have lived at such
 3 address for months last past; and that I am lawfully
 4 entitled to vote in such precinct at the election to be
 5 held on

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

7 I further state that I personally marked the enclosed
 8 ballot in secret.

9 Under penalties of perjury as provided by law pursuant to
 10 Section 29-10 of The Election Code, the undersigned certifies
 11 that the statements set forth in this certification are true
 12 and correct.

13

14 If the ballot is to go to an elector who is physically
 15 incapacitated and needs assistance marking the ballot, the
 16 envelope shall bear upon the back thereof a certification in
 17 substantially the following form:

18 I state that I am a resident of the precinct of the
 19 (1) *township of (2) *City of or (3) *.... ward in
 20 the city of residing at in such city or town in the
 21 county of and State of Illinois, that I have lived at such
 22 address for months last past; that I am lawfully entitled
 23 to vote in such precinct at the election to be held on
 24; that I am physically incapable of personally marking the
 25 ballot for such election.

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

1 I further state that I marked the enclosed ballot in secret
2 with the assistance of

3

4 (Individual rendering assistance)

5

6 (Residence Address)

7 Under penalties of perjury as provided by law pursuant to
8 Section 29-10 of The Election Code, the undersigned certifies
9 that the statements set forth in this certification are true
10 and correct.

11

12 In the case of a voter with a physical incapacity, marking
13 a ballot in secret includes marking a ballot with the
14 assistance of another individual, other than a candidate whose
15 name appears on the ballot (unless the voter is the spouse or a
16 parent, child, brother, or sister of the candidate), the
17 voter's employer, an agent of that employer, or an officer or
18 agent of the voter's union, when the voter's physical
19 incapacity necessitates such assistance.

20 In the case of a physically incapacitated voter, marking a
21 ballot in secret includes marking a ballot with the assistance
22 of another individual, other than a candidate whose name
23 appears on the ballot (unless the voter is the spouse or a
24 parent, child, brother, or sister of the candidate), the
25 voter's employer, an agent of that employer, or an officer or
26 agent of the voter's union, when the voter's physical

1 incapacity necessitates such assistance.

2 Provided, that if the ballot enclosed is to be voted at a
3 primary election, the certification shall designate the name of
4 the political party with which the voter is affiliated.

5 In addition to the above, the election authority shall
6 provide printed slips giving full instructions regarding the
7 manner of marking and returning the ballot in order that the
8 same may be counted, and shall furnish one of such printed
9 slips to each of such applicants at the same time the ballot is
10 delivered to him. Such instructions shall include the following
11 statement: "In signing the certification on the vote by mail
12 ballot envelope, you are attesting that you personally marked
13 this vote by mail ballot in secret. If you are physically
14 unable to mark the ballot, a friend or relative may assist you
15 after completing the enclosed affidavit. Federal and State laws
16 prohibit a candidate whose name appears on the ballot (unless
17 you are the spouse or a parent, child, brother, or sister of
18 the candidate), your employer, your employer's agent or an
19 officer or agent of your union from assisting voters with
20 ~~physical~~ disabilities."

21 In addition to the above, if a ballot to be provided to an
22 elector pursuant to this Section contains a public question
23 described in subsection (b) of Section 28-6 and the territory
24 concerning which the question is to be submitted is not
25 described on the ballot due to the space limitations of such
26 ballot, the election authority shall provide a printed copy of

1 a notice of the public question, which shall include a
2 description of the territory in the manner required by Section
3 16-7. The notice shall be furnished to the elector at the same
4 time the ballot is delivered to the elector.

5 (Source: P.A. 98-1171, eff. 6-1-15; 99-143, eff. 7-27-15.)

6 (10 ILCS 5/19A-40)

7 Sec. 19A-40. Enclosure of ballots in envelope. It is the
8 duty of the election judge or official to fold the ballot or
9 ballots in the manner specified by the statute for folding
10 ballots prior to their deposit in the ballot box, and to
11 enclose the ballot or ballots in an envelope unsealed to be
12 furnished by him or her, which envelope shall bear upon the
13 face thereof the name, official title, and post office address
14 of the election authority, and upon the other side a printed
15 certification in substantially the following form:

16 I state that I am a resident of the precinct of the
17 (1) *township of (2) *City of or (3) *.... ward in
18 the city of residing at in that city or town in the
19 county of and State of Illinois, that I have lived at that
20 address for months last past; that I am lawfully entitled
21 to vote in that precinct at the election to be held on
22

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

24 I further state that I personally marked the enclosed
25 ballot in secret.

1 Under penalties of perjury as provided by law pursuant to
 2 Section 29-10 of the Election Code, the undersigned certifies
 3 that the statements set forth in this certification are true
 4 and correct.

5

6 If the ballot enclosed is to be voted at a primary
 7 election, the certification shall designate the name of the
 8 political party with which the voter is affiliated.

9 In addition to the above, the election authority shall
 10 provide printed slips giving full instructions regarding the
 11 manner of marking and returning the ballot in order that the
 12 same may be counted, and shall furnish one of the printed slips
 13 to each of such applicants at the same time the ballot is
 14 delivered to him or her. The instructions shall include the
 15 following statement: "In signing the certification on the early
 16 ballot envelope, you are attesting that you personally marked
 17 this early ballot in secret. If you are physically unable to
 18 mark the ballot, a friend or relative may assist you. Federal
 19 and State laws prohibit your employer, your employer's agent,
 20 or an officer or agent of your union from assisting voters with
 21 ~~physical~~ disabilities."

22 In addition to the above, if a ballot to be provided to a
 23 voter pursuant to this Section contains a public question
 24 described in subsection (b) of Section 28-6 and the territory
 25 concerning which the question is to be submitted is not
 26 described on the ballot due to the space limitations of the

1 ballot, the election authority shall provide a printed copy of
2 a notice of the public question, which shall include a
3 description of the territory in the manner required by Section
4 16-7. The notice shall be furnished to the voter at the same
5 time the ballot is delivered to the voter.

6 (Source: P.A. 99-143, eff. 7-27-15.)

7 (10 ILCS 5/24C-11)

8 Sec. 24C-11. Functional requirements. A Direct Recording
9 Electronic Voting System shall, in addition to satisfying the
10 other requirements of this Article, fulfill the following
11 functional requirements:

12 (a) Provide a voter in a primary election with the means of
13 casting a ballot containing votes for any and all candidates of
14 the party or parties of his or her choice, and for any and all
15 non-partisan candidates and public questions and preclude the
16 voter from voting for any candidate of any other political
17 party except when legally permitted. In a general election, the
18 system shall provide the voter with means of selecting the
19 appropriate number of candidates for any office, and of voting
20 on any public question on the ballot to which he or she is
21 entitled to vote.

22 (b) If a voter is not entitled to vote for particular
23 candidates or public questions appearing on the ballot, the
24 system shall prevent the selection of the prohibited votes.

25 (c) Once the proper ballot has been selected, the system

1 devices shall provide a means of enabling the recording of
2 votes and the casting of said ballot.

3 (d) System voting devices shall provide voting choices that
4 are clear to the voter and labels indicating the names of every
5 candidate and the text of every public question on the voter's
6 ballot. Each label shall identify the selection button or
7 switch, or the active area of the ballot associated with it.
8 The system shall be able to incorporate minimal, easy-to-follow
9 on-screen instruction for the voter on how to cast a ballot.

10 (e) Voting devices shall (i) enable the voter to vote for
11 any and all candidates and public questions appearing on the
12 ballot for which the voter is lawfully entitled to vote, in any
13 legal number and combination; (ii) detect and reject all votes
14 for an office or upon a public question when the voter has cast
15 more votes for the office or upon the public question than the
16 voter is entitled to cast; (iii) notify the voter if the
17 voter's choices as recorded on the ballot for an office or
18 public question are fewer than or exceed the number that the
19 voter is entitled to vote for on that office or public question
20 and the effect of casting more or fewer votes than legally
21 permitted; (iv) notify the voter if the voter has failed to
22 completely cast a vote for an office or public question
23 appearing on the ballot; and (v) permit the voter, in a private
24 and independent manner, to verify the votes selected by the
25 voter, to change the ballot or to correct any error on the
26 ballot before the ballot is completely cast and counted. A

1 means shall be provided to indicate each selection after it has
2 been made or canceled.

3 (f) System voting devices shall provide a means for the
4 voter to signify that the selection of candidates and public
5 questions has been completed. Upon activation, the system shall
6 record an image of the completed ballot, increment the proper
7 ballot position registers, and shall signify to the voter that
8 the ballot has been cast. The system shall then prevent any
9 further attempt to vote until it has been reset or re-enabled
10 by a judge of election.

11 (g) Each system voting device shall be equipped with a
12 public counter that can be set to zero prior to the opening of
13 the polling place, and that records the number of ballots cast
14 at a particular election. The counter shall be incremented only
15 by the casting of a ballot. The counter shall be designed to
16 prevent disabling or resetting by other than authorized persons
17 after the polls close. The counter shall be visible to all
18 judges of election so long as the device is installed at the
19 polling place.

20 (h) Each system voting device shall be equipped with a
21 protective counter that records all of the testing and election
22 ballots cast since the unit was built. This counter shall be
23 designed so that its reading cannot be changed by any cause
24 other than the casting of a ballot. The protective counter
25 shall be incapable of ever being reset and it shall be visible
26 at all times when the device is configured for testing,

1 maintenance, or election use.

2 (i) All system devices shall provide a means of preventing
3 further voting once the polling place has closed and after all
4 eligible voters have voted. Such means of control shall
5 incorporate a visible indication of system status. Each device
6 shall prevent any unauthorized use, prevent tampering with
7 ballot labels and preclude its re-opening once the poll closing
8 has been completed for that election.

9 (j) The system shall produce a printed summary report of
10 the votes cast upon each voting device. Until the proper
11 sequence of events associated with closing the polling place
12 has been completed, the system shall not allow the printing of
13 a report or the extraction of data. The printed report shall
14 also contain all system audit information to be required by the
15 election authority. Data shall not be altered or otherwise
16 destroyed by report generation and the system shall ensure the
17 integrity and security of data for a period of at least 6
18 months after the polls close.

19 (k) If more than one voting device is used in a polling
20 place, the system shall provide a means to manually or
21 electronically consolidate the data from all such units into a
22 single report even if different voting systems are used to
23 record ballots. The system shall also be capable of merging the
24 vote tabulation results produced by other vote tabulation
25 systems, if necessary.

26 (l) System functions shall be implemented such that

1 unauthorized access to them is prevented and the execution of
2 authorized functions in an improper sequence is precluded.
3 System functions shall be executable only in the intended
4 manner and order, and only under the intended conditions. If
5 the preconditions to a system function have not been met, the
6 function shall be precluded from executing by the system's
7 control logic.

8 (m) All system voting devices shall incorporate at least 3
9 memories in the machine itself and in its programmable memory
10 devices.

11 (n) The system shall include capabilities of recording and
12 reporting the date and time of normal and abnormal events and
13 of maintaining a permanent record of audit information that
14 cannot be turned off. Provisions shall be made to detect and
15 record significant events (e.g., casting a ballot, error
16 conditions that cannot be disposed of by the system itself,
17 time-dependent or programmed events that occur without the
18 intervention of the voter or a judge of election).

19 (o) The system and each system voting device must be
20 capable of creating, printing and maintaining a permanent paper
21 record and an electronic image of each ballot that is cast such
22 that records of individual ballots are maintained by a
23 subsystem independent and distinct from the main vote
24 detection, interpretation, processing and reporting path. The
25 electronic images of each ballot must protect the integrity of
26 the data and the anonymity of each voter, for example, by means

1 of storage location scrambling. The ballot image records may be
2 either machine-readable or manually transcribed, or both, at
3 the discretion of the election authority.

4 (p) The system shall include built-in test, measurement and
5 diagnostic software and hardware for detecting and reporting
6 the system's status and degree of operability.

7 (q) The system shall contain provisions for maintaining the
8 integrity of memory voting and audit data during an election
9 and for a period of at least 6 months thereafter and shall
10 provide the means for creating an audit trail.

11 (r) The system shall be fully accessible so as to permit
12 blind or visually impaired voters as well as voters with
13 ~~physical~~ disabilities to exercise their right to vote in
14 private and without assistance.

15 (s) The system shall provide alternative language
16 accessibility if required pursuant to Section 203 of the Voting
17 Rights Act of 1965.

18 (t) Each voting device shall enable a voter to vote for a
19 person whose name does not appear on the ballot.

20 (u) The system shall record and count accurately each vote
21 properly cast for or against any candidate and for or against
22 any public question, including the names of all candidates
23 whose names are written in by the voters.

24 (v) The system shall allow for accepting provisional
25 ballots and for separating such provisional ballots from
26 precinct totals until authorized by the election authority.

1 (w) The system shall provide an effective audit trail as
2 defined in Section 24C-2 in this Code.

3 (x) The system shall be suitably designed for the purpose
4 used, be durably constructed, and be designed for safety,
5 accuracy and efficiency.

6 (y) The system shall comply with all provisions of federal,
7 State and local election laws and regulations and any future
8 modifications to those laws and regulations.

9 (Source: P.A. 98-1171, eff. 6-1-15; 99-143, eff. 7-27-15.)