

# SB2476



## 100TH GENERAL ASSEMBLY

### State of Illinois

2017 and 2018

SB2476

Introduced 1/30/2018, by Sen. Terry Link

#### SYNOPSIS AS INTRODUCED:

10 ILCS 5/19-3

from Ch. 46, par. 19-3

Amends the Election Code. Provides that any campaign, party, or other organization or individual that engages in a vote by mail operation in which voters are sent applications for vote by mail ballots shall also provide the voter with a postage-paid return envelope addressed only to the appropriate local election authority for that registered voter. Provides that removing, tampering with, or otherwise knowingly making the postmark on the application unreadable by the election authority shall establish a rebuttable presumption of a violation.

LRB100 17023 RJF 32171 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 19-3 as follows:

6 (10 ILCS 5/19-3) (from Ch. 46, par. 19-3)

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

9 APPLICATION FOR VOTE BY MAIL BALLOT

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

13 I state that I am a resident of the .... precinct of the  
14 (1) \*township of .... (2) \*City of .... or (3) \*.... ward in  
15 the city of .... residing at .... in such city or town in the  
16 county of .... and State of Illinois; that I have lived at such  
17 address for .... month(s) last past; that I am lawfully  
18 entitled to vote in such precinct at the .... election to be  
19 held therein on ....; and that I wish to vote by vote by mail  
20 ballot.

21 I hereby make application for an official ballot or ballots  
22 to be voted by me at such election, and I agree that I shall  
23 return such ballot or ballots to the official issuing the same

1 prior to the closing of the polls on the date of the election  
 2 or, if returned by mail, postmarked no later than election day,  
 3 for counting no later than during the period for counting  
 4 provisional ballots, the last day of which is the 14th day  
 5 following election day.

6 I understand that this application is made for an official  
 7 vote by mail ballot or ballots to be voted by me at the  
 8 election specified in this application and that I must submit a  
 9 separate application for an official vote by mail ballot or  
 10 ballots to be voted by me at any subsequent election.

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

14 . . . .

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

16 Post office address to which ballot is mailed:  
 17 .....

18 However, if application is made for a primary election  
 19 ballot, such application shall require the applicant to  
 20 designate the name of the political party with which the  
 21 applicant is affiliated.

22 If application is made electronically, the applicant shall  
 23 mark the box associated with the above described statement  
 24 included as part of the online application certifying that the  
 25 statements set forth in this application are true and correct,  
 26 and a signature is not required.

1 Any person may produce, reproduce, distribute, or return to  
2 an election authority the application for vote by mail ballot.  
3 Any campaign, party, or other organization or individual that  
4 engages in a vote by mail operation in which voters are sent  
5 applications for vote by mail ballots shall also provide the  
6 voter with a postage-paid return envelope addressed only to the  
7 appropriate local election authority for that registered  
8 voter. Removing, tampering with, or otherwise knowingly making  
9 the postmark on the application unreadable by the election  
10 authority shall establish a rebuttable presumption of a  
11 violation of this paragraph. Upon receipt, the appropriate  
12 election authority shall accept and promptly process any  
13 application for vote by mail ballot submitted in a form  
14 substantially similar to that required by this Section,  
15 including any substantially similar production or reproduction  
16 generated by the applicant.

17 (Source: P.A. 98-115, eff. 7-29-13; 98-1171, eff. 6-1-15;  
18 99-522, eff. 6-30-16.)