



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB3063

Introduced 2/17/2023, by Rep. Kevin John Olickal

SYNOPSIS AS INTRODUCED:

10 ILCS 5/11-4.2	from Ch. 46, par. 11-4.2
10 ILCS 5/11-8	
10 ILCS 5/17-13	from Ch. 46, par. 17-13

Amends the Election Code. Provides that a vote center location established by the election authority shall be compliant with the federal Voting Accessibility for the Elderly and Handicapped Act of 1984. Provides that any voter with a temporary or permanent disability who, because of structural features of the building in which the polling place is located, is unable to access or enter the polling place shall be informed of the nearest accessible vote center. Removes provisions concerning an exception to the requirement that all polling places shall be accessible to voters with disabilities and elderly voters and each polling place shall include at least one voting booth that is wheelchair accessible. In provisions concerning vote centers, changes the repeal date from July 1, 2023 to July 1, 2024. Effective immediately.

LRB103 27223 BMS 53593 b

1 AN ACT concerning elections.

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

4 Section 5. The Election Code is amended by changing
5 Sections 11-4.2, 11-8, and 17-13 as follows:

6 (10 ILCS 5/11-4.2) (from Ch. 46, par. 11-4.2)

7 Sec. 11-4.2. (a) Except as otherwise provided in
8 subsection (b) all polling places shall be accessible to
9 voters with disabilities and elderly voters, as determined by
10 rule of the State Board of Elections, and each polling place
11 shall include at least one voting booth that is wheelchair
12 accessible.

13 (b) Subsection (a) of this Section shall not apply to a
14 polling place ~~(1)~~ in the case of an emergency, as determined by
15 the State Board of Elections; ~~or (2) if the State Board of~~
16 ~~Elections (A) determines that all potential polling places~~
17 ~~have been surveyed and no such accessible place is available,~~
18 ~~nor is the election authority able to make one accessible; and~~
19 ~~(B) assures that any voter with a disability or elderly voter~~
20 ~~assigned to an inaccessible polling place, upon advance~~
21 ~~request of such voter (pursuant to procedures established by~~
22 ~~rule of the State Board of Elections) will be provided with an~~
23 ~~alternative means for casting a ballot on the day of the~~

1 ~~election or will be assigned to an accessible polling place.~~

2 (c) No later than December 31 of each even numbered year,
3 the State Board of Elections shall report to the General
4 Assembly and the Federal Election Commission the number of
5 accessible and inaccessible polling places in the State on the
6 date of the next preceding general election, and the reasons
7 for any instance of inaccessibility.

8 (Source: P.A. 102-668, eff. 11-15-21.)

9 (10 ILCS 5/11-8)

10 (Section scheduled to be repealed on July 1, 2023)

11 Sec. 11-8. Vote centers.

12 (a) Notwithstanding any law to the contrary, election
13 authorities shall establish at least one location to be
14 located at an office of the election authority or in the
15 largest municipality within its jurisdiction where all voters
16 in its jurisdiction are allowed to vote on election day during
17 polling place hours, regardless of the precinct in which they
18 are registered. An election authority establishing such a
19 location under this Section shall identify the location and
20 any health and safety requirements by the 40th day preceding
21 the 2022 general primary election and the 2022 general
22 election and certify such to the State Board of Elections.

23 (b) A vote center location established by the election
24 authority shall be compliant with the federal Voting
25 Accessibility for the Elderly and Handicapped Act of 1984.

1 (c) ~~(b)~~ This Section is repealed on July 1, 2024 ~~2023~~.

2 (Source: P.A. 102-15, eff. 6-17-21; 102-668, eff. 11-15-21;
3 102-1109, eff. 12-21-22.)

4 (10 ILCS 5/17-13) (from Ch. 46, par. 17-13)

5 Sec. 17-13. (a) In the case of an emergency, as determined
6 by the State Board of Elections, or if the Board determines
7 that all potential polling places have been surveyed by the
8 election authority and that no accessible polling place, as
9 defined by rule of the State Board of Elections, is available
10 within a precinct nor is the election authority able to make a
11 polling place within the precinct temporarily accessible, the
12 Board, upon written application by the election authority, is
13 authorized to grant an exemption from the accessibility
14 requirements of the Federal Voting Accessibility for the
15 Elderly and Handicapped Act (Public Law 98-435). Such
16 exemption shall be valid for a period of 2 years.

17 (b) Any voter with a temporary or permanent disability
18 who, because of structural features of the building in which
19 the polling place is located, is unable to access or enter the
20 polling place shall be informed of the nearest accessible vote
21 center as established in Section 11-8. The voter~~7~~ may request
22 that 2 judges of election of opposite party affiliation
23 deliver a ballot to him or her at the point where he or she is
24 unable to continue forward motion toward the polling place;
25 but, in no case, shall a ballot be delivered to the voter

1 beyond 50 feet of the entrance to the building in which the
2 polling place is located. Such request shall be made to the
3 election authority not later than the close of business at the
4 election authority's office on the day before the election and
5 on a form prescribed by the State Board of Elections. The
6 election authority shall notify the judges of election for the
7 appropriate precinct polling places of such requests.

8 Weather permitting, 2 judges of election shall deliver to
9 the voter with a disability the ballot which he or she is
10 entitled to vote, a portable voting booth or other enclosure
11 that will allow such voter to mark his or her ballot in
12 secrecy, and a marking device.

13 (c) The voter must complete the entire voting process,
14 including the application for ballot from which the judges of
15 election shall compare the voter's signature with the
16 signature on his or her registration record card in the
17 precinct binder.

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

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

26 No assistance may be given to such voter in marking his or

1 her ballot, unless the voter requests assistance and completes
2 the affidavit required by Section 17-14 of this Code.

3 (Source: P.A. 102-1, eff. 4-2-21; 102-15, eff. 6-17-21.)

4 Section 99. Effective date. This Act takes effect upon
5 becoming law.