

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 19-3, 19-4, 19-5, 24A-10, 24A-10.1, 24A-14, 24B-10,  
6 24B-10.1, and 24B-14 and by adding Section 19-2.6 as follows:

7 (10 ILCS 5/19-2.6 new)

8 Sec. 19-2.6. Vote by mail; voters with a print disability.

9 (a) Definitions. As used in this Section, unless the  
10 context otherwise requires:

11 "Assistive technology" means any equipment, software, or  
12 product used to increase, maintain, or improve the functional  
13 capabilities of individuals with disabilities, including, but  
14 not limited to, screen reading and magnification software,  
15 refreshable Braille displays, and speech recognition programs.

16 "Certified remote accessible vote by mail system" means a  
17 process approved by the State Board of Elections through which  
18 an election authority provides for the electronic transmission  
19 of a vote by mail ballot to a voter with a print disability and  
20 through which the voter with a print disability marks and  
21 verifies the voter's ballot using assistive technology.

22 "Electronic transmission" means the transfer of data or  
23 information through an authorized electronic data interchange

1 system.

2 "Voter with a print disability" means a person having a  
3 temporary or permanent physical or mental impairment, such as  
4 blindness, low vision, physical dexterity limitations, or  
5 learning or cognitive disabilities, that prevents the person  
6 from effective reading, writing, or use of printed material.

7 (b) The State Board of Elections shall provide a certified  
8 remote accessible vote by mail system for the General Election  
9 of November 8, 2022 and all subsequent elections, through  
10 which a vote by mail ballot can be delivered by electronic  
11 transmission to voters with print disabilities and through  
12 which voters with print disabilities are able to mark and  
13 verify their ballots using assistive technology.

14 (c) Election authorities shall permit voters with a print  
15 disability to receive and mark their vote by mail ballots (i)  
16 through the certified remote accessible vote by mail system  
17 provided by the State Board of Elections pursuant to  
18 subsection (b) of this Section or (ii) through a certified  
19 remote accessible vote by mail system provided by the election  
20 authority.

21 (d) If a vote by mail ballot application from a voter with  
22 a print disability arrives after the jurisdiction begins  
23 transmitting vote by mail ballots and instructions to voters,  
24 the election authority shall electronically transmit the  
25 ballot, instructions, and balloting materials to the voter  
26 within two business days after receipt of the application.

1       (e) Ballots received and marked pursuant to this Section  
2       must be printed by the voter and returned to the election  
3       authority as provided in Section 19-6.

4       (f) The State Board of Elections shall adopt rules,  
5       including emergency rules, necessary for the implementation of  
6       this Section. The State Board of Elections' adopted rules  
7       shall include certification standards for a remote accessible  
8       vote by mail system and a method subject to the provisions in  
9       Sections 19-2 and 19-3 of this Article by which a voter with a  
10       print disability may request to use a certified remote  
11       accessible vote by mail system and apply for an accessible  
12       vote by mail ballot.

13           (10 ILCS 5/19-3) (from Ch. 46, par. 19-3)

14           Sec. 19-3. Application for a vote by mail ballot.

15           (a) The application for a vote by mail ballot for a single  
16 election shall be 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  
5 ballots to be voted by me at such election, and I agree that I  
6 shall return such ballot or ballots to the official issuing  
7 the same prior to the closing of the polls on the date of the  
8 election or, if returned by mail, postmarked no later than  
9 election day, for counting no later than during the period for  
10 counting provisional ballots, the last day of which is the  
11 14th day 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  
15 a 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 (a-5) The application for a single vote by mail ballot  
25 transmitted electronically pursuant to Section 19-2.6 shall be  
26 substantively similar to the application for a vote by mail

1 ballot for a single election and shall include:

2 I swear or affirm that I am a voter with a print  
3 disability, and, as a result of this disability, I am  
4 making a request to receive a vote by mail ballot  
5 electronically so that I may privately and independently  
6 mark, verify, and print my vote by mail ballot.

7 (b) The application for permanent vote by mail status  
8 shall be substantially in the following form:

9 APPLICATION FOR PERMANENT VOTE BY MAIL STATUS

10 I am currently a registered voter and wish to apply for  
11 permanent vote by mail status.

12 I state that I am a resident of the City of .... residing  
13 at .... in such city in the county of .... and State of  
14 Illinois; that I have lived at such address for .... month(s)  
15 last past; that I am lawfully entitled to vote in such precinct  
16 at the .... election to be held therein on ....; and that I  
17 wish to vote by vote by mail ballot in:

18 ..... all subsequent elections that do not require a party  
19 designation.

20 ..... all subsequent elections, and I wish to receive a  
21 ..... Party vote by mail ballot in  
22 elections that require a party designation.

23 I hereby make application for an official ballot or  
24 ballots to be voted by me at such election, and I agree that I  
25 shall return such ballot or ballots to the official issuing  
26 the same prior to the closing of the polls on the date of the

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

5 Under penalties as provided by law under Section 29-10 of  
6 the Election Code, the undersigned certifies that the  
7 statements set forth in this application are true and correct.

8 . . . . .

9 Post office address to which ballot is mailed:

10 .....

11 (b-5) The application for permanent vote by mail ballots  
12 transmitted electronically pursuant to Section 19-2.6 shall be  
13 substantively similar to the application for permanent vote by  
14 mail status and shall include:

15 I swear or affirm that I am a voter with a  
16 non-temporary print disability, and as a result of this  
17 disability, I am making a request to receive vote by mail  
18 ballots electronically so that I may privately and  
19 independently mark, verify, and print my vote by mail  
20 ballots.

21 (c) However, if application is made for a primary election  
22 ballot, such application shall require the applicant to  
23 designate the name of the political party with which the  
24 applicant is affiliated. The election authority shall allow  
25 any voter on permanent vote by mail status to change his or her  
26 party affiliation for a primary election ballot by a method

1 and deadline published and selected by the election authority.

2 (d) If application is made electronically, the applicant  
3 shall mark the box associated with the above described  
4 statement included as part of the online application  
5 certifying that the statements set forth in the application  
6 under subsection (a) or (b) are true and correct, and a  
7 signature is not required.

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

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

4 (f) An election authority may combine the applications in  
5 subsections (a) and (b) onto one form, but the distinction  
6 between the applications must be clear and the form must  
7 provide check boxes for an applicant to indicate whether he or  
8 she is applying for a single election vote by mail ballot or  
9 for permanent vote by mail status.

10 (Source: P.A. 102-15, eff. 6-17-21.)

11 (10 ILCS 5/19-4) (from Ch. 46, par. 19-4)

12 Sec. 19-4. Mailing or delivery of ballots; time.  
13 Immediately upon the receipt of such application either by  
14 mail or electronic means, not more than 90 days nor less than 5  
15 days prior to such election, or by personal delivery not more  
16 than 90 days nor less than one day prior to such election, at  
17 the office of such election authority, it shall be the duty of  
18 such election authority to examine the records to ascertain  
19 whether or not such applicant is lawfully entitled to vote as  
20 requested, including a verification of the applicant's  
21 signature by comparison with the signature on the official  
22 registration record card, and if found so to be entitled to  
23 vote, to post within one business day thereafter the name,  
24 street address, ward and precinct number or township and  
25 district number, as the case may be, of such applicant given on

1 a list, the pages of which are to be numbered consecutively to  
2 be kept by such election authority for such purpose in a  
3 conspicuous, open and public place accessible to the public at  
4 the entrance of the office of such election authority, and in  
5 such a manner that such list may be viewed without necessity of  
6 requesting permission therefor. Within one day after posting  
7 the name and other information of an applicant for a vote by  
8 mail ballot, the election authority shall transmit by  
9 electronic means pursuant to a process established by the  
10 State Board of Elections that name and other posted  
11 information to the State Board of Elections, which shall  
12 maintain those names and other information in an electronic  
13 format on its website, arranged by county and accessible to  
14 State and local political committees. Within 2 business days  
15 after posting a name and other information on the list within  
16 its office, but no sooner than 40 days before an election, the  
17 election authority shall mail, postage prepaid, or deliver in  
18 person in such office, or deliver via electronic transmission  
19 pursuant to Section 19-2.6, an official ballot or ballots if  
20 more than one are to be voted at said election. Mail delivery  
21 of Temporarily Absent Student ballot applications pursuant to  
22 Section 19-12.3 shall be by nonforwardable mail. However, for  
23 the consolidated election, vote by mail ballots for certain  
24 precincts may be delivered to applicants not less than 25 days  
25 before the election if so much time is required to have  
26 prepared and printed the ballots containing the names of

1 persons nominated for offices at the consolidated primary. The  
2 election authority shall enclose with each vote by mail ballot  
3 or application written instructions on how voting assistance  
4 shall be provided pursuant to Section 17-14 and a document,  
5 written and approved by the State Board of Elections,  
6 informing the vote by mail voter of the required postage for  
7 returning the application and ballot, and enumerating the  
8 circumstances under which a person is authorized to vote by  
9 vote by mail ballot pursuant to this Article; such document  
10 shall also include a statement informing the applicant that if  
11 he or she falsifies or is solicited by another to falsify his  
12 or her eligibility to cast a vote by mail ballot, such  
13 applicant or other is subject to penalties pursuant to Section  
14 29-10 and Section 29-20 of the Election Code. Each election  
15 authority shall maintain a list of the name, street address,  
16 ward and precinct, or township and district number, as the  
17 case may be, of all applicants who have returned vote by mail  
18 ballots to such authority, and the name of such vote by mail  
19 voter shall be added to such list within one business day from  
20 receipt of such ballot. If the vote by mail ballot envelope  
21 indicates that the voter was assisted in casting the ballot,  
22 the name of the person so assisting shall be included on the  
23 list. The list, the pages of which are to be numbered  
24 consecutively, shall be kept by each election authority in a  
25 conspicuous, open, and public place accessible to the public  
26 at the entrance of the office of the election authority and in

1 a manner that the list may be viewed without necessity of  
2 requesting permission for viewing.

3 Each election authority shall maintain a list for each  
4 election of the voters to whom it has issued vote by mail  
5 ballots. The list shall be maintained for each precinct within  
6 the jurisdiction of the election authority. Prior to the  
7 opening of the polls on election day, the election authority  
8 shall deliver to the judges of election in each precinct the  
9 list of registered voters in that precinct to whom vote by mail  
10 ballots have been issued by mail.

11 Each election authority shall maintain a list for each  
12 election of voters to whom it has issued temporarily absent  
13 student ballots. The list shall be maintained for each  
14 election jurisdiction within which such voters temporarily  
15 abide. Immediately after the close of the period during which  
16 application may be made by mail or electronic means for vote by  
17 mail ballots, each election authority shall mail to each other  
18 election authority within the State a certified list of all  
19 such voters temporarily abiding within the jurisdiction of the  
20 other election authority.

21 In the event that the return address of an application for  
22 ballot by a physically incapacitated elector is that of a  
23 facility licensed or certified under the Nursing Home Care  
24 Act, the Specialized Mental Health Rehabilitation Act of 2013,  
25 the ID/DD Community Care Act, or the MC/DD Act, within the  
26 jurisdiction of the election authority, and the applicant is a

1 registered voter in the precinct in which such facility is  
2 located, the ballots shall be prepared and transmitted to a  
3 responsible judge of election no later than 9 a.m. on the  
4 Friday, Saturday, Sunday, or Monday immediately preceding the  
5 election as designated by the election authority under Section  
6 19-12.2. Such judge shall deliver in person on the designated  
7 day the ballot to the applicant on the premises of the facility  
8 from which application was made. The election authority shall  
9 by mail notify the applicant in such facility that the ballot  
10 will be delivered by a judge of election on the designated day.

11 All applications for vote by mail ballots shall be  
12 available at the office of the election authority for public  
13 inspection upon request from the time of receipt thereof by  
14 the election authority until 30 days after the election,  
15 except during the time such applications are kept in the  
16 office of the election authority pursuant to Section 19-7, and  
17 except during the time such applications are in the possession  
18 of the judges of election.

19 Notwithstanding any provision of this Section to the  
20 contrary, pursuant to subsection (a) of Section 30 of the  
21 Address Confidentiality for Victims of Domestic Violence,  
22 Sexual Assault, Human Trafficking, or Stalking Act, neither  
23 the name nor the address of a program participant under that  
24 Act shall be included in any list of registered voters  
25 available to the public, including the lists referenced in  
26 this Section.

1 (Source: P.A. 102-292, eff. 1-1-22.)

2 (10 ILCS 5/19-5) (from Ch. 46, par. 19-5)

3 Sec. 19-5. Folding and enclosure of ballots in unsealed  
4 envelope; address on envelope; certification; instructions for  
5 marking and returning ballots. It shall be the duty of the  
6 election authority to fold the ballot or ballots in the manner  
7 specified by the statute for folding ballots prior to their  
8 deposit in the ballot box, and to enclose such ballot or  
9 ballots in an envelope unsealed to be furnished by him, which  
10 envelope shall bear upon the face thereof the name, official  
11 title and post office address of the election authority, and  
12 upon the other side a printed certification in substantially  
13 the following form:

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

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

22 I further state that I personally marked the enclosed  
23 ballot in secret.

24 Under penalties of perjury as provided by law pursuant to  
25 Section 29-10 of The Election Code, the undersigned certifies

1 that the statements set forth in this certification are true  
2 and correct.

3 .....

4 If the ballot is to go to an elector who is physically  
5 incapacitated and needs assistance marking the ballot, the  
6 envelope shall bear upon the back thereof a certification in  
7 substantially the following form:

8 I state that I am a resident of the .... precinct of the  
9 (1) \*township of .... (2) \*City of .... or (3) \*.... ward in  
10 the city of .... residing at .... in such city or town in the  
11 county of .... and State of Illinois, that I have lived at such  
12 address for .... months last past; that I am lawfully entitled  
13 to vote in such precinct at the .... election to be held on  
14 ....; that I am physically incapable of personally marking the  
15 ballot for such election.

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

17 I further state that I marked the enclosed ballot in  
18 secret with the assistance of

19 .....

20 (Individual rendering assistance)

21 .....

22 (Residence Address)

23 Under penalties of perjury as provided by law pursuant to  
24 Section 29-10 of The Election Code, the undersigned certifies  
25 that the statements set forth in this certification are true  
26 and correct.

1 .....  
2

3 In the case of a voter with a physical incapacity, marking  
4 a ballot in secret includes marking a ballot with the  
5 assistance of another individual, other than a candidate whose  
6 name appears on the ballot (unless the voter is the spouse or a  
7 parent, child, brother, or sister of the candidate), the  
8 voter's employer, an agent of that employer, or an officer or  
9 agent of the voter's union, when the voter's physical  
10 incapacity necessitates such assistance.

11 In the case of a physically incapacitated voter, marking a  
12 ballot in secret includes marking a ballot with the assistance  
13 of another individual, other than a candidate whose name  
14 appears on the ballot (unless the voter is the spouse or a  
15 parent, child, brother, or sister of the candidate), the  
16 voter's employer, an agent of that employer, or an officer or  
17 agent of the voter's union, when the voter's physical  
18 incapacity necessitates such assistance.

19 Provided, that if the ballot enclosed is to be voted at a  
20 primary election, the certification shall designate the name  
21 of the political party with which the voter is affiliated.

22 In addition to the above, the election authority shall  
23 provide printed slips, or an electronic version thereof for  
24 voters voting by mail pursuant to Section 19-2.6, giving full  
25 instructions regarding the manner of marking and returning the  
26 ballot in order that the same may be counted, and shall furnish  
one of such printed slips or the electronic version thereof

1 for voters voting by mail pursuant to Section 19-2.6 to each of  
2 such applicants at the same time the ballot is delivered to  
3 him. Such instructions shall include the following statement:  
4 "In signing the certification on the vote by mail ballot  
5 envelope, you are attesting that you personally marked this  
6 vote by mail ballot in secret. If you are physically unable to  
7 mark the ballot, a friend or relative may assist you after  
8 completing the enclosed affidavit. Federal and State laws  
9 prohibit a candidate whose name appears on the ballot (unless  
10 you are the spouse or a parent, child, brother, or sister of  
11 the candidate), your employer, your employer's agent or an  
12 officer or agent of your union from assisting voters with  
13 physical disabilities."

14 In addition to the above, if a ballot to be provided to an  
15 elector pursuant to this Section contains a public question  
16 described in subsection (b) of Section 28-6 and the territory  
17 concerning which the question is to be submitted is not  
18 described on the ballot due to the space limitations of such  
19 ballot, the election authority shall provide a printed copy of  
20 a notice of the public question, which shall include a  
21 description of the territory in the manner required by Section  
22 16-7. The notice shall be furnished to the elector at the same  
23 time the ballot is delivered to the elector.

24 Election authorities transmitting ballots by electronic  
25 transmission pursuant to Section 19-2.6 shall, to the greatest  
26 extent possible, provide those applicants with the same

1 instructions, certifications, and other balloting materials  
2 required when sending ballots by mail.

3 (Source: P.A. 98-1171, eff. 6-1-15; 99-143, eff. 7-27-15.)

4 (10 ILCS 5/24A-10) (from Ch. 46, par. 24A-10)

5 Sec. 24A-10. (1) In an election jurisdiction which has  
6 adopted an electronic voting system, the election official in  
7 charge of the election shall select one of the 3 following  
8 procedures for receiving, counting, tallying, and return of  
9 the ballots:

10 (a) Two ballot boxes shall be provided for each polling  
11 place. The first ballot box is for the depositing of votes cast  
12 on the electronic voting system; and the second ballot box is  
13 for all votes cast on paper ballots, including any paper  
14 ballots required to be voted other than on the electronic  
15 voting system. Ballots deposited in the second ballot box  
16 shall be counted, tallied, and returned as is elsewhere  
17 provided in this Code for the counting and handling of paper  
18 ballots. Immediately after the closing of the polls, the  
19 judges of election shall make out a slip indicating the number  
20 of persons who voted in the precinct at the election. Such slip  
21 shall be signed by all the judges of election and shall be  
22 inserted by them in the first ballot box. The judges of  
23 election shall thereupon immediately lock each ballot box;  
24 provided, that if such box is not of a type which may be  
25 securely locked, such box shall be sealed with filament tape

1 provided for such purpose which shall be wrapped around the  
2 box lengthwise and crosswise, at least twice each way, and in  
3 such manner that the seal completely covers the slot in the  
4 ballot box, and each of the judges shall sign such seal.  
5 Thereupon two of the judges of election, of different  
6 political parties, shall forthwith and by the most direct  
7 route transport both ballot boxes to the counting location  
8 designated by the county clerk or board of election  
9 commissioners.

10 Before the ballots of a precinct are fed to the electronic  
11 tabulating equipment, the first ballot box shall be opened at  
12 the central counting station by the two precinct transport  
13 judges. Upon opening a ballot box, such team shall first count  
14 the number of ballots in the box. If 2 or more are folded  
15 together so as to appear to have been cast by the same person,  
16 all of the ballots so folded together shall be marked and  
17 returned with the other ballots in the same condition, as near  
18 as may be, in which they were found when first opened, but  
19 shall not be counted. If the remaining ballots are found to  
20 exceed the number of persons voting in the precinct as shown by  
21 the slip signed by the judges of election, the ballots shall be  
22 replaced in the box, and the box closed and well shaken and  
23 again opened and one of the precinct transport judges shall  
24 publicly draw out so many ballots unopened as are equal to such  
25 excess.

26 Such excess ballots shall be marked "Excess-Not Counted"

1 and signed by the two precinct transport judges and shall be  
2 placed in the "After 7:00 p.m. Defective Ballots Envelope".  
3 The number of excess ballots shall be noted in the remarks  
4 section of the Certificate of Results. "Excess" ballots shall  
5 not be counted in the total of "defective" ballots.

6 The precinct transport judges shall then examine the  
7 remaining ballots for write-in votes and shall count and  
8 tabulate the write-in vote; or

9 (b) A single ballot box, for the deposit of all votes cast,  
10 shall be used. All ballots which are not to be tabulated on the  
11 electronic voting system shall be counted, tallied, and  
12 returned as elsewhere provided in this Code for the counting  
13 and handling of paper ballots.

14 All ballots to be processed and tabulated with the  
15 electronic voting system shall be processed as follows:

16 Immediately after the closing of the polls, the precinct  
17 judges of election then shall open the ballot box and canvass  
18 the votes polled to determine that the number of ballots  
19 therein agree with the number of voters voting as shown by the  
20 applications for ballot or if the same do not agree the judges  
21 of election shall make such ballots agree with the  
22 applications for ballot in the manner provided by Section  
23 17-18 of this Code. The judges of election shall then examine  
24 all ballot cards and ballot card envelopes which are in the  
25 ballot box to determine whether the ballot cards and ballot  
26 card envelopes bear the initials of a precinct judge of

1 election. If any ballot card or ballot card envelope is not  
2 initialed, it shall be marked on the back "Defective,"  
3 initialed as to such label by all judges immediately under  
4 such word "Defective," and not counted, but placed in the  
5 envelope provided for that purpose labeled "Defective Ballots  
6 Envelope."

7       When an electronic voting system is used which utilizes a  
8 ballot card, before separating the ballot cards from their  
9 respective covering envelopes, the judges of election shall  
10 examine the ballot card envelopes for write-in votes. When the  
11 voter has voted a write-in vote, the judges of election shall  
12 compare the write-in vote with the votes on the ballot card to  
13 determine whether such write-in results in an overvote for any  
14 office. In case of an overvote for any office, the judges of  
15 election, consisting in each case of at least one judge of  
16 election of each of the two major political parties, shall  
17 make a true duplicate ballot of all votes on such ballot card  
18 except for the office which is overvoted, by using the ballot  
19 label booklet of the precinct and one of the marking devices of  
20 the precinct so as to transfer all votes of the voter except  
21 for the office overvoted, to an official ballot card of that  
22 kind used in the precinct at that election. The original  
23 ballot card and envelope upon which there is an overvote shall  
24 be clearly labeled "Overvoted Ballot", and each shall bear the  
25 same serial number which shall be placed thereon by the judges  
26 of election, commencing with number 1 and continuing

1 consecutively for the ballots of that kind in that precinct.  
2 The judges of election shall initial the "Duplicate Overvoted  
3 Ballot" ballot cards and shall place them in the box for return  
4 of the ballots. The "Overvoted Ballot" ballots and their  
5 envelopes shall be placed in the "Duplicate Ballots" envelope.  
6 Envelopes bearing write-in votes marked in the place  
7 designated therefor and bearing the initials of a precinct  
8 judge of election and not resulting in an overvote and  
9 otherwise complying with the election laws as to marking shall  
10 be counted, tallied, and their votes recorded on a tally sheet  
11 provided by the election official in charge of the election.  
12 The ballot cards and ballot card envelopes shall be separated  
13 and all except any defective or overvoted shall be placed  
14 separately in the box for return of the ballots. The judges of  
15 election shall examine the ballots and ballot cards to  
16 determine if any is damaged, ~~or defective, or so that it~~ cannot  
17 otherwise be counted by the automatic tabulating equipment. If  
18 any ballot or ballot card is damaged, ~~or defective, or so that~~  
19 ~~it~~ cannot otherwise properly be counted by the automatic  
20 tabulating equipment, the judges of election, consisting in  
21 each case of at least one judge of election of each of the two  
22 major political parties, shall make a true duplicate ballot of  
23 all votes on such ballot card by using the ballot label booklet  
24 of the precinct and one of the marking devices of the precinct.  
25 The original ballot or ballot card and envelope shall be  
26 clearly labeled "Damaged Ballot" and the ballot or ballot card

1 so produced "Duplicate Damaged Ballot," and each shall bear  
2 the same number which shall be placed thereon by the judges of  
3 election, commencing with number 1 and continuing  
4 consecutively for the ballots of that kind in the precinct.  
5 The judges of election shall initial the "Duplicate Damaged  
6 Ballot" ballot or ballot cards, and shall place them in the box  
7 for return of the ballots. The "Damaged Ballot" ballots or  
8 ballot cards and their envelopes shall be placed in the  
9 "Duplicated Ballots" envelope. A slip indicating the number of  
10 voters voting in person shall be made out, signed by all judges  
11 of election, and inserted in the box for return of the ballots.  
12 The tally sheets recording the write-in votes shall be placed  
13 in this box. The judges of election thereupon immediately  
14 shall securely lock the ballot box or other suitable box  
15 furnished for return of the ballots by the election official  
16 in charge of the election; provided that if such box is not of  
17 a type which may be securely locked, such box shall be sealed  
18 with filament tape provided for such purpose which shall be  
19 wrapped around the box lengthwise and crosswise, at least  
20 twice each way. A separate adhesive seal label signed by each  
21 of the judges of election of the precinct shall be affixed to  
22 the box so as to cover any slot therein and to identify the box  
23 of the precinct; and if such box is sealed with filament tape  
24 as provided herein rather than locked, such tape shall be  
25 wrapped around the box as provided herein, but in such manner  
26 that the separate adhesive seal label affixed to the box and

1 signed by the judges may not be removed without breaking the  
2 filament tape and disturbing the signature of the judges.  
3 Thereupon, 2 of the judges of election, of different major  
4 political parties, forthwith shall by the most direct route  
5 transport the box for return of the ballots and enclosed  
6 ballots and returns to the central counting location  
7 designated by the election official in charge of the election.  
8 If, however, because of the lack of adequate parking  
9 facilities at the central counting location or for any other  
10 reason, it is impossible or impracticable for the boxes from  
11 all the polling places to be delivered directly to the central  
12 counting location, the election official in charge of the  
13 election may designate some other location to which the boxes  
14 shall be delivered by the 2 precinct judges. While at such  
15 other location the boxes shall be in the care and custody of  
16 one or more teams, each consisting of 4 persons, 2 from each of  
17 the two major political parties, designated for such purpose  
18 by the election official in charge of elections from  
19 recommendations by the appropriate political party  
20 organizations. As soon as possible, the boxes shall be  
21 transported from such other location to the central counting  
22 location by one or more teams, each consisting of 4 persons, 2  
23 from each of the 2 major political parties, designated for  
24 such purpose by the election official in charge of elections  
25 from recommendations by the appropriate political party  
26 organizations.

1           The "Defective Ballots" envelope, and "Duplicated Ballots"  
2 envelope each shall be securely sealed and the flap or end  
3 thereof of each signed by the precinct judges of election and  
4 returned to the central counting location with the box for  
5 return of the ballots, enclosed ballots and returns.

6           At the central counting location, a team of tally judges  
7 designated by the election official in charge of the election  
8 shall check the box returned containing the ballots to  
9 determine that all seals are intact, and thereupon shall open  
10 the box, check the voters' slip and compare the number of  
11 ballots so delivered against the total number of voters of the  
12 precinct who voted, remove the ballots or ballot cards and  
13 deliver them to the technicians operating the automatic  
14 tabulating equipment. Any discrepancies between the number of  
15 ballots and total number of voters shall be noted on a sheet  
16 furnished for that purpose and signed by the tally judges; or

17           (c) A single ballot box, for the deposit of all votes cast,  
18 shall be used. Immediately after the closing of the polls, the  
19 precinct judges of election shall securely lock the ballot  
20 box; provided that if such box is not of a type which may be  
21 securely locked, such box shall be sealed with filament tape  
22 provided for such purpose which shall be wrapped around the  
23 box lengthwise and crosswise, at least twice each way. A  
24 separate adhesive seal label signed by each of the judges of  
25 election of the precinct shall be affixed to the box so as to  
26 cover any slot therein and to identify the box of the precinct;

1 and if such box is sealed with filament tape as provided herein  
2 rather than locked, such tape shall be wrapped around the box  
3 as provided herein, but in such manner that the separate  
4 adhesive seal label affixed to the box and signed by the judges  
5 may not be removed without breaking the filament tape and  
6 disturbing the signature of the judges. Thereupon, 2 of the  
7 judges of election, of different major political parties,  
8 shall forthwith by the most direct route transport the box for  
9 return of the ballots and enclosed vote by mail and early  
10 ballots and returns to the central counting location  
11 designated by the election official in charge of the election.  
12 If however, because of the lack of adequate parking facilities  
13 at the central counting location or for some other reason, it  
14 is impossible or impracticable for the boxes from all the  
15 polling places to be delivered directly to the central  
16 counting location, the election official in charge of the  
17 election may designate some other location to which the boxes  
18 shall be delivered by the 2 precinct judges. While at such  
19 other location the boxes shall be in the care and custody of  
20 one or more teams, each consisting of 4 persons, 2 from each of  
21 the two major political parties, designated for such purpose  
22 by the election official in charge of elections from  
23 recommendations by the appropriate political party  
24 organizations. As soon as possible, the boxes shall be  
25 transported from such other location to the central counting  
26 location by one or more teams, each consisting of 4 persons, 2

1 from each of the 2 major political parties, designated for  
2 such purpose by the election official in charge of the  
3 election from recommendations by the appropriate political  
4 party organizations.

5 At the central counting location there shall be one or  
6 more teams of tally judges who possess the same qualifications  
7 as tally judges in election jurisdictions using paper ballots.  
8 The number of such teams shall be determined by the election  
9 authority. Each team shall consist of 5 tally judges, 3  
10 selected and approved by the county board from a certified  
11 list furnished by the chair of the county central committee of  
12 the party with the majority of members on the county board and  
13 2 selected and approved by the county board from a certified  
14 list furnished by the chair of the county central committee of  
15 the party with the second largest number of members on the  
16 county board. At the central counting location a team of tally  
17 judges shall open the ballot box and canvass the votes polled  
18 to determine that the number of ballot sheets therein agree  
19 with the number of voters voting as shown by the applications  
20 for ballot; and, if the same do not agree, the tally judges  
21 shall make such ballots agree with the number of applications  
22 for ballot in the manner provided by Section 17-18 of this  
23 Code. The tally judges shall then examine all ballot sheets  
24 which are in the ballot box to determine whether they bear the  
25 initials of the precinct judge of election. If any ballot is  
26 not initialed, it shall be marked on the back "Defective",

1 initialed as to such label by all tally judges immediately  
2 under such word "Defective", and not counted, but placed in  
3 the envelope provided for that purpose labeled "Defective  
4 Ballots Envelope". An overvote for one office shall invalidate  
5 only the vote or count of that particular office.

6 At the central counting location, a team of tally judges  
7 designated by the election official in charge of the election  
8 shall deliver the ballot sheets to the technicians operating  
9 the automatic tabulating equipment. Any discrepancies between  
10 the number of ballots and total number of voters shall be noted  
11 on a sheet furnished for that purpose and signed by the tally  
12 judges.

13 (2) Regardless of which procedure described in subsection  
14 (1) of this Section is used, the judges of election designated  
15 to transport the ballots, properly signed and sealed as  
16 provided herein, shall ensure that the ballots are delivered  
17 to the central counting station no later than 12 hours after  
18 the polls close. At the central counting station a team of  
19 tally judges designated by the election official in charge of  
20 the election shall examine the ballots so transported and  
21 shall not accept ballots for tabulating which are not signed  
22 and sealed as provided in subsection (1) of this Section until  
23 the judges transporting the same make and sign the necessary  
24 corrections. Upon acceptance of the ballots by a team of tally  
25 judges at the central counting station, the election judges  
26 transporting the same shall take a receipt signed by the

1 election official in charge of the election and stamped with  
2 the date and time of acceptance. The election judges whose  
3 duty it is to transport any ballots shall, in the event such  
4 ballots cannot be found when needed, on proper request,  
5 produce the receipt which they are to take as above provided.

6 (Source: P.A. 100-1027, eff. 1-1-19; 101-81, eff. 7-12-19.)

7 (10 ILCS 5/24A-10.1) (from Ch. 46, par. 24A-10.1)

8 Sec. 24A-10.1. In an election jurisdiction where  
9 in-precinct counting equipment is utilized, the following  
10 procedures for counting and tallying the ballots shall apply:

11 Immediately after the closing of the polls, the precinct  
12 judges of election shall open the ballot box and count the  
13 number of ballots therein to determine if such number agrees  
14 with the number of voters voting as shown by the applications  
15 for ballot or, if the same do not agree, the judges of election  
16 shall make such ballots agree with the applications for ballot  
17 in the manner provided by Section 17-18 of this Act. The judges  
18 of election shall then examine all ballot cards and ballot  
19 card envelopes which are in the ballot box to determine  
20 whether the ballot cards and ballot card envelopes contain the  
21 initials of a precinct judge of election. If any ballot card or  
22 ballot card envelope is not initialed, it shall be marked on  
23 the back "Defective", initialed as to such label by all judges  
24 immediately under the word "Defective" and not counted. The  
25 judges of election shall place an initialed blank official

1 ballot card in the place of the defective ballot card, so that  
2 the count of the ballot cards to be counted on the automatic  
3 tabulating equipment will be the same, and each "Defective  
4 Ballot" card and "Replacement" card shall contain the same  
5 serial number which shall be placed thereon by the judges of  
6 election, commencing with number 1 and continuing  
7 consecutively for the ballots of that kind in that precinct.  
8 The original "Defective" card shall be placed in the  
9 "Defective Ballot Envelope" provided for that purpose.

10 When an electronic voting system is used which utilizes a  
11 ballot card, before separating the remaining ballot cards from  
12 their respective covering envelopes, the judges of election  
13 shall examine the ballot card envelopes for write-in votes.  
14 When the voter has cast a write-in vote, the judges of election  
15 shall compare the write-in vote with the votes on the ballot  
16 card to determine whether such write-in results in an overvote  
17 for any office. In case of an overvote for any office, the  
18 judges of election, consisting in each case of at least one  
19 judge of election of each of the 2 major political parties,  
20 shall make a true duplicate ballot of all votes on such ballot  
21 card except for the office which is overvoted, by using the  
22 ballot label booklet of the precinct and one of the marking  
23 devices of the precinct so as to transfer all votes of the  
24 voter, except for the office overvoted, to a duplicate card.  
25 The original ballot card and envelope upon which there is an  
26 overvote shall be clearly labeled "Overvoted Ballot", and each

1 such "Overvoted Ballot" as well as its "Replacement" shall  
2 contain the same serial number which shall be placed thereon  
3 by the judges of election, commencing with number 1 and  
4 continuing consecutively for the ballots of that kind in that  
5 precinct. The "Overvoted Ballot" card and ballot envelope  
6 shall be placed in an envelope provided for that purpose  
7 labeled "Duplicate Ballot" envelope, and the judges of  
8 election shall initial the "Replacement" ballot cards and  
9 shall place them with the other ballot cards to be counted on  
10 the automatic tabulating equipment. Envelopes containing  
11 write-in votes marked in the place designated therefor and  
12 containing the initials of a precinct judge of election and  
13 not resulting in an overvote and otherwise complying with the  
14 election laws as to marking shall be counted and tallied and  
15 their votes recorded on a tally sheet provided by the election  
16 authority.

17 The ballot cards and ballot card envelopes shall be  
18 separated in preparation for counting by the automatic  
19 tabulating equipment provided for that purpose by the election  
20 authority.

21 Before the ballots are entered into the automatic  
22 tabulating equipment, a precinct identification card provided  
23 by the election authority shall be entered into the device to  
24 ensure that the totals are all zeroes in the count column on  
25 the printing unit. A precinct judge of election shall then  
26 count the ballots by entering each ballot card into the

1 automatic tabulating equipment, and if any ballot or ballot  
2 card is damaged, ~~or~~ defective, or so that it cannot otherwise  
3 properly be counted by the automatic tabulating equipment, the  
4 judges of election, consisting in each case of at least one  
5 judge of election of each of the 2 major political parties,  
6 shall make a true duplicate ballot of all votes on such ballot  
7 card by using the ballot label booklet of the precinct and one  
8 of the marking devices of the precinct. The original ballot or  
9 ballot card and envelope shall be clearly labeled "Damaged  
10 Ballot" and the ballot or ballot card so produced shall be  
11 clearly labeled "Duplicate Damaged Ballot", and each shall  
12 contain the same serial number which shall be placed thereon  
13 by the judges of election, commencing with number 1 and  
14 continuing consecutively for the ballots of that kind in the  
15 precinct. The judges of election shall initial the "Duplicate  
16 Damaged Ballot" ballot or ballot cards and shall enter the  
17 duplicate damaged cards into the automatic tabulating  
18 equipment. The "Damaged Ballot" cards shall be placed in the  
19 "Duplicated Ballots" envelope; after all ballot cards have  
20 been successfully read, the judges of election shall check to  
21 make certain that the last number printed by the printing unit  
22 is the same as the number of voters making application for  
23 ballot in that precinct. The number shall be listed on the  
24 "Statement of Ballots" form provided by the election  
25 authority.

26 The totals for all candidates and propositions shall be

1 tabulated. One copy of an "In-Precinct Totals Report" shall be  
2 generated by the automatic tabulating equipment for return to  
3 the election authority. One copy of an "In-Precinct Totals  
4 Report" shall be generated and posted in a conspicuous place  
5 inside the polling place, provided that any authorized  
6 pollwatcher or other official authorized to be present in the  
7 polling place to observe the counting of ballots is present.

8 The judges of election shall provide, if requested, a set  
9 for each authorized pollwatcher or other official authorized  
10 to be present in the polling place to observe the counting of  
11 ballots. In addition, sufficient time shall be provided by the  
12 judges of election to the pollwatchers to allow them to copy  
13 information from the copy which has been posted.

14 The judges of election shall count all unused ballot cards  
15 and enter the number on the "Statement of Ballots". All  
16 "Spoiled", "Defective" and "Duplicated" ballot cards shall be  
17 counted and the number entered on the "Statement of Ballots".

18 The precinct judges of election shall select a bi-partisan  
19 team of 2 judges, who shall immediately return the ballots in a  
20 sealed container, along with all other election materials as  
21 instructed by the election authority; provided, however, that  
22 such container must first be sealed by the election judges  
23 with filament tape provided for such purpose which shall be  
24 wrapped around the container lengthwise and crosswise, at  
25 least twice each way, in such manner that the ballots cannot be  
26 removed from such container without breaking the seal and

1 filament tape and disturbing any signatures affixed by the  
2 election judges to the container. The election authority shall  
3 keep the office of the election authority, or any receiving  
4 stations designated by such authority, open for at least 12  
5 consecutive hours after the polls close or until the ballots  
6 from all precincts with in-precinct counting equipment within  
7 the jurisdiction of the election authority have been returned  
8 to the election authority. Ballots returned to the office of  
9 the election authority which are not signed and sealed as  
10 required by law shall not be accepted by the election  
11 authority until the judges returning the same make and sign  
12 the necessary corrections. Upon acceptance of the ballots by  
13 the election authority, the judges returning the same shall  
14 take a receipt signed by the election authority and stamped  
15 with the time and date of such return. The election judges  
16 whose duty it is to return any ballots as herein provided  
17 shall, in the event such ballots cannot be found when needed,  
18 on proper request, produce the receipt which they are to take  
19 as above provided.

20 (Source: P.A. 94-645, eff. 8-22-05; 94-1000, eff. 7-3-06;  
21 95-699, eff. 11-9-07.)

22 (10 ILCS 5/24A-14) (from Ch. 46, par. 24A-14)

23 Sec. 24A-14. Damaged, defective, or unreadable ballots;  
24 duplicates. If any ballot is damaged, ~~or~~ defective, ~~or so that~~  
25 ~~it~~ cannot otherwise properly be counted by the automatic

1 tabulating equipment, a true duplicate copy shall be made of  
2 the ~~damaged~~ ballot in the presence of witnesses and  
3 substituted for the damaged ballot. Likewise, a duplicate  
4 ballot shall ~~be made of a defective ballot which shall not~~  
5 include the invalid votes appearing on the original ballot.  
6 All duplicate ballots shall be clearly labeled "duplicate",  
7 shall bear a serial number which shall be registered on the  
8 damaged, ~~or~~ defective, or otherwise unreadable ballot, and  
9 shall be counted in lieu of the damaged, ~~or~~ or  
10 otherwise unreadable ballot.

11 (Source: Laws 1965, p. 2220.)

12 (10 ILCS 5/24B-10)

13 Sec. 24B-10. Receiving, counting, tallying and return of  
14 ballots; acceptance of ballots by election authority.

15 (a) In an election jurisdiction which has adopted an  
16 electronic Precinct Tabulation Optical Scan Technology voting  
17 system, the election official in charge of the election shall  
18 select one of the 3 following procedures for receiving,  
19 counting, tallying, and return of the ballots:

20 (1) Two ballot boxes shall be provided for each  
21 polling place. The first ballot box is for the depositing  
22 of votes cast on the electronic voting system; and the  
23 second ballot box is for all votes cast on other ballots,  
24 including any paper ballots required to be voted other  
25 than on the Precinct Tabulation Optical Scan Technology

1 electronic voting system. Ballots deposited in the second  
2 ballot box shall be counted, tallied, and returned as is  
3 elsewhere provided in this Code for the counting and  
4 handling of paper ballots. Immediately after the closing  
5 of the polls, the judges of election shall make out a slip  
6 indicating the number of persons who voted in the precinct  
7 at the election. The slip shall be signed by all the judges  
8 of election and shall be inserted by them in the first  
9 ballot box. The judges of election shall thereupon  
10 immediately lock each ballot box; provided, that if the  
11 box is not of a type which may be securely locked, the box  
12 shall be sealed with filament tape provided for the  
13 purpose that shall be wrapped around the box lengthwise  
14 and crosswise, at least twice each way, and in a manner  
15 that the seal completely covers the slot in the ballot  
16 box, and each of the judges shall sign the seal. Two of the  
17 judges of election, of different political parties, shall  
18 by the most direct route transport both ballot boxes to  
19 the counting location designated by the county clerk or  
20 board of election commissioners.

21 Before the ballots of a precinct are fed to the  
22 electronic Precinct Tabulation Optical Scan Technology  
23 tabulating equipment, the first ballot box shall be opened  
24 at the central counting station by the 2 precinct  
25 transport judges. Upon opening a ballot box, the team  
26 shall first count the number of ballots in the box. If 2 or

1 more are folded together to appear to have been cast by the  
2 same person, all of the ballots folded together shall be  
3 marked and returned with the other ballots in the same  
4 condition, as near as may be, in which they were found when  
5 first opened, but shall not be counted. If the remaining  
6 ballots are found to exceed the number of persons voting  
7 in the precinct as shown by the slip signed by the judges  
8 of election, the ballots shall be replaced in the box, and  
9 the box closed and well shaken and again opened and one of  
10 the precinct transport judges shall publicly draw out so  
11 many ballots unopened as are equal to the excess.

12 The excess ballots shall be marked "Excess-Not  
13 Counted" and signed by the 2 precinct transport judges and  
14 shall be placed in the "After 7:00 p.m. Defective Ballots  
15 Envelope". The number of excess ballots shall be noted in  
16 the remarks section of the Certificate of Results.  
17 "Excess" ballots shall not be counted in the total of  
18 "defective" ballots.

19 The precinct transport judges shall then examine the  
20 remaining ballots for write-in votes and shall count and  
21 tabulate the write-in vote.

22 (2) A single ballot box, for the deposit of all votes  
23 cast, shall be used. All ballots which are not to be  
24 tabulated on the electronic voting system shall be  
25 counted, tallied, and returned as elsewhere provided in  
26 this Code for the counting and handling of paper ballots.

1           All ballots to be processed and tabulated with the  
2           electronic Precinct Tabulation Optical Scan Technology  
3           voting system shall be processed as follows:

4           Immediately after the closing of the polls, the  
5           precinct judges of election shall open the ballot box and  
6           canvass the votes polled to determine that the number of  
7           ballots agree with the number of voters voting as shown by  
8           the applications for ballot, or if the same do not agree  
9           the judges of election shall make such ballots agree with  
10          the applications for ballot in the manner provided by  
11          Section 17-18 of this Code.

12          In case of an overvote for any office, the judges of  
13          election, consisting in each case of at least one judge of  
14          election of each of the 2 major political parties, shall  
15          make a true duplicate ballot of all votes on the ballot  
16          except for the office which is overvoted, by using the  
17          ballot of the precinct and one of the marking devices, or  
18          equivalent ballot, of the precinct to transfer all votes  
19          of the voter except for the office overvoted, to an  
20          official ballot of that kind used in the precinct at that  
21          election. The original ballot upon which there is an  
22          overvote shall be clearly labeled "Overvoted Ballot", and  
23          each shall bear the same serial number which shall be  
24          placed thereon by the judges of election, beginning with  
25          number 1 and continuing consecutively for the ballots of  
26          that kind in that precinct. The judges of election shall

1           initial the "Duplicate Overvoted Ballot" ballots and shall  
2           place them in the box for return of the ballots. The  
3           "Overvoted Ballot" ballots shall be placed in the  
4           "Duplicate Ballots" envelope. The ballots except any  
5           defective or overvoted ballot shall be placed separately  
6           in the box for return of the ballots. The judges of  
7           election shall examine the ballots to determine if any is  
8           damaged, ~~or defective, or so that it~~ cannot otherwise be  
9           counted by the automatic tabulating equipment. If any  
10          ballot is damaged, ~~or defective, or so that it~~ cannot  
11          otherwise properly be counted by the automatic tabulating  
12          equipment, the judges of election, consisting in each case  
13          of at least one judge of election of each of the 2 major  
14          political parties, shall make a true duplicate ballot of  
15          all votes on such ballot by using the ballot of the  
16          precinct and one of the marking devices, or equivalent  
17          ballot, of the precinct. The original ballot and ballot  
18          envelope shall be clearly labeled "Damaged Ballot" and the  
19          ballot so produced "Duplicate Damaged Ballot", and each  
20          shall bear the same number which shall be placed thereon  
21          by the judges of election, commencing with number 1 and  
22          continuing consecutively for the ballots of that kind in  
23          the precinct. The judges of election shall initial the  
24          "Duplicate Damaged Ballot" ballot and shall place them in  
25          the box for return of the ballots. The "Damaged Ballot"  
26          ballots shall be placed in the "Duplicated Ballots"

1 envelope. A slip indicating the number of voters voting in  
2 person and the total number of voters of the precinct who  
3 voted at the election shall be made out, signed by all  
4 judges of election, and inserted in the box for return of  
5 the ballots. The tally sheets recording the write-in votes  
6 shall be placed in this box. The judges of election  
7 immediately shall securely lock the ballot box or other  
8 suitable box furnished for return of the ballots by the  
9 election official in charge of the election; provided that  
10 if the box is not of a type which may be securely locked,  
11 the box shall be sealed with filament tape provided for  
12 the purpose which shall be wrapped around the box  
13 lengthwise and crosswise, at least twice each way. A  
14 separate adhesive seal label signed by each of the judges  
15 of election of the precinct shall be affixed to the box to  
16 cover any slot therein and to identify the box of the  
17 precinct; and if the box is sealed with filament tape as  
18 provided rather than locked, such tape shall be wrapped  
19 around the box as provided, but in such manner that the  
20 separate adhesive seal label affixed to the box and signed  
21 by the judges may not be removed without breaking the  
22 filament tape and disturbing the signature of the judges.  
23 Two of the judges of election, of different major  
24 political parties, shall by the most direct route  
25 transport the box for return of the ballots and enclosed  
26 ballots and returns to the central counting location

1 designated by the election official in charge of the  
2 election. If, however, because of the lack of adequate  
3 parking facilities at the central counting location or for  
4 any other reason, it is impossible or impracticable for  
5 the boxes from all the polling places to be delivered  
6 directly to the central counting location, the election  
7 official in charge of the election may designate some  
8 other location to which the boxes shall be delivered by  
9 the 2 precinct judges. While at the other location the  
10 boxes shall be in the care and custody of one or more  
11 teams, each consisting of 4 persons, 2 from each of the 2  
12 major political parties, designated for such purpose by  
13 the election official in charge of elections from  
14 recommendations by the appropriate political party  
15 organizations. As soon as possible, the boxes shall be  
16 transported from the other location to the central  
17 counting location by one or more teams, each consisting of  
18 4 persons, 2 from each of the 2 major political parties,  
19 designated for the purpose by the election official in  
20 charge of elections from recommendations by the  
21 appropriate political party organizations.

22 The "Defective Ballots" envelope, and "Duplicated  
23 Ballots" envelope each shall be securely sealed and the  
24 flap or end of each envelope signed by the precinct judges  
25 of election and returned to the central counting location  
26 with the box for return of the ballots, enclosed ballots

1 and returns.

2 At the central counting location, a team of tally  
3 judges designated by the election official in charge of  
4 the election shall check the box returned containing the  
5 ballots to determine that all seals are intact, and shall  
6 open the box, check the voters' slip and compare the  
7 number of ballots so delivered against the total number of  
8 voters of the precinct who voted, remove the ballots and  
9 deliver them to the technicians operating the automatic  
10 tabulating equipment. Any discrepancies between the number  
11 of ballots and total number of voters shall be noted on a  
12 sheet furnished for that purpose and signed by the tally  
13 judges.

14 (3) A single ballot box, for the deposit of all votes  
15 cast, shall be used. Immediately after the closing of the  
16 polls, the precinct judges of election shall securely lock  
17 the ballot box; provided that if such box is not of a type  
18 which may be securely locked, the box shall be sealed with  
19 filament tape provided for the purpose which shall be  
20 wrapped around the box lengthwise and crosswise, at least  
21 twice each way. A separate adhesive seal label signed by  
22 each of the judges of election of the precinct shall be  
23 affixed to the box to cover any slot therein and to  
24 identify the box of the precinct; and if the box is sealed  
25 with filament tape as provided rather than locked, such  
26 tape shall be wrapped around the box as provided, but in a

1 manner that the separate adhesive seal label affixed to  
2 the box and signed by the judges may not be removed without  
3 breaking the filament tape and disturbing the signature of  
4 the judges. Two of the judges of election, of different  
5 major political parties, shall by the most direct route  
6 transport the box for return of the ballots and enclosed  
7 vote by mail and early ballots and returns to the central  
8 counting location designated by the election official in  
9 charge of the election. If however, because of the lack of  
10 adequate parking facilities at the central counting  
11 location or for some other reason, it is impossible or  
12 impracticable for the boxes from all the polling places to  
13 be delivered directly to the central counting location,  
14 the election official in charge of the election may  
15 designate some other location to which the boxes shall be  
16 delivered by the 2 precinct judges. While at the other  
17 location the boxes shall be in the care and custody of one  
18 or more teams, each consisting of 4 persons, 2 from each of  
19 the 2 major political parties, designated for the purpose  
20 by the election official in charge of elections from  
21 recommendations by the appropriate political party  
22 organizations. As soon as possible, the boxes shall be  
23 transported from the other location to the central  
24 counting location by one or more teams, each consisting of  
25 4 persons, 2 from each of the 2 major political parties,  
26 designated for the purpose by the election official in

1 charge of the election from recommendations by the  
2 appropriate political party organizations.

3 At the central counting location there shall be one or  
4 more teams of tally judges who possess the same  
5 qualifications as tally judges in election jurisdictions  
6 using paper ballots. The number of the teams shall be  
7 determined by the election authority. Each team shall  
8 consist of 5 tally judges, 3 selected and approved by the  
9 county board from a certified list furnished by the chair  
10 of the county central committee of the party with the  
11 majority of members on the county board and 2 selected and  
12 approved by the county board from a certified list  
13 furnished by the chair of the county central committee of  
14 the party with the second largest number of members on the  
15 county board. At the central counting location a team of  
16 tally judges shall open the ballot box and canvass the  
17 votes polled to determine that the number of ballot sheets  
18 therein agree with the number of voters voting as shown by  
19 the applications for ballot and, if the same do not agree,  
20 the tally judges shall make such ballots agree with the  
21 number of applications for ballot in the manner provided  
22 by Section 17-18 of this Code. The tally judges shall then  
23 examine all ballot sheets that are in the ballot box to  
24 determine whether they bear the initials of the precinct  
25 judge of election. If any ballot is not initialed, it  
26 shall be marked on the back "Defective", initialed as to

1           that label by all tally judges immediately under the word  
2           "Defective", and not counted, but placed in the envelope  
3           provided for that purpose labeled "Defective Ballots  
4           Envelope". An overvote for one office shall invalidate  
5           only the vote or count for that particular office.

6           At the central counting location, a team of tally  
7           judges designated by the election official in charge of  
8           the election shall deliver the ballot sheets to the  
9           technicians operating the automatic Precinct Tabulation  
10          Optical Scan Technology tabulating equipment. Any  
11          discrepancies between the number of ballots and total  
12          number of voters shall be noted on a sheet furnished for  
13          that purpose and signed by the tally judges.

14          (b) Regardless of which procedure described in subsection  
15          (a) of this Section is used, the judges of election designated  
16          to transport the ballots properly signed and sealed, shall  
17          ensure that the ballots are delivered to the central counting  
18          station no later than 12 hours after the polls close. At the  
19          central counting station, a team of tally judges designated by  
20          the election official in charge of the election shall examine  
21          the ballots so transported and shall not accept ballots for  
22          tabulating which are not signed and sealed as provided in  
23          subsection (a) of this Section until the judges transporting  
24          the ballots make and sign the necessary corrections. Upon  
25          acceptance of the ballots by a team of tally judges at the  
26          central counting station, the election judges transporting the

1 ballots shall take a receipt signed by the election official  
2 in charge of the election and stamped with the date and time of  
3 acceptance. The election judges whose duty it is to transport  
4 any ballots shall, in the event the ballots cannot be found  
5 when needed, on proper request, produce the receipt which they  
6 are to take as above provided.

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

8 (10 ILCS 5/24B-10.1)

9 Sec. 24B-10.1. In-Precinct Counting Equipment; Procedures  
10 for Counting and Tallying Ballots. In an election jurisdiction  
11 where Precinct Tabulation Optical Scan Technology counting  
12 equipment is used, the following procedures for counting and  
13 tallying the ballots shall apply:

14 Before the opening of the polls, and before the ballots  
15 are entered into the automatic tabulating equipment, the  
16 judges of election shall be sure that the totals are all zeros  
17 in the counting column. Ballots may then be counted by  
18 entering or scanning each ballot into the automatic tabulating  
19 equipment. Throughout the election day and before the closing  
20 of the polls, no person may check any vote totals for any  
21 candidate or proposition on the automatic tabulating  
22 equipment. Such automatic tabulating equipment shall be  
23 programmed so that no person may reset the equipment for  
24 refeeding of ballots unless provided a code from an authorized  
25 representative of the election authority. At the option of the

1 election authority, the ballots may be fed into the Precinct  
2 Tabulation Optical Scan Technology equipment by the voters  
3 under the direct supervision of the judges of elections.

4 Immediately after the closing of the polls, the precinct  
5 judges of election shall open the ballot box and count the  
6 number of ballots to determine if the number agrees with the  
7 number of voters voting as shown on the Precinct Tabulation  
8 Optical Scan Technology equipment and by the applications for  
9 ballot or, if the same do not agree, the judges of election  
10 shall make the ballots agree with the applications for ballot  
11 in the manner provided by Section 17-18 of this Code. The  
12 judges of election shall then examine all ballots which are in  
13 the ballot box to determine whether the ballots contain the  
14 initials of a precinct judge of election. If any ballot is not  
15 initialed, it shall be marked on the back "Defective",  
16 initialed as to such label by all judges immediately under the  
17 word "Defective" and not counted. The judges of election shall  
18 place an initialed blank official ballot in the place of the  
19 defective ballot, so that the count of the ballots to be  
20 counted on the automatic tabulating equipment will be the  
21 same, and each "Defective Ballot" and "Replacement" ballot  
22 shall contain the same serial number which shall be placed  
23 thereon by the judges of election, beginning with number 1 and  
24 continuing consecutively for the ballots of that kind in that  
25 precinct. The original "Defective" ballot shall be placed in  
26 the "Defective Ballot Envelope" provided for that purpose.

1           If the judges of election have removed a ballot pursuant  
2 to Section 17-18, have labeled "Defective" a ballot which is  
3 not initialed, or have otherwise determined under this Code to  
4 not count a ballot originally deposited into a ballot box, the  
5 judges of election shall be sure that the totals on the  
6 automatic tabulating equipment are reset to all zeros in the  
7 counting column. Thereafter the judges of election shall enter  
8 or otherwise scan each ballot to be counted in the automatic  
9 tabulating equipment. Resetting the automatic tabulating  
10 equipment to all zeros and re-entering of ballots to be  
11 counted may occur at the precinct polling place, the office of  
12 the election authority, or any receiving station designated by  
13 the election authority. The election authority shall designate  
14 the place for resetting and re-entering or re-scanning.

15           When a Precinct Tabulation Optical Scan Technology  
16 electronic voting system is used which uses a paper ballot,  
17 the judges of election shall examine the ballot for write-in  
18 votes. When the voter has cast a write-in vote, the judges of  
19 election shall compare the write-in vote with the votes on the  
20 ballot to determine whether the write-in results in an  
21 overvote for any office, unless the Precinct Tabulation  
22 Optical Scan Technology equipment has already done so. In case  
23 of an overvote for any office, the judges of election,  
24 consisting in each case of at least one judge of election of  
25 each of the 2 major political parties, shall make a true  
26 duplicate ballot of all votes on such ballot except for the

1 office which is overvoted, by using the ballot of the precinct  
2 and one of the marking devices, or equivalent ballot, of the  
3 precinct so as to transfer all votes of the voter, except for  
4 the office overvoted, to a duplicate ballot. The original  
5 ballot upon which there is an overvote shall be clearly  
6 labeled "Overvoted Ballot", and each such "Overvoted Ballot"  
7 as well as its "Replacement" shall contain the same serial  
8 number which shall be placed thereon by the judges of  
9 election, beginning with number 1 and continuing consecutively  
10 for the ballots of that kind in that precinct. The "Overvoted  
11 Ballot" shall be placed in an envelope provided for that  
12 purpose labeled "Duplicate Ballot" envelope, and the judges of  
13 election shall initial the "Replacement" ballots and shall  
14 place them with the other ballots to be counted on the  
15 automatic tabulating equipment.

16 If any ballot is damaged, ~~or~~ defective, or if any ballot  
17 otherwise contains a Voting Defect, so that it cannot properly  
18 be counted by the automatic tabulating equipment, the voter or  
19 the judges of election, consisting in each case of at least one  
20 judge of election of each of the 2 major political parties,  
21 shall make a true duplicate ballot of all votes on such ballot  
22 by using the ballot of the precinct and one of the marking  
23 devices of the precinct, or equivalent. If a damaged ballot,  
24 the original ballot shall be clearly labeled "Damaged Ballot"  
25 and the ballot so produced shall be clearly labeled "Damaged  
26 Ballot" and the ballot so produced shall be clearly labeled

1 "Duplicate Damaged Ballot", and each shall contain the same  
2 serial number which shall be placed by the judges of election,  
3 beginning with number 1 and continuing consecutively for the  
4 ballots of that kind in the precinct. The judges of election  
5 shall initial the "Duplicate Damaged Ballot" ballot and shall  
6 enter or otherwise scan the duplicate damaged ballot into the  
7 automatic tabulating equipment. The "Damaged Ballots" shall be  
8 placed in the "Duplicated Ballots" envelope; after all ballots  
9 have been successfully read, the judges of election shall  
10 check to make certain that the Precinct Tabulation Optical  
11 Scan Technology equipment readout agrees with the number of  
12 voters making application for ballot in that precinct. The  
13 number shall be listed on the "Statement of Ballots" form  
14 provided by the election authority.

15 The totals for all candidates and propositions shall be  
16 tabulated. One copy of an "In-Precinct Totals Report" shall be  
17 generated by the automatic tabulating equipment for return to  
18 the election authority. One copy of an "In-Precinct Totals  
19 Report" shall be generated and posted in a conspicuous place  
20 inside the polling place, provided that any authorized  
21 pollwatcher or other official authorized to be present in the  
22 polling place to observe the counting of ballots is present.  
23 The judges of election shall provide, if requested, a copy for  
24 each authorized pollwatcher or other official authorized to be  
25 present in the polling place to observe the counting of  
26 ballots. In addition, sufficient time shall be provided by the

1 judges of election to the pollwatchers to allow them to copy  
2 information from the copy which has been posted.

3 The judges of election shall count all unused ballots and  
4 enter the number on the "Statement of Ballots". All "Spoiled",  
5 "Defective" and "Duplicated" ballots shall be counted and the  
6 number entered on the "Statement of Ballots".

7 The precinct judges of election shall select a bi-partisan  
8 team of 2 judges, who shall immediately return the ballots in a  
9 sealed container, along with all other election materials as  
10 instructed by the election authority; provided, however, that  
11 such container must first be sealed by the election judges  
12 with filament tape or other approved sealing devices provided  
13 for the purpose which shall be wrapped around the container  
14 lengthwise and crosswise, at least twice each way, in a manner  
15 that the ballots cannot be removed from the container without  
16 breaking the seal and filament tape and disturbing any  
17 signatures affixed by the election judges to the container, or  
18 which other approved sealing devices are affixed in a manner  
19 approved by the election authority. The election authority  
20 shall keep the office of the election authority or any  
21 receiving stations designated by the authority, open for at  
22 least 12 consecutive hours after the polls close or until the  
23 ballots from all precincts with in-precinct counting equipment  
24 within the jurisdiction of the election authority have been  
25 returned to the election authority. Ballots returned to the  
26 office of the election authority which are not signed and

1 sealed as required by law shall not be accepted by the election  
2 authority until the judges returning the ballots make and sign  
3 the necessary corrections. Upon acceptance of the ballots by  
4 the election authority, the judges returning the ballots shall  
5 take a receipt signed by the election authority and stamped  
6 with the time and date of the return. The election judges whose  
7 duty it is to return any ballots as provided shall, in the  
8 event the ballots cannot be found when needed, on proper  
9 request, produce the receipt which they are to take as above  
10 provided. The precinct judges of election shall also deliver  
11 the Precinct Tabulation Optical Scan Technology equipment to  
12 the election authority.

13 (Source: P.A. 94-645, eff. 8-22-05; 94-1000, eff. 7-3-06;  
14 95-699, eff. 11-9-07.)

15 (10 ILCS 5/24B-14)

16 Sec. 24B-14. Damaged, defective, or unreadable ballots;  
17 duplicates ~~Ballots; Duplicates.~~

18 If any ballot is damaged, or defective, or so that it cannot  
19 otherwise properly be counted by the automatic Precinct  
20 Tabulation Optical Scan Technology tabulating equipment, a  
21 true duplicate copy shall be made of the ~~damaged~~ ballot in the  
22 presence of witnesses and substituted for the original ~~damaged~~  
23 ballot. Likewise, a duplicate ballot shall ~~be made of a~~  
24 ~~defective ballot which shall~~ not include the invalid votes  
25 appearing on the original ballot. All duplicate ballots shall

1 be clearly labeled "Duplicate", shall bear a serial number  
2 which shall be registered on the damaged, ~~or~~ defective, or  
3 otherwise unreadable ballot, and shall be counted in lieu of  
4 the damaged, ~~or~~ defective, or otherwise unreadable ballot.

5 (Source: P.A. 89-394, eff. 1-1-97.)

6 Section 99. Effective date. This Act takes effect upon  
7 becoming law.