

SB3969



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

SB3969

Introduced 1/21/2022, by Sen. Julie A. Morrison

SYNOPSIS AS INTRODUCED:

10 ILCS 5/19-12.2

from Ch. 46, par. 19-12.2

Amends the Election Code. Provides that voting by physically incapacitated electors who have made proper application to the election authority not later than 5 days before the regular primary and general election shall be conducted either through vote by mail procedures or on specified premises (rather than only on specified premises). Effective Immediately.

LRB102 24029 AWJ 33244 b

A BILL FOR

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 Section 19-12.2 as follows:

6 (10 ILCS 5/19-12.2) (from Ch. 46, par. 19-12.2)

7 Sec. 19-12.2. Voting by physically incapacitated electors
8 who have made proper application to the election authority not
9 later than 5 days before the regular primary and general
10 election of 1980 and before each election thereafter shall be
11 conducted either through the vote by mail procedures as
12 detailed in this Article or on the premises of (i) federally
13 operated veterans' homes, hospitals, and facilities located in
14 Illinois or (ii) facilities licensed or certified pursuant to
15 the Nursing Home Care Act, the Specialized Mental Health
16 Rehabilitation Act of 2013, the ID/DD Community Care Act, or
17 the MC/DD Act for the sole benefit of residents of such homes,
18 hospitals, and facilities. For the purposes of this Section,
19 "federally operated veterans' home, hospital, or facility"
20 means the long-term care facilities at the Jesse Brown VA
21 Medical Center, Illiana Health Care System, Edward Hines, Jr.
22 VA Hospital, Marion VA Medical Center, and Captain James A.
23 Lovell Federal Health Care Center. Such voting shall be

1 conducted during any continuous period sufficient to allow all
2 applicants to cast their ballots between the hours of 9 a.m.
3 and 7 p.m. either on the Friday, Saturday, Sunday or Monday
4 immediately preceding the regular election. This vote by mail
5 voting on one of said days designated by the election
6 authority shall be supervised by two election judges who must
7 be selected by the election authority in the following order
8 of priority: (1) from the panel of judges appointed for the
9 precinct in which such home, hospital, or facility is located,
10 or from a panel of judges appointed for any other precinct
11 within the jurisdiction of the election authority in the same
12 ward or township, as the case may be, in which the home,
13 hospital, or facility is located or, only in the case where a
14 judge or judges from the precinct, township or ward are
15 unavailable to serve, (3) from a panel of judges appointed for
16 any other precinct within the jurisdiction of the election
17 authority. The two judges shall be from different political
18 parties. Not less than 30 days before each regular election,
19 the election authority shall have arranged with the chief
20 administrative officer of each home, hospital, or facility in
21 his or its election jurisdiction a mutually convenient time
22 period on the Friday, Saturday, Sunday or Monday immediately
23 preceding the election for such voting on the premises of the
24 home, hospital, or facility and shall post in a prominent
25 place in his or its office a notice of the agreed day and time
26 period for conducting such voting at each home, hospital, or

1 facility; provided that the election authority shall not later
2 than noon on the Thursday before the election also post the
3 names and addresses of those homes, hospitals, and facilities
4 from which no applications were received and in which no
5 supervised vote by mail voting will be conducted. All
6 provisions of this Code applicable to pollwatchers shall be
7 applicable herein. To the maximum extent feasible, voting
8 booths or screens shall be provided to insure the privacy of
9 the voter. Voting procedures shall be as described in Article
10 17 of this Code, except that ballots shall be treated as vote
11 by mail ballots and shall not be counted until the close of the
12 polls on the following day. After the last voter has concluded
13 voting, the judges shall seal the ballots in an envelope and
14 affix their signatures across the flap of the envelope.
15 Immediately thereafter, the judges shall bring the sealed
16 envelope to the office of the election authority who shall
17 deliver such ballots to the election authority's central
18 ballot counting location prior to the closing of the polls on
19 the day of election. The judges of election shall also report
20 to the election authority the name of any applicant in the
21 home, hospital, or facility who, due to unforeseen
22 circumstance or condition or because of a religious holiday,
23 was unable to vote. In this event, the election authority may
24 appoint a qualified person from his or its staff to deliver the
25 ballot to such applicant on the day of election. This staff
26 person shall follow the same procedures prescribed for judges

1 conducting vote by mail voting in such homes, hospitals, or
2 facilities and shall return the ballot to the central ballot
3 counting location before the polls close. However, if the
4 home, hospital, or facility from which the application was
5 made is also used as a regular precinct polling place for that
6 voter, voting procedures heretofore prescribed may be
7 implemented by 2 of the election judges of opposite party
8 affiliation assigned to that polling place during the hours of
9 voting on the day of the election. Judges of election shall be
10 compensated not less than \$25.00 for conducting vote by mail
11 voting in such homes, hospitals, or facilities.

12 Not less than 120 days before each regular election, the
13 Department of Public Health shall certify to the State Board
14 of Elections a list of the facilities licensed or certified
15 pursuant to the Nursing Home Care Act, the Specialized Mental
16 Health Rehabilitation Act of 2013, the ID/DD Community Care
17 Act, or the MC/DD Act. The lists shall indicate the approved
18 bed capacity and the name of the chief administrative officer
19 of each such home, hospital, or facility, and the State Board
20 of Elections shall certify the same to the appropriate
21 election authority within 20 days thereafter.

22 (Source: P.A. 98-104, eff. 7-22-13; 98-1171, eff. 6-1-15;
23 99-180, eff. 7-29-15.)

24 Section 99. Effective date. This Act takes effect upon
25 becoming law.