

SB0057



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

SB0057

Introduced 1/16/2019, by Sen. Julie A. Morrison

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 return envelope addressed only to the appropriate local election authority for that registered voter. Removes language providing for if an application is sent to a post office box controlled by an individual or organization that is not an election authority.

LRB101 04608 SMS 49616 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 return envelope addressed only to the appropriate
7 local election authority for that registered voter. ~~If~~
8 ~~applications are sent to a post office box controlled by any~~
9 ~~individual or organization that is not an election authority,~~
10 ~~those applications shall (i) include a valid and current phone~~
11 ~~number for the individual or organization controlling the post~~
12 ~~office box and (ii) be turned over to the appropriate election~~
13 ~~authority within 7 days of receipt or, if received within 2~~
14 ~~weeks of the election in which an applicant intends to vote,~~
15 ~~within 2 days of receipt. Failure to turn over the applications~~
16 ~~in compliance with this paragraph shall constitute a violation~~
17 ~~of this Code and shall be punishable as a petty offense with a~~
18 ~~fine of \$100 per application. Removing, tampering with, or~~
19 otherwise knowingly making the postmark on the application
20 unreadable by the election authority shall establish a
21 rebuttable presumption of a violation of this paragraph. Upon
22 receipt, the appropriate election authority shall accept and
23 promptly process any application for vote by mail ballot
24 submitted in a form substantially similar to that required by
25 this Section, including any substantially similar production
26 or reproduction generated by the applicant.

1 (Source: P.A. 99-522, eff. 6-30-16; 100-623, eff. 7-20-18.)