



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB0996

Introduced 1/12/2023, by Rep. Sue Scherer

SYNOPSIS AS INTRODUCED:

10 ILCS 5/1A-65	
10 ILCS 5/17-11	from Ch. 46, par. 17-11
10 ILCS 5/17-13.6 new	
10 ILCS 5/17-17	from Ch. 46, par. 17-17
10 ILCS 5/18-5	from Ch. 46, par. 18-5
10 ILCS 5/18-5.2 new	

Amends the Election Code. Provides that, before the 2024 general primary election, each election authority shall designate at least one telephone number that can be used by a person with a disability, a person with an infant, or a person who is age 80 or older to call and request that voting assistance be provided in the polling place's parking lot or parking spaces (in-vehicle assisted voting) and that can also be used by any person to report an individual who is acting in an intimidating or unlawful manner inside or outside of the polling place. Provides that the election authority may also designate a SMS text message number that may be used for the same purposes. Includes provisions relating to posting of the telephone number and SMS text message number at each polling place and on a voter registration card. Provides that, before the 2024 general primary election, each election authority must establish procedures for in-vehicle assisted voting on election day. Includes details on implementation of the in-vehicle assisted voting. Provides that the State Board of Elections may adopt rules to implement the provisions, and provides that the State Board of Elections shall create an affidavit for use by persons using in-vehicle assisted voting. Makes other changes. Effective immediately.

LRB103 03531 AWJ 48537 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 1A-65, 17-11, 17-17, and 18-5 and by adding Sections
6 17-13.6 and 18-5.2 as follows:

7 (10 ILCS 5/1A-65)

8 Sec. 1A-65. Election authority guidance. 90 days before
9 any election, the State Board of Elections shall provide
10 written guidance to election authorities on: (1) ballot
11 tracking procedures and the proper terminology to be used as
12 part of those procedures; and (2) summarizing requirements for
13 voting, curbside voting, in-vehicle assisted voting, early
14 voting, and vote by mail.

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

16 (10 ILCS 5/17-11) (from Ch. 46, par. 17-11)

17 Sec. 17-11. On receipt of his ballot the voter shall
18 forthwith, and without leaving the inclosed space, retire
19 alone, or accompanied by children as provided in Section 17-8,
20 to one of the voting booths so provided and shall prepare his
21 ballot by making in the appropriate margin or place a cross (X)
22 opposite the name of the candidate of his choice for each

1 office to be filled, or by writing in the name of the candidate
2 of his choice in a blank space on said ticket, making a cross
3 (X) opposite thereto; and in case of a question submitted to
4 the vote of the people, by making in the appropriate margin or
5 place a cross (X) against the answer he desires to give. A
6 cross (X) in the square in front of the bracket enclosing the
7 names of a team of candidates for Governor and Lieutenant
8 Governor counts as one vote for each of such candidates.
9 Before leaving the voting booth the voter shall fold his
10 ballot in such manner as to conceal the marks thereon. He shall
11 then vote forthwith in the manner herein provided, except that
12 the number corresponding to the number of the voter on the poll
13 books shall not be indorsed on the back of his ballot. He shall
14 mark and deliver his ballot without undue delay, and shall
15 quit said inclosed space as soon as he has voted; except that
16 immediately after voting, the voter shall be instructed
17 whether the voting equipment, if used, accepted or rejected
18 the ballot or identified the ballot as under-voted for a
19 statewide constitutional office. A voter whose ballot is
20 identified as under-voted may return to the voting booth and
21 complete the voting of that ballot. A voter whose ballot is not
22 accepted by the voting equipment may, upon surrendering the
23 ballot, request and vote another ballot. The voter's
24 surrendered ballot shall be initialed by the election judge
25 and handled as provided in the appropriate Article governing
26 that voting equipment.

1 No voter shall be allowed to occupy a voting booth already
2 occupied by another, nor remain within said inclosed space
3 more than ten minutes, nor to occupy a voting booth more than
4 five minutes in case all of said voting booths are in use and
5 other voters waiting to occupy the same. No voter not an
6 election officer, shall, after having voted, be allowed to
7 re-enter said inclosed space during said election. No person
8 shall take or remove any ballot from the polling place before
9 the close of the poll. No voter shall vote or offer to vote any
10 ballot except such as he has received from the judges of
11 election in charge of the ballots. Any voter who shall, by
12 accident or mistake, spoil his ballot, may, on returning said
13 spoiled ballot, receive another in place thereof only after
14 the word "spoiled" has been written in ink diagonally across
15 the entire face of the ballot returned by the voter.

16 Where voting machines, ~~or~~ electronic voting systems, curbside voting, or in-vehicle assisted voting are used, the
17 provisions of this section may be modified as required or
18 authorized by Article 24, 24A, 24B, or 24C or by Section
19 17-13.5 or 17-13.6, whichever is applicable, except that the
20 requirements of this Section that (i) the voter must be
21 notified of the voting equipment's acceptance or rejection of
22 the voter's ballot or identification of an under-vote for a
23 statewide constitutional office and (ii) the voter shall have
24 the opportunity to correct an under-vote or surrender the
25 ballot that was not accepted and vote another ballot shall not
26

1 be modified.

2 (Source: P.A. 94-288, eff. 1-1-06; 95-699, eff. 11-9-07.)

3 (10 ILCS 5/17-13.6 new)

4 Sec. 17-13.6. Phone or text number for voting assistance;
5 in-vehicle assisted voting.

6 (a) As used in this Section:

7 "Designated phone number or SMS text message number" means
8 the number designated under subsection (b) by an election
9 authority for a person to contact for assistance described in
10 this Section.

11 "Person with a disability" means a person who suffers from
12 a physical or mental impairment that substantially limits one
13 or more major life activities.

14 "Person with an infant" means a person who has a child
15 under the age of one with them.

16 (b) Before the 2024 general primary election, each
17 election authority shall designate at least one telephone
18 number that can be used by a person with a disability, a person
19 with an infant, or a person who is age 80 or older to call and
20 request that voting assistance be provided in the polling
21 place's parking lot or parking spaces and that can also be used
22 by any person to report an individual who is acting in an
23 intimidating or unlawful manner inside or outside of the
24 polling place. The election authority may also designate a SMS
25 text message number that may be used for the same purposes. The

1 election authority may use a designated phone number or SMS
2 text message number for a single polling place or a group of
3 polling places. The number or numbers designated must be
4 monitored at all times that the polling places served by the
5 number or numbers are open.

6 If the election authority uses a single number for all
7 polling places or for a group of polling places, the
8 designated phone number or SMS text message number must
9 connect to a person employed by or volunteering for the
10 election authority who can contact the judges of election at
11 the polling place where the individual is intending to vote.
12 If the election authority designates a specific telephone
13 number or SMS text message number for a single polling place,
14 the designated phone number or SMS text message number must
15 connect to one of the following persons at the designated
16 polling place: an election judge or employee of or volunteer
17 for the election authority.

18 (c) A notice shall be posted on each door of a polling
19 place that is to be used by members of the public to enter the
20 polling place stating the following in a substantially similar
21 format:

22 If you are in need of voter assistance at this polling place,
23 please contact (insert phone number and, if available, SMS
24 text message number). Assistance may be available for the
25 following purposes:

26 1. Voting in your vehicle if you are a person with a

1 disability.

2 2. Voting in your vehicle if you are a person 80 years of age
3 or older.

4 3. Voting in your vehicle if you have a child under the age of
5 one with you.

6 4. Assistance with a person or persons who are acting in an
7 intimidating or unlawful manner inside or outside of the
8 polling place.

9 This notice may be combined with other polling place
10 notices by the election authority. If a polling place does not
11 have a designated parking lot or parking spaces, items 1, 2,
12 and 3 of the notice may be omitted from the notice.

13 If the election authority gives a registered voter a voter
14 registration card that lists the voter's polling place, the
15 voter assistance phone number and, if applicable, SMS text
16 message number must be listed on the card.

17 (d) Before the 2024 general primary election, each
18 election authority must establish procedures for persons with
19 a disability, persons 80 years of age or older, and persons
20 with an infant to cast a ballot at the polling place's parking
21 lot or parking spaces, if it has any, on election day. The
22 judges of election shall designate at least 2 judges of
23 election from opposite political parties per vehicle. The
24 judges of election shall present the person with an affidavit
25 for the person to affirm that the person is eligible for voting
26 assistance under this Section. Once the judges of election

1 have verified that the affidavit has been completed and
2 signed, the person may be handed a paper ballot and marking
3 utensil. The individual shall have the opportunity to mark the
4 ballot without interference from the election judges.
5 Challengers and poll watchers allowed by law may be in the
6 vicinity of the judges of election and vehicles in the same
7 manner as otherwise allowed by law inside the polling place.

8 An election authority may designate parking spaces at the
9 polling place that must be used by a person to vote in the
10 person's vehicle. A person may only use a paper ballot to vote
11 under this subsection.

12 (e) If a person uses the designated phone number or SMS
13 text message number to report a person or persons acting in an
14 intimidating or unlawful manner inside or outside of the
15 polling place, the judge of election or employee or volunteer
16 of the election authority answering the call or text shall
17 determine if assistance can be provided and inform the person
18 calling or texting whether assistance can be provided.

19 (f) The State Board of Elections may adopt rules to
20 implement this Section. The State Board of Elections shall
21 create an affidavit or modify an existing affidavit to present
22 to persons asking to vote in the person's vehicle under this
23 Section.

24 (g) All affidavits completed and signed under this Section
25 shall be enclosed in a separate envelope securely sealed and
26 shall be transmitted with the returns of the elections to the

1 election authority who shall preserve the affidavits for the
2 period of 6 months, during which period the affidavits are
3 public records and are freely open to examination.

4 (10 ILCS 5/17-17) (from Ch. 46, par. 17-17)

5 Sec. 17-17. After the opening of the polls no adjournment
6 shall be had nor shall any recess be taken, until all the votes
7 cast at such election have been counted and the result
8 publicly announced, except that when necessary one judge at a
9 time may leave the polling place for a reasonable time during
10 the casting of ballots, and except that when a polling place is
11 inaccessible to a voter with a disability, one team of 2 judges
12 of opposite party affiliation may leave the polling place to
13 deliver a ballot to such voter, as provided in Sections 7-47.1
14 and 17-13 of this Code. When a judge leaves and returns, such
15 judge shall sign a time sheet indicating the length of the
16 period such judge is absent from his duties. When absent, the
17 judge shall authorize someone of the same political party as
18 himself to act for him until he returns.

19 Where voting machines, ~~or~~ electronic voting systems,
20 curbside, voting, in-vehicle assisted voting is ~~are~~ used, the
21 provisions of this section may be modified as required or
22 authorized by Article 24 or Article 24A or by Section 17-13.5
23 or 17-13.6, whichever is applicable.

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

1 (10 ILCS 5/18-5) (from Ch. 46, par. 18-5)

2 Sec. 18-5. Any person desiring to vote and whose name is
3 found upon the register of voters by the person having charge
4 thereof, shall then be questioned by one of the judges as to
5 his nativity, his term of residence at present address,
6 precinct, State and United States, his age, whether
7 naturalized and if so the date of naturalization papers and
8 court from which secured, and he shall be asked to state his
9 residence when last previously registered and the date of the
10 election for which he then registered. The judges of elections
11 shall check each application for ballot against the list of
12 voters registered in that precinct to whom grace period, vote
13 by mail, and early ballots have been issued for that election,
14 which shall be provided by the election authority and which
15 list shall be available for inspection by pollwatchers. A
16 voter applying to vote in the precinct on election day whose
17 name appears on the list as having been issued a grace period,
18 vote by mail, or early ballot shall not be permitted to vote in
19 the precinct, except that a voter to whom a vote by mail ballot
20 was issued may vote in the precinct if the voter submits to the
21 election judges that vote by mail ballot for cancellation. If
22 the voter is unable to submit the vote by mail ballot, it shall
23 be sufficient for the voter to submit to the election judges
24 (i) a portion of the vote by mail ballot if the vote by mail
25 ballot was torn or mutilated or (ii) an affidavit executed
26 before the election judges specifying that (A) the voter never

1 received a vote by mail ballot or (B) the voter completed and
2 returned a vote by mail ballot and was informed that the
3 election authority did not receive that vote by mail ballot.
4 If such person so registered shall be challenged as
5 disqualified, the party challenging shall assign his reasons
6 therefor, and thereupon one of the judges shall administer to
7 him an oath to answer questions, and if he shall take the oath
8 he shall then be questioned by the judge or judges touching
9 such cause of challenge, and touching any other cause of
10 disqualification. And he may also be questioned by the person
11 challenging him in regard to his qualifications and identity.
12 But if a majority of the judges are of the opinion that he is
13 the person so registered and a qualified voter, his vote shall
14 then be received accordingly. But if his vote be rejected by
15 such judges, such person may afterward produce and deliver an
16 affidavit to such judges, subscribed and sworn to by him
17 before one of the judges, in which it shall be stated how long
18 he has resided in such precinct, and state; that he is a
19 citizen of the United States, and is a duly qualified voter in
20 such precinct, and that he is the identical person so
21 registered. In addition to such an affidavit, the person so
22 challenged shall provide to the judges of election proof of
23 residence by producing 2 forms of identification showing the
24 person's current residence address, provided that such
25 identification may include a lease or contract for a residence
26 and not more than one piece of mail addressed to the person at

1 his current residence address and postmarked not earlier than
2 30 days prior to the date of the election, or the person shall
3 procure a witness personally known to the judges of election,
4 and resident in the precinct (or district), or who shall be
5 proved by some legal voter of such precinct or district, known
6 to the judges to be such, who shall take the oath following,
7 viz:

8 I do solemnly swear (or affirm) that I am a resident of
9 this election precinct (or district), and entitled to vote at
10 this election, and that I have been a resident of this State
11 for 30 days last past, and am well acquainted with the person
12 whose vote is now offered; that he is an actual and bona fide
13 resident of this election precinct (or district), and has
14 resided herein 30 days, and as I verily believe, in this State,
15 30 days next preceding this election.

16 The oath in each case may be administered by one of the
17 judges of election, or by any officer, resident in the
18 precinct or district, authorized by law to administer oaths.
19 Also supported by an affidavit by a registered voter residing
20 in such precinct, stating his own residence, and that he knows
21 such person; and that he does reside at the place mentioned and
22 has resided in such precinct and state for the length of time
23 as stated by such person, which shall be subscribed and sworn
24 to in the same way. For purposes of this Section, the
25 submission of a photo identification issued by a college or
26 university, accompanied by either (i) a copy of the

1 applicant's contract or lease for a residence or (ii) one
2 piece of mail addressed to the person at his or her current
3 residence address and postmarked not earlier than 30 days
4 prior to the date of the election, shall be sufficient to
5 establish proof of residence. Whereupon the vote of such
6 person shall be received, and entered as other votes. But such
7 judges, having charge of such registers, shall state in their
8 respective books the facts in such case, and the affidavits,
9 so delivered to the judges, shall be preserved and returned to
10 the office of the commissioners of election. Blank affidavits
11 of the character aforesaid shall be sent out to the judges of
12 all the precincts, and the judges of election shall furnish
13 the same on demand and administer the oaths without criticism.
14 Such oaths, if administered by any other officer than such
15 judge of election, shall not be received. Whenever a proposal
16 for a constitutional amendment or for the calling of a
17 constitutional convention is to be voted upon at the election,
18 the separate blue ballot or ballots pertaining thereto shall
19 be placed on top of the other ballots to be voted at the
20 election in such manner that the legend appearing on the back
21 thereof, as prescribed in Section 16-6 of this Act, shall be
22 plainly visible to the voter, and in this fashion the ballots
23 shall be handed to the voter by the judge.

24 Immediately after voting, the voter shall be instructed
25 whether the voting equipment, if used, accepted or rejected
26 the ballot or identified the ballot as under-voted. A voter

1 whose ballot is identified as under-voted for a statewide
2 constitutional office may return to the voting booth and
3 complete the voting of that ballot. A voter whose ballot is not
4 accepted by the voting equipment may, upon surrendering the
5 ballot, request and vote another ballot. The voter's
6 surrendered ballot shall be initialed by the election judge
7 and handled as provided in the appropriate Article governing
8 that voting equipment.

9 The voter shall, upon quitting the voting booth, deliver
10 to one of the judges of election all of the ballots, properly
11 folded, which he received. The judge of election to whom the
12 voter delivers his ballots shall not accept the same unless
13 all of the ballots given to the voter are returned by him. If a
14 voter delivers less than all of the ballots given to him, the
15 judge to whom the same are offered shall advise him in a voice
16 clearly audible to the other judges of election that the voter
17 must return the remainder of the ballots. The statement of the
18 judge to the voter shall clearly express the fact that the
19 voter is not required to vote such remaining ballots but that
20 whether or not he votes them he must fold and deliver them to
21 the judge. In making such statement the judge of election
22 shall not indicate by word, gesture or intonation of voice
23 that the unreturned ballots shall be voted in any particular
24 manner. No new voter shall be permitted to enter the voting
25 booth of a voter who has failed to deliver the total number of
26 ballots received by him until such voter has returned to the

1 voting booth pursuant to the judge's request and again quit
2 the booth with all of the ballots required to be returned by
3 him. Upon receipt of all such ballots the judges of election
4 shall enter the name of the voter, and his number, as above
5 provided in this Section, and the judge to whom the ballots are
6 delivered shall immediately put the ballots into the ballot
7 box. If any voter who has failed to deliver all the ballots
8 received by him refuses to return to the voting booth after
9 being advised by the judge of election as herein provided, the
10 judge shall inform the other judges of such refusal, and
11 thereupon the ballot or ballots returned to the judge shall be
12 deposited in the ballot box, the voter shall be permitted to
13 depart from the polling place, and a new voter shall be
14 permitted to enter the voting booth.

15 The judge of election who receives the ballot or ballots
16 from the voter shall announce the residence and name of such
17 voter in a loud voice. The judge shall put the ballot or
18 ballots received from the voter into the ballot box in the
19 presence of the voter and the judges of election, and in plain
20 view of the public. The judges having charge of such registers
21 shall then, in a column prepared thereon, in the same line of,
22 the name of the voter, mark "Voted" or the letter "V".

23 No judge of election shall accept from any voter less than
24 the full number of ballots received by such voter without
25 first advising the voter in the manner above provided of the
26 necessity of returning all of the ballots, nor shall any such

1 judge advise such voter in a manner contrary to that which is
2 herein permitted, or in any other manner violate the
3 provisions of this Section; provided, that the acceptance by a
4 judge of election of less than the full number of ballots
5 delivered to a voter who refuses to return to the voting booth
6 after being properly advised by such judge shall not be a
7 violation of this Section.

8 When curbside voting or in-vehicle assisted voting is used
9 at a polling place, the provisions of this Section may be
10 modified as required by the procedures established under
11 Section 17-13.5 or 17-13.6, as applicable.

12 (Source: P.A. 98-1171, eff. 6-1-15.)

13 (10 ILCS 5/18-5.2 new)

14 Sec. 18-5.2. Curbside voting and in-vehicle assisted
15 voting. The provisions of Section 17-13.5 or 17-13.6, as
16 applicable, are also applicable to the conduct of elections
17 under this Article.

18 Section 99. Effective date. This Act takes effect upon
19 becoming law.