



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

SB1628

Introduced 2/26/2021, by Sen. Steven M. Landek

SYNOPSIS AS INTRODUCED:

10 ILCS 5/11-2
10 ILCS 5/11-3

from Ch. 46, par. 11-2
from Ch. 46, par. 11-3

Amends the Election Code. Provides that each election precinct shall contain 1,200 voters (currently, 500 voters in counties, 600 voters in a municipality with a board of election commissioners and fewer than 500,000 inhabitants, or 400 voters in a municipality with a board of election commissioners and more than 500,000 inhabitants). Makes corresponding and other changes. In provisions concerning the county board of a county with less than 3,000,000 inhabitants, removes language providing that an election precinct with more than 600 voters may be divided. Provides that a county board may (rather than shall) at specified meetings, redivide, consolidate, or readjust (rather than redivide or readjust) election precincts to meet the 1,200 voters per precinct standard. In provisions concerning a municipality with a board of election commissioners, provides that a city with over 500,000 residents may (rather than shall) rearrange its precincts within 90 days of a presidential election or at any time when the number of votes cast exceeds 1,200 (rather than equals 600) to meet the 1,200 voters per precinct standard. Effective immediately.

LRB102 10362 SMS 15689 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 11-2 and 11-3 as follows:

6 (10 ILCS 5/11-2) (from Ch. 46, par. 11-2)

7 Sec. 11-2. Election precincts; counties with under
8 3,000,000 inhabitants.

9 (a) The County Board in each county, except in counties
10 having a population of 3,000,000 inhabitants or over, shall,
11 at its regular meeting in June, or an adjourned meeting in July
12 next, divide its election precincts in which the number of
13 votes cast in a precinct on election day at the most recent
14 general election held in November was more than 1,200 ~~which~~
15 ~~contain more than 800 voters,~~ into election precincts
16 ~~districts~~ so that each precinct ~~district~~ shall contain, as
17 near as may be practicable, 1,200 votes ~~500 voters,~~ and not
18 more in any case than 800. ~~Whenever the County Board~~
19 ~~ascertains that any election precinct contains more than 600~~
20 ~~registered voters, it may divide such precinct, at its regular~~
21 ~~meeting in June, into election precincts so that each precinct~~
22 ~~shall contain, as nearly as may be practicable, 500 voters.~~
23 Insofar as is practicable, each precinct shall be situated

1 within a single congressional, legislative and representative
2 district and in not more than one County Board district and one
3 municipal ward. In order to situate each precinct within a
4 single district or ward, the County Board shall change the
5 boundaries of election precincts after each decennial census
6 as soon as is practicable following the completion of
7 congressional and legislative redistricting. In determining
8 whether a division of precincts should be made, the county
9 board may anticipate increased voter registration in any
10 precinct in which there is in progress new construction of
11 dwelling units which will be occupied by voters more than 30
12 days before the next election. Each district shall be composed
13 of contiguous territory in as compact form as can be for the
14 convenience of the electors voting therein. The several county
15 boards in establishing districts shall describe them by metes
16 and bounds and number them.

17 (b) ~~The And so often thereafter as it shall appear by the~~
18 ~~number of votes cast at the general election held in November~~
19 ~~of any year, that any election district or undivided election~~
20 ~~precinct contains more than 800 voters, the County Board of~~
21 the county in which a precinct ~~the district~~ or precincts are
22 located ~~precinct may be, may shall~~ at its regular meeting in
23 June, or an adjourned meeting in July next, after such
24 November election, redivide, consolidate, or readjust such
25 precinct ~~election district~~ or precincts ~~election precinct,~~ so
26 that no ~~district or election~~ precinct shall contain more than

1 the number of votes ~~above~~ specified in subsection (a).

2 If for any reason the County Board fails in any year to
3 redivide or readjust the election districts or election
4 precinct, then the districts or precincts as then existing
5 shall continue until the next regular June meeting of the
6 County Board; at which regular June meeting or an adjourned
7 meeting in July the County Board shall redivide or readjust
8 the election districts or election precincts in manner as
9 herein required. When at any meeting of the County Board any
10 redivision, readjustment or change in name or number of
11 election districts or election precincts is made by the County
12 Board, the County Clerk shall immediately notify the State
13 Board of Elections of such redivision, readjustment or change.
14 The County Board in every case shall fix and establish the
15 places for holding elections in its respective county and all
16 elections shall be held at the places so fixed. The polling
17 places shall in all cases be upon the ground floor in the front
18 room, the entrance to which is in a highway or public street
19 which is at least 40 feet wide, and is as near the center of
20 the voting population of the precinct as is practicable, and
21 for the convenience of the greatest number of electors to vote
22 thereat; provided, however, where the County Board is unable
23 to secure a suitable polling place within the boundaries of a
24 precinct, it may select a polling place at the most
25 conveniently located suitable place outside the precinct; but
26 in no case shall an election be held in any room used or

1 occupied as a saloon, dramshop, bowling alley or as a place of
2 resort for idlers and disreputable persons, billiard hall or
3 in any room connected therewith by doors or hallways. No
4 person shall be permitted to vote at any election except at the
5 polling place for the precinct in which he resides, except as
6 otherwise provided in this Section or Article 19 of this Act.

7 In counties having a population of 3,000,000 inhabitants
8 or over the County Board shall divide its election precincts
9 and shall fix and establish places for holding elections as
10 hereinbefore provided during the month of January instead of
11 at its regular meeting in June or at an adjourned meeting in
12 July.

13 However, in the event that additional divisions of
14 election precincts are indicated after a division made by the
15 County Board in the month of January, such additional
16 divisions may be made by the County Board in counties having a
17 population of 3,000,000 inhabitants or over, at the regular
18 meeting in June or at adjourned meeting in July. The county
19 board of such county may divide or readjust precincts at any
20 meeting of the county board when the voter registration in a
21 precinct has increased beyond 800 and an election is scheduled
22 before the next regular January or June meeting of the county
23 board.

24 When in any city, village or incorporated town territory
25 has been annexed thereto or disconnected therefrom, which
26 annexation or disconnection becomes effective after election

1 precincts or election districts have been established as above
2 provided in this Section, the clerk of the municipality shall
3 inform the county clerk thereof as provided in Section 4-21,
4 5-28.1, or 6-31.1, whichever is applicable. In the event that
5 a regular meeting of the County Board is to be held after such
6 notification and before any election, the County Board shall,
7 at its next regular meeting establish new election precinct
8 lines in affected territory. In the event that no regular
9 meeting of the County Board is to be held before such election
10 the county clerk shall, within 5 days after being so informed,
11 call a special meeting of the county board on a day fixed by
12 him not more than 20 days thereafter for the purpose of
13 establishing election precincts or election districts in the
14 affected territory for the ensuing elections.

15 At any consolidated primary or consolidated election at
16 which municipal officers are to be elected, and at any
17 emergency referendum at which a public question relating to a
18 municipality is to be voted on, notwithstanding any other
19 provision of this Code, the election authority shall establish
20 a polling place within such municipality, upon the request of
21 the municipal council or board of trustees at least 60 days
22 before the election and provided that the municipality
23 provides a suitable polling place. To accomplish this purpose,
24 the election authority may establish an election precinct
25 constituting a single municipality of under 500 population for
26 all elections, notwithstanding the minimum precinct size

1 otherwise specified herein.

2 Notwithstanding the above, when there are no more than 50
3 registered voters in a precinct who are entitled to vote in a
4 local government or school district election, the election
5 authority having jurisdiction over the precinct is authorized
6 to reassign such voters to one or more polling places in
7 adjacent precincts, within or without the election authority's
8 jurisdiction, for that election. For the purposes of such
9 local government or school district election only, the votes
10 of the reassigned voters shall be tallied and canvassed as
11 votes from the precinct of the polling place to which such
12 voters have been reassigned. The election authority having
13 jurisdiction over the precinct shall approve all
14 administrative and polling place procedures. Such procedures
15 shall take into account voter convenience, and ensure that the
16 integrity of the election process is maintained and that the
17 secrecy of the ballot is not violated.

18 Except in the event of a fire, flood or total loss of heat
19 in a place fixed or established by any county board or election
20 authority pursuant to this Section as a polling place for an
21 election, no election authority shall change the location of a
22 polling place so established for any precinct after notice of
23 the place of holding the election for that precinct has been
24 given as required under Article 12 unless the election
25 authority notifies all registered voters in the precinct of
26 the change in location by first class mail in sufficient time

1 for such notice to be received by the registered voters in the
2 precinct at least one day prior to the date of the election.

3 The provisions of this Section apply to all precincts,
4 including those where voting machines or electronic voting
5 systems are used.

6 (Source: P.A. 86-867.)

7 (10 ILCS 5/11-3) (from Ch. 46, par. 11-3)

8 Sec. 11-3. It shall be the duty of the Board of
9 Commissioners established by Article 6 of this Act, within 2
10 months after its first organization, to divide the city,
11 village or incorporated town which may adopt or is operating
12 under Article 6, into election precincts, each of which shall
13 be situated within a single congressional, legislative and
14 representative district insofar as is practicable and in not
15 more than one County Board district and one municipal ward; in
16 order to situate each precinct within a single district or
17 ward, the Board of Election Commissioners shall change the
18 boundaries of election precincts after each decennial census
19 as soon as is practicable following the completion of
20 congressional and legislative redistricting and such precincts
21 shall contain no more than 1,200 actual ~~as nearly as~~
22 ~~practicable 600 qualified~~ voters, and in making such division
23 and establishing such precincts such board shall take as a
24 basis the poll books, or the number of actual votes cast at the
25 previous presidential election. Within 90 days after each

1 presidential election, such board in a city with fewer than
2 500,000 inhabitants, village or incorporated town shall revise
3 and rearrange such precincts on the basis of the votes cast at
4 such election, making such precincts to contain no more than
5 1,200 ~~, as near as practicable, 600~~ actual voters; but at any
6 time in all instances where the vote cast at any precinct, at
7 any election, exceeds 1,200 ~~equals 800~~, there must be a
8 rearrangement so as to reduce the vote to the standard of 1,200
9 ~~600~~ as near as may be. However, any apartment building in which
10 more than 1,200 actual ~~800 registered~~ voters reside may be
11 made a single precinct even though the vote in such precinct
12 exceeds 1,200 ~~800~~. Within 90 days after each presidential
13 election, a board in a city with more than 500,000 inhabitants
14 may ~~shall~~ revise and rearrange such precincts on the basis of
15 the votes cast at such election, making such precincts to
16 contain no more than 1,200 ~~, as near as practicable, 400~~ actual
17 voters; but at any time in all instances where the vote cast at
18 any precinct, at any election, exceeds 1,200 ~~equals 600~~, there
19 may ~~must~~ be a rearrangement so as to reduce the vote to the
20 standard of 1,200 ~~400~~ as near as may be. However, any apartment
21 building in which more than 1,200 actual ~~600 registered~~ voters
22 reside may be made a single precinct even though the vote in
23 such precinct exceeds 1,200 ~~600~~.

24 Immediately after the annexation of territory to the city,
25 village or incorporated town becomes effective the Board of
26 Election Commissioners shall revise and rearrange election

1 precincts therein to include such annexed territory.

2 Provided, however, that at any election where but one
3 candidate is nominated and is to be voted upon at any election
4 held in any political subdivision of a city, village or
5 incorporated town, the Board of Election Commissioners shall
6 have the power in such political subdivision to determine the
7 number of voting precincts to be established in such political
8 subdivision at such election, without reference to the number
9 of qualified voters therein. The precincts in each ward,
10 village or incorporated town shall be numbered from one
11 upwards, consecutively, with no omission.

12 The provisions of this Section apply to all precincts,
13 including those where voting machines or electronic voting
14 systems are used.

15 (Source: P.A. 84-1308.)

16 Section 99. Effective date. This Act takes effect upon
17 becoming law.