

HB2391



100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

HB2391

by Rep. Fred Crespo

SYNOPSIS AS INTRODUCED:

10 ILCS 5/11-4.1

from Ch. 46, par. 11-4.1

Amends the Election Code. Provides that upon request of the county board or board of election commissioners, a school may make a school building under its control available for use as a polling place on an election day and for a reasonably necessary time before and after election day, without charge, if the school reasonably believes that it can ensure the safety of its students. Provides that schools shall be under no obligation to consent to the request of the county board or board of election commissioners. Makes conforming changes. Effective immediately.

LRB100 08434 MLM 18552 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 Section
5 11-4.1 as follows:

6 (10 ILCS 5/11-4.1) (from Ch. 46, par. 11-4.1)

7 Sec. 11-4.1. (a) In appointing polling places under this
8 Article, the county board or board of election commissioners
9 shall, insofar as they are convenient and available, use
10 ~~schools and other~~ public buildings as polling places.

11 (b) Upon request of the county board or board of election
12 commissioners, the proper agency of government (including
13 ~~school districts and~~ units of local government) shall make a
14 public building under its control available for use as a
15 polling place on an election day and for a reasonably necessary
16 time before and after election day, without charge. Upon
17 request of the county board or board of election commissioners,
18 the school may make a school building under its control
19 available for use as a polling place on an election day and for
20 a reasonably necessary time before and after election day,
21 without charge, if the school reasonably believes that it can
22 ensure the safety of its students. Schools shall be under no
23 obligation to consent to the request of the county board or

1 board of election commissioners. If the county board or board
2 of election commissioners chooses a school to be a polling
3 place and the school consents to be a polling place, then the
4 school district must make the school available for use as a
5 polling place. However, for the day of the election, a school
6 district is encouraged to (i) close the school or (ii) hold a
7 teachers institute on that day with students not in attendance.

8 (c) A government agency which makes a public building under
9 its control available for use as a polling place shall (i)
10 ensure the portion of the building to be used as the polling
11 place is accessible to voters with disabilities and elderly
12 voters and (ii) allow the election authority to administer the
13 election as authorized under this Code.

14 (d) If a qualified elector's precinct polling place is a
15 school and the elector will be unable to enter that polling
16 place without violating Section 11-9.3 of the Criminal Code of
17 2012 because the elector is a child sex offender as defined in
18 Section 11-9.3 of the Criminal Code of 2012, that elector may
19 vote by a vote by mail ballot in accordance with Article 19 of
20 this Code or may vote early in accordance with Article 19A of
21 this Code.

22 (Source: P.A. 98-773, eff. 7-18-14; 98-1171, eff. 6-1-15;
23 99-143, eff. 7-27-15.)

24 Section 99. Effective date. This Act takes effect upon
25 becoming law.