



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

SB2326

Introduced 2/26/2021, by Sen. Sara Feigenholtz

SYNOPSIS AS INTRODUCED:

10 ILCS 5/1-3	from Ch. 46, par. 1-3
10 ILCS 5/4-8	from Ch. 46, par. 4-8
10 ILCS 5/4-8.01	from Ch. 46, par. 4-8.01
10 ILCS 5/5-7	from Ch. 46, par. 5-7
10 ILCS 5/5-7.01	from Ch. 46, par. 5-7.01
10 ILCS 5/6-35	from Ch. 46, par. 6-35
10 ILCS 5/6-35.01	from Ch. 46, par. 6-35.01
10 ILCS 5/7-47.1	from Ch. 46, par. 7-47.1
10 ILCS 5/7-48	from Ch. 46, par. 7-48
10 ILCS 5/12-1	from Ch. 46, par. 12-1
10 ILCS 5/17-14	from Ch. 46, par. 17-14
10 ILCS 5/19-2.4 new	
10 ILCS 5/19-5	from Ch. 46, par. 19-5
10 ILCS 5/19A-40	
10 ILCS 5/24C-11	

Amends the Election Code. Changes the definition of "person with a disability" to include a person having an intellectual or developmental disability. Makes conforming changes throughout the Code. Requires an election authority to provide public notice 75 days (rather than 60 days) before each general and consolidated election calculated to reach elderly voters and voters with disabilities, of the availability of registration and voting aids under the Federal Voting Accessibility for the Elderly and Handicapped Act, of the availability of assistance in marking the ballot, procedures for voting by vote by mail ballot, and procedures for voting early by personal appearance. Provides that county clerks shall mail by non-forwardable mail an official ballot with a return identification envelope and a secrecy envelope not sooner than the 20th day before the date of any election and not later than the 14th day before the date of any election to each voter with a disability. Provides the State Board of Elections, in partnership with the Department of Human Services, rulemaking authority to allow recipients of a vote by mail ballot to return their ballot by other means than mail.

LRB102 15669 SMS 21033 b

1 AN ACT concerning elections.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Election Code is amended by changing
5 Sections 1-3, 4-8, 4-8.01, 5-7, 5-7.01, 6-35, 6-35.01, 7-47.1,
6 7-48, 12-1, 17-14, 19-5, 19A-40, and 24C-11 and by adding
7 Section 19-2.4 as follows:

8 (10 ILCS 5/1-3) (from Ch. 46, par. 1-3)

9 Sec. 1-3. As used in this Act, unless the context
10 otherwise requires:

11 1. "Election" includes the submission of all questions of
12 public policy, propositions, and all measures submitted to
13 popular vote, and includes primary elections when so indicated
14 by the context.

15 2. "Regular election" means the general, general primary,
16 consolidated and consolidated primary elections regularly
17 scheduled in Article 2A. The even numbered year municipal
18 primary established in Article 2A is a regular election only
19 with respect to those municipalities in which a primary is
20 required to be held on such date.

21 3. "Special election" means an election not regularly
22 recurring at fixed intervals, irrespective of whether it is
23 held at the same time and place and by the same election

1 officers as a regular election.

2 4. "General election" means the biennial election at which
3 members of the General Assembly are elected. "General primary
4 election", "consolidated election" and "consolidated primary
5 election" mean the respective elections or the election dates
6 designated and established in Article 2A of this Code.

7 5. "Municipal election" means an election or primary,
8 either regular or special, in cities, villages, and
9 incorporated towns; and "municipality" means any such city,
10 village or incorporated town.

11 6. "Political or governmental subdivision" means any unit
12 of local government, or school district in which elections are
13 or may be held. "Political or governmental subdivision" also
14 includes, for election purposes, Regional Boards of School
15 Trustees, and Township Boards of School Trustees.

16 7. The word "township" and the word "town" shall apply
17 interchangeably to the type of governmental organization
18 established in accordance with the provisions of the Township
19 Code. The term "incorporated town" shall mean a municipality
20 referred to as an incorporated town in the Illinois Municipal
21 Code, as now or hereafter amended.

22 8. "Election authority" means a county clerk or a Board of
23 Election Commissioners.

24 9. "Election Jurisdiction" means (a) an entire county, in
25 the case of a county in which no city board of election
26 commissioners is located or which is under the jurisdiction of

1 a county board of election commissioners; (b) the territorial
2 jurisdiction of a city board of election commissioners; and
3 (c) the territory in a county outside of the jurisdiction of a
4 city board of election commissioners. In each instance
5 election jurisdiction shall be determined according to which
6 election authority maintains the permanent registration
7 records of qualified electors.

8 10. "Local election official" means the clerk or secretary
9 of a unit of local government or school district, as the case
10 may be, the treasurer of a township board of school trustees,
11 and the regional superintendent of schools with respect to the
12 various school officer elections and school referenda for
13 which the regional superintendent is assigned election duties
14 by The School Code, as now or hereafter amended.

15 11. "Judges of election", "primary judges" and similar
16 terms, as applied to cases where there are 2 sets of judges,
17 when used in connection with duties at an election during the
18 hours the polls are open, refer to the team of judges of
19 election on duty during such hours; and, when used with
20 reference to duties after the closing of the polls, refer to
21 the team of tally judges designated to count the vote after the
22 closing of the polls and the holdover judges designated
23 pursuant to Section 13-6.2 or 14-5.2. In such case, where,
24 after the closing of the polls, any act is required to be
25 performed by each of the judges of election, it shall be
26 performed by each of the tally judges and by each of the

1 holdover judges.

2 12. "Petition" of candidacy as used in Sections 7-10 and
3 7-10.1 shall consist of a statement of candidacy, candidate's
4 statement containing oath, and sheets containing signatures of
5 qualified primary electors bound together.

6 13. "Election district" and "precinct", when used with
7 reference to a 30-day residence requirement, means the
8 smallest constituent territory in which electors vote as a
9 unit at the same polling place in any election governed by this
10 Act.

11 14. "District" means any area which votes as a unit for the
12 election of any officer, other than the State or a unit of
13 local government or school district, and includes, but is not
14 limited to, legislative, congressional and judicial districts,
15 judicial circuits, county board districts, municipal and
16 sanitary district wards, school board districts, and
17 precincts.

18 15. "Question of public policy" or "public question" means
19 any question, proposition or measure submitted to the voters
20 at an election dealing with subject matter other than the
21 nomination or election of candidates and shall include, but is
22 not limited to, any bond or tax referendum, and questions
23 relating to the Constitution.

24 16. "Ordinance providing the form of government of a
25 municipality or county pursuant to Article VII of the
26 Constitution" includes ordinances, resolutions and petitions

1 adopted by referendum which provide for the form of
2 government, the officers or the manner of selection or terms
3 of office of officers of such municipality or county, pursuant
4 to the provisions of Sections 4, 6 or 7 of Article VII of the
5 Constitution.

6 17. "List" as used in Sections 4-11, 4-22, 5-14, 5-29,
7 6-60, and 6-66 shall include a computer tape or computer disc
8 or other electronic data processing information containing
9 voter information.

10 18. "Accessible" means accessible to persons with
11 disabilities and elderly individuals for the purpose of voting
12 or registration, as determined by rule of the State Board of
13 Elections.

14 19. "Elderly" means 65 years of age or older.

15 20. "Person with a disability", "disability", "disabled
16 voter", or "voter with a disability" means a person having a
17 temporary or permanent physical disability or an intellectual
18 or developmental disability.

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

1 number of votes shall be known as the second leading political
2 party.

3 22. "Business day" means any day in which the office of an
4 election authority, local election official or the State Board
5 of Elections is open to the public for a minimum of 7 hours.

6 23. "Homeless individual" means any person who has a
7 nontraditional residence, including, but not limited to, a
8 shelter, day shelter, park bench, street corner, or space
9 under a bridge.

10 24. "Signature" means a name signed in ink or in digitized
11 form. This definition does not apply to a nominating or
12 candidate petition or a referendum petition.

13 25. "Intelligent mail barcode tracking system" means a
14 printed trackable barcode attached to the return business
15 reply envelope for mail-in ballots under Article 19 or Article
16 20 that allows an election authority to determine the date the
17 envelope was mailed in absence of a postmark.

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

19 (10 ILCS 5/4-8) (from Ch. 46, par. 4-8)

20 Sec. 4-8. The county clerk shall provide a sufficient
21 number of blank forms for the registration of electors, which
22 shall be known as registration record cards and which shall
23 consist of loose leaf sheets or cards, of suitable size to
24 contain in plain writing and figures the data hereinafter
25 required thereon or shall consist of computer cards of

1 suitable nature to contain the data required thereon. The
2 registration record cards, which shall include an affidavit of
3 registration as hereinafter provided, shall be executed in
4 duplicate.

5 The registration record card shall contain the following
6 and such other information as the county clerk may think it
7 proper to require for the identification of the applicant for
8 registration:

9 Name. The name of the applicant, giving surname and first
10 or Christian name in full, and the middle name or the initial
11 for such middle name, if any.

12 Sex.

13 Residence. The name and number of the street, avenue, or
14 other location of the dwelling, including the apartment, unit
15 or room number, if any, and in the case of a mobile home the
16 lot number, and such additional clear and definite description
17 as may be necessary to determine the exact location of the
18 dwelling of the applicant. Where the location cannot be
19 determined by street and number, then the section,
20 congressional township and range number may be used, or such
21 other description as may be necessary, including post-office
22 mailing address. In the case of a homeless individual, the
23 individual's voting residence that is his or her mailing
24 address shall be included on his or her registration record
25 card.

26 Term of residence in the State of Illinois and precinct.

1 This information shall be furnished by the applicant stating
2 the place or places where he resided and the dates during which
3 he resided in such place or places during the year next
4 preceding the date of the next ensuing election.

5 Nativity. The state or country in which the applicant was
6 born.

7 Citizenship. Whether the applicant is native born or
8 naturalized. If naturalized, the court, place, and date of
9 naturalization.

10 Date of application for registration, i.e., the day, month
11 and year when applicant presented himself for registration.

12 Age. Date of birth, by month, day and year.

13 Disability ~~Physical disability~~ of the applicant, if any,
14 at the time of registration, which would require assistance in
15 voting.

16 The county and state in which the applicant was last
17 registered.

18 Electronic mail address, if any.

19 Signature of voter. The applicant, after the registration
20 and in the presence of a deputy registrar or other officer of
21 registration shall be required to sign his or her name in ink
22 or digitized form to the affidavit on both the original and
23 duplicate registration record cards.

24 Signature of deputy registrar or officer of registration.

25 In case applicant is unable to sign his name, he may affix
26 his mark to the affidavit. In such case the officer empowered

1 to give the registration oath shall write a detailed
2 description of the applicant in the space provided on the back
3 or at the bottom of the card or sheet; and shall ask the
4 following questions and record the answers thereto:

5 Father's first name.

6 Mother's first name.

7 From what address did the applicant last register?

8 Reason for inability to sign name.

9 Each applicant for registration shall make an affidavit in
10 substantially the following form:

11 AFFIDAVIT OF REGISTRATION

12 STATE OF ILLINOIS

13 COUNTY OF

14 I hereby swear (or affirm) that I am a citizen of the
15 United States; that on the date of the next election I shall
16 have resided in the State of Illinois and in the election
17 precinct in which I reside 30 days and that I intend that this
18 location shall be my residence; that I am fully qualified to
19 vote, and that the above statements are true.

20

21 (His or her signature or mark)

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

23

24 Signature of registration officer.

25 (To be signed in presence of registrant.)

1 Space shall be provided upon the face of each registration
2 record card for the notation of the voting record of the person
3 registered thereon.

4 Each registration record card shall be numbered according
5 to precincts, and may be serially or otherwise marked for
6 identification in such manner as the county clerk may
7 determine.

8 The registration cards shall be deemed public records and
9 shall be open to inspection during regular business hours,
10 except during the 27 days immediately preceding any election.
11 On written request of any candidate or objector or any person
12 intending to object to a petition, the election authority
13 shall extend its hours for inspection of registration cards
14 and other records of the election authority during the period
15 beginning with the filing of petitions under Sections 7-10,
16 8-8, 10-6 or 28-3 and continuing through the termination of
17 electoral board hearings on any objections to petitions
18 containing signatures of registered voters in the jurisdiction
19 of the election authority. The extension shall be for a period
20 of hours sufficient to allow adequate opportunity for
21 examination of the records but the election authority is not
22 required to extend its hours beyond the period beginning at
23 its normal opening for business and ending at midnight. If the
24 business hours are so extended, the election authority shall
25 post a public notice of such extended hours. Registration
26 record cards may also be inspected, upon approval of the

1 officer in charge of the cards, during the 27 days immediately
2 preceding any election. Registration record cards shall also
3 be open to inspection by certified judges and poll watchers
4 and challengers at the polling place on election day, but only
5 to the extent necessary to determine the question of the right
6 of a person to vote or to serve as a judge of election. At no
7 time shall poll watchers or challengers be allowed to
8 physically handle the registration record cards.

9 Updated copies of computer tapes or computer discs or
10 other electronic data processing information containing voter
11 registration information shall be furnished by the county
12 clerk within 10 days after December 15 and May 15 each year and
13 within 10 days after each registration period is closed to the
14 State Board of Elections in a form prescribed by the Board. For
15 the purposes of this Section, a registration period is closed
16 27 days before the date of any regular or special election.
17 Registration information shall include, but not be limited to,
18 the following information: name, sex, residence, telephone
19 number, if any, age, party affiliation, if applicable,
20 precinct, ward, township, county, and representative,
21 legislative and congressional districts. In the event of
22 noncompliance, the State Board of Elections is directed to
23 obtain compliance forthwith with this nondiscretionary duty of
24 the election authority by instituting legal proceedings in the
25 circuit court of the county in which the election authority
26 maintains the registration information. The costs of

1 furnishing updated copies of tapes or discs shall be paid at a
2 rate of \$.00034 per name of registered voters in the election
3 jurisdiction, but not less than \$50 per tape or disc and shall
4 be paid from appropriations made to the State Board of
5 Elections for reimbursement to the election authority for such
6 purpose. The State Board shall furnish copies of such tapes,
7 discs, other electronic data or compilations thereof to state
8 political committees registered pursuant to the Illinois
9 Campaign Finance Act or the Federal Election Campaign Act and
10 to governmental entities, at their request and at a reasonable
11 cost. To protect the privacy and confidentiality of voter
12 registration information, the disclosure of electronic voter
13 registration records to any person or entity other than to a
14 State or local political committee and other than to a
15 governmental entity for a governmental purpose is specifically
16 prohibited except as follows: subject to security measures
17 adopted by the State Board of Elections which, at a minimum,
18 shall include the keeping of a catalog or database, available
19 for public view, including the name, address, and telephone
20 number of the person viewing the list as well as the time of
21 that viewing, any person may view the centralized statewide
22 voter registration list on a computer screen at the
23 Springfield office of the State Board of Elections, during
24 normal business hours other than during the 27 days before an
25 election, but the person viewing the list under this exception
26 may not print, duplicate, transmit, or alter the list. Copies

1 of the tapes, discs, or other electronic data shall be
2 furnished by the county clerk to local political committees
3 and governmental entities at their request and at a reasonable
4 cost. Reasonable cost of the tapes, discs, et cetera for this
5 purpose would be the cost of duplication plus 15% for
6 administration. The individual representing a political
7 committee requesting copies of such tapes shall make a sworn
8 affidavit that the information shall be used only for bona
9 fide political purposes, including by or for candidates for
10 office or incumbent office holders. Such tapes, discs or other
11 electronic data shall not be used under any circumstances by
12 any political committee or individuals for purposes of
13 commercial solicitation or other business purposes. If such
14 tapes contain information on county residents related to the
15 operations of county government in addition to registration
16 information, that information shall not be used under any
17 circumstances for commercial solicitation or other business
18 purposes. The prohibition in this Section against using the
19 computer tapes or computer discs or other electronic data
20 processing information containing voter registration
21 information for purposes of commercial solicitation or other
22 business purposes shall be prospective only from the effective
23 date of this amended Act of 1979. Any person who violates this
24 provision shall be guilty of a Class 4 felony.

25 The State Board of Elections shall promulgate, by October
26 1, 1987, such regulations as may be necessary to ensure

1 uniformity throughout the State in electronic data processing
 2 of voter registration information. The regulations shall
 3 include, but need not be limited to, specifications for
 4 uniform medium, communications protocol and file structure to
 5 be employed by the election authorities of this State in the
 6 electronic data processing of voter registration information.
 7 Each election authority utilizing electronic data processing
 8 of voter registration information shall comply with such
 9 regulations on and after May 15, 1988.

10 If the applicant for registration was last registered in
 11 another county within this State, he shall also sign a
 12 certificate authorizing cancellation of the former
 13 registration. The certificate shall be in substantially the
 14 following form:

15 To the County Clerk of.... County, Illinois. (or)

16 To the Election Commission of the City of, Illinois.

17 This is to certify that I am registered in your (county)
 18 (city) and that my residence was

19 Having moved out of your (county) (city), I hereby authorize
 20 you to cancel said registration in your office.

21 Dated at, Illinois, on (insert date).

22

23 (Signature of Voter)

24 Attest:, County Clerk,

25 County, Illinois.

26 The cancellation certificate shall be mailed immediately

1 by the County Clerk to the County Clerk (or election
2 commission as the case may be) where the applicant was
3 formerly registered. Receipt of such certificate shall be full
4 authority for cancellation of any previous registration.

5 (Source: P.A. 98-115, eff. 10-1-13; 99-522, eff. 6-30-16.)

6 (10 ILCS 5/4-8.01) (from Ch. 46, par. 4-8.01)

7 Sec. 4-8.01. If an applicant for registration reports a
8 permanent ~~physical~~ disability which would require assistance
9 in voting, the county clerk shall mark all his registration
10 cards in the right margin on the front of the card with a band
11 of ink running the full margin which shall be of contrast to,
12 and easily distinguishable from, the color of the card. If an
13 applicant for registration declares upon properly witnessed
14 oath, with his signature or mark affixed, that he cannot read
15 the English language and that he will require assistance in
16 voting, all his registration cards shall be marked in a manner
17 similar to the marking on the cards of a voter who requires
18 assistance because of ~~physical~~ disability, except that the
19 marking shall be of a different distinguishing color.
20 Following each election the cards of any voter who has
21 requested assistance as a voter with a disability, and has
22 stated that the disability is permanent, or who has received
23 assistance because of inability to read the English language,
24 shall be marked in the same manner.

25 (Source: P.A. 99-143, eff. 7-27-15.)

1 (10 ILCS 5/5-7) (from Ch. 46, par. 5-7)

2 Sec. 5-7. The county clerk shall provide a sufficient
3 number of blank forms for the registration of electors which
4 shall be known as registration record cards and which shall
5 consist of loose leaf sheets or cards, of suitable size to
6 contain in plain writing and figures the data hereinafter
7 required thereon or shall consist of computer cards of
8 suitable nature to contain the data required thereon. The
9 registration record cards, which shall include an affidavit of
10 registration as hereinafter provided, shall be executed in
11 duplicate.

12 The registration record card shall contain the following
13 and such other information as the county clerk may think it
14 proper to require for the identification of the applicant for
15 registration:

16 Name. The name of the applicant, giving surname and first
17 or Christian name in full, and the middle name or the initial
18 for such middle name, if any.

19 Sex.

20 Residence. The name and number of the street, avenue, or
21 other location of the dwelling, including the apartment, unit
22 or room number, if any, and in the case of a mobile home the
23 lot number, and such additional clear and definite description
24 as may be necessary to determine the exact location of the
25 dwelling of the applicant, including post-office mailing

1 address. In the case of a homeless individual, the
2 individual's voting residence that is his or her mailing
3 address shall be included on his or her registration record
4 card.

5 Term of residence in the State of Illinois and the
6 precinct. Which questions may be answered by the applicant
7 stating, in excess of 30 days in the State and in excess of 30
8 days in the precinct.

9 Nativity. The State or country in which the applicant was
10 born.

11 Citizenship. Whether the applicant is native born or
12 naturalized. If naturalized, the court, place and date of
13 naturalization.

14 Date of application for registration, i.e., the day, month
15 and year when applicant presented himself for registration.

16 Age. Date of birth, by month, day and year.

17 Disability ~~Physical disability~~ of the applicant, if any,
18 at the time of registration, which would require assistance in
19 voting.

20 The county and state in which the applicant was last
21 registered.

22 Electronic mail address, if any.

23 Signature of voter. The applicant, after the registration
24 and in the presence of a deputy registrar or other officer of
25 registration shall be required to sign his or her name in ink
26 or digitized form to the affidavit on the original and

1 duplicate registration record card.

2 Signature of Deputy Registrar.

3 In case applicant is unable to sign his name, he may affix
4 his mark to the affidavit. In such case the officer empowered
5 to give the registration oath shall write a detailed
6 description of the applicant in the space provided at the
7 bottom of the card or sheet; and shall ask the following
8 questions and record the answers thereto:

9 Father's first name

10 Mother's first name

11 From what address did you last register?

12 Reason for inability to sign name.

13 Each applicant for registration shall make an affidavit in
14 substantially the following form:

AFFIDAVIT OF REGISTRATION

16 State of Illinois)

17) ss

18 County of)

19 I hereby swear (or affirm) that I am a citizen of the
20 United States; that on the date of the next election I shall
21 have resided in the State of Illinois and in the election
22 precinct in which I reside 30 days; that I am fully qualified
23 to vote. That I intend that this location shall be my residence
24 and that the above statements are true.

25

26 (His or her signature or mark)

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

2

3 Signature of Registration Officer.

4 (To be signed in presence of Registrant.)

5 Space shall be provided upon the face of each registration
6 record card for the notation of the voting record of the person
7 registered thereon.

8 Each registration record card shall be numbered according
9 to towns and precincts, wards, cities and villages, as the
10 case may be, and may be serially or otherwise marked for
11 identification in such manner as the county clerk may
12 determine.

13 The registration cards shall be deemed public records and
14 shall be open to inspection during regular business hours,
15 except during the 27 days immediately preceding any election.
16 On written request of any candidate or objector or any person
17 intending to object to a petition, the election authority
18 shall extend its hours for inspection of registration cards
19 and other records of the election authority during the period
20 beginning with the filing of petitions under Sections 7-10,
21 8-8, 10-6 or 28-3 and continuing through the termination of
22 electoral board hearings on any objections to petitions
23 containing signatures of registered voters in the jurisdiction
24 of the election authority. The extension shall be for a period
25 of hours sufficient to allow adequate opportunity for

1 examination of the records but the election authority is not
2 required to extend its hours beyond the period beginning at
3 its normal opening for business and ending at midnight. If the
4 business hours are so extended, the election authority shall
5 post a public notice of such extended hours. Registration
6 record cards may also be inspected, upon approval of the
7 officer in charge of the cards, during the 27 days immediately
8 preceding any election. Registration record cards shall also
9 be open to inspection by certified judges and poll watchers
10 and challengers at the polling place on election day, but only
11 to the extent necessary to determine the question of the right
12 of a person to vote or to serve as a judge of election. At no
13 time shall poll watchers or challengers be allowed to
14 physically handle the registration record cards.

15 Updated copies of computer tapes or computer discs or
16 other electronic data processing information containing voter
17 registration information shall be furnished by the county
18 clerk within 10 days after December 15 and May 15 each year and
19 within 10 days after each registration period is closed to the
20 State Board of Elections in a form prescribed by the Board. For
21 the purposes of this Section, a registration period is closed
22 27 days before the date of any regular or special election.
23 Registration information shall include, but not be limited to,
24 the following information: name, sex, residence, telephone
25 number, if any, age, party affiliation, if applicable,
26 precinct, ward, township, county, and representative,

1 legislative and congressional districts. In the event of
2 noncompliance, the State Board of Elections is directed to
3 obtain compliance forthwith with this nondiscretionary duty of
4 the election authority by instituting legal proceedings in the
5 circuit court of the county in which the election authority
6 maintains the registration information. The costs of
7 furnishing updated copies of tapes or discs shall be paid at a
8 rate of \$.00034 per name of registered voters in the election
9 jurisdiction, but not less than \$50 per tape or disc and shall
10 be paid from appropriations made to the State Board of
11 Elections for reimbursement to the election authority for such
12 purpose. The State Board shall furnish copies of such tapes,
13 discs, other electronic data or compilations thereof to state
14 political committees registered pursuant to the Illinois
15 Campaign Finance Act or the Federal Election Campaign Act and
16 to governmental entities, at their request and at a reasonable
17 cost. To protect the privacy and confidentiality of voter
18 registration information, the disclosure of electronic voter
19 registration records to any person or entity other than to a
20 State or local political committee and other than to a
21 governmental entity for a governmental purpose is specifically
22 prohibited except as follows: subject to security measures
23 adopted by the State Board of Elections which, at a minimum,
24 shall include the keeping of a catalog or database, available
25 for public view, including the name, address, and telephone
26 number of the person viewing the list as well as the time of

1 that viewing, any person may view the centralized statewide
2 voter registration list on a computer screen at the
3 Springfield office of the State Board of Elections, during
4 normal business hours other than during the 27 days before an
5 election, but the person viewing the list under this exception
6 may not print, duplicate, transmit, or alter the list. Copies
7 of the tapes, discs or other electronic data shall be
8 furnished by the county clerk to local political committees
9 and governmental entities at their request and at a reasonable
10 cost. Reasonable cost of the tapes, discs, et cetera for this
11 purpose would be the cost of duplication plus 15% for
12 administration. The individual representing a political
13 committee requesting copies of such tapes shall make a sworn
14 affidavit that the information shall be used only for bona
15 fide political purposes, including by or for candidates for
16 office or incumbent office holders. Such tapes, discs or other
17 electronic data shall not be used under any circumstances by
18 any political committee or individuals for purposes of
19 commercial solicitation or other business purposes. If such
20 tapes contain information on county residents related to the
21 operations of county government in addition to registration
22 information, that information shall not be used under any
23 circumstances for commercial solicitation or other business
24 purposes. The prohibition in this Section against using the
25 computer tapes or computer discs or other electronic data
26 processing information containing voter registration

1 information for purposes of commercial solicitation or other
2 business purposes shall be prospective only from the effective
3 date of this amended Act of 1979. Any person who violates this
4 provision shall be guilty of a Class 4 felony.

5 The State Board of Elections shall promulgate, by October
6 1, 1987, such regulations as may be necessary to ensure
7 uniformity throughout the State in electronic data processing
8 of voter registration information. The regulations shall
9 include, but need not be limited to, specifications for
10 uniform medium, communications protocol and file structure to
11 be employed by the election authorities of this State in the
12 electronic data processing of voter registration information.
13 Each election authority utilizing electronic data processing
14 of voter registration information shall comply with such
15 regulations on and after May 15, 1988.

16 If the applicant for registration was last registered in
17 another county within this State, he shall also sign a
18 certificate authorizing cancellation of the former
19 registration. The certificate shall be in substantially the
20 following form:

21 To the County Clerk of County, Illinois. To the Election
22 Commission of the City of, Illinois.

23 This is to certify that I am registered in your (county)
24 (city) and that my residence was

25 Having moved out of your (county) (city), I hereby
26 authorize you to cancel said registration in your office.

1 Dated at Illinois, on (insert date).

2

3 (Signature of Voter)

4 Attest, County Clerk, County, Illinois.

5 The cancellation certificate shall be mailed immediately
6 by the county clerk to the county clerk (or election
7 commission as the case may be) where the applicant was
8 formerly registered. Receipt of such certificate shall be full
9 authority for cancellation of any previous registration.

10 (Source: P.A. 98-115, eff. 10-1-13; 99-522, eff. 6-30-16.)

11 (10 ILCS 5/5-7.01) (from Ch. 46, par. 5-7.01)

12 Sec. 5-7.01. If an applicant for registration reports a
13 permanent ~~physical~~ disability which would require assistance
14 in voting, the county clerk shall mark all his registration
15 cards in the right margin on the front of the card with a band
16 of ink running the full margin which shall be of contrast to,
17 and easily distinguishable from, the color of the card. If an
18 applicant for registration declares upon properly witnessed
19 oath, with his signature or mark affixed, that he cannot read
20 the English language and that he will require assistance in
21 voting, all his registration cards shall be marked in a manner
22 similar to the marking on the cards of a voter who requires
23 assistance because of ~~physical~~ disability, except that the
24 marking shall be of a different distinguishing color.
25 Following each election the cards of any voter who has

1 requested assistance as a voter with a disability, and has
2 stated that the disability is permanent, or who has received
3 assistance because of inability to read the English language,
4 shall be marked in the same manner.

5 (Source: P.A. 99-143, eff. 7-27-15.)

6 (10 ILCS 5/6-35) (from Ch. 46, par. 6-35)

7 Sec. 6-35. The Boards of Election Commissioners shall
8 provide a sufficient number of blank forms for the
9 registration of electors which shall be known as registration
10 record cards and which shall consist of loose leaf sheets or
11 cards, of suitable size to contain in plain writing and
12 figures the data hereinafter required thereon or shall consist
13 of computer cards of suitable nature to contain the data
14 required thereon. The registration record cards, which shall
15 include an affidavit of registration as hereinafter provided,
16 shall be executed in duplicate. The duplicate of which may be a
17 carbon copy of the original or a copy of the original made by
18 the use of other method or material used for making
19 simultaneous true copies or duplications.

20 The registration record card shall contain the following
21 and such other information as the Board of Election
22 Commissioners may think it proper to require for the
23 identification of the applicant for registration:

24 Name. The name of the applicant, giving surname and first
25 or Christian name in full, and the middle name or the initial

1 for such middle name, if any.

2 Sex.

3 Residence. The name and number of the street, avenue, or
4 other location of the dwelling, including the apartment, unit
5 or room number, if any, and in the case of a mobile home the
6 lot number, and such additional clear and definite description
7 as may be necessary to determine the exact location of the
8 dwelling of the applicant, including post-office mailing
9 address. In the case of a homeless individual, the
10 individual's voting residence that is his or her mailing
11 address shall be included on his or her registration record
12 card.

13 Term of residence in the State of Illinois and the
14 precinct.

15 Nativity. The state or country in which the applicant was
16 born.

17 Citizenship. Whether the applicant is native born or
18 naturalized. If naturalized, the court, place, and date of
19 naturalization.

20 Date of application for registration, i.e., the day, month
21 and year when the applicant presented himself for
22 registration.

23 Age. Date of birth, by month, day and year.

24 Disability ~~Physical disability~~ of the applicant, if any,
25 at the time of registration, which would require assistance in
26 voting.

1 The county and state in which the applicant was last
2 registered.

3 Electronic mail address, if any.

4 Signature of voter. The applicant, after registration and
5 in the presence of a deputy registrar or other officer of
6 registration shall be required to sign his or her name in ink
7 or digitized form to the affidavit on both the original and the
8 duplicate registration record card.

9 Signature of deputy registrar.

10 In case applicant is unable to sign his name, he may affix
11 his mark to the affidavit. In such case the registration
12 officer shall write a detailed description of the applicant in
13 the space provided at the bottom of the card or sheet; and
14 shall ask the following questions and record the answers
15 thereto:

16 Father's first name

17 Mother's first name

18 From what address did you last register?

19 Reason for inability to sign name

20 Each applicant for registration shall make an affidavit in
21 substantially the following form:

AFFIDAVIT OF REGISTRATION

22 State of Illinois)

23) ss

24 County of)

25 I hereby swear (or affirm) that I am a citizen of the
26

1 United States, that on the day of the next election I shall
 2 have resided in the State of Illinois and in the election
 3 precinct 30 days and that I intend that this location is my
 4 residence; that I am fully qualified to vote, and that the
 5 above statements are true.

6
 7 (His or her signature or mark)

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

9

10 Signature of registration officer
 11 (to be signed in presence of registrant).

12 Space shall be provided upon the face of each registration
 13 record card for the notation of the voting record of the person
 14 registered thereon.

15 Each registration record card shall be numbered according
 16 to wards or precincts, as the case may be, and may be serially
 17 or otherwise marked for identification in such manner as the
 18 Board of Election Commissioners may determine.

19 The registration cards shall be deemed public records and
 20 shall be open to inspection during regular business hours,
 21 except during the 27 days immediately preceding any election.
 22 On written request of any candidate or objector or any person
 23 intending to object to a petition, the election authority
 24 shall extend its hours for inspection of registration cards
 25 and other records of the election authority during the period
 26 beginning with the filing of petitions under Sections 7-10,

1 8-8, 10-6 or 28-3 and continuing through the termination of
2 electoral board hearings on any objections to petitions
3 containing signatures of registered voters in the jurisdiction
4 of the election authority. The extension shall be for a period
5 of hours sufficient to allow adequate opportunity for
6 examination of the records but the election authority is not
7 required to extend its hours beyond the period beginning at
8 its normal opening for business and ending at midnight. If the
9 business hours are so extended, the election authority shall
10 post a public notice of such extended hours. Registration
11 record cards may also be inspected, upon approval of the
12 officer in charge of the cards, during the 27 days immediately
13 preceding any election. Registration record cards shall also
14 be open to inspection by certified judges and poll watchers
15 and challengers at the polling place on election day, but only
16 to the extent necessary to determine the question of the right
17 of a person to vote or to serve as a judge of election. At no
18 time shall poll watchers or challengers be allowed to
19 physically handle the registration record cards.

20 Updated copies of computer tapes or computer discs or
21 other electronic data processing information containing voter
22 registration information shall be furnished by the Board of
23 Election Commissioners within 10 days after December 15 and
24 May 15 each year and within 10 days after each registration
25 period is closed to the State Board of Elections in a form
26 prescribed by the State Board. For the purposes of this

1 Section, a registration period is closed 27 days before the
2 date of any regular or special election. Registration
3 information shall include, but not be limited to, the
4 following information: name, sex, residence, telephone number,
5 if any, age, party affiliation, if applicable, precinct, ward,
6 township, county, and representative, legislative and
7 congressional districts. In the event of noncompliance, the
8 State Board of Elections is directed to obtain compliance
9 forthwith with this nondiscretionary duty of the election
10 authority by instituting legal proceedings in the circuit
11 court of the county in which the election authority maintains
12 the registration information. The costs of furnishing updated
13 copies of tapes or discs shall be paid at a rate of \$.00034 per
14 name of registered voters in the election jurisdiction, but
15 not less than \$50 per tape or disc and shall be paid from
16 appropriations made to the State Board of Elections for
17 reimbursement to the election authority for such purpose. The
18 State Board shall furnish copies of such tapes, discs, other
19 electronic data or compilations thereof to state political
20 committees registered pursuant to the Illinois Campaign
21 Finance Act or the Federal Election Campaign Act and to
22 governmental entities, at their request and at a reasonable
23 cost. To protect the privacy and confidentiality of voter
24 registration information, the disclosure of electronic voter
25 registration records to any person or entity other than to a
26 State or local political committee and other than to a

1 governmental entity for a governmental purpose is specifically
2 prohibited except as follows: subject to security measures
3 adopted by the State Board of Elections which, at a minimum,
4 shall include the keeping of a catalog or database, available
5 for public view, including the name, address, and telephone
6 number of the person viewing the list as well as the time of
7 that viewing, any person may view the centralized statewide
8 voter registration list on a computer screen at the
9 Springfield office of the State Board of Elections, during
10 normal business hours other than during the 27 days before an
11 election, but the person viewing the list under this exception
12 may not print, duplicate, transmit, or alter the list. Copies
13 of the tapes, discs or other electronic data shall be
14 furnished by the Board of Election Commissioners to local
15 political committees and governmental entities at their
16 request and at a reasonable cost. Reasonable cost of the
17 tapes, discs, et cetera for this purpose would be the cost of
18 duplication plus 15% for administration. The individual
19 representing a political committee requesting copies of such
20 tapes shall make a sworn affidavit that the information shall
21 be used only for bona fide political purposes, including by or
22 for candidates for office or incumbent office holders. Such
23 tapes, discs or other electronic data shall not be used under
24 any circumstances by any political committee or individuals
25 for purposes of commercial solicitation or other business
26 purposes. If such tapes contain information on county

1 residents related to the operations of county government in
2 addition to registration information, that information shall
3 not be used under any circumstances for commercial
4 solicitation or other business purposes. The prohibition in
5 this Section against using the computer tapes or computer
6 discs or other electronic data processing information
7 containing voter registration information for purposes of
8 commercial solicitation or other business purposes shall be
9 prospective only from the effective date of this amended Act
10 of 1979. Any person who violates this provision shall be
11 guilty of a Class 4 felony.

12 The State Board of Elections shall promulgate, by October
13 1, 1987, such regulations as may be necessary to ensure
14 uniformity throughout the State in electronic data processing
15 of voter registration information. The regulations shall
16 include, but need not be limited to, specifications for
17 uniform medium, communications protocol and file structure to
18 be employed by the election authorities of this State in the
19 electronic data processing of voter registration information.
20 Each election authority utilizing electronic data processing
21 of voter registration information shall comply with such
22 regulations on and after May 15, 1988.

23 If the applicant for registration was last registered in
24 another county within this State, he shall also sign a
25 certificate authorizing cancellation of the former
26 registration. The certificate shall be in substantially the

1 following form:

2 To the County Clerk of County, Illinois.

3 To the Election Commission of the City of, Illinois.

4 This is to certify that I am registered in your (county)
5 (city) and that my residence was, Having moved out of your
6 (county), (city), I hereby authorize you to cancel that
7 registration in your office.

8 Dated at, Illinois, on (insert date).

9

10 (Signature of Voter)

11 Attest, Clerk, Election Commission of the City
12 of....., Illinois.

13 The cancellation certificate shall be mailed immediately
14 by the clerk of the Election Commission to the county clerk,
15 (or Election Commission as the case may be) where the
16 applicant was formerly registered. Receipt of such certificate
17 shall be full authority for cancellation of any previous
18 registration.

19 (Source: P.A. 98-115, eff. 10-1-13; 99-522, eff. 6-30-16.)

20 (10 ILCS 5/6-35.01) (from Ch. 46, par. 6-35.01)

21 Sec. 6-35.01. If an applicant for registration reports a
22 permanent ~~physical~~ disability which would require assistance
23 in voting, the board of election commissioners shall mark all
24 his registration cards in the right margin on the front of the
25 card with a band of ink running the full margin which shall be

1 of contrast to, and easily distinguishable from, the color of
2 the card. If an applicant for registration declares upon
3 properly witnessed oath, with his signature or mark affixed,
4 that he cannot read the English language and that he will
5 require assistance in voting, all his registration cards shall
6 be marked in a manner similar to the marking on the cards of a
7 voter who requires assistance because of ~~physical~~ disability,
8 except that the marking shall be of a different distinguishing
9 color. Following each election the cards of any voter who has
10 requested assistance as a voter with a disability, and has
11 stated that the disability is permanent, or who has received
12 assistance because of inability to read the English language,
13 shall be marked in the same manner.

14 (Source: P.A. 99-143, eff. 7-27-15.)

15 (10 ILCS 5/7-47.1) (from Ch. 46, par. 7-47.1)

16 Sec. 7-47.1. (a) In the case of an emergency, as
17 determined by the State Board of Elections, or if the Board
18 determines that all potential polling places have been
19 surveyed by the election authority and that no accessible
20 polling place, as defined by rule of the State Board of
21 Elections, is available within a precinct nor is the election
22 authority able to make a polling place within the precinct
23 temporarily accessible, the Board, upon written application by
24 the election authority, is authorized to grant an exemption
25 from the accessibility requirements of the Federal Voting

1 Accessibility for the Elderly and Handicapped Act (Public Law
2 98-435). Such exemption shall be valid for a period of 2 years.

3 (b) Any temporarily or permanently ~~physically~~ disabled
4 voter who, because of structural features of the building in
5 which the polling place is located, is unable to access or
6 enter the polling place, may request that 2 judges of election
7 of opposite party affiliation deliver a ballot to him or her at
8 the point where he or she is unable to continue forward motion
9 toward the polling place; but, in no case, shall a ballot be
10 delivered to the voter beyond 50 feet of the entrance to the
11 building in which the polling place is located. Such request
12 shall be made to the election authority not later than the
13 close of business at the election authority's office on the
14 day before the election and on a form prescribed by the State
15 Board of Elections. The election authority shall notify the
16 judges of election for the appropriate precinct polling places
17 of such requests.

18 Weather permitting, 2 judges of election shall deliver to
19 the disabled voter the ballot which he or she is entitled to
20 vote, a portable voting booth or other enclosure that will
21 allow such voter to mark his or her ballot in secrecy, and a
22 marking device.

23 (c) The voter must complete the entire voting process,
24 including the application for ballot from which the judges of
25 election shall compare the voter's signature with the
26 signature on his or her registration record card in the

1 precinct binder.

2 After the voter has marked his or her ballot and placed it
3 in the ballot envelope (or folded it in the manner prescribed
4 for paper ballots), the 2 judges of election shall return the
5 ballot to the polling place and give it to the judge in charge
6 of the ballot box who shall deposit it therein.

7 Pollwatchers as provided in Sections 7-34 and 17-23 of
8 this Code shall be permitted to accompany the judges and
9 observe the above procedure.

10 No assistance may be given to such voter in marking his or
11 her ballot, unless the voter requests assistance and completes
12 the affidavit required by Section 17-14 of this Code.

13 (Source: P.A. 84-808.)

14 (10 ILCS 5/7-48) (from Ch. 46, par. 7-48)

15 Sec. 7-48. Any primary elector who may declare upon oath,
16 properly witnessed and with his or her signature or mark
17 affixed, that he or she requires assistance to vote by reason
18 of blindness, ~~physical~~ disability or inability to read, write
19 or speak the English language, shall, upon request, be
20 assisted in marking his or her primary ballot in the same
21 manner as provided by this Act for general elections.

22 (Source: P.A. 84-808.)

23 (10 ILCS 5/12-1) (from Ch. 46, par. 12-1)

24 Sec. 12-1. At least 75 ~~60~~ days prior to each general and

1 consolidated election, the election authority shall provide
2 public notice, calculated to reach elderly voters and voters
3 with disabilities, of the availability of registration and
4 voting aids under the Federal Voting Accessibility for the
5 Elderly and Handicapped Act, of the availability of assistance
6 in marking the ballot, procedures for voting by vote by mail
7 ballot, and procedures for voting early by personal
8 appearance.

9 At least 30 days before any general election, and at least
10 20 days before any special congressional election, the county
11 clerk shall publish a notice of the election in 2 or more
12 newspapers published in the county, city, village,
13 incorporated town or town, as the case may be, or if there is
14 no such newspaper, then in any 2 or more newspapers published
15 in the county and having a general circulation throughout the
16 community. The notice may be substantially as follows:

17 Notice is hereby given that on (give date), at (give the
18 place of holding the election and the name of the precinct or
19 district) in the county of (name county), an election will be
20 held for (give the title of the several offices to be filled),
21 which election will be open at 6:00 a.m. and continued open
22 until 7:00 p.m. of that day.

23 Dated at on (insert date).

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

25 (10 ILCS 5/17-14) (from Ch. 46, par. 17-14)

1 Sec. 17-14. Any voter who declares upon oath, properly
2 witnessed and with his or her signature or mark affixed, that
3 he or she requires assistance to vote by reason of blindness,
4 ~~physical~~ disability or inability to read, write or speak the
5 English language shall, upon request, be assisted in marking
6 his or her ballot, by 2 judges of election of different
7 political parties, to be selected by all judges of election of
8 each precinct at the opening of the polls or by a person of the
9 voter's choice, other than the voter's employer or agent of
10 that employer or officer or agent of the voter's union. A voter
11 who presents an Illinois Person with a Disability
12 Identification Card, issued to that person under the
13 provisions of the Illinois Identification Card Act, indicating
14 that such voter has a Class 1A or Class 2 disability under the
15 provisions of Section 4A of the Illinois Identification Card
16 Act, or a voter who declares upon oath, properly witnessed,
17 that by reason of any ~~physical~~ disability he is unable to mark
18 his ballot shall, upon request, be assisted in marking his
19 ballot by 2 of the election officers of different parties as
20 provided above in this Section or by a person of the voter's
21 choice other than the voter's employer or agent of that
22 employer or officer or agent of the voter's union. Such voter
23 shall state specifically the reason why he cannot vote without
24 assistance and, in the case of a voter with a ~~physical~~
25 disability, what his ~~physical~~ disability is. Prior to entering
26 the voting booth, the person providing the assistance, if

1 other than 2 judges of election, shall be presented with
2 written instructions on how assistance shall be provided. This
3 instruction shall be prescribed by the State Board of
4 Elections and shall include the penalties for attempting to
5 influence the voter's choice of candidates, party, or votes in
6 relation to any question on the ballot and for not marking the
7 ballot as directed by the voter. Additionally, the person
8 providing the assistance shall sign an oath, swearing not to
9 influence the voter's choice of candidates, party, or votes in
10 relation to any question on the ballot and to cast the ballot
11 as directed by the voter. The oath shall be prescribed by the
12 State Board of Elections and shall include the penalty for
13 violating this Section. In the voting booth, such person shall
14 mark the ballot as directed by the voter, and shall thereafter
15 give no information regarding the same. The judges of election
16 shall enter upon the poll lists or official poll record after
17 the name of any elector who received such assistance in
18 marking his ballot a memorandum of the fact and if the
19 disability is permanent. Intoxication shall not be regarded as
20 a ~~physical~~ disability, and no intoxicated person shall be
21 entitled to assistance in marking his ballot.

22 No person shall secure or attempt to secure assistance in
23 voting who is not blind, a person with a ~~physical~~ disability,
24 or illiterate as herein provided, nor shall any person
25 knowingly assist a voter in voting contrary to the provisions
26 of this Section.

1 (Source: P.A. 99-143, eff. 7-27-15.)

2 (10 ILCS 5/19-2.4 new)

3 Sec. 19-2.4. Disability automatic vote by mail.

4 (a) For an election held on the date of a general election
5 or consolidated election, the county clerk shall mail by
6 non-forwardable mail an official ballot with a return
7 identification envelope and a secrecy envelope not sooner than
8 the 20th day before the date of the election and not later than
9 the 14th day before the date of the election to each voter with
10 a disability.

11 (b) For an election held on the date of a primary election
12 or consolidated primary, the county clerk shall mail by
13 non-forwardable mail an official ballot with a return
14 identification envelope and a secrecy envelope not sooner than
15 the 20th day before the date of the election and not later than
16 the 14th day before the date of the election to each voter with
17 a disability.

18 (c) The State Board of Elections, in partnership with the
19 Department of Human Services, shall adopt rules that allow a
20 recipient of a vote by mail ballot to return their ballot by
21 other means than mail.

22 (10 ILCS 5/19-5) (from Ch. 46, par. 19-5)

23 Sec. 19-5. It shall be the duty of the election authority
24 to fold the ballot or ballots in the manner specified by the

1 statute for folding ballots prior to their deposit in the
 2 ballot box, and to enclose such ballot or ballots in an
 3 envelope unsealed to be furnished by him, which envelope shall
 4 bear upon the face thereof the name, official title and post
 5 office address of the election authority, and upon the other
 6 side a printed certification in substantially the following
 7 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; and that I am lawfully
 13 entitled to vote in such precinct at the election to be
 14 held on

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

16 I further state that I personally marked the enclosed
 17 ballot in secret.

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

22

23 If the ballot is to go to an elector who is physically
 24 incapacitated and needs assistance marking the ballot, the
 25 envelope shall bear upon the back thereof a certification in
 26 substantially the following form:

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

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

10 I further state that I marked the enclosed ballot in
 11 secret with the assistance of

12
 13 (Individual rendering assistance)
 14
 15 (Residence Address)

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

20

21 In the case of a voter with a physical incapacity, marking
 22 a ballot in secret includes marking a ballot with the
 23 assistance of another individual, other than a candidate whose
 24 name appears on the ballot (unless the voter is the spouse or a
 25 parent, child, brother, or sister of the candidate), the
 26 voter's employer, an agent of that employer, or an officer or

1 agent of the voter's union, when the voter's physical
2 incapacity necessitates such assistance.

3 In the case of a physically incapacitated voter, marking a
4 ballot in secret includes marking a ballot with the assistance
5 of another individual, other than a candidate whose name
6 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 Provided, that if the ballot enclosed is to be voted at a
12 primary election, the certification shall designate the name
13 of the political party with which the voter is affiliated.

14 In addition to the above, the election authority shall
15 provide printed slips giving full instructions regarding the
16 manner of marking and returning the ballot in order that the
17 same may be counted, and shall furnish one of such printed
18 slips to each of such applicants at the same time the ballot is
19 delivered to him. Such instructions shall include the
20 following statement: "In signing the certification on the vote
21 by mail ballot envelope, you are attesting that you personally
22 marked this vote by mail ballot in secret. If you are
23 physically unable to mark the ballot, a friend or relative may
24 assist you after completing the enclosed affidavit. Federal
25 and State laws prohibit a candidate whose name appears on the
26 ballot (unless you are the spouse or a parent, child, brother,

1 or sister of the candidate), your employer, your employer's
2 agent or an officer or agent of your union from assisting
3 voters with ~~physical~~ disabilities."

4 In addition to the above, if a ballot to be provided to an
5 elector pursuant to this Section contains a public question
6 described in subsection (b) of Section 28-6 and the territory
7 concerning which the question is to be submitted is not
8 described on the ballot due to the space limitations of such
9 ballot, the election authority shall provide a printed copy of
10 a notice of the public question, which shall include a
11 description of the territory in the manner required by Section
12 16-7. The notice shall be furnished to the elector at the same
13 time the ballot is delivered to the elector.

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

15 (10 ILCS 5/19A-40)

16 Sec. 19A-40. Enclosure of ballots in envelope. It is the
17 duty of the election judge or official to fold the ballot or
18 ballots in the manner specified by the statute for folding
19 ballots prior to their deposit in the ballot box, and to
20 enclose the ballot or ballots in an envelope unsealed to be
21 furnished by him or her, which envelope shall bear upon the
22 face thereof the name, official title, and post office address
23 of the election authority, and upon the other side a printed
24 certification in substantially the following form:

25 I state that I am a resident of the precinct of the

1 (1) *township of (2) *City of or (3) *.... ward in
 2 the city of residing at in that city or town in the
 3 county of and State of Illinois, that I have lived at that
 4 address for months last past; that I am lawfully entitled
 5 to vote in that precinct at the election to be held on
 6

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

8 I further state that I personally marked the enclosed
 9 ballot in secret.

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

14

15 If the ballot enclosed is to be voted at a primary
 16 election, the certification shall designate the name of the
 17 political party with which the voter is affiliated.

18 In addition to the above, the election authority shall
 19 provide printed slips giving full instructions regarding the
 20 manner of marking and returning the ballot in order that the
 21 same may be counted, and shall furnish one of the printed slips
 22 to each of such applicants at the same time the ballot is
 23 delivered to him or her. The instructions shall include the
 24 following statement: "In signing the certification on the
 25 early ballot envelope, you are attesting that you personally
 26 marked this early ballot in secret. If you are physically

1 unable to mark the ballot, a friend or relative may assist you.
2 Federal and State laws prohibit your employer, your employer's
3 agent, or an officer or agent of your union from assisting
4 voters with ~~physical~~ disabilities."

5 In addition to the above, if a ballot to be provided to a
6 voter pursuant to this Section contains a public question
7 described in subsection (b) of Section 28-6 and the territory
8 concerning which the question is to be submitted is not
9 described on the ballot due to the space limitations of the
10 ballot, the election authority shall provide a printed copy of
11 a notice of the public question, which shall include a
12 description of the territory in the manner required by Section
13 16-7. The notice shall be furnished to the voter at the same
14 time the ballot is delivered to the voter.

15 (Source: P.A. 99-143, eff. 7-27-15.)

16 (10 ILCS 5/24C-11)

17 Sec. 24C-11. Functional requirements. A Direct Recording
18 Electronic Voting System shall, in addition to satisfying the
19 other requirements of this Article, fulfill the following
20 functional requirements:

21 (a) Provide a voter in a primary election with the means of
22 casting a ballot containing votes for any and all candidates
23 of the party or parties of his or her choice, and for any and
24 all non-partisan candidates and public questions and preclude
25 the voter from voting for any candidate of any other political

1 party except when legally permitted. In a general election,
2 the system shall provide the voter with means of selecting the
3 appropriate number of candidates for any office, and of voting
4 on any public question on the ballot to which he or she is
5 entitled to vote.

6 (b) If a voter is not entitled to vote for particular
7 candidates or public questions appearing on the ballot, the
8 system shall prevent the selection of the prohibited votes.

9 (c) Once the proper ballot has been selected, the system
10 devices shall provide a means of enabling the recording of
11 votes and the casting of said ballot.

12 (d) System voting devices shall provide voting choices
13 that are clear to the voter and labels indicating the names of
14 every candidate and the text of every public question on the
15 voter's ballot. Each label shall identify the selection button
16 or switch, or the active area of the ballot associated with it.
17 The system shall be able to incorporate minimal,
18 easy-to-follow on-screen instruction for the voter on how to
19 cast a ballot.

20 (e) Voting devices shall (i) enable the voter to vote for
21 any and all candidates and public questions appearing on the
22 ballot for which the voter is lawfully entitled to vote, in any
23 legal number and combination; (ii) detect and reject all votes
24 for an office or upon a public question when the voter has cast
25 more votes for the office or upon the public question than the
26 voter is entitled to cast; (iii) notify the voter if the

1 voter's choices as recorded on the ballot for an office or
2 public question are fewer than or exceed the number that the
3 voter is entitled to vote for on that office or public question
4 and the effect of casting more or fewer votes than legally
5 permitted; (iv) notify the voter if the voter has failed to
6 completely cast a vote for an office or public question
7 appearing on the ballot; and (v) permit the voter, in a private
8 and independent manner, to verify the votes selected by the
9 voter, to change the ballot or to correct any error on the
10 ballot before the ballot is completely cast and counted. A
11 means shall be provided to indicate each selection after it
12 has been made or canceled.

13 (f) System voting devices shall provide a means for the
14 voter to signify that the selection of candidates and public
15 questions has been completed. Upon activation, the system
16 shall record an image of the completed ballot, increment the
17 proper ballot position registers, and shall signify to the
18 voter that the ballot has been cast. The system shall then
19 prevent any further attempt to vote until it has been reset or
20 re-enabled by a judge of election.

21 (g) Each system voting device shall be equipped with a
22 public counter that can be set to zero prior to the opening of
23 the polling place, and that records the number of ballots cast
24 at a particular election. The counter shall be incremented
25 only by the casting of a ballot. The counter shall be designed
26 to prevent disabling or resetting by other than authorized

1 persons after the polls close. The counter shall be visible to
2 all judges of election so long as the device is installed at
3 the polling place.

4 (h) Each system voting device shall be equipped with a
5 protective counter that records all of the testing and
6 election ballots cast since the unit was built. This counter
7 shall be designed so that its reading cannot be changed by any
8 cause other than the casting of a ballot. The protective
9 counter shall be incapable of ever being reset and it shall be
10 visible at all times when the device is configured for
11 testing, maintenance, or election use.

12 (i) All system devices shall provide a means of preventing
13 further voting once the polling place has closed and after all
14 eligible voters have voted. Such means of control shall
15 incorporate a visible indication of system status. Each device
16 shall prevent any unauthorized use, prevent tampering with
17 ballot labels and preclude its re-opening once the poll
18 closing has been completed for that election.

19 (j) The system shall produce a printed summary report of
20 the votes cast upon each voting device. Until the proper
21 sequence of events associated with closing the polling place
22 has been completed, the system shall not allow the printing of
23 a report or the extraction of data. The printed report shall
24 also contain all system audit information to be required by
25 the election authority. Data shall not be altered or otherwise
26 destroyed by report generation and the system shall ensure the

1 integrity and security of data for a period of at least 6
2 months after the polls close.

3 (k) If more than one voting device is used in a polling
4 place, the system shall provide a means to manually or
5 electronically consolidate the data from all such units into a
6 single report even if different voting systems are used to
7 record ballots. The system shall also be capable of merging
8 the vote tabulation results produced by other vote tabulation
9 systems, if necessary.

10 (l) System functions shall be implemented such that
11 unauthorized access to them is prevented and the execution of
12 authorized functions in an improper sequence is precluded.
13 System functions shall be executable only in the intended
14 manner and order, and only under the intended conditions. If
15 the preconditions to a system function have not been met, the
16 function shall be precluded from executing by the system's
17 control logic.

18 (m) All system voting devices shall incorporate at least 3
19 memories in the machine itself and in its programmable memory
20 devices.

21 (n) The system shall include capabilities of recording and
22 reporting the date and time of normal and abnormal events and
23 of maintaining a permanent record of audit information that
24 cannot be turned off. Provisions shall be made to detect and
25 record significant events (e.g., casting a ballot, error
26 conditions that cannot be disposed of by the system itself,

1 time-dependent or programmed events that occur without the
2 intervention of the voter or a judge of election).

3 (o) The system and each system voting device must be
4 capable of creating, printing and maintaining a permanent
5 paper record and an electronic image of each ballot that is
6 cast such that records of individual ballots are maintained by
7 a subsystem independent and distinct from the main vote
8 detection, interpretation, processing and reporting path. The
9 electronic images of each ballot must protect the integrity of
10 the data and the anonymity of each voter, for example, by means
11 of storage location scrambling. The ballot image records may
12 be either machine-readable or manually transcribed, or both,
13 at the discretion of the election authority.

14 (p) The system shall include built-in test, measurement
15 and diagnostic software and hardware for detecting and
16 reporting the system's status and degree of operability.

17 (q) The system shall contain provisions for maintaining
18 the integrity of memory voting and audit data during an
19 election and for a period of at least 6 months thereafter and
20 shall provide the means for creating an audit trail.

21 (r) The system shall be fully accessible so as to permit
22 blind or visually impaired voters as well as voters with
23 ~~physical~~ disabilities to exercise their right to vote in
24 private and without assistance.

25 (s) The system shall provide alternative language
26 accessibility if required pursuant to Section 203 of the

1 Voting Rights Act of 1965.

2 (t) Each voting device shall enable a voter to vote for a
3 person whose name does not appear on the ballot.

4 (u) The system shall record and count accurately each vote
5 properly cast for or against any candidate and for or against
6 any public question, including the names of all candidates
7 whose names are written in by the voters.

8 (v) The system shall allow for accepting provisional
9 ballots and for separating such provisional ballots from
10 precinct totals until authorized by the election authority.

11 (w) The system shall provide an effective audit trail as
12 defined in Section 24C-2 in this Code.

13 (x) The system shall be suitably designed for the purpose
14 used, be durably constructed, and be designed for safety,
15 accuracy and efficiency.

16 (y) The system shall comply with all provisions of
17 federal, State and local election laws and regulations and any
18 future modifications to those laws and regulations.

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