



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

SB0282

Introduced 2/2/2023, by Sen. Julie A. Morrison

SYNOPSIS AS INTRODUCED:

10 ILCS 5/19-2.6

Amends the Election Code. Provides that the State Board of Elections shall provide a certified remote accessible vote by mail system through which a vote by mail ballot can be delivered through electronic transmission to voters with a print disability and through which voters with a print disability can mark, verify, and return a vote by mail ballot electronically. Provides that the State Board of Elections shall establish a method that allows voters with a print disability to electronically authenticate a vote by mail ballot without assistance and election authorities shall use that method of authentication. Provides that all electronic documents and web pages that must be used as part of the certified remote accessible vote by mail system provided by the State Board of Elections or election authorities shall be compliant with specified web content guidelines. Changes the definition of "certified remote accessible vote by mail system". Makes other changes. Effective January 1, 2024.

LRB103 25683 BMS 52032 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 Section 19-2.6 as follows:

6 (10 ILCS 5/19-2.6)

7 Sec. 19-2.6. Vote by mail; voters with a print disability.

8 (a) Definitions. As used in this Section, unless the
9 context otherwise requires:

10 "Assistive technology" means any equipment, software, or
11 product used to increase, maintain, or improve the functional
12 capabilities of individuals with disabilities, including, but
13 not limited to, screen reading and magnification software,
14 refreshable Braille displays, and speech recognition programs.

15 "Certified remote accessible vote by mail system" means,
16 for elections that occur before the 2024 primary election, a
17 process approved by the State Board of Elections through which
18 an election authority provides for the electronic transmission
19 of a vote by mail ballot to a voter with a print disability and
20 through which the voter with a print disability marks and
21 verifies the voter's ballot using assistive technology.

22 "Certified remote accessible vote by mail system" means, for
23 the 2024 primary election and all subsequent elections, a

1 process approved by the State Board of Elections through which
2 an election authority provides for the electronic transmission
3 of a vote by mail ballot to a voter with a print disability and
4 through which the voter with a print disability marks,
5 verifies, and returns the voter's ballot electronically using
6 assistive technology.

7 "Electronic transmission" means the transfer of data or
8 information through an authorized electronic data interchange
9 system.

10 "Voter with a print disability" means a person having a
11 temporary or permanent physical or mental impairment, such as
12 blindness, low vision, physical dexterity limitations, or
13 learning or cognitive disabilities, that prevents the person
14 from effective reading, writing, or use of printed material.

15 (b) The State Board of Elections shall provide a certified
16 remote accessible vote by mail system for the General Election
17 of November 8, 2022 and all subsequent elections that occur
18 before the 2024 primary election, through which a vote by mail
19 ballot can be delivered by electronic transmission to voters
20 with print disabilities and through which voters with print
21 disabilities are able to mark and verify their ballots using
22 assistive technology.

23 (c) For the November 8, 2022 general election and all
24 subsequent elections that occur before the 2024 primary
25 election, election ~~Election~~ authorities shall permit voters
26 with a print disability to receive and mark their vote by mail

1 ballots (i) through the certified remote accessible vote by
2 mail system provided by the State Board of Elections pursuant
3 to subsection (b) of this Section or (ii) through a certified
4 remote accessible vote by mail system provided by the election
5 authority.

6 (d) If a vote by mail ballot application from a voter with
7 a print disability arrives after the jurisdiction begins
8 transmitting vote by mail ballots and instructions to voters,
9 the election authority shall electronically transmit the
10 ballot, instructions, and balloting materials to the voter
11 within two business days after receipt of the application.

12 (e) Ballots received and marked pursuant to subsections
13 (b) and (c) of this Section must be printed by the voter and
14 returned to the election authority as provided in Section
15 19-6.

16 (f) For the 2024 primary election and all subsequent
17 elections, the State Board of Elections shall provide a
18 certified remote accessible vote by mail system through which
19 a vote by mail ballot can be delivered through electronic
20 transmission to voters with a print disability and through
21 which voters with a print disability can mark, verify, and
22 return a vote by mail ballot electronically.

23 (g) To ensure that voters with a print disability are able
24 to complete all aspects of the vote by mail process privately
25 and independently, the State Board of Elections shall
26 establish a method that allows voters with a print disability

1 to electronically authenticate a vote by mail ballot without
2 assistance and election authorities shall use that method of
3 authentication.

4 (h) All electronic documents and web pages that must be
5 used as part of the certified remote accessible vote by mail
6 system provided by the State Board of Elections or election
7 authorities shall be compliant with the Web Content
8 Accessibility Guidelines 2.1 Level AA standards and updated as
9 necessary to comply with any subsequent Web Content
10 Accessibility Guidelines standards.

11 (i) ~~(f)~~ The State Board of Elections shall adopt rules,
12 including emergency rules, necessary for the implementation of
13 this Section. The State Board of Elections' adopted rules
14 shall include certification standards for a remote accessible
15 vote by mail system and a method subject to the provisions in
16 Sections 19-2 and 19-3 of this Article by which a voter with a
17 print disability may request to use a certified remote
18 accessible vote by mail system and apply for an accessible
19 vote by mail ballot.

20 (Source: P.A. 102-819, eff. 5-13-22.)

21 Section 99. Effective date. This Act takes effect January
22 1, 2024.