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1                AMENDMENT TO HOUSE BILL 2238

2        AMENDMENT NO. _____. Amend House Bill 2238 by replacing

3    everything after the enacting clause with the following:

4        "Section 5. If and only if Senate Bill 1863 of the 101st

5    General Assembly becomes law in the form in which it passed the

6    House of Representatives on May 21, 2020, then the Election

7    Code is amended by changing Section 2B-20 as follows:

8        (10 ILCS 5/2B-20)

9        Sec. 2B-20. Changes for vote by mail official ballot

10   mailing and processing.

11       (a) Notwithstanding any other provision of law to the

12   contrary, an election authority shall mail official ballots to

13   any elector requesting an official ballot no earlier than

14   September 24, 2020. Except for electors applying under Article

15   20, any elector submitting an application for a vote by mail

16   ballot on or before October 1, 2020 shall receive a ballot no

1    later than October 6, 2020. An election authority shall mail
2    official ballots to any elector requesting an official ballot
3    after October 1, 2020 no later than 2 business days after
4    receipt of the application.

5        (b) Notwithstanding any other provision of law to the
6    contrary, any vote by mail ballot received by an election
7    authority shall be presumed to meet the requirements of
8    Articles 17, 18, and 19 and the voter shall be deemed otherwise
9    qualified to cast a vote by mail ballot unless deemed invalid
10   as provided in this Section.

11       (c) Notwithstanding any other provision of law to the
12   contrary, within 2 days after a vote by mail ballot is
13   received, but in all cases before the close of the period for
14   counting provisional ballots, the election authority shall
15   appoint a panel or panels as needed of 3 election judges, of
16   which no more than 2 shall be from the same political party,
17   from the list of election judges submitted by the county
18   parties for this specific purpose to compare the voter's
19   signature on the certification envelope of the vote by mail
20   ballot with the signature of the voter on file in the office of
21   the election authority. The signature shall be presumed to
22   match unless 3 out of 3 election judges determine that the 2
23   signatures do not match. By a vote of 3 of 3 election judges, a
24   vote by mail ballot may only be rejected because the signature
25   on the certification envelope and the signature used by the
26   election authority for verification purposes do not match or

1    the certification envelope contains a signature but not in the
2    proper location. A vote by mail ballot may only be rejected by
3    a majority vote of the 3 of 3 election judges and only for the
4    following reasons: (1) the signature on the certification
5    envelope and the signature used by the election authority for
6    verification purposes do not match or the certification
7    envelope contains no signature; (2) the ballot envelope was
8    delivered opened; (3) the voter has already cast a ballot; (4)
9    if the voter voted in person on election day; or (5) the voter
10   is not a duly registered voter in the precinct. If 3 of 3
11   election judges determine the ballot should be rejected for any
12   reasons stated in this subsection (c), the judges shall mark
13   across the face of the certification envelope the word
14   "rejected" and the date and names of the judges voting to
15   reject the ballot.

16       (d) If a vote by mail ballot is rejected, the election
17   authority shall notify the voter within 2 days after the
18   rejection or within one day if the rejection occurs after
19   election day and in all cases before the close of the period
20   for counting provisional ballots. The voter shall be notified
21   through mail or email, or both, and the notice shall inform the
22   voter of the reason or reasons the ballot was rejected. If the
23   ballot was rejected based on the signature or lack of a
24   signature, the voter shall be permitted to submit a statement
25   the voter cast the ballot, and upon receipt the ballot shall be
26   determined valid and counted before the close of the period for

1    counting provisional ballots. If the ballot was rejected

2    because the envelope was delivered opened, the voter shall be

3    permitted to vote in person or request to receive another vote

4    by mail ballot, provided the voter submits an application and

5    casts a new ballot prior to the close of polls on election day.

6        (e) Election authorities shall accept any vote by mail

7    ballot returned, including ballots returned with insufficient

8    or no postage, and may establish secure collection sites for

9    the postage-free return of vote by mail ballots. Any election

10   authority establishing such a collection site pursuant to this

11   subsection (c) shall collect all ballots submitted each day at

12   close of business and process them as required by this Code,

13   including noting the day on which the ballot was submitted.

14   Ballots submitted to such collection sites after close of

15   business shall be dated as delivered the next day, with the

16   exception of ballots delivered on election day, which shall be

17   dated as received on election day. Election authorities shall

18   permit electors to return vote by mail ballots on election day

19   up until the close of the polls. All collection sites shall be

20   secured by locks that may be opened only by election authority

21   personnel. The State Board of Elections shall establish

22   additional guidelines for the security of collection sites.

23       (f) In accordance with Section 19-7, within one day after

24   receipt of a vote by mail ballot, the election authority shall

25   transmit notification of receipt to the State Board of

26   Elections. If a vote by mail ballot is rejected, the election

1    authority must notify the State Board of Elections within one
2    day. Upon request by a state or local political committee,
3    within 2 days an election authority must electronically provide
4    the names and addresses of any vote by mail ballots received
5    and any vote by mail ballots marked rejected.
6    (Source: 10100SB1863ham005; 10100SB1863ham006.)

7        Section 99. Effective date. This Act takes effect upon
8    becoming law or on the date Senate Bill 1863 of the 101st
9    General Assembly takes effect, whichever is later.".