



## 102ND GENERAL ASSEMBLY

### State of Illinois

2021 and 2022

HB4855

Introduced 1/27/2022, by Rep. Katie Stuart

#### SYNOPSIS AS INTRODUCED:

10 ILCS 5/13-1	from Ch. 46, par. 13-1
10 ILCS 5/13-2	from Ch. 46, par. 13-2
10 ILCS 5/14-1	from Ch. 46, par. 14-1

Amends the Election Code. Provides that, except for in a county with a population of at least 3,000,000 or where election judges are selected by election commissioners, an election authority may reduce the number of judges of election in each precinct from 5 to 3 for any election. Provides that, in certain cities, villages, and incorporated towns with a board of election commissioners, the board shall select and choose no less than 3 (rather than choose 5) persons as judges of election for each precinct. Effective immediately.

LRB102 24040 AWJ 33258 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 13-1, 13-2, and 14-1 as follows:

6 (10 ILCS 5/13-1) (from Ch. 46, par. 13-1)

7 Sec. 13-1. In counties not under township organization,  
8 the county board of commissioners shall at its meeting in July  
9 in each even-numbered year appoint in each election precinct 5  
10 capable and discreet persons meeting the qualifications of  
11 Section 13-4 to be judges of election. Where neither voting  
12 machines nor electronic, mechanical or electric voting systems  
13 are used, the county board may, for any precinct with respect  
14 to which the board considers such action necessary or  
15 desirable in view of the number of voters, and shall for  
16 general elections for any precinct containing more than 600  
17 registered voters, appoint in addition to the 5 judges of  
18 election a team of 5 tally judges. In such precincts the judges  
19 of election shall preside over the election during the hours  
20 the polls are open, and the tally judges, with the assistance  
21 of the holdover judges designated pursuant to Section 13-6.2,  
22 shall count the vote after the closing of the polls. However,  
23 the County Board of Commissioners may appoint 3 judges of

1 election to serve in lieu of the 5 judges of election otherwise  
2 required by this Section (1) to serve in any emergency  
3 referendum, or in any odd-year regular election or in any  
4 special primary or special election called for the purpose of  
5 filling a vacancy in the office of representative in the  
6 United States Congress or to nominate candidates for such  
7 purpose or (2) if the county board passes an ordinance to  
8 reduce the number of judges of election to 3 for primary  
9 elections. In addition, an election authority may reduce the  
10 number of judges of election in each precinct from 5 to 3 for  
11 any election. The tally judges shall possess the same  
12 qualifications and shall be appointed in the same manner and  
13 with the same division between political parties as is  
14 provided for judges of election.

15 In addition to such precinct judges, the county board of  
16 commissioners shall appoint special panels of 3 judges each,  
17 who shall possess the same qualifications and shall be  
18 appointed in the same manner and with the same division  
19 between political parties as is provided for other judges of  
20 election. The number of such panels of judges required shall  
21 be determined by regulations of the State Board of Elections  
22 which shall base the required numbers of special panels on the  
23 number of registered voters in the jurisdiction or the number  
24 of vote by mail ballots voted at recent elections, or any  
25 combination of such factors.

26 Such appointment shall be confirmed by the court as

1 provided in Section 13-3 of this Article. No more than 3  
2 persons of the same political party shall be appointed judges  
3 of the same election precinct or election judge panel. The  
4 appointment shall be made in the following manner: The county  
5 board of commissioners shall select and approve 3 persons as  
6 judges of election in each election precinct from a certified  
7 list, furnished by the chair of the County Central Committee  
8 of the first leading political party in such precinct; and the  
9 county board of commissioners shall also select and approve 2  
10 persons as judges of election in each election precinct from a  
11 certified list, furnished by the chair of the County Central  
12 Committee of the second leading political party. However, if  
13 only 3 judges of election serve in each election precinct, no  
14 more than 2 persons of the same political party shall be judges  
15 of election in the same election precinct; and which political  
16 party is entitled to 2 judges of election and which political  
17 party is entitled to one judge of election shall be determined  
18 in the same manner as set forth in the next two preceding  
19 sentences with regard to 5 election judges in each precinct.  
20 Such certified list shall be filed with the county clerk not  
21 less than 10 days before the annual meeting of the county board  
22 of commissioners. Such list shall be arranged according to  
23 precincts. The chair of each county central committee shall,  
24 insofar as possible, list persons who reside within the  
25 precinct in which they are to serve as judges. However, he may,  
26 in his sole discretion, submit the names of persons who reside

1 outside the precinct but within the county embracing the  
2 precinct in which they are to serve. He must, however, submit  
3 the names of at least 2 residents of the precinct for each  
4 precinct in which his party is to have 3 judges and must submit  
5 the name of at least one resident of the precinct for each  
6 precinct in which his party is to have 2 judges. The county  
7 board of commissioners shall acknowledge in writing to each  
8 county chair the names of all persons submitted on such  
9 certified list and the total number of persons listed thereon.  
10 If no such list is filed or such list is incomplete (that is,  
11 no names or an insufficient number of names are furnished for  
12 certain election precincts), the county board of commissioners  
13 shall make or complete such list from the names contained in  
14 the supplemental list provided for in Section 13-1.1. The  
15 election judges shall hold their office for 2 years from their  
16 appointment, and until their successors are duly appointed in  
17 the manner provided in this Act. The county board of  
18 commissioners shall fill all vacancies in the office of judge  
19 of election at any time in the manner provided in this Act.  
20 (Source: P.A. 100-337, eff. 8-25-17; 100-1027, eff. 1-1-19.)

21 (10 ILCS 5/13-2) (from Ch. 46, par. 13-2)

22 Sec. 13-2. In counties under the township organization the  
23 county board shall at its meeting in July in each  
24 even-numbered year except in counties containing a population  
25 of 3,000,000 inhabitants or over and except when such judges

1 are appointed by election commissioners, select in each  
2 election precinct in the county, 5 capable and discreet  
3 persons to be judges of election who shall possess the  
4 qualifications required by this Act for such judges. Where  
5 neither voting machines nor electronic, mechanical or electric  
6 voting systems are used, the county board may, for any  
7 precinct with respect to which the board considers such action  
8 necessary or desirable in view of the number of voters, and  
9 shall for general elections for any precinct containing more  
10 than 600 registered voters, appoint in addition to the 5  
11 judges of election a team of 5 tally judges. In such precincts  
12 the judges of election shall preside over the election during  
13 the hours the polls are open, and the tally judges, with the  
14 assistance of the holdover judges designated pursuant to  
15 Section 13-6.2, shall count the vote after the closing of the  
16 polls. The tally judges shall possess the same qualifications  
17 and shall be appointed in the same manner and with the same  
18 division between political parties as is provided for judges  
19 of election.

20 However, the county board may appoint 3 judges of election  
21 to serve in lieu of the 5 judges of election otherwise required  
22 by this Section (1) to serve in any emergency referendum, or in  
23 any odd-year regular election or in any special primary or  
24 special election called for the purpose of filling a vacancy  
25 in the office of representative in the United States Congress  
26 or to nominate candidates for such purpose or (2) if the county

1 board passes an ordinance to reduce the number of judges of  
2 election to 3 for primary elections. In addition, an election  
3 authority may reduce the number of judges of election in each  
4 precinct from 5 to 3 for any election.

5 In addition to such precinct judges, the county board  
6 shall appoint special panels of 3 judges each, who shall  
7 possess the same qualifications and shall be appointed in the  
8 same manner and with the same division between political  
9 parties as is provided for other judges of election. The  
10 number of such panels of judges required shall be determined  
11 by regulations of the State Board of Elections, which shall  
12 base the required number of special panels on the number of  
13 registered voters in the jurisdiction or the number of  
14 absentee ballots voted at recent elections or any combination  
15 of such factors.

16 No more than 3 persons of the same political party shall be  
17 appointed judges in the same election district or undivided  
18 precinct. The election of the judges of election in the  
19 various election precincts shall be made in the following  
20 manner: The county board shall select and approve 3 of the  
21 election judges in each precinct from a certified list  
22 furnished by the chair of the County Central Committee of the  
23 first leading political party in such election precinct and  
24 shall also select and approve 2 judges of election in each  
25 election precinct from a certified list furnished by the chair  
26 of the County Central Committee of the second leading

1 political party in such election precinct. However, if only 3  
2 judges of election serve in each election precinct, no more  
3 than 2 persons of the same political party shall be judges of  
4 election in the same election precinct; and which political  
5 party is entitled to 2 judges of election and which political  
6 party is entitled to one judge of election shall be determined  
7 in the same manner as set forth in the next two preceding  
8 sentences with regard to 5 election judges in each precinct.  
9 The respective County Central Committee chair shall notify the  
10 county board by June 1 of each odd-numbered year immediately  
11 preceding the annual meeting of the county board whether or  
12 not such certified list will be filed by such chair. Such list  
13 shall be arranged according to precincts. The chair of each  
14 county central committee shall, insofar as possible, list  
15 persons who reside within the precinct in which they are to  
16 serve as judges. However, he may, in his sole discretion,  
17 submit the names of persons who reside outside the precinct  
18 but within the county embracing the precinct in which they are  
19 to serve. He must, however, submit the names of at least 2  
20 residents of the precinct for each precinct in which his party  
21 is to have 3 judges and must submit the name of at least one  
22 resident of the precinct for each precinct in which his party  
23 is to have 2 judges. Such certified list, if filed, shall be  
24 filed with the county clerk not less than 20 days before the  
25 annual meeting of the county board. The county board shall  
26 acknowledge in writing to each county chair the names of all



1 persons submitted on such certified list and the total number  
2 of persons listed thereon. If no such list is filed or the list  
3 is incomplete (that is, no names or an insufficient number of  
4 names are furnished for certain election precincts), the  
5 county board shall make or complete such list from the names  
6 contained in the supplemental list provided for in Section  
7 13-1.1. Provided, further, that in any case where a township  
8 has been or shall be redistricted, in whole or in part,  
9 subsequent to one general election for Governor, and prior to  
10 the next, the judges of election to be selected for all new or  
11 altered precincts shall be selected in that one of the methods  
12 above detailed, which shall be applicable according to the  
13 facts and circumstances of the particular case, but the  
14 majority of such judges for each such precinct shall be  
15 selected from the first leading political party, and the  
16 minority judges from the second leading political party.  
17 Provided, further, that in counties having a population of  
18 3,000,000 inhabitants or over the selection of judges of  
19 election shall be made in the same manner in all respects as in  
20 other counties, except that the provisions relating to tally  
21 judges are inapplicable to such counties and except that the  
22 county board shall meet during the month of January for the  
23 purpose of making such selection, each township  
24 committeeperson shall assume the responsibilities given to the  
25 chair of the county central committee in this Section for the  
26 precincts within his or her township, and the township

1       committeeperson shall notify the county board by the preceding  
2       October 1 whether or not the certified list will be filed. Such  
3       judges of election shall hold their office for 2 years from  
4       their appointment and until their successors are duly  
5       appointed in the manner provided in this Act. The county board  
6       shall fill all vacancies in the office of judges of elections  
7       at any time in the manner herein provided.

8               Such selections under this Section shall be confirmed by  
9       the circuit court as provided in Section 13-3 of this Article.

10       (Source: P.A. 100-337, eff. 8-25-17; 100-1027, eff. 1-1-19.)

11               (10 ILCS 5/14-1) (from Ch. 46, par. 14-1)

12       Sec. 14-1. (a) The board of election commissioners  
13       established or existing under Article 6 shall, at the time and  
14       in the manner provided in Section 14-3.1, select and choose no  
15       less than 3 ~~5~~ persons, men or women, as judges of election for  
16       each precinct in such city, village or incorporated town.

17               Where neither voting machines nor electronic, mechanical  
18       or electric voting systems are used, the board of election  
19       commissioners may, for any precinct with respect to which the  
20       board considers such action necessary or desirable in view of  
21       the number of voters, and shall for general elections for any  
22       precinct containing more than 600 registered voters, appoint  
23       in addition to the ~~5~~ judges of election chosen under this  
24       subsection a team of 5 tally judges. In such precincts the  
25       judges of election shall preside over the election during the

1 hours the polls are open, and the tally judges, with the  
2 assistance of the holdover judges designated pursuant to  
3 Section 14-5.2, shall count the vote after the closing of the  
4 polls. The tally judges shall possess the same qualifications  
5 and shall be appointed in the same manner and with the same  
6 division between political parties as is provided for judges  
7 of election. The foregoing provisions relating to the  
8 appointment of tally judges are inapplicable in counties with  
9 a population of 1,000,000 or more.

10 (b) To qualify as judges the persons must:

11 (1) be citizens of the United States;

12 (2) be of good repute and character and not subject to  
13 the registration requirement of the Sex Offender  
14 Registration Act;

15 (3) be able to speak, read and write the English  
16 language;

17 (4) be skilled in the 4 fundamental rules of  
18 arithmetic;

19 (5) be of good understanding and capable;

20 (6) not be candidates for any office at the election  
21 and not be elected committeepersons;

22 (7) reside and be entitled to vote in the precinct in  
23 which they are selected to serve, except that in each  
24 precinct not more than one judge of each party may be  
25 appointed from outside such precinct. Any judge so  
26 appointed to serve in any precinct in which he is not

1 entitled to vote must be entitled to vote elsewhere within  
2 the county which encompasses the precinct in which such  
3 judge is appointed and such judge must otherwise meet the  
4 qualifications of this Section, except as provided in  
5 subsection (c) or (c-5).

6 (c) An election authority may establish a program to  
7 permit a person who is not entitled to vote to be appointed as  
8 an election judge if, as of the date of the election at which  
9 the person serves as a judge, he or she:

10 (1) is a U.S. citizen;

11 (2) is a junior or senior in good standing enrolled in  
12 a public or private secondary school;

13 (3) has a cumulative grade point average equivalent to  
14 at least 3.0 on a 4.0 scale;

15 (4) has the written approval of the principal of the  
16 secondary school he or she attends at the time of  
17 appointment;

18 (5) has the written approval of his or her parent or  
19 legal guardian;

20 (6) has satisfactorily completed the training course  
21 for judges of election described in Sections 13-2.1,  
22 13-2.2, and 14-4.1; and

23 (7) meets all other qualifications for appointment and  
24 service as an election judge.

25 No more than one election judge qualifying under this  
26 subsection may serve per political party per precinct. Prior

1 to appointment, a judge qualifying under this subsection must  
2 certify in writing to the election authority the political  
3 party the judge chooses to affiliate with.

4 Students appointed as election judges under this  
5 subsection shall not be counted as absent from school on the  
6 day they serve as judges.

7 (c-5) An election authority may establish a program to  
8 permit a person who is not entitled to vote in that precinct or  
9 county to be appointed as an election judge if, as of the date  
10 of the election at which the person serves as a judge, he or  
11 she:

12 (1) is a U.S. citizen;

13 (2) is currently enrolled in a community college, as  
14 defined in the Public Community College Act, or a public  
15 or private Illinois university or college;

16 (3) has a cumulative grade point average equivalent to  
17 at least 3.0 on a 4.0 scale;

18 (4) has satisfactorily completed the training course  
19 for judges of election described in Sections 13-2.1,  
20 13-2.2, and 14-4.1; and

21 (5) meets all other qualifications for appointment and  
22 service as an election judge.

23 No more than one election judge qualifying under this  
24 subsection may serve per political party per precinct. Prior  
25 to appointment, a judge qualifying under this subsection must  
26 certify in writing to the election authority the political

1 party the judge chooses to affiliate with.

2 Students appointed as election judges under this  
3 subsection shall not be counted as absent from school on the  
4 day they serve as judges.

5 (d) The board of election commissioners may select 2  
6 additional judges of election, one from each of the major  
7 political parties, for each 200 voters in excess of 600 in any  
8 precinct having more than 600 voters as authorized by Section  
9 11-3. These additional judges must meet the qualifications  
10 prescribed in this Section.

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

12 Section 99. Effective date. This Act takes effect upon  
13 becoming law.