



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

SB3691

Introduced 2/14/2020, by Sen. Sue Rezin

SYNOPSIS AS INTRODUCED:

10 ILCS 5/1-3	from Ch. 46, par. 1-3
10 ILCS 5/17-9	from Ch. 46, par. 17-9
10 ILCS 5/17-23	from Ch. 46, par. 17-23
10 ILCS 5/18-5	from Ch. 46, par. 18-5
10 ILCS 5/18A-5	
10 ILCS 5/18A-15	
10 ILCS 5/19-3	from Ch. 46, par. 19-3
10 ILCS 5/19A-35	
10 ILCS 5/19A-60	

Amends the Election Code. Requires a voter to present valid photo identification to vote. Makes conforming changes throughout the Code. Defines "photo identification" as an identification card issued by either the United States or the State of Illinois that includes the name and photo of the voter or, for a student, a student identification card of any college, university, or technical college accredited and located in the State of Illinois that contains the name and photo of the voter and is accompanied with proof of current enrollment at the college, university, or technical college. Provides that for a voter under 70 years of age, "photo identification" does not include identification that is expired more than 2 years and for voters 70 years old or older, "photo identification" includes an identification card that is expired for any length of time.

LRB101 20223 SMS 69763 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, 17-9, 17-23, 18-5, 18A-5, 18A-15, 19-3, 19A-35,
6 and 19A-60 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" means a person having a
14 temporary or permanent physical disability.

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

25 22. "Business day" means any day in which the office of an
26 election authority, local election official or the State Board

1 of Elections is open to the public for a minimum of 7 hours.

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

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

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

14 26. "Photo identification" means an identification card
15 issued by either the United States or the State of Illinois
16 that includes the name and photo of the voter or, for a
17 student, a student identification card of any college,
18 university, or technical college accredited and located in the
19 State of Illinois that contains the name and photo of the voter
20 and is accompanied with proof of current enrollment at the
21 college, university, or technical college. For a voter under 70
22 years of age, "photo identification" does not include
23 identification that is expired more than 2 years. For voters 70
24 years old or older, "photo identification" includes an
25 identification card that is expired for any length of time.

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

1 (10 ILCS 5/17-9) (from Ch. 46, par. 17-9)

2 Sec. 17-9. Any person desiring to vote shall give his name,
3 photo identification, and, if required to do so, his residence
4 to the judges of election, one of whom shall thereupon announce
5 the same in a loud and distinct tone of voice, clear, and
6 audible; the judges of elections shall check each application
7 for ballot against the list of voters registered in that
8 precinct to whom grace period, vote by mail, or early ballots
9 have been issued for that election, which shall be provided by
10 the election authority and which list shall be available for
11 inspection by pollwatchers. A voter applying to vote in the
12 precinct on election day whose name appears on the list as
13 having been issued a grace period, vote by mail, or early
14 ballot shall not be permitted to vote in the precinct, except
15 that a voter to whom a vote by mail ballot was issued may vote
16 in the precinct if the voter submits to the election judges
17 that vote by mail ballot for cancellation. If the voter is
18 unable to submit the vote by mail ballot, it shall be
19 sufficient for the voter to submit to the election judges (i) a
20 portion of the vote by mail ballot if the vote by mail ballot
21 was torn or mutilated or (ii) an affidavit executed before the
22 election judges specifying that (A) the voter never received a
23 vote by mail ballot or (B) the voter completed and returned a
24 vote by mail ballot and was informed that the election
25 authority did not receive that vote by mail ballot. All

1 applicable provisions of Articles 4, 5 or 6 shall be complied
2 with and if such name is found on the register of voters by the
3 officer having charge thereof, he shall likewise repeat said
4 name, and the voter shall be allowed to enter within the
5 proximity of the voting booths, as above provided. One of the
6 judges shall give the voter one, and only one of each ballot to
7 be voted at the election, on the back of which ballots such
8 judge shall indorse his initials in such manner that they may
9 be seen when each such ballot is properly folded, and the
10 voter's name shall be immediately checked on the register list.
11 In those election jurisdictions where perforated ballot cards
12 are utilized of the type on which write-in votes can be cast
13 above the perforation, the election authority shall provide a
14 space both above and below the perforation for the judge's
15 initials, and the judge shall endorse his or her initials in
16 both spaces. Whenever a proposal for a constitutional amendment
17 or for the calling of a constitutional convention is to be
18 voted upon at the election, the separate blue ballot or ballots
19 pertaining thereto shall, when being handed to the voter, be
20 placed on top of the other ballots to be voted at the election
21 in such manner that the legend appearing on the back thereof,
22 as prescribed in Section 16-6 of this Act, shall be plainly
23 visible to the voter. At all elections, when a registry may be
24 required, if the name of any person so desiring to vote at such
25 election is not found on the register of voters, he or she
26 shall not receive a ballot until he or she shall have complied

1 with the law prescribing the manner and conditions of voting by
2 unregistered voters. If any person desiring to vote at any
3 election shall be challenged, he or she shall not receive a
4 ballot until he or she shall have established his right to vote
5 in the manner provided hereinafter; and if he or she shall be
6 challenged after he has received his ballot, he shall not be
7 permitted to vote until he or she has fully complied with such
8 requirements of the law upon being challenged. Besides the
9 election officer, not more than 2 voters in excess of the whole
10 number of voting booths provided shall be allowed within the
11 proximity of the voting booths at one time. The provisions of
12 this Act, so far as they require the registration of voters as
13 a condition to their being allowed to vote shall not apply to
14 persons otherwise entitled to vote, who are, at the time of the
15 election, or at any time within 60 days prior to such election
16 have been engaged in the military or naval service of the
17 United States, and who appear personally at the polling place
18 on election day and produce to the judges of election
19 satisfactory evidence thereof, but such persons, if otherwise
20 qualified to vote, shall be permitted to vote at such election
21 without previous registration.

22 All such persons shall also make an affidavit which shall
23 be in substantially the following form:

24 State of Illinois,)

25) ss.

26 County of)

1 Precinct Ward

2 I,, do solemnly swear (or affirm) that I am a citizen
3 of the United States, of the age of 18 years or over, and that
4 within the past 60 days prior to the date of this election at
5 which I am applying to vote, I have been engaged in the
6 (military or naval) service of the United States; and I am
7 qualified to vote under and by virtue of the Constitution and
8 laws of the State of Illinois, and that I am a legally
9 qualified voter of this precinct and ward except that I have,
10 because of such service, been unable to register as a voter;
11 that I now reside at (insert street and number, if any) in
12 this precinct and ward; that I have maintained a legal
13 residence in this precinct and ward for 30 days and in this
14 State 30 days next preceding this election.

15

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

17

18 Judge of Election.

19 The affidavit of any such person shall be supported by the
20 affidavit of a resident and qualified voter of any such
21 precinct and ward, which affidavit shall be in substantially
22 the following form:

23 State of Illinois,)

24) ss.

25 County of)

1 Precinct Ward

2 I,, do solemnly swear (or affirm), that I am a
3 resident of this precinct and ward and entitled to vote at this
4 election; that I am acquainted with (name of the
5 applicant); that I verily believe him to be an actual bona fide
6 resident of this precinct and ward and that I verily believe
7 that he or she has maintained a legal residence therein 30 days
8 and in this State 30 days next preceding this election.

9

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

11

12 Judge of Election.

13 All affidavits made under the provisions of this Section
14 shall be enclosed in a separate envelope securely sealed, and
15 shall be transmitted with the returns of the elections to the
16 county clerk or to the board of election commissioners, who
17 shall preserve the said affidavits for the period of 6 months,
18 during which period such affidavits shall be deemed public
19 records and shall be freely open to examination as such.

20 (Source: P.A. 98-1171, eff. 6-1-15.)

21 (10 ILCS 5/17-23) (from Ch. 46, par. 17-23)

22 Sec. 17-23. Pollwatchers in a general election shall be
23 authorized in the following manner:

24 (1) Each established political party shall be entitled to

1 appoint two pollwatchers per precinct. Such pollwatchers must
2 be affiliated with the political party for which they are
3 pollwatching. For all elections, the pollwatchers must be
4 registered to vote in Illinois.

5 (2) Each candidate shall be entitled to appoint two
6 pollwatchers per precinct. For all elections, the pollwatchers
7 must be registered to vote in Illinois.

8 (3) Each organization of citizens within the county or
9 political subdivision, which has among its purposes or
10 interests the investigation or prosecution of election frauds,
11 and which shall have registered its name and address and the
12 name and addresses of its principal officers with the proper
13 election authority at least 40 days before the election, shall
14 be entitled to appoint one pollwatcher per precinct. For all
15 elections, the pollwatcher must be registered to vote in
16 Illinois.

17 (3.5) Each State nonpartisan civic organization within the
18 county or political subdivision shall be entitled to appoint
19 one pollwatcher per precinct, provided that no more than 2
20 pollwatchers appointed by State nonpartisan civic
21 organizations shall be present in a precinct polling place at
22 the same time. Each organization shall have registered the
23 names and addresses of its principal officers with the proper
24 election authority at least 40 days before the election. The
25 pollwatchers must be registered to vote in Illinois. For the
26 purpose of this paragraph, a "State nonpartisan civic

1 organization" means any corporation, unincorporated
2 association, or organization that:

3 (i) as part of its written articles of incorporation,
4 bylaws, or charter or by separate written declaration, has
5 among its stated purposes the provision of voter
6 information and education, the protection of individual
7 voters' rights, and the promotion of free and equal
8 elections;

9 (ii) is organized or primarily conducts its activities
10 within the State of Illinois; and

11 (iii) continuously maintains an office or business
12 location within the State of Illinois, together with a
13 current listed telephone number (a post office box number
14 without a current listed telephone number is not
15 sufficient).

16 (4) In any general election held to elect candidates for
17 the offices of a municipality of less than 3,000,000 population
18 that is situated in 2 or more counties, a pollwatcher who is a
19 resident of Illinois shall be eligible to serve as a
20 pollwatcher in any poll located within such municipality,
21 provided that such pollwatcher otherwise complies with the
22 respective requirements of subsections (1) through (3) of this
23 Section and is a registered voter in Illinois.

24 (5) Each organized group of proponents or opponents of a
25 ballot proposition, which shall have registered the name and
26 address of its organization or committee and the name and

1 address of its chair with the proper election authority at
2 least 40 days before the election, shall be entitled to appoint
3 one pollwatcher per precinct. The pollwatcher must be
4 registered to vote in Illinois.

5 All pollwatchers shall be required to have proper
6 credentials. Such credentials shall be printed in sufficient
7 quantities, shall be issued by and under the facsimile
8 signature(s) of the election authority or the State Board of
9 Elections and shall be available for distribution by the
10 election authority and State Board of Elections at least 2
11 weeks prior to the election. Such credentials shall be
12 authorized by the real or facsimile signature of the State or
13 local party official or the candidate or the presiding officer
14 of the civic organization or the chair of the proponent or
15 opponent group, as the case may be. Neither the election
16 authority nor the State Board of Elections may require any such
17 party official or the candidate or the presiding officer of the
18 civic organization or the chair of the proponent or opponent
19 group to submit the names or other information concerning
20 pollwatchers before making credentials available to such
21 persons or organizations.

22 Pollwatcher credentials shall be in substantially the
23 following form:

24 POLLWATCHER CREDENTIALS

25 TO THE JUDGES OF ELECTION:

1 of Election upon entering the polling place. Pollwatcher
2 credentials properly executed and signed shall be proof of the
3 qualifications of the pollwatcher authorized thereby. Such
4 credentials are retained by the Judges and returned to the
5 Election Authority at the end of the day of election with the
6 other election materials. Once a pollwatcher has surrendered a
7 valid credential, he may leave and reenter the polling place
8 provided that such continuing action does not disrupt the
9 conduct of the election. Pollwatchers may be substituted during
10 the course of the day, but established political parties,
11 candidates and qualified civic organizations can have only as
12 many pollwatchers at any given time as are authorized in this
13 Article. A substitute must present his signed credential to the
14 judges of election upon entering the polling place. Election
15 authorities must provide a sufficient number of credentials to
16 allow for substitution of pollwatchers. After the polls have
17 closed pollwatchers shall be allowed to remain until the
18 canvass of votes is completed; but may leave and reenter only
19 in cases of necessity, provided that such action is not so
20 continuous as to disrupt the canvass of votes.

21 Candidates seeking office in a district or municipality
22 encompassing 2 or more counties shall be admitted to any and
23 all polling places throughout such district or municipality
24 without regard to the counties in which such candidates are
25 registered to vote. Actions of such candidates shall be
26 governed in each polling place by the same privileges and

1 limitations that apply to pollwatchers as provided in this
2 Section. Any such candidate who engages in an activity in a
3 polling place which could reasonably be construed by a majority
4 of the judges of election as campaign activity shall be removed
5 forthwith from such polling place.

6 Candidates seeking office in a district or municipality
7 encompassing 2 or more counties who desire to be admitted to
8 polling places on election day in such district or municipality
9 shall be required to have proper credentials. Such credentials
10 shall be printed in sufficient quantities, shall be issued by
11 and under the facsimile signature of the State Board of
12 Elections or the election authority of the election
13 jurisdiction where the polling place in which the candidate
14 seeks admittance is located, and shall be available for
15 distribution at least 2 weeks prior to the election. Such
16 credentials shall be signed by the candidate.

17 Candidate credentials shall be in substantially the
18 following form:

19 CANDIDATE CREDENTIALS

20 TO THE JUDGES OF ELECTION:

21 In accordance with the provisions of the Election Code, I
22 (name of candidate) hereby certify that I am a candidate
23 for (name of office) and seek admittance to
24 precinct of the ward (if applicable) of the
25 (township or municipality) of at the election

1 to be held on (insert date).

2

.....

3 (Signature of Candidate)

OFFICE FOR WHICH
CANDIDATE SEEKS
NOMINATION OR
ELECTION

4

5

6

7 Pollwatchers shall be permitted to observe all proceedings
8 and view all reasonably requested records relating to the
9 conduct of the election, provided the secrecy of the ballot is
10 not impinged, and to station themselves in a position in the
11 voting room as will enable them to observe the judges making
12 the signature comparison between the voter application and the
13 voter registration record card and verifying photo
14 identifications; provided, however, that such pollwatchers
15 shall not be permitted to station themselves in such close
16 proximity to the judges of election so as to interfere with the
17 orderly conduct of the election and shall not, in any event, be
18 permitted to handle election materials. Pollwatchers may
19 challenge for cause the voting qualifications of a person
20 offering to vote and may call to the attention of the judges of
21 election any incorrect procedure or apparent violations of this
22 Code.

23 If a majority of the judges of election determine that the
24 polling place has become too overcrowded with pollwatchers so
25 as to interfere with the orderly conduct of the election, the

1 judges shall, by lot, limit such pollwatchers to a reasonable
2 number, except that each established or new political party
3 shall be permitted to have at least one pollwatcher present.

4 Representatives of an election authority, with regard to an
5 election under its jurisdiction, the State Board of Elections,
6 and law enforcement agencies, including but not limited to a
7 United States Attorney, a State's attorney, the Attorney
8 General, and a State, county, or local police department, in
9 the performance of their official election duties, shall be
10 permitted at all times to enter and remain in the polling
11 place. Upon entering the polling place, such representatives
12 shall display their official credentials or other
13 identification to the judges of election.

14 Uniformed police officers assigned to polling place duty
15 shall follow all lawful instructions of the judges of election.

16 The provisions of this Section shall also apply to
17 supervised casting of vote by mail ballots as provided in
18 Section 19-12.2 of this Act.

19 (Source: P.A. 100-1027, eff. 1-1-19.)

20 (10 ILCS 5/18-5) (from Ch. 46, par. 18-5)

21 Sec. 18-5. Any person desiring to vote and whose name is
22 found upon the register of voters by the person having charge
23 thereof and who has presented a valid photo identification,
24 shall then be questioned by one of the judges as to his
25 nativity, his term of residence at present address, precinct,

1 State and United States, his age, whether naturalized and if so
2 the date of naturalization papers and court from which secured,
3 and he shall be asked to state his residence when last
4 previously registered and the date of the election for which he
5 then registered. The judges of elections shall check each
6 application for ballot against the list of voters registered in
7 that precinct to whom grace period, vote by mail, and early
8 ballots have been issued for that election, which shall be
9 provided by the election authority and which list shall be
10 available for inspection by pollwatchers. A voter applying to
11 vote in the precinct on election day whose name appears on the
12 list as having been issued a grace period, vote by mail, or
13 early ballot shall not be permitted to vote in the precinct,
14 except that a voter to whom a vote by mail ballot was issued
15 may vote in the precinct if the voter submits to the election
16 judges that vote by mail ballot for cancellation. If the voter
17 is unable to submit the vote by mail ballot, it shall be
18 sufficient for the voter to submit to the election judges (i) a
19 portion of the vote by mail ballot if the vote by mail ballot
20 was torn or mutilated or (ii) an affidavit executed before the
21 election judges specifying that (A) the voter never received a
22 vote by mail ballot or (B) the voter completed and returned a
23 vote by mail ballot and was informed that the election
24 authority did not receive that vote by mail ballot. If such
25 person so registered shall be challenged as disqualified, the
26 party challenging shall assign his reasons therefor, and

1 thereupon one of the judges shall administer to him an oath to
2 answer questions, and if he shall take the oath he shall then
3 be questioned by the judge or judges touching such cause of
4 challenge, and touching any other cause of disqualification.
5 And he may also be questioned by the person challenging him in
6 regard to his qualifications and identity. But if a majority of
7 the judges are of the opinion that he is the person so
8 registered and a qualified voter, his vote shall then be
9 received accordingly. But if his vote be rejected by such
10 judges, such person may afterward produce and deliver an
11 affidavit to such judges, subscribed and sworn to by him before
12 one of the judges, in which it shall be stated how long he has
13 resided in such precinct, and state; that he is a citizen of
14 the United States, and is a duly qualified voter in such
15 precinct, and that he is the identical person so registered. In
16 addition to such an affidavit, the person so challenged shall
17 provide to the judges of election proof of residence by
18 producing 2 forms of identification showing the person's
19 current residence address, provided that such identification
20 may include a lease or contract for a residence and not more
21 than one piece of mail addressed to the person at his current
22 residence address and postmarked not earlier than 30 days prior
23 to the date of the election, or the person shall procure a
24 witness personally known to the judges of election, and
25 resident in the precinct (or district), or who shall be proved
26 by some legal voter of such precinct or district, known to the

1 judges to be such, who shall take the oath following, viz:

2 I do solemnly swear (or affirm) that I am a resident of
3 this election precinct (or district), and entitled to vote at
4 this election, and that I have been a resident of this State
5 for 30 days last past, and am well acquainted with the person
6 whose vote is now offered; that he is an actual and bona fide
7 resident of this election precinct (or district), and has
8 resided herein 30 days, and as I verily believe, in this State,
9 30 days next preceding this election.

10 The oath in each case may be administered by one of the
11 judges of election, or by any officer, resident in the precinct
12 or district, authorized by law to administer oaths. Also
13 supported by an affidavit by a registered voter residing in
14 such precinct, stating his own residence, and that he knows
15 such person; and that he does reside at the place mentioned and
16 has resided in such precinct and state for the length of time
17 as stated by such person, which shall be subscribed and sworn
18 to in the same way. For purposes of this Section, the
19 submission of a photo identification issued by a college or
20 university, accompanied by either (i) a copy of the applicant's
21 contract or lease for a residence or (ii) one piece of mail
22 addressed to the person at his or her current residence address
23 and postmarked not earlier than 30 days prior to the date of
24 the election, shall be sufficient to establish proof of
25 residence. Whereupon the vote of such person shall be received,
26 and entered as other votes. But such judges, having charge of

1 such registers, shall state in their respective books the facts
2 in such case, and the affidavits, so delivered to the judges,
3 shall be preserved and returned to the office of the
4 commissioners of election. Blank affidavits of the character
5 aforesaid shall be sent out to the judges of all the precincts,
6 and the judges of election shall furnish the same on demand and
7 administer the oaths without criticism. Such oaths, if
8 administered by any other officer than such judge of election,
9 shall not be received. Whenever a proposal for a constitutional
10 amendment or for the calling of a constitutional convention is
11 to be voted upon at the election, the separate blue ballot or
12 ballots pertaining thereto shall be placed on top of the other
13 ballots to be voted at the election in such manner that the
14 legend appearing on the back thereof, as prescribed in Section
15 16-6 of this Act, shall be plainly visible to the voter, and in
16 this fashion the ballots shall be handed to the voter by the
17 judge.

18 Immediately after voting, the voter shall be instructed
19 whether the voting equipment, if used, accepted or rejected the
20 ballot or identified the ballot as under-voted. A voter whose
21 ballot is identified as under-voted for a statewide
22 constitutional office may return to the voting booth and
23 complete the voting of that ballot. A voter whose ballot is not
24 accepted by the voting equipment may, upon surrendering the
25 ballot, request and vote another ballot. The voter's
26 surrendered ballot shall be initialed by the election judge and

1 handled as provided in the appropriate Article governing that
2 voting equipment.

3 The voter shall, upon quitting the voting booth, deliver to
4 one of the judges of election all of the ballots, properly
5 folded, which he received. The judge of election to whom the
6 voter delivers his ballots shall not accept the same unless all
7 of the ballots given to the voter are returned by him. If a
8 voter delivers less than all of the ballots given to him, the
9 judge to whom the same are offered shall advise him in a voice
10 clearly audible to the other judges of election that the voter
11 must return the remainder of the ballots. The statement of the
12 judge to the voter shall clearly express the fact that the
13 voter is not required to vote such remaining ballots but that
14 whether or not he votes them he must fold and deliver them to
15 the judge. In making such statement the judge of election shall
16 not indicate by word, gesture or intonation of voice that the
17 unreturned ballots shall be voted in any particular manner. No
18 new voter shall be permitted to enter the voting booth of a
19 voter who has failed to deliver the total number of ballots
20 received by him until such voter has returned to the voting
21 booth pursuant to the judge's request and again quit the booth
22 with all of the ballots required to be returned by him. Upon
23 receipt of all such ballots the judges of election shall enter
24 the name of the voter, and his number, as above provided in
25 this Section, and the judge to whom the ballots are delivered
26 shall immediately put the ballots into the ballot box. If any

1 voter who has failed to deliver all the ballots received by him
2 refuses to return to the voting booth after being advised by
3 the judge of election as herein provided, the judge shall
4 inform the other judges of such refusal, and thereupon the
5 ballot or ballots returned to the judge shall be deposited in
6 the ballot box, the voter shall be permitted to depart from the
7 polling place, and a new voter shall be permitted to enter the
8 voting booth.

9 The judge of election who receives the ballot or ballots
10 from the voter shall announce the residence and name of such
11 voter in a loud voice. The judge shall put the ballot or
12 ballots received from the voter into the ballot box in the
13 presence of the voter and the judges of election, and in plain
14 view of the public. The judges having charge of such registers
15 shall then, in a column prepared thereon, in the same line of,
16 the name of the voter, mark "Voted" or the letter "V".

17 No judge of election shall accept from any voter less than
18 the full number of ballots received by such voter without first
19 advising the voter in the manner above provided of the
20 necessity of returning all of the ballots, nor shall any such
21 judge advise such voter in a manner contrary to that which is
22 herein permitted, or in any other manner violate the provisions
23 of this Section; provided, that the acceptance by a judge of
24 election of less than the full number of ballots delivered to a
25 voter who refuses to return to the voting booth after being
26 properly advised by such judge shall not be a violation of this

1 Section.

2 (Source: P.A. 98-1171, eff. 6-1-15.)

3 (10 ILCS 5/18A-5)

4 Sec. 18A-5. Provisional voting; general provisions.

5 (a) A person who claims to be a registered voter is
6 entitled to cast a provisional ballot under the following
7 circumstances:

8 (1) The person's name does not appear on the official
9 list of eligible voters for the precinct in which the
10 person seeks to vote and the person has refused an
11 opportunity to register at the polling location or another
12 grace period registration site. The official list is the
13 centralized statewide voter registration list established
14 and maintained in accordance with Section 1A-25;

15 (2) The person's voting status has been challenged by
16 an election judge, a pollwatcher, or any legal voter and
17 that challenge has been sustained by a majority of the
18 election judges;

19 (3) A federal or State court order extends the time for
20 closing the polls beyond the time period established by
21 State law and the person votes during the extended time
22 period;

23 (4) The voter registered to vote by mail and is
24 required by law to present identification when voting
25 either in person or by early voting ballot, but fails to do

1 so;

2 (5) The voter's name appears on the list of voters who
3 voted during the early voting period, but the voter claims
4 not to have voted during the early voting period;

5 (6) The voter received a vote by mail ballot but did
6 not return the vote by mail ballot to the election
7 authority; ~~or~~

8 (7) The voter attempted to register to vote on election
9 day, but failed to provide the necessary documentation; or
10 .

11 (8) The voter failed to present a valid photo
12 identification.

13 (b) The procedure for obtaining and casting a provisional
14 ballot at the polling place shall be as follows:

15 (1) After first verifying through an examination of the
16 precinct register that the person's address is within the
17 precinct boundaries, an election judge at the polling place
18 shall notify a person who is entitled to cast a provisional
19 ballot pursuant to subsection (a) that he or she may cast a
20 provisional ballot in that election. An election judge must
21 accept any information provided by a person who casts a
22 provisional ballot that the person believes supports his or
23 her claim that he or she is a duly registered voter and
24 qualified to vote in the election. However, if the person's
25 residence address is outside the precinct boundaries, the
26 election judge shall inform the person of that fact, give

1 the person the appropriate telephone number of the election
 2 authority in order to locate the polling place assigned to
 3 serve that address, and instruct the person to go to the
 4 proper polling place to vote.

5 (2) The person shall execute a written form provided by
 6 the election judge that shall state or contain all of the
 7 following that is available:

8 (i) an affidavit stating the following:

9 State of Illinois, County of
 10 Township, Precinct, Ward
 11, I,, do solemnly
 12 swear (or affirm) that: I am a citizen of the
 13 United States; I am 18 years of age or older; I
 14 have resided in this State and in this precinct for
 15 30 days preceding this election; I have not voted
 16 in this election; I am a duly registered voter in
 17 every respect; and I am eligible to vote in this
 18 election. Signature Printed Name of Voter
 19 Printed Residence Address of Voter
 20 City State Zip Code Telephone
 21 Number Date of Birth and Illinois
 22 Driver's License Number or Last 4 digits of
 23 Social Security Number or State
 24 Identification Card Number issued to you by the
 25 Illinois Secretary of State

26 (ii) A box for the election judge to check one of

1 the reasons why the person was given a provisional
2 ballot under subsection (a) of this Section.

3 (iii) An area for the election judge to affix his
4 or her signature and to set forth any facts that
5 support or oppose the allegation that the person is not
6 qualified to vote in the precinct in which the person
7 is seeking to vote.

8 The written affidavit form described in this
9 subsection (b)(2) must be printed on a multi-part form
10 prescribed by the county clerk or board of election
11 commissioners, as the case may be.

12 (3) After the person executes the portion of the
13 written affidavit described in subsection (b)(2)(i) of
14 this Section, the election judge shall complete the portion
15 of the written affidavit described in subsection
16 (b)(2)(iii) and (b)(2)(iv).

17 (4) The election judge shall give a copy of the
18 completed written affidavit to the person. The election
19 judge shall place the original written affidavit in a
20 self-adhesive clear plastic packing list envelope that
21 must be attached to a separate envelope marked as a
22 "provisional ballot envelope". The election judge shall
23 also place any information provided by the person who casts
24 a provisional ballot in the clear plastic packing list
25 envelope. Each county clerk or board of election
26 commissioners, as the case may be, must design, obtain or

1 procure self-adhesive clear plastic packing list envelopes
2 and provisional ballot envelopes that are suitable for
3 implementing this subsection (b) (4) of this Section.

4 (5) The election judge shall provide the person with a
5 provisional ballot, written instructions for casting a
6 provisional ballot, and the provisional ballot envelope
7 with the clear plastic packing list envelope affixed to it,
8 which contains the person's original written affidavit
9 and, if any, information provided by the provisional voter
10 to support his or her claim that he or she is a duly
11 registered voter. An election judge must also give the
12 person written information that states that any person who
13 casts a provisional ballot shall be able to ascertain,
14 pursuant to guidelines established by the State Board of
15 Elections, whether the provisional vote was counted in the
16 official canvass of votes for that election and, if the
17 provisional vote was not counted, the reason that the vote
18 was not counted.

19 (6) After the person has completed marking his or her
20 provisional ballot, he or she shall place the marked ballot
21 inside of the provisional ballot envelope, close and seal
22 the envelope, and return the envelope to an election judge,
23 who shall then deposit the sealed provisional ballot
24 envelope into a securable container separately identified
25 and utilized for containing sealed provisional ballot
26 envelopes. Ballots that are provisional because they are

1 cast after 7:00 p.m. by court order shall be kept separate
2 from other provisional ballots. Upon the closing of the
3 polls, the securable container shall be sealed with
4 filament tape provided for that purpose, which shall be
5 wrapped around the box lengthwise and crosswise, at least
6 twice each way, and each of the election judges shall sign
7 the seal.

8 (c) Instead of the affidavit form described in subsection
9 (b), the county clerk or board of election commissioners, as
10 the case may be, may design and use a multi-part affidavit form
11 that is imprinted upon or attached to the provisional ballot
12 envelope described in subsection (b). If a county clerk or
13 board of election commissioners elects to design and use its
14 own multi-part affidavit form, then the county clerk or board
15 of election commissioners shall establish a mechanism for
16 accepting any information the provisional voter has supplied to
17 the election judge to support his or her claim that he or she
18 is a duly registered voter. In all other respects, a county
19 clerk or board of election commissioners shall establish
20 procedures consistent with subsection (b).

21 (d) The county clerk or board of election commissioners, as
22 the case may be, shall use the completed affidavit form
23 described in subsection (b) to update the person's voter
24 registration information in the State voter registration
25 database and voter registration database of the county clerk or
26 board of election commissioners, as the case may be. If a

1 person is later determined not to be a registered voter based
2 on Section 18A-15 of this Code, then the affidavit shall be
3 processed by the county clerk or board of election
4 commissioners, as the case may be, as a voter registration
5 application.

6 (Source: P.A. 100-201, eff. 8-18-17.)

7 (10 ILCS 5/18A-15)

8 Sec. 18A-15. Validating and counting provisional ballots.

9 (a) The county clerk or board of election commissioners
10 shall complete the validation and counting of provisional
11 ballots within 14 calendar days of the day of the election. The
12 county clerk or board of election commissioners shall have 7
13 calendar days from the completion of the validation and
14 counting of provisional ballots to conduct its final canvass.
15 The State Board of Elections shall complete within 31 calendar
16 days of the election or sooner if all the returns are received,
17 its final canvass of the vote for all public offices.

18 (b) If a county clerk or board of election commissioners
19 determines that all of the following apply, then a provisional
20 ballot is valid and shall be counted as a vote:

21 (1) the provisional voter cast the provisional ballot
22 in the correct precinct based on the address provided by
23 the provisional voter. The provisional voter's affidavit
24 shall serve as a change of address request by that voter
25 for registration purposes for the next ensuing election if

1 it bears an address different from that in the records of
2 the election authority. Votes for federal and statewide
3 offices on a provisional ballot cast in the incorrect
4 precinct that meet the other requirements of this
5 subsection shall be valid and counted in accordance with
6 this Article. As used in this item, "federal office" is
7 defined as provided in Section 20-1 and "statewide office"
8 means the Governor, Attorney General, Secretary of State,
9 Comptroller, and Treasurer. Votes for General Assembly,
10 countywide, citywide, or township office on a provisional
11 ballot cast in the incorrect precinct but in the correct
12 legislative district, representative district, county,
13 municipality, or township, as the case may be, shall be
14 valid and counted in accordance with this Article. As used
15 in this item, "citywide office" means an office elected by
16 the electors of an entire municipality. As used in this
17 item, "township office" means an office elected by the
18 electors of an entire township;

19 (2) the affidavit executed by the provisional voter
20 pursuant to subsection (b) (2) of Section 18A-5 contains, at
21 a minimum, the provisional voter's first and last name,
22 house number and street name, and signature or mark;

23 (3) except as permitted by item (5) of subsection (b)
24 of this Section, the provisional voter is a registered
25 voter based on information available to the county clerk or
26 board of election commissioners provided by or obtained

1 from any of the following:

2 i. the provisional voter;

3 ii. an election judge;

4 iii. the statewide voter registration database
5 maintained by the State Board of Elections;

6 iv. the records of the county clerk or board of
7 election commissioners' database; or

8 v. the records of the Secretary of State; and

9 (4) for a provisional ballot cast under item (6) of
10 subsection (a) of Section 18A-5, the voter did not vote by
11 vote by mail ballot in the election at which the
12 provisional ballot was cast; or

13 (5) for a provisional ballot cast under item (7) or (8)
14 of subsection (a) of Section 18A-5, the voter provides the
15 election authority with the necessary photo identification
16 or other documentation within 7 days of election day.

17 (c) With respect to subsection (b) (3) of this Section, the
18 county clerk or board of election commissioners shall
19 investigate and record whether or not the specified information
20 is available from each of the 5 identified sources. If the
21 information is available from one or more of the identified
22 sources, then the county clerk or board of election
23 commissioners shall seek to obtain the information from each of
24 those sources until satisfied, with information from at least
25 one of those sources, that the provisional voter is registered
26 and entitled to vote. The county clerk or board of election

1 commissioners shall use any information it obtains as the basis
2 for determining the voter registration status of the
3 provisional voter. If a conflict exists among the information
4 available to the county clerk or board of election
5 commissioners as to the registration status of the provisional
6 voter, then the county clerk or board of election commissioners
7 shall make a determination based on the totality of the
8 circumstances. In a case where the above information equally
9 supports or opposes the registration status of the voter, the
10 county clerk or board of election commissioners shall decide in
11 favor of the provisional voter as being duly registered to
12 vote. If the statewide voter registration database maintained
13 by the State Board of Elections indicates that the provisional
14 voter is registered to vote, but the county clerk's or board of
15 election commissioners' voter registration database indicates
16 that the provisional voter is not registered to vote, then the
17 information found in the statewide voter registration database
18 shall control the matter and the provisional voter shall be
19 deemed to be registered to vote. If the records of the county
20 clerk or board of election commissioners indicates that the
21 provisional voter is registered to vote, but the statewide
22 voter registration database maintained by the State Board of
23 Elections indicates that the provisional voter is not
24 registered to vote, then the information found in the records
25 of the county clerk or board of election commissioners shall
26 control the matter and the provisional voter shall be deemed to

1 be registered to vote. If the provisional voter's signature on
2 his or her provisional ballot request varies from the signature
3 on an otherwise valid registration application solely because
4 of the substitution of initials for the first or middle name,
5 the election authority may not reject the provisional ballot.

6 (d) In validating the registration status of a person
7 casting a provisional ballot, the county clerk or board of
8 election commissioners shall not require a provisional voter to
9 complete any form other than the affidavit executed by the
10 provisional voter under subsection (b) (2) of Section 18A-5. In
11 addition, the county clerk or board of election commissioners
12 shall not require all provisional voters or any particular
13 class or group of provisional voters to appear personally
14 before the county clerk or board of election commissioners or
15 as a matter of policy require provisional voters to submit
16 additional information to verify or otherwise support the
17 information already submitted by the provisional voter. Within
18 2 calendar days after the election, the election authority
19 shall transmit by electronic means pursuant to a process
20 established by the State Board of Elections the name, street
21 address, e-mail address, and precinct, ward, township, and
22 district numbers, as the case may be, of each person casting a
23 provisional ballot to the State Board of Elections, which shall
24 maintain those names and that information in an electronic
25 format on its website, arranged by county and accessible to
26 State and local political committees. The provisional voter

1 may, within 7 calendar days after the election, submit
2 additional information to the county clerk or board of election
3 commissioners. This information must be received by the county
4 clerk or board of election commissioners within the
5 7-calendar-day period.

6 (e) If the county clerk or board of election commissioners
7 determines that subsection (b) (1), (b) (2), or (b) (3) does not
8 apply, then the provisional ballot is not valid and may not be
9 counted. The provisional ballot envelope containing the ballot
10 cast by the provisional voter may not be opened. The county
11 clerk or board of election commissioners shall write on the
12 provisional ballot envelope the following: "Provisional ballot
13 determined invalid."

14 (f) If the county clerk or board of election commissioners
15 determines that a provisional ballot is valid under this
16 Section, then the provisional ballot envelope shall be opened.
17 The outside of each provisional ballot envelope shall also be
18 marked to identify the precinct and the date of the election.

19 (g) Provisional ballots determined to be valid shall be
20 counted at the election authority's central ballot counting
21 location and shall not be counted in precincts. The provisional
22 ballots determined to be valid shall be added to the vote
23 totals for the precincts from which they were cast in the order
24 in which the ballots were opened. The validation and counting
25 of provisional ballots shall be subject to the provisions of
26 this Code that apply to pollwatchers. If the provisional

1 ballots are a ballot of a punch card voting system, then the
2 provisional ballot shall be counted in a manner consistent with
3 Article 24A. If the provisional ballots are a ballot of optical
4 scan or other type of approved electronic voting system, then
5 the provisional ballots shall be counted in a manner consistent
6 with Article 24B.

7 (h) As soon as the ballots have been counted, the election
8 judges or election officials shall, in the presence of the
9 county clerk or board of election commissioners, place each of
10 the following items in a separate envelope or bag: (1) all
11 provisional ballots, voted or spoiled; (2) all provisional
12 ballot envelopes of provisional ballots voted or spoiled; and
13 (3) all executed affidavits of the provisional ballots voted or
14 spoiled. All provisional ballot envelopes for provisional
15 voters who have been determined not to be registered to vote
16 shall remain sealed. The county clerk or board of election
17 commissioners shall treat the provisional ballot envelope
18 containing the written affidavit as a voter registration
19 application for that person for the next election and process
20 that application. The election judges or election officials
21 shall then securely seal each envelope or bag, initial the
22 envelope or bag, and plainly mark on the outside of the
23 envelope or bag in ink the precinct in which the provisional
24 ballots were cast. The election judges or election officials
25 shall then place each sealed envelope or bag into a box, secure
26 and seal it in the same manner as described in item (6) of

1 subsection (b) of Section 18A-5. Each election judge or
2 election official shall take and subscribe an oath before the
3 county clerk or board of election commissioners that the
4 election judge or election official securely kept the ballots
5 and papers in the box, did not permit any person to open the
6 box or otherwise touch or tamper with the ballots and papers in
7 the box, and has no knowledge of any other person opening the
8 box. For purposes of this Section, the term "election official"
9 means the county clerk, a member of the board of election
10 commissioners, as the case may be, and their respective
11 employees.

12 (Source: P.A. 97-766, eff. 7-6-12; 98-115, eff. 7-29-13;
13 98-691, eff. 7-1-14; 98-1171, eff. 6-1-15.)

14 (10 ILCS 5/19-3) (from Ch. 46, par. 19-3)

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

17 APPLICATION FOR VOTE BY MAIL BALLOT

18 To be voted at the election in the County of and
19 State of Illinois, in the precinct of the (1) *township of
20 (2) *City of or (3) *.... ward in the City of

21 I state that I am a resident of the precinct of the
22 (1) *township of (2) *City of or (3) *.... ward in
23 the city of residing at in such city or town in the
24 county of and State of Illinois; that I have lived at such
25 address for month(s) last past; that I am lawfully

1 entitled to vote in such precinct at the election to be
2 held therein on; and that I wish to vote by vote by mail
3 ballot.

4 I hereby make application for an official ballot or ballots
5 to be voted by me at such election, and I agree that I shall
6 return such ballot or ballots to the official issuing the same
7 prior to the closing of the polls on the date of the election
8 or, if returned by mail, postmarked no later than election day,
9 for counting no later than during the period for counting
10 provisional ballots, the last day of which is the 14th day
11 following election day.

12 I understand that this application is made for an official
13 vote by mail ballot or ballots to be voted by me at the
14 election specified in this application and that I must submit a
15 separate application for an official vote by mail ballot or
16 ballots to be voted by me at any subsequent election.

17 Under penalties as provided by law pursuant to Section
18 29-10 of the Election Code, the undersigned certifies that the
19 statements set forth in this application are true and correct.

20

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

22 Post office address to which ballot is mailed:

23

24 However, if application is made for a primary election
25 ballot, such application shall require the applicant to
26 designate the name of the political party with which the

1 applicant is affiliated.

2 If application is made electronically, the applicant shall
3 mark the box associated with the above described statement
4 included as part of the online application certifying that the
5 statements set forth in this application are true and correct,
6 and a signature is not required. The application shall also
7 include a readable copy of the applicant's photo
8 identification.

9 Any person may produce, reproduce, distribute, or return to
10 an election authority the application for vote by mail ballot.
11 If applications are sent to a post office box controlled by any
12 individual or organization that is not an election authority,
13 those applications shall (i) include a valid and current phone
14 number for the individual or organization controlling the post
15 office box and (ii) be turned over to the appropriate election
16 authority within 7 days of receipt or, if received within 2
17 weeks of the election in which an applicant intends to vote,
18 within 2 days of receipt. Failure to turn over the applications
19 in compliance with this paragraph shall constitute a violation
20 of this Code and shall be punishable as a petty offense with a
21 fine of \$100 per application. Removing, tampering with, or
22 otherwise knowingly making the postmark on the application
23 unreadable by the election authority shall establish a
24 rebuttable presumption of a violation of this paragraph. Upon
25 receipt, the appropriate election authority shall accept and
26 promptly process any application for vote by mail ballot

1 submitted in a form substantially similar to that required by
2 this Section, including any substantially similar production
3 or reproduction generated by the applicant.

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

5 (10 ILCS 5/19A-35)

6 Sec. 19A-35. Procedure for voting.

7 (a) Not more than 23 days before the start of the election,
8 the county clerk shall make available to the election official
9 conducting early voting by personal appearance a sufficient
10 number of early ballots, envelopes, and printed voting
11 instruction slips for the use of early voters. The election
12 official shall receipt for all ballots received and shall
13 return unused or spoiled ballots at the close of the early
14 voting period to the county clerk and must strictly account for
15 all ballots received. The ballots delivered to the election
16 official must include early ballots for each precinct in the
17 election authority's jurisdiction and must include separate
18 ballots for each political subdivision conducting an election
19 of officers or a referendum at that election.

20 (b) In conducting early voting under this Article, the
21 election judge or official is required to verify the signature
22 of the early voter by comparison with the signature on the
23 official registration card, and the judge or official must
24 verify (i) that the applicant is a registered voter, (ii) the
25 precinct in which the applicant is registered, ~~and~~ (iii) that

1 the voter has a valid photo identification, and (iv) the proper
2 ballots of the political subdivision in which the applicant
3 resides and is entitled to vote before providing an early
4 ballot to the applicant. The election judge or official must
5 verify the applicant's registration from the most recent poll
6 list provided by the election authority, and if the applicant
7 is not listed on that poll list, by telephoning the office of
8 the election authority.

9 (b-5) A person requesting an early voting ballot to whom a
10 vote by mail ballot was issued may vote early if the person
11 submits that vote by mail ballot to the judges of election or
12 official conducting early voting for cancellation. If the voter
13 is unable to submit the vote by mail ballot, it shall be
14 sufficient for the voter to submit to the judges or official
15 (i) a portion of the vote by mail ballot if the vote by mail
16 ballot was torn or mutilated or (ii) an affidavit executed
17 before the judges or official specifying that (A) the voter
18 never received a vote by mail ballot or (B) the voter completed
19 and returned a vote by mail ballot and was informed that the
20 election authority did not receive that vote by mail ballot.

21 (b-10) Within one day after a voter casts an early voting
22 ballot, the election authority shall transmit the voter's name,
23 street address, and precinct, ward, township, and district
24 numbers, as the case may be, to the State Board of Elections,
25 which shall maintain those names and that information in an
26 electronic format on its website, arranged by county and

1 accessible to State and local political committees.

2 (b-15) Immediately after voting an early ballot, the voter
3 shall be instructed whether the voting equipment accepted or
4 rejected the ballot or identified that ballot as under-voted
5 for a statewide constitutional office. A voter whose ballot is
6 identified as under-voted may return to the voting booth and
7 complete the voting of that ballot. A voter whose early voting
8 ballot is not accepted by the voting equipment may, upon
9 surrendering the ballot, request and vote another early voting
10 ballot. The voter's surrendered ballot shall be initialed by
11 the election judge or official conducting the early voting and
12 handled as provided in the appropriate Article governing the
13 voting equipment used.

14 (c) The sealed early ballots in their carrier envelope
15 shall be delivered by the election authority to the central
16 ballot counting location before the close of the polls on the
17 day of the election.

18 (Source: P.A. 98-691, eff. 7-1-14; 98-1171, eff. 6-1-15.)

19 (10 ILCS 5/19A-60)

20 Sec. 19A-60. Pollwatchers. Pollwatchers may be appointed
21 to observe early voting by personal appearance at each
22 permanent and temporary polling place where early voting is
23 conducted. The pollwatchers shall qualify and be appointed in
24 the same manner as provided in Sections 7-34 and 17-23, except
25 that each candidate, political party, or organization of

1 citizens may appoint only one pollwatcher for each location
2 where early voting by personal appearance is conducted.
3 Pollwatchers must be residents of the State and possess valid
4 pollwatcher credentials.

5 Pollwatchers shall be permitted to observe all proceedings
6 and view all reasonably requested records relating to the
7 conduct of the early voting, provided the secrecy of the ballot
8 is not impinged, and to station themselves in a position in the
9 voting room as will enable them to observe the judges or
10 election authority personnel making the signature comparison
11 between the voter application and the voter registration record
12 card and verifying photo identifications; provided, however,
13 that the pollwatchers shall not be permitted to station
14 themselves in such close proximity to the judges of election or
15 election authority personnel so as to interfere with the
16 orderly conduct of the voting and shall not, in any event, be
17 permitted to handle voting or election materials. Pollwatchers
18 may challenge for cause the voting qualifications of a person
19 offering to vote and may call to the attention of the judges of
20 election or election authority personnel any incorrect
21 procedure or apparent violations of this Code.

22 The judges of election or election authority personnel
23 conducting early voting, or a majority of either of these, have
24 the power and authority to hear and determine the legality of
25 an early voting ballot.

26 (Source: P.A. 94-645, eff. 8-22-05; 94-1000, eff. 7-3-06.)