

1 AMENDMENT TO SENATE BILL 428

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 428 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Election Code is amended by changing  
5 Sections 2A-12, 4-6.2, 4-33, 5-16.2, 5-43, 6-50.2, 6-79, 7-7,  
6 7-8, 7-10, 7-10.2, 7-17, 7-34, 7-41, 8-8.1, 9-1.5, 9-10,  
7 9-21, 10-5.1, 13-1.1, 14-3.2, 16-3, 17-23, 17-29, 19-2.1,  
8 19-2.2, 19-4, 19-10 24B-2, 24B-6, 24B-8, 24B-9, 24B-9.1,  
9 24B-10, 24B-10.1, 24B-15, and 24B-18 and by adding Article  
10 18A and Sections 1A-16, 1A-20, 9-1.14, 23-15.1, and 24A-22 as  
11 follows:

12 (10 ILCS 5/1A-16 new)

13 Sec. 1A-16. Voter registration information; internet  
14 posting; processing of voter registration forms; content of  
15 such forms. Notwithstanding any law to the contrary, the  
16 following provisions shall apply to voter registration under  
17 this Code.

18 (a) Voter registration information; Internet posting of  
19 voter registration form. Within 30 days after the effective  
20 date of this amendatory Act of the 93rd General Assembly, the  
21 State Board of Elections shall post on its World Wide Web  
22 site the following information:

1           (1) A comprehensive list of the names, addresses,  
2 phone numbers, and websites, if applicable, of all county  
3 clerks, election officials, and boards of election  
4 commissioners in Illinois.

5           (2) A schedule of upcoming elections and the  
6 deadline for voter registration.

7           (3) A downloadable, printable voter registration  
8 form, in English and in Spanish versions, that a person  
9 may complete and mail or submit to the State Board of  
10 Elections or the appropriate county clerk, election  
11 official, or board of election commissioners.

12 Any forms described under paragraph (3) must state the  
13 following:

14           If you do not have a driver's license or social  
15 security number, and this form is submitted by mail, and  
16 you have never registered to vote in the jurisdiction you  
17 are now registering in, then you must send, with this  
18 application, either (i) a copy of a current and valid  
19 photo identification, or (ii) a copy of a current utility  
20 bill, bank statement, government check, paycheck, or  
21 other government document that shows the name and address  
22 of the voter. If you do not provide the information  
23 required above, then you will be required to provide  
24 election officials with either (i) or (ii) described  
25 above the first time you vote at a voting place or by  
26 absentee ballot.

27           (b) Processing of registration forms by the State Board  
28 of Elections. The State Board of Elections shall accept all  
29 completed voter registration forms described in subsection  
30 (a)(3) that are:

31           (1) postmarked on or before the day that voter  
32 registration is closed under the Election Code;

33           (2) not postmarked, but arrives no later than 5  
34 days after the close of registration;

1           (3) submitted in-person by a person using the form  
2           on or before the day that voter registration is closed  
3           under the Election Code; or

4           (4) submitted in-person by a person who submits one  
5           or more forms on behalf of one or more persons who used  
6           the form on or before the day that voter registration is  
7           closed under the Election Code.

8           Upon the receipt of a registration form, the State Board  
9           of Elections shall mark the date on which the form was  
10           received and review the form to determine whether the person  
11           submitting the form has properly completed it and is legally  
12           qualified to register as a voter based on the supplied  
13           information. After reviewing the form, the State Board of  
14           Elections shall (1) indicate on the form whether the form has  
15           been accepted or rejected, (2) mail a notice to applicant,  
16           and (3) indicate on the form the date on which the notice was  
17           mailed.

18           If the State Board of Elections determines that the  
19           person submitting the form has not properly completed the  
20           form or is not legally qualified to register, then the notice  
21           shall indicate that the form has been rejected and shall  
22           state the reason for rejection.

23           If the State Board of Elections determines that the  
24           person submitting the form has properly completed the form  
25           and is legally qualified to register, then the notice shall  
26           indicate that the application has been accepted. A notice of  
27           acceptance or a notice of rejection shall be sent as soon as  
28           practicable, but in no case later than 5 business days after  
29           it is received by the Board. The State Board of Elections  
30           shall add any person who properly completed the form and is  
31           legally qualified to register to the State voter registration  
32           database described in Sections 4-33, 5-43, and 6-79 of the  
33           Election Code. The State Board of Elections shall transmit a  
34           copy of any notice of acceptance and a copy of all

1 information submitted by the applicant to the registered  
2 voter's county clerk or board of election commissioners, as  
3 the case may be, on the same day the notice is sent to the  
4 voter.

5 A notice of acceptance shall be sent by first-class mail  
6 to the registered voter with instructions on the envelope  
7 that it be returned if not deliverable at the address shown  
8 on the envelope. A notice of acceptance shall indicate the  
9 effective date of the applicant's registration, the date of  
10 the next regularly scheduled election in which the person is  
11 eligible to vote a full ballot, and, to the extent  
12 practicable, the person's precinct and polling place. If a  
13 notice of acceptance is returned undelivered, then the State  
14 Board of Elections shall put the person on a list of inactive  
15 registered voters on the State voter registration database.

16 (c) Processing of registration forms by county clerks  
17 and boards of election commissioners. The county clerk or  
18 board of election commissioners shall promulgate procedures  
19 for processing the voter registration form. Those procedures  
20 need only be reasonably similar to the process set forth in  
21 subsection (b).

22 (d) Contents of the voter registration form. The State  
23 Board shall create a voter registration form, which must  
24 contain the following content:

25 (1) Instructions for completing the form.

26 (2) A summary of the qualifications to register to  
27 vote in Illinois.

28 (3) Instructions for mailing in or submitting the  
29 form in person.

30 (4) The phone number for the State Board of  
31 Elections should a person submitting the form have  
32 questions.

33 (5) A box for the person to check that explains one  
34 of 3 reasons for submitting the form:

1           (a) new registration;

2           (b) change of address; or

3           (c) change of name.

4           (6) a box for the person to check yes or no that  
5 asks, "Are you a citizen of the United States?", a box  
6 for the person to check yes or no that asks, "Will you be  
7 18 years of age on or before election day?", and a  
8 statement of "If you checked 'no' in response to either  
9 of these questions, then do not complete this form."

10          (7) A space for the person to fill in his or her  
11 day-time telephone number.

12          (8) Spaces for the person to fill in his or her  
13 first, middle, and last names, street address (principal  
14 place of residence), county, city, state, and zip code.

15          (9) Spaces for the person to fill in his or her  
16 mailing address, city, state, and zip code if different  
17 from his or her principal place of residence.

18          (10) A space for the person to fill in his or her  
19 Illinois driver's license number if the person has a  
20 driver's license.

21          (11) A space for a person without a driver's  
22 license to fill in the last four digits of his or her  
23 social security number if the person has a social  
24 security number card.

25          (12) A space for the person to fill in the last 4  
26 digits of his or her Social Security number.

27          (13) A space for the person to fill in his or her  
28 Illinois driver's license number or State identification  
29 number.

30          (14) A space for the person to fill the name  
31 appearing on his or her last voter registration, the  
32 street address of his or her last registration, including  
33 the city, county, state, and zip code.

34          (15) A space where the person swears or affirms the

1 following under penalty of perjury with his or her  
2 signature:

3 (a) "I am a citizen of the United States.";

4 (b) "I will be at least 18 years old on or  
5 before the next election.";

6 (c) "I will have lived in the State of  
7 Illinois and in my election precinct at least 30  
8 days as of the date of the next election."; and

9 "All of the above information is true. I  
10 understand that if the information is not true, then  
11 I can be convicted for perjury and ordered to pay up  
12 to \$5,000 and be imprisoned for 2 to 5 years."

13 (d) Compliance with federal law; rulemaking authority.  
14 The voter registration form described in this Section shall  
15 be consistent with the form prescribed by the Federal  
16 Election Commission under the National Voter Registration Act  
17 of 1993, P.L. 103-31, as amended from time to time, and the  
18 Help America Vote Act of 2002, P.L. 107-252, in all relevant  
19 respects. The State Board of Elections shall periodically  
20 up-date the form based on changes to federal or State law.  
21 The State Board of Elections shall promulgate any rules  
22 necessary for the implementation of this Section; provided  
23 that the rules comport with the letter and spirit of the  
24 National Voter Registration Act of 1993 and Help America Vote  
25 Act of 2002 and maximize the opportunity for a person to  
26 register to vote.

27 (e) Forms available in paper form. The State Board of  
28 Elections shall make the voter registration form available in  
29 regular paper stock and form in sufficient quantities for the  
30 general public, Secretary of State, county clerks, boards of  
31 election commissioners, designated agencies of the State of  
32 Illinois, and any other person or entity designated to have  
33 these forms by the Election Code. The State Board of  
34 Elections, county clerks, boards of election commissioners,

1 or other designated agencies of the State of Illinois  
2 required to have these forms under the Election Code shall  
3 provide a member of the public with any number of forms that  
4 he or she may request. Nothing in this Section shall permit  
5 the State Board of Elections, county clerk, board of election  
6 commissioners, or other appropriate election official who may  
7 accept a voter registration form to refuse to accept a voter  
8 registration form because the form is printed on photocopier  
9 or regular paper stock and form.

10 (f) Internet voter registration study. The State Board  
11 of Elections shall investigate the feasibility of offering  
12 voter registration on its website and consider voter  
13 registration methods of other states in an effort to maximize  
14 the opportunity for all Illinois citizens to register to  
15 vote. The State Board of Elections shall assemble its  
16 findings in a report and submit it to the General Assembly no  
17 later than January 1, 2006. The report shall contain  
18 legislative recommendations to the General Assembly on  
19 improving voter registration in Illinois.

20 (10 ILCS 5/1A-20 new)

21 Sec. 1A-20. Help Illinois Vote Fund. The Help Illinois  
22 Vote Fund is created as a special fund in the State treasury.  
23 All federal funds received by the State from the  
24 implementation of the federal Help America Vote Act of 2002  
25 shall be deposited into the Help Illinois Vote Fund. Moneys  
26 from any other source may be deposited into the Help Illinois  
27 Vote Fund. The Help Illinois Vote Fund shall be appropriated  
28 solely to the State Board of Elections for use in the  
29 performance of activities and programs authorized or mandated  
30 by or in accordance with the federal Help America Vote Act of  
31 2002.

32 (10 ILCS 5/2A-12) (from Ch. 46, par. 2A-12)

1           Sec. 2A-12. Board of Review - Time of Election. A  
2 member of the Board of Review in any county which elects  
3 members of a Board of Review shall be elected, at each  
4 general election which immediately precedes the expiration of  
5 the term of any incumbent member, to succeed each member  
6 whose term ends before the following general election, except  
7 that members of the Cook County Board of Review shall be  
8 elected as provided in subsection (c) of Section 5-5 of the  
9 Property Tax Code.

10         (Source: P.A. 80-936.)

11           (10 ILCS 5/4-6.2) (from Ch. 46, par. 4-6.2)

12           Sec. 4-6.2. (a) The county clerk shall appoint all  
13 municipal and township or road district clerks or their duly  
14 authorized deputies as deputy registrars who may accept the  
15 registration of all qualified residents of their respective  
16 municipalities, townships and road districts. A deputy  
17 registrar serving as such by virtue of his status as a  
18 municipal clerk, or a duly authorized deputy of a municipal  
19 clerk, of a municipality the territory of which lies in more  
20 than one county may accept the registration of any qualified  
21 resident of the municipality, regardless of which county the  
22 resident, municipal clerk or the duly authorized deputy of  
23 the municipal clerk lives in.

24           The county clerk shall appoint all precinct  
25 committeepersons in the county as deputy registrars who may  
26 accept the registration of any qualified resident of the  
27 county, except during the 27 days preceding an election.

28           The election authority shall appoint as deputy registrars  
29 a reasonable number of employees of the Secretary of State  
30 located at driver's license examination stations and  
31 designated to the election authority by the Secretary of  
32 State who may accept the registration of any qualified  
33 residents of the county at any such driver's license



1 examination stations. The appointment of employees of the  
2 Secretary of State as deputy registrars shall be made in the  
3 manner provided in Section 2-105 of the Illinois Vehicle  
4 Code.

5 The county clerk shall appoint each of the following  
6 named persons as deputy registrars upon the written request  
7 of such persons:

8 1. The chief librarian, or a qualified person  
9 designated by the chief librarian, of any public library  
10 situated within the election jurisdiction, who may accept  
11 the registrations of any qualified resident of the  
12 county, at such library.

13 2. The principal, or a qualified person designated  
14 by the principal, of any high school, elementary school,  
15 or vocational school situated within the election  
16 jurisdiction, who may accept the registrations of any  
17 qualified resident of the county, at such school. The  
18 county clerk shall notify every principal and  
19 vice-principal of each high school, elementary school,  
20 and vocational school situated within the election  
21 jurisdiction of their eligibility to serve as deputy  
22 registrars and offer training courses for service as  
23 deputy registrars at conveniently located facilities at  
24 least 4 months prior to every election.

25 3. The president, or a qualified person designated  
26 by the president, of any university, college, community  
27 college, academy or other institution of learning  
28 situated within the election jurisdiction, who may accept  
29 the registrations of any resident of the county, at such  
30 university, college, community college, academy or  
31 institution.

32 4. A duly elected or appointed official of a bona  
33 fide labor organization, or a reasonable number of  
34 qualified members designated by such official, who may

1 accept the registrations of any qualified resident of the  
2 county.

3 5. A duly elected or appointed official of a  
4 bonafide State civic organization, as defined and  
5 determined by rule of the State Board of Elections, or  
6 qualified members designated by such official, who may  
7 accept the registration of any qualified resident of the  
8 county. In determining the number of deputy registrars  
9 that shall be appointed, the county clerk shall consider  
10 the population of the jurisdiction, the size of the  
11 organization, the geographic size of the jurisdiction,  
12 convenience for the public, the existing number of deputy  
13 registrars in the jurisdiction and their location, the  
14 registration activities of the organization and the need  
15 to appoint deputy registrars to assist and facilitate the  
16 registration of non-English speaking individuals. In no  
17 event shall a county clerk fix an arbitrary number  
18 applicable to every civic organization requesting  
19 appointment of its members as deputy registrars. The  
20 State Board of Elections shall by rule provide for  
21 certification of bonafide State civic organizations. Such  
22 appointments shall be made for a period not to exceed 2  
23 years, terminating on the first business day of the month  
24 following the month of the general election, and shall be  
25 valid for all periods of voter registration as provided  
26 by this Code during the terms of such appointments.

27 6. The Director of the Illinois Department of  
28 Public Aid, or a reasonable number of employees  
29 designated by the Director and located at public aid  
30 offices, who may accept the registration of any qualified  
31 resident of the county at any such public aid office.

32 7. The Director of the Illinois Department of  
33 Employment Security, or a reasonable number of employees  
34 designated by the Director and located at unemployment

1 offices, who may accept the registration of any qualified  
2 resident of the county at any such unemployment office.

3 8. The president of any corporation as defined by  
4 the Business Corporation Act of 1983, or a reasonable  
5 number of employees designated by such president, who may  
6 accept the registrations of any qualified resident of the  
7 county.

8 If the request to be appointed as deputy registrar is  
9 denied, the county clerk shall, within 10 days after the date  
10 the request is submitted, provide the affected individual or  
11 organization with written notice setting forth the specific  
12 reasons or criteria relied upon to deny the request to be  
13 appointed as deputy registrar.

14 The county clerk may appoint as many additional deputy  
15 registrars as he considers necessary. The county clerk shall  
16 appoint such additional deputy registrars in such manner that  
17 the convenience of the public is served, giving due  
18 consideration to both population concentration and area.  
19 Some of the additional deputy registrars shall be selected so  
20 that there are an equal number from each of the 2 major  
21 political parties in the election jurisdiction. The county  
22 clerk, in appointing an additional deputy registrar, shall  
23 make the appointment from a list of applicants submitted by  
24 the Chairman of the County Central Committee of the  
25 applicant's political party. A Chairman of a County Central  
26 Committee shall submit a list of applicants to the county  
27 clerk by November 30 of each year. The county clerk may  
28 require a Chairman of a County Central Committee to furnish a  
29 supplemental list of applicants.

30 Deputy registrars may accept registrations at any time  
31 other than the 27 day period preceding an election. All  
32 persons appointed as deputy registrars shall be registered  
33 voters within the county and shall take and subscribe to the  
34 following oath or affirmation:

1 "I do solemnly swear (or affirm, as the case may be) that  
 2 I will support the Constitution of the United States, and the  
 3 Constitution of the State of Illinois, and that I will  
 4 faithfully discharge the duties of the office of deputy  
 5 registrar to the best of my ability and that I will register  
 6 no person nor cause the registration of any person except  
 7 upon his personal application before me.

8 .....  
 9 (Signature Deputy Registrar)"

10 This oath shall be administered by the county clerk, or  
 11 by one of his deputies, or by any person qualified to take  
 12 acknowledgement of deeds and shall immediately thereafter be  
 13 filed with the county clerk.

14 Appointments of deputy registrars under this Section,  
 15 except precinct committeemen, shall be for 2-year terms,  
 16 commencing on December 1 following the general election of  
 17 each even-numbered year; except that the terms of the initial  
 18 appointments shall be until December 1st following the next  
 19 general election. Appointments of precinct committeemen shall  
 20 be for 2-year terms commencing on the date of the county  
 21 convention following the general primary at which they were  
 22 elected. The county clerk shall issue a certificate of  
 23 appointment to each deputy registrar, and shall maintain in  
 24 his office for public inspection a list of the names of all  
 25 appointees.

26 (b) The county clerk shall be responsible for training  
 27 all deputy registrars appointed pursuant to subsection (a),  
 28 at times and locations reasonably convenient for both the  
 29 county clerk and such appointees. The county clerk shall be  
 30 responsible for certifying and supervising all deputy  
 31 registrars appointed pursuant to subsection (a). Deputy  
 32 registrars appointed under subsection (a) shall be subject to  
 33 removal for cause.

34 (c) Completed registration materials under the control

1 of deputy registrars, appointed pursuant to subsection (a),  
 2 shall be returned to the proper election authority within 7  
 3 days, except that completed registration materials received  
 4 by the deputy registrars during the period between the 35th  
 5 and 28th day preceding an election shall be returned by the  
 6 deputy registrars to the proper election authority within 48  
 7 hours after receipt thereof. The completed registration  
 8 materials received by the deputy registrars on the 28th day  
 9 preceding an election shall be returned by the deputy  
 10 registrars within 24 hours after receipt thereof. Unused  
 11 materials shall be returned by deputy registrars appointed  
 12 pursuant to paragraph 4 of subsection (a), not later than the  
 13 next working day following the close of registration.

14 (d) The county clerk or board of election commissioners,  
 15 as the case may be, must provide any additional forms  
 16 requested by any deputy registrar regardless of the number of  
 17 unaccounted registration forms the deputy registrar may have  
 18 in his or her possession. ~~The--county-clerk-shall-not-be~~  
 19 ~~required-to-provide-additional-forms-to-any-deputy--registrar~~  
 20 ~~having--more--than--200--registration--forms--unaccounted-for~~  
 21 ~~during-the-preceding-12-month-period.~~

22 (e) No deputy registrar shall engage in any  
 23 electioneering or the promotion of any cause during the  
 24 performance of his or her duties.

25 (f) The county clerk shall not be criminally or civilly  
 26 liable for the acts or omissions of any deputy registrar.  
 27 Such deputy registrars shall not be deemed to be employees of  
 28 the county clerk.

29 (Source: P.A. 92-816, eff. 8-21-02.)

30 (10 ILCS 5/4-33)

31 Sec. 4-33. Computerization of voter records.

32 (a) The State Board of Elections shall design a  
 33 registration record card that, except as otherwise provided

1 in this Section, shall be used in duplicate by all election  
2 authorities in the State adopting a computer-based voter  
3 registration file as provided in this Section. The Board  
4 shall prescribe the form and specifications, including but  
5 not limited to the weight of paper, color, and print of the  
6 cards. The cards shall contain boxes or spaces for the  
7 information required under Sections 4-8 and 4-21; provided  
8 that the cards shall also contain a box or space for the  
9 applicant's social security number, which shall be required  
10 to the extent allowed by law but in no case shall the  
11 applicant provide fewer than the last 4 digits of the social  
12 security number, and a box for the applicant's telephone  
13 number, if available, and a box for the applicant's driver's  
14 license number, if any.

15 (b) The election authority may develop and implement a  
16 system to prepare, use, and maintain a computer-based voter  
17 registration file that includes a computer-stored image of  
18 the signature of each voter. The computer-based voter  
19 registration file may be used for all purposes for which the  
20 original registration cards are to be used, provided that a  
21 system for the storage of at least one copy of the original  
22 registration cards remains in effect. The electronic file  
23 shall be the master file.

24 (c) Any system created, used, and maintained under  
25 subsection (b) of this Section shall meet the following  
26 standards:

27 (1) Access to any computer-based voter registration  
28 file shall be limited to those persons authorized by the  
29 election authority, and each access to the computer-based  
30 voter registration file, other than an access solely for  
31 inquiry, shall be recorded.

32 (2) No copy, summary, list, abstract, or index of  
33 any computer-based voter registration file that includes  
34 any computer-stored image of the signature of any

1 registered voter shall be made available to the public  
2 outside of the offices of the election authority.

3 (3) Any copy, summary, list, abstract, or index of  
4 any computer-based voter registration file that includes  
5 a computer-stored image of the signature of a registered  
6 voter shall be produced in such a manner that it cannot  
7 be reproduced.

8 (4) Each person desiring to vote shall sign an  
9 application for a ballot, and the signature comparison  
10 authorized in Articles 17 and 18 of this Code may be made  
11 to a copy of the computer-stored image of the signature  
12 of the registered voter.

13 (5) Any voter list produced from a computer-based  
14 voter registration file that includes computer-stored  
15 images of the signatures of registered voters and is used  
16 in a polling place during an election shall be preserved  
17 by the election authority in secure storage until the end  
18 of the second calendar year following the election in  
19 which it was used.

20 (d) Before the first election in which the election  
21 authority elects to use a voter list produced from the  
22 computer-stored images of the signatures of registered voters  
23 in a computer-based voter registration file for signature  
24 comparison in a polling place, the State Board of Elections  
25 shall certify that the system used by the election authority  
26 complies with the standards set forth in this Section. The  
27 State Board of Elections may request a sample poll list  
28 intended to be used in a polling place to test the accuracy  
29 of the list and the adequacy of the computer-stored images of  
30 the signatures of the registered voters.

31 (e) With respect to a jurisdiction that has copied all  
32 of its voter signatures into a computer-based registration  
33 file, all references in this Act or any other Act to the use,  
34 other than storage, of paper-based voter registration records

1 shall be deemed to refer to their computer-based equivalents.

2 (f) Nothing in this Section prevents an election  
3 authority from submitting to the State Board of Elections a  
4 duplicate copy of some, as the State Board of Elections shall  
5 determine, or all of the data contained in each voter  
6 registration record that is part of the electronic master  
7 file. The duplicate copy of the registration record shall be  
8 maintained by the State Board of Elections under the same  
9 terms and limitations applicable to the election authority  
10 and shall be of equal legal dignity with the original  
11 registration record maintained by the election authority as  
12 proof of any fact contained in the voter registration record.

13 (Source: P.A. 91-73, eff. 7-9-99.)

14 (10 ILCS 5/5-16.2) (from Ch. 46, par. 5-16.2)

15 Sec. 5-16.2. (a) The county clerk shall appoint all  
16 municipal and township clerks or their duly authorized  
17 deputies as deputy registrars who may accept the registration  
18 of all qualified residents of their respective counties. A  
19 deputy registrar serving as such by virtue of his status as a  
20 municipal clerk, or a duly authorized deputy of a municipal  
21 clerk, of a municipality the territory of which lies in more  
22 than one county may accept the registration of any qualified  
23 resident of any county in which the municipality is located,  
24 regardless of which county the resident, municipal clerk or  
25 the duly authorized deputy of the municipal clerk lives in.

26 The county clerk shall appoint all precinct  
27 committeepersons in the county as deputy registrars who may  
28 accept the registration of any qualified resident of the  
29 county, except during the 27 days preceding an election.

30 The election authority shall appoint as deputy registrars  
31 a reasonable number of employees of the Secretary of State  
32 located at driver's license examination stations and  
33 designated to the election authority by the Secretary of



1 State who may accept the registration of any qualified  
2 residents of the county at any such driver's license  
3 examination stations. The appointment of employees of the  
4 Secretary of State as deputy registrars shall be made in the  
5 manner provided in Section 2-105 of the Illinois Vehicle  
6 Code.

7 The county clerk shall appoint each of the following  
8 named persons as deputy registrars upon the written request  
9 of such persons:

10 1. The chief librarian, or a qualified person  
11 designated by the chief librarian, of any public library  
12 situated within the election jurisdiction, who may accept  
13 the registrations of any qualified resident of the  
14 county, at such library.

15 2. The principal, or a qualified person designated  
16 by the principal, of any high school, elementary school,  
17 or vocational school situated within the election  
18 jurisdiction, who may accept the registrations of any  
19 resident of the county, at such school. The county clerk  
20 shall notify every principal and vice-principal of each  
21 high school, elementary school, and vocational school  
22 situated within the election jurisdiction of their  
23 eligibility to serve as deputy registrars and offer  
24 training courses for service as deputy registrars at  
25 conveniently located facilities at least 4 months prior  
26 to every election.

27 3. The president, or a qualified person designated  
28 by the president, of any university, college, community  
29 college, academy or other institution of learning  
30 situated within the election jurisdiction, who may accept  
31 the registrations of any resident of the county, at such  
32 university, college, community college, academy or  
33 institution.

34 4. A duly elected or appointed official of a bona

1 fide labor organization, or a reasonable number of  
2 qualified members designated by such official, who may  
3 accept the registrations of any qualified resident of the  
4 county.

5 5. A duly elected or appointed official of a bona  
6 fide State civic organization, as defined and determined  
7 by rule of the State Board of Elections, or qualified  
8 members designated by such official, who may accept the  
9 registration of any qualified resident of the county. In  
10 determining the number of deputy registrars that shall be  
11 appointed, the county clerk shall consider the population  
12 of the jurisdiction, the size of the organization, the  
13 geographic size of the jurisdiction, convenience for the  
14 public, the existing number of deputy registrars in the  
15 jurisdiction and their location, the registration  
16 activities of the organization and the need to appoint  
17 deputy registrars to assist and facilitate the  
18 registration of non-English speaking individuals. In no  
19 event shall a county clerk fix an arbitrary number  
20 applicable to every civic organization requesting  
21 appointment of its members as deputy registrars. The  
22 State Board of Elections shall by rule provide for  
23 certification of bona fide State civic organizations.  
24 Such appointments shall be made for a period not to  
25 exceed 2 years, terminating on the first business day of  
26 the month following the month of the general election,  
27 and shall be valid for all periods of voter registration  
28 as provided by this Code during the terms of such  
29 appointments.

30 6. The Director of the Illinois Department of  
31 Public Aid, or a reasonable number of employees  
32 designated by the Director and located at public aid  
33 offices, who may accept the registration of any qualified  
34 resident of the county at any such public aid office.

1           7. The Director of the Illinois Department of  
2           Employment Security, or a reasonable number of employees  
3           designated by the Director and located at unemployment  
4           offices, who may accept the registration of any qualified  
5           resident of the county at any such unemployment office.

6           8. The president of any corporation as defined by  
7           the Business Corporation Act of 1983, or a reasonable  
8           number of employees designated by such president, who may  
9           accept the registrations of any qualified resident of the  
10          county.

11          If the request to be appointed as deputy registrar is  
12          denied, the county clerk shall, within 10 days after the date  
13          the request is submitted, provide the affected individual or  
14          organization with written notice setting forth the specific  
15          reasons or criteria relied upon to deny the request to be  
16          appointed as deputy registrar.

17          The county clerk may appoint as many additional deputy  
18          registrars as he considers necessary. The county clerk shall  
19          appoint such additional deputy registrars in such manner that  
20          the convenience of the public is served, giving due  
21          consideration to both population concentration and area.  
22          Some of the additional deputy registrars shall be selected so  
23          that there are an equal number from each of the 2 major  
24          political parties in the election jurisdiction. The county  
25          clerk, in appointing an additional deputy registrar, shall  
26          make the appointment from a list of applicants submitted by  
27          the Chairman of the County Central Committee of the  
28          applicant's political party. A Chairman of a County Central  
29          Committee shall submit a list of applicants to the county  
30          clerk by November 30 of each year. The county clerk may  
31          require a Chairman of a County Central Committee to furnish a  
32          supplemental list of applicants.

33          Deputy registrars may accept registrations at any time  
34          other than the 27 day period preceding an election. All

1 persons appointed as deputy registrars shall be registered  
2 voters within the county and shall take and subscribe to the  
3 following oath or affirmation:

4 "I do solemnly swear (or affirm, as the case may be) that  
5 I will support the Constitution of the United States, and the  
6 Constitution of the State of Illinois, and that I will  
7 faithfully discharge the duties of the office of deputy  
8 registrar to the best of my ability and that I will register  
9 no person nor cause the registration of any person except  
10 upon his personal application before me.

11 .....  
12 (Signature of Deputy Registrar)"

13 This oath shall be administered by the county clerk, or  
14 by one of his deputies, or by any person qualified to take  
15 acknowledgement of deeds and shall immediately thereafter be  
16 filed with the county clerk.

17 Appointments of deputy registrars under this Section,  
18 except precinct committeemen, shall be for 2-year terms,  
19 commencing on December 1 following the general election of  
20 each even-numbered year, except that the terms of the initial  
21 appointments shall be until December 1st following the next  
22 general election. Appointments of precinct committeemen  
23 shall be for 2-year terms commencing on the date of the  
24 county convention following the general primary at which they  
25 were elected. The county clerk shall issue a certificate of  
26 appointment to each deputy registrar, and shall maintain in  
27 his office for public inspection a list of the names of all  
28 appointees.

29 (b) The county clerk shall be responsible for training  
30 all deputy registrars appointed pursuant to subsection (a),  
31 at times and locations reasonably convenient for both the  
32 county clerk and such appointees. The county clerk shall be  
33 responsible for certifying and supervising all deputy  
34 registrars appointed pursuant to subsection (a). Deputy

1 registrars appointed under subsection (a) shall be subject to  
2 removal for cause.

3 (c) Completed registration materials under the control  
4 of deputy registrars, appointed pursuant to subsection (a),  
5 shall be returned to the proper election authority within 7  
6 days, except that completed registration materials received  
7 by the deputy registrars during the period between the 35th  
8 and 28th day preceding an election shall be returned by the  
9 deputy registrars to the proper election authority within 48  
10 hours after receipt thereof. The completed registration  
11 materials received by the deputy registrars on the 28th day  
12 preceding an election shall be returned by the deputy  
13 registrars within 24 hours after receipt thereof. Unused  
14 materials shall be returned by deputy registrars appointed  
15 pursuant to paragraph 4 of subsection (a), not later than the  
16 next working day following the close of registration.

17 (d) The county clerk or board of election commissioners,  
18 as the case may be, must provide any additional forms  
19 requested by any deputy registrar regardless of the number of  
20 unaccounted registration forms the deputy registrar may have  
21 in his or her possession. ~~The--county--clerk--shall--not--be~~  
22 ~~required--to--provide--additional--forms--to--any--deputy--registrar~~  
23 ~~having--more--than--200--registration--forms--unaccounted--for~~  
24 ~~during--the--preceding--12--month--period.~~

25 (e) No deputy registrar shall engage in any  
26 electioneering or the promotion of any cause during the  
27 performance of his or her duties.

28 (f) The county clerk shall not be criminally or civilly  
29 liable for the acts or omissions of any deputy registrar.  
30 Such deputy registers shall not be deemed to be employees of  
31 the county clerk.

32 (Source: P.A. 92-816, eff. 8-21-02.)

1           Sec. 5-43. Computerization of voter records.

2           (a) The State Board of Elections shall design a  
3 registration record card that, except as otherwise provided  
4 in this Section, shall be used in duplicate by all election  
5 authorities in the State adopting a computer-based voter  
6 registration file as provided in this Section. The Board  
7 shall prescribe the form and specifications, including but  
8 not limited to the weight of paper, color, and print of the  
9 cards. The cards shall contain boxes or spaces for the  
10 information required under Sections 5-7 and 5-28.1; provided  
11 that the cards shall also contain a box or space for the  
12 applicant's social security number, which shall be required  
13 to the extent allowed by law but in no case shall the  
14 applicant provide fewer than the last 4 digits of the social  
15 security number, and a box for the applicant's telephone  
16 number, if available, and a box for the applicant's driver's  
17 license number, if any.

18           (b) The election authority may develop and implement a  
19 system to prepare, use, and maintain a computer-based voter  
20 registration file that includes a computer-stored image of  
21 the signature of each voter. The computer-based voter  
22 registration file may be used for all purposes for which the  
23 original registration cards are to be used, provided that a  
24 system for the storage of at least one copy of the original  
25 registration cards remains in effect. The electronic file  
26 shall be the master file.

27           (c) Any system created, used, and maintained under  
28 subsection (b) of this Section shall meet the following  
29 standards:

30           (1) Access to any computer-based voter registration  
31 file shall be limited to those persons authorized by the  
32 election authority, and each access to the computer-based  
33 voter registration file, other than an access solely for  
34 inquiry, shall be recorded.

1           (2) No copy, summary, list, abstract, or index of  
2 any computer-based voter registration file that includes  
3 any computer-stored image of the signature of any  
4 registered voter shall be made available to the public  
5 outside of the offices of the election authority.

6           (3) Any copy, summary, list, abstract, or index of  
7 any computer-based voter registration file that includes  
8 a computer-stored image of the signature of a registered  
9 voter shall be produced in such a manner that it cannot  
10 be reproduced.

11           (4) Each person desiring to vote shall sign an  
12 application for a ballot, and the signature comparison  
13 authorized in Articles 17 and 18 of this Code may be made  
14 to a copy of the computer-stored image of the signature  
15 of the registered voter.

16           (5) Any voter list produced from a computer-based  
17 voter registration file that includes computer-stored  
18 images of the signatures of registered voters and is used  
19 in a polling place during an election shall be preserved  
20 by the election authority in secure storage until the end  
21 of the second calendar year following the election in  
22 which it was used.

23           (d) Before the first election in which the election  
24 authority elects to use a voter list produced from the  
25 computer-stored images of the signatures of registered voters  
26 in a computer-based voter registration file for signature  
27 comparison in a polling place, the State Board of Elections  
28 shall certify that the system used by the election authority  
29 complies with the standards set forth in this Section. The  
30 State Board of Elections may request a sample poll list  
31 intended to be used in a polling place to test the accuracy  
32 of the list and the adequacy of the computer-stored images of  
33 the signatures of the registered voters.

34           (e) With respect to a jurisdiction that has copied all

1 of its voter signatures into a computer-based registration  
2 file, all references in this Act or any other Act to the use,  
3 other than storage, of paper-based voter registration records  
4 shall be deemed to refer to their computer-based equivalents.

5 (f) Nothing in this Section prevents an election  
6 authority from submitting to the State Board of Elections a  
7 duplicate copy of some, as the State Board of Elections shall  
8 determine, or all of the data contained in each voter  
9 registration record that is part of the electronic master  
10 file. The duplicate copy of the registration record shall be  
11 maintained by the State Board of Elections under the same  
12 terms and limitations applicable to the election authority  
13 and shall be of equal legal dignity with the original  
14 registration record maintained by the election authority as  
15 proof of any fact contained in the voter registration record.

16 (Source: P.A. 91-73, eff. 7-9-99.)

17 (10 ILCS 5/6-50.2) (from Ch. 46, par. 6-50.2)

18 Sec. 6-50.2. (a) The board of election commissioners  
19 shall appoint all precinct committeepersons in the election  
20 jurisdiction as deputy registrars who may accept the  
21 registration of any qualified resident of the election  
22 jurisdiction, except during the 27 days preceding an  
23 election.

24 The election authority shall appoint as deputy registrars  
25 a reasonable number of employees of the Secretary of State  
26 located at driver's license examination stations and  
27 designated to the election authority by the Secretary of  
28 State who may accept the registration of any qualified  
29 residents of the county at any such driver's license  
30 examination stations. The appointment of employees of the  
31 Secretary of State as deputy registrars shall be made in the  
32 manner provided in Section 2-105 of the Illinois Vehicle  
33 Code.



1           The board of election commissioners shall appoint each of  
2 the following named persons as deputy registrars upon the  
3 written request of such persons:

4           1. The chief librarian, or a qualified person  
5 designated by the chief librarian, of any public library  
6 situated within the election jurisdiction, who may accept  
7 the registrations of any qualified resident of the  
8 election jurisdiction, at such library.

9           2. The principal, or a qualified person designated  
10 by the principal, of any high school, elementary school,  
11 or vocational school situated within the election  
12 jurisdiction, who may accept the registrations of any  
13 resident of the election jurisdiction, at such school.  
14 The board of election commissioners shall notify every  
15 principal and vice-principal of each high school,  
16 elementary school, and vocational school situated in the  
17 election jurisdiction of their eligibility to serve as  
18 deputy registrars and offer training courses for service  
19 as deputy registrars at conveniently located facilities  
20 at least 4 months prior to every election.

21           3. The president, or a qualified person designated  
22 by the president, of any university, college, community  
23 college, academy or other institution of learning  
24 situated within the election jurisdiction, who may accept  
25 the registrations of any resident of the election  
26 jurisdiction, at such university, college, community  
27 college, academy or institution.

28           4. A duly elected or appointed official of a bona  
29 fide labor organization, or a reasonable number of  
30 qualified members designated by such official, who may  
31 accept the registrations of any qualified resident of the  
32 election jurisdiction.

33           5. A duly elected or appointed official of a bona  
34 fide State civic organization, as defined and determined

1 by rule of the State Board of Elections, or qualified  
2 members designated by such official, who may accept the  
3 registration of any qualified resident of the election  
4 jurisdiction. In determining the number of deputy  
5 registrars that shall be appointed, the board of election  
6 commissioners shall consider the population of the  
7 jurisdiction, the size of the organization, the  
8 geographic size of the jurisdiction, convenience for the  
9 public, the existing number of deputy registrars in the  
10 jurisdiction and their location, the registration  
11 activities of the organization and the need to appoint  
12 deputy registrars to assist and facilitate the  
13 registration of non-English speaking individuals. In no  
14 event shall a board of election commissioners fix an  
15 arbitrary number applicable to every civic organization  
16 requesting appointment of its members as deputy  
17 registrars. The State Board of Elections shall by rule  
18 provide for certification of bona fide State civic  
19 organizations. Such appointments shall be made for a  
20 period not to exceed 2 years, terminating on the first  
21 business day of the month following the month of the  
22 general election, and shall be valid for all periods of  
23 voter registration as provided by this Code during the  
24 terms of such appointments.

25 6. The Director of the Illinois Department of  
26 Public Aid, or a reasonable number of employees  
27 designated by the Director and located at public aid  
28 offices, who may accept the registration of any qualified  
29 resident of the election jurisdiction at any such public  
30 aid office.

31 7. The Director of the Illinois Department of  
32 Employment Security, or a reasonable number of employees  
33 designated by the Director and located at unemployment  
34 offices, who may accept the registration of any qualified

1 resident of the election jurisdiction at any such  
2 unemployment office. If the request to be appointed as  
3 deputy registrar is denied, the board of election  
4 commissioners shall, within 10 days after the date the  
5 request is submitted, provide the affected individual or  
6 organization with written notice setting forth the  
7 specific reasons or criteria relied upon to deny the  
8 request to be appointed as deputy registrar.

9 8. The president of any corporation, as defined by  
10 the Business Corporation Act of 1983, or a reasonable  
11 number of employees designated by such president, who may  
12 accept the registrations of any qualified resident of the  
13 election jurisdiction.

14 The board of election commissioners may appoint as many  
15 additional deputy registrars as it considers necessary. The  
16 board of election commissioners shall appoint such additional  
17 deputy registrars in such manner that the convenience of the  
18 public is served, giving due consideration to both population  
19 concentration and area. Some of the additional deputy  
20 registrars shall be selected so that there are an equal  
21 number from each of the 2 major political parties in the  
22 election jurisdiction. The board of election commissioners,  
23 in appointing an additional deputy registrar, shall make the  
24 appointment from a list of applicants submitted by the  
25 Chairman of the County Central Committee of the applicant's  
26 political party. A Chairman of a County Central Committee  
27 shall submit a list of applicants to the board by November 30  
28 of each year. The board may require a Chairman of a County  
29 Central Committee to furnish a supplemental list of  
30 applicants.

31 Deputy registrars may accept registrations at any time  
32 other than the 27 day period preceding an election. All  
33 persons appointed as deputy registrars shall be registered  
34 voters within the election jurisdiction and shall take and

1 subscribe to the following oath or affirmation:

2 "I do solemnly swear (or affirm, as the case may be) that  
3 I will support the Constitution of the United States, and the  
4 Constitution of the State of Illinois, and that I will  
5 faithfully discharge the duties of the office of registration  
6 officer to the best of my ability and that I will register no  
7 person nor cause the registration of any person except upon  
8 his personal application before me.

9 .....  
10 (Signature of Registration Officer)"

11 This oath shall be administered and certified to by one  
12 of the commissioners or by the executive director or by some  
13 person designated by the board of election commissioners, and  
14 shall immediately thereafter be filed with the board of  
15 election commissioners. The members of the board of election  
16 commissioners and all persons authorized by them under the  
17 provisions of this Article to take registrations, after  
18 themselves taking and subscribing to the above oath, are  
19 authorized to take or administer such oaths and execute such  
20 affidavits as are required by this Article.

21 Appointments of deputy registrars under this Section,  
22 except precinct committeemen, shall be for 2-year terms,  
23 commencing on December 1 following the general election of  
24 each even-numbered year, except that the terms of the initial  
25 appointments shall be until December 1st following the next  
26 general election. Appointments of precinct committeemen shall  
27 be for 2-year terms commencing on the date of the county  
28 convention following the general primary at which they were  
29 elected. The county clerk shall issue a certificate of  
30 appointment to each deputy registrar, and shall maintain in  
31 his office for public inspection a list of the names of all  
32 appointees.

33 (b) The board of election commissioners shall be  
34 responsible for training all deputy registrars appointed

1 pursuant to subsection (a), at times and locations reasonably  
2 convenient for both the board of election commissioners and  
3 such appointees. The board of election commissioners shall  
4 be responsible for certifying and supervising all deputy  
5 registrars appointed pursuant to subsection (a). Deputy  
6 registrars appointed under subsection (a) shall be subject to  
7 removal for cause.

8 (c) Completed registration materials under the control  
9 of deputy registrars appointed pursuant to subsection (a)  
10 shall be returned to the proper election authority within 7  
11 days, except that completed registration materials received  
12 by the deputy registrars during the period between the 35th  
13 and 28th day preceding an election shall be returned by the  
14 deputy registrars to the proper election authority within 48  
15 hours after receipt thereof. The completed registration  
16 materials received by the deputy registrars on the 28th day  
17 preceding an election shall be returned by the deputy  
18 registrars within 24 hours after receipt thereof. Unused  
19 materials shall be returned by deputy registrars appointed  
20 pursuant to paragraph 4 of subsection (a), not later than the  
21 next working day following the close of registration.

22 (d) The county clerk or board of election commissioners,  
23 as the case may be, must provide any additional forms  
24 requested by any deputy registrar regardless of the number of  
25 unaccounted registration forms the deputy registrar may have  
26 in his or her possession. ~~The board of election commissioners~~  
27 ~~shall not be required to provide additional forms to any~~  
28 ~~deputy registrar having more than 200 registration forms~~  
29 ~~unaccounted for during the preceding 12 month period.~~

30 (e) No deputy registrar shall engage in any  
31 electioneering or the promotion of any cause during the  
32 performance of his or her duties.

33 (f) The board of election commissioners shall not be  
34 criminally or civilly liable for the acts or omissions of any

1 deputy registrar. Such deputy registrars shall not be deemed  
2 to be employees of the board of election commissioners.

3 (Source: P.A. 92-816, eff. 8-21-02.)

4 (10 ILCS 5/6-79)

5 Sec. 6-79. Computerization of voter records.

6 (a) The State Board of Elections shall design a  
7 registration record card that, except as otherwise provided  
8 in this Section, shall be used in duplicate by all election  
9 authorities in the State adopting a computer-based voter  
10 registration file as provided in this Section. The Board  
11 shall prescribe the form and specifications, including but  
12 not limited to the weight of paper, color, and print of the  
13 cards. The cards shall contain boxes or spaces for the  
14 information required under Sections 6-31.1 and 6-35; provided  
15 that the cards shall also contain a box or space for the  
16 applicant's social security number, which shall be required  
17 to the extent allowed by law but in no case shall the  
18 applicant provide fewer than the last 4 digits of the social  
19 security number, and a box for the applicant's telephone  
20 number, if available, and a box for the applicant's driver's  
21 license number.

22 (b) The election authority may develop and implement a  
23 system to prepare, use, and maintain a computer-based voter  
24 registration file that includes a computer-stored image of  
25 the signature of each voter. The computer-based voter  
26 registration file may be used for all purposes for which the  
27 original registration cards are to be used, provided that a  
28 system for the storage of at least one copy of the original  
29 registration cards remains in effect. The electronic file  
30 shall be the master file.

31 (c) Any system created, used, and maintained under  
32 subsection (b) of this Section shall meet the following  
33 standards:

1           (1) Access to any computer-based voter registration  
2 file shall be limited to those persons authorized by the  
3 election authority, and each access to the computer-based  
4 voter registration file, other than an access solely for  
5 inquiry, shall be recorded.

6           (2) No copy, summary, list, abstract, or index of  
7 any computer-based voter registration file that includes  
8 any computer-stored image of the signature of any  
9 registered voter shall be made available to the public  
10 outside of the offices of the election authority.

11           (3) Any copy, summary, list, abstract, or index of  
12 any computer-based voter registration file that includes  
13 a computer-stored image of the signature of a registered  
14 voter shall be produced in such a manner that it cannot  
15 be reproduced.

16           (4) Each person desiring to vote shall sign an  
17 application for a ballot, and the signature comparison  
18 authorized in Articles 17 and 18 of this Code may be made  
19 to a copy of the computer-stored image of the signature  
20 of the registered voter.

21           (5) Any voter list produced from a computer-based  
22 voter registration file that includes computer-stored  
23 images of the signatures of registered voters and is used  
24 in a polling place during an election shall be preserved  
25 by the election authority in secure storage until the end  
26 of the second calendar year following the election in  
27 which it was used.

28           (d) Before the first election in which the election  
29 authority elects to use a voter list produced from the  
30 computer-stored images of the signatures of registered voters  
31 in a computer-based voter registration file for signature  
32 comparison in a polling place, the State Board of Elections  
33 shall certify that the system used by the election authority  
34 complies with the standards set forth in this Section. The

1 State Board of Elections may request a sample poll list  
2 intended to be used in a polling place to test the accuracy  
3 of the list and the adequacy of the computer-stored images of  
4 the signatures of the registered voters.

5 (e) With respect to a jurisdiction that has copied all  
6 of its voter signatures into a computer-based registration  
7 file, all references in this Act or any other Act to the use,  
8 other than storage, of paper-based voter registration records  
9 shall be deemed to refer to their computer-based equivalents.

10 (f) Nothing in this Section prevents an election  
11 authority from submitting to the State Board of Elections a  
12 duplicate copy of some, as the State Board of Elections shall  
13 determine, or all of the data contained in each voter  
14 registration record that is part of the electronic master  
15 file. The duplicate copy of the registration record shall be  
16 maintained by the State Board of Elections under the same  
17 terms and limitations applicable to the election authority  
18 and shall be of equal legal dignity with the original  
19 registration record maintained by the election authority as  
20 proof of any fact contained in the voter registration record.

21 (Source: P.A. 91-73, eff. 7-9-99.)

22 (10 ILCS 5/7-7) (from Ch. 46, par. 7-7)

23 Sec. 7-7. For the purpose of making nominations in  
24 certain instances as provided in this Article and this Act,  
25 the following committees are authorized and shall constitute  
26 the central or managing committees of each political party,  
27 viz: A State central committee, a congressional committee for  
28 each congressional district, a county central committee for  
29 each county, a municipal central committee for each city,  
30 incorporated town or village, a ward committeeman for each  
31 ward in cities containing a population of 500,000 or more; a  
32 township committeeman for each township or part of a township  
33 that lies outside of cities having a population of 200,000 or



1 more, in counties having a population of 2,000,000 or more; a  
 2 precinct committeeman for each precinct in counties having a  
 3 population of less than 2,000,000; a county board district  
 4 committee for each county board district created under  
 5 Division 2-3 of the Counties Code; a State's Attorney  
 6 committee for each group of 2 or more counties which jointly  
 7 elect a State's Attorney; a Superintendent of Multi-County  
 8 Educational Service Region committee for each group of 2 or  
 9 more counties which jointly elect a Superintendent of a  
 10 Multi-County Educational Service Region; and a judicial  
 11 subcircuit committee in Cook County for each judicial  
 12 subcircuit in Cook County; and a board of review election  
 13 district committee for each Cook County Board of Review  
 14 election district.

15 (Source: P.A. 87-1052.)

16 (10 ILCS 5/7-8) (from Ch. 46, par. 7-8)

17 Sec. 7-8. The State central committee shall be composed  
 18 of one or two members from each congressional district in the  
 19 State and shall be elected as follows:

20 State Central Committee

21 (a) Within 30 days after the effective date of this  
 22 amendatory Act of 1983 the State central committee of each  
 23 political party shall certify to the State Board of Elections  
 24 which of the following alternatives it wishes to apply to the  
 25 State central committee of that party.

26 Alternative A. At the primary held on the third Tuesday  
 27 in March 1970, and at the primary held every 4 years  
 28 thereafter, each primary elector may vote for one candidate  
 29 of his party for member of the State central committee for  
 30 the congressional district in which he resides. The  
 31 candidate receiving the highest number of votes shall be  
 32 declared elected State central committeeman from the  
 33 district. A political party may, in lieu of the foregoing, by

1 a majority vote of delegates at any State convention of such  
2 party, determine to thereafter elect the State central  
3 committeemen in the manner following:

4 At the county convention held by such political party  
5 State central committeemen shall be elected in the same  
6 manner as provided in this Article for the election of  
7 officers of the county central committee, and such election  
8 shall follow the election of officers of the county central  
9 committee. Each elected ward, township or precinct  
10 committeeman shall cast as his vote one vote for each ballot  
11 voted in his ward, township, part of a township or precinct  
12 in the last preceding primary election of his political  
13 party. In the case of a county lying partially within one  
14 congressional district and partially within another  
15 congressional district, each ward, township or precinct  
16 committeeman shall vote only with respect to the  
17 congressional district in which his ward, township, part of a  
18 township or precinct is located. In the case of a  
19 congressional district which encompasses more than one  
20 county, each ward, township or precinct committeeman residing  
21 within the congressional district shall cast as his vote one  
22 vote for each ballot voted in his ward, township, part of a  
23 township or precinct in the last preceding primary election  
24 of his political party for one candidate of his party for  
25 member of the State central committee for the congressional  
26 district in which he resides and the Chairman of the county  
27 central committee shall report the results of the election to  
28 the State Board of Elections. The State Board of Elections  
29 shall certify the candidate receiving the highest number of  
30 votes elected State central committeeman for that  
31 congressional district.

32 The State central committee shall adopt rules to provide  
33 for and govern the procedures to be followed in the election  
34 of members of the State central committee.

1           After the effective date of this amendatory Act of the  
2 91st General Assembly, whenever a vacancy occurs in the  
3 office of Chairman of a State central committee, or at the  
4 end of the term of office of Chairman, the State central  
5 committee of each political party that has selected  
6 Alternative A shall elect a Chairman who shall not be  
7 required to be a member of the State Central Committee. The  
8 Chairman shall be a registered voter in this State and of the  
9 same political party as the State central committee.

10           Alternative B. Each congressional committee shall,  
11 within 30 days after the adoption of this alternative,  
12 appoint a person of the sex opposite that of the incumbent  
13 member for that congressional district to serve as an  
14 additional member of the State central committee until his or  
15 her successor is elected at the general primary election in  
16 1986. Each congressional committee shall make this  
17 appointment by voting on the basis set forth in paragraph (e)  
18 of this Section. In each congressional district at the  
19 general primary election held in 1986 and every 4 years  
20 thereafter, the male candidate receiving the highest number  
21 of votes of the party's male candidates for State central  
22 committeeman, and the female candidate receiving the highest  
23 number of votes of the party's female candidates for State  
24 central committeewoman, shall be declared elected State  
25 central committeeman and State central committeewoman from  
26 the district. At the general primary election held in 1986  
27 and every 4 years thereafter, if all a party's candidates for  
28 State central committeemen or State central committeewomen  
29 from a congressional district are of the same sex, the  
30 candidate receiving the highest number of votes shall be  
31 declared elected a State central committeeman or State  
32 central committeewoman from the district, and, because of a  
33 failure to elect one male and one female to the committee, a  
34 vacancy shall be declared to exist in the office of the

1 second member of the State central committee from the  
2 district. This vacancy shall be filled by appointment by the  
3 congressional committee of the political party, and the  
4 person appointed to fill the vacancy shall be a resident of  
5 the congressional district and of the sex opposite that of  
6 the committeeman or committeewoman elected at the general  
7 primary election. Each congressional committee shall make  
8 this appointment by voting on the basis set forth in  
9 paragraph (e) of this Section.

10 The Chairman of a State central committee composed as  
11 provided in this Alternative B must be selected from the  
12 committee's members.

13 Except as provided for in Alternative A with respect to  
14 the selection of the Chairman of the State central committee,  
15 under both of the foregoing alternatives, the State central  
16 committee of each political party shall be composed of  
17 members elected or appointed from the several congressional  
18 districts of the State, and of no other person or persons  
19 whomsoever. The members of the State central committee  
20 shall, within 30 days after each quadrennial election of the  
21 full committee, meet in the city of Springfield and organize  
22 by electing a chairman, and may at such time elect such  
23 officers from among their own number (or otherwise), as they  
24 may deem necessary or expedient. The outgoing chairman of the  
25 State central committee of the party shall, 10 days before  
26 the meeting, notify each member of the State central  
27 committee elected at the primary of the time and place of  
28 such meeting. In the organization and proceedings of the  
29 State central committee, each State central committeeman and  
30 State central committeewoman shall have one vote for each  
31 ballot voted in his or her congressional district by the  
32 primary electors of his or her party at the primary election  
33 immediately preceding the meeting of the State central  
34 committee. Whenever a vacancy occurs in the State central

1 committee of any political party, the vacancy shall be filled  
2 by appointment of the chairmen of the county central  
3 committees of the political party of the counties located  
4 within the congressional district in which the vacancy occurs  
5 and, if applicable, the ward and township committeemen of the  
6 political party in counties of 2,000,000 or more inhabitants  
7 located within the congressional district. If the  
8 congressional district in which the vacancy occurs lies  
9 wholly within a county of 2,000,000 or more inhabitants, the  
10 ward and township committeemen of the political party in that  
11 congressional district shall vote to fill the vacancy. In  
12 voting to fill the vacancy, each chairman of a county central  
13 committee and each ward and township committeeman in counties  
14 of 2,000,000 or more inhabitants shall have one vote for each  
15 ballot voted in each precinct of the congressional district  
16 in which the vacancy exists of his or her county, township,  
17 or ward cast by the primary electors of his or her party at  
18 the primary election immediately preceding the meeting to  
19 fill the vacancy in the State central committee. The person  
20 appointed to fill the vacancy shall be a resident of the  
21 congressional district in which the vacancy occurs, shall be  
22 a qualified voter, and, in a committee composed as provided  
23 in Alternative B, shall be of the same sex as his or her  
24 predecessor. A political party may, by a majority vote of the  
25 delegates of any State convention of such party, determine to  
26 return to the election of State central committeeman and  
27 State central committeewoman by the vote of primary electors.  
28 Any action taken by a political party at a State convention  
29 in accordance with this Section shall be reported to the  
30 State Board of Elections by the chairman and secretary of  
31 such convention within 10 days after such action.

32 Ward, Township and Precinct Committeemen

33 (b) At the primary held on the third Tuesday in March,  
34 1972, and every 4 years thereafter, each primary elector in

1 cities having a population of 200,000 or over may vote for  
2 one candidate of his party in his ward for ward committeeman.  
3 Each candidate for ward committeeman must be a resident of  
4 and in the ward where he seeks to be elected ward  
5 committeeman. The one having the highest number of votes  
6 shall be such ward committeeman of such party for such ward.  
7 At the primary election held on the third Tuesday in March,  
8 1970, and every 4 years thereafter, each primary elector in  
9 counties containing a population of 2,000,000 or more,  
10 outside of cities containing a population of 200,000 or more,  
11 may vote for one candidate of his party for township  
12 committeeman. Each candidate for township committeeman must  
13 be a resident of and in the township or part of a township  
14 (which lies outside of a city having a population of 200,000  
15 or more, in counties containing a population of 2,000,000 or  
16 more), and in which township or part of a township he seeks  
17 to be elected township committeeman. The one having the  
18 highest number of votes shall be such township committeeman  
19 of such party for such township or part of a township. At the  
20 primary held on the third Tuesday in March, 1970 and every 2  
21 years thereafter, each primary elector, except in counties  
22 having a population of 2,000,000 or over, may vote for one  
23 candidate of his party in his precinct for precinct  
24 committeeman. Each candidate for precinct committeeman must  
25 be a bona fide resident of the precinct where he seeks to be  
26 elected precinct committeeman. The one having the highest  
27 number of votes shall be such precinct committeeman of such  
28 party for such precinct. The official returns of the primary  
29 shall show the name of the committeeman of each political  
30 party.

31 Terms of Committeemen. All precinct committeemen elected  
32 under the provisions of this Article shall continue as such  
33 committeemen until the date of the primary to be held in the  
34 second year after their election. Except as otherwise

1 provided in this Section for certain State central  
2 committeemen who have 2 year terms, all State central  
3 committeemen, township committeemen and ward committeemen  
4 shall continue as such committeemen until the date of primary  
5 to be held in the fourth year after their election. However,  
6 a vacancy exists in the office of precinct committeeman when  
7 a precinct committeeman ceases to reside in the precinct in  
8 which he was elected and such precinct committeeman shall  
9 thereafter neither have nor exercise any rights, powers or  
10 duties as committeeman in that precinct, even if a successor  
11 has not been elected or appointed.

12 (c) The Multi-Township Central Committee shall consist  
13 of the precinct committeemen of such party, in the  
14 multi-township assessing district formed pursuant to Section  
15 2-10 of the Property Tax Code and shall be organized for the  
16 purposes set forth in Section 45-25 of the Township Code. In  
17 the organization and proceedings of the Multi-Township  
18 Central Committee each precinct committeeman shall have one  
19 vote for each ballot voted in his precinct by the primary  
20 electors of his party at the primary at which he was elected.

21 County Central Committee

22 (d) The county central committee of each political party  
23 in each county shall consist of the various township  
24 committeemen, precinct committeemen and ward committeemen, if  
25 any, of such party in the county. In the organization and  
26 proceedings of the county central committee, each precinct  
27 committeeman shall have one vote for each ballot voted in his  
28 precinct by the primary electors of his party at the primary  
29 at which he was elected; each township committeeman shall  
30 have one vote for each ballot voted in his township or part  
31 of a township as the case may be by the primary electors of  
32 his party at the primary election for the nomination of  
33 candidates for election to the General Assembly immediately  
34 preceding the meeting of the county central committee; and in

1 the organization and proceedings of the county central  
2 committee, each ward committeeman shall have one vote for  
3 each ballot voted in his ward by the primary electors of his  
4 party at the primary election for the nomination of  
5 candidates for election to the General Assembly immediately  
6 preceding the meeting of the county central committee.

7 Cook County Board of Review Election District Committee

8 (d-1) Each board of review election district committee  
9 of each political party in Cook County shall consist of the  
10 various township committeemen and ward committeemen, if any,  
11 of that party in the portions of the county composing the  
12 board of review election district. In the organization and  
13 proceedings of each of the 3 election district committees,  
14 each township committeeman shall have one vote for each  
15 ballot voted in his or her township or part of a township, as  
16 the case may be, by the primary electors of his or her party  
17 at the primary election immediately preceding the meeting of  
18 the board of review election district committee; and in the  
19 organization and proceedings of each of the 3 election  
20 district committees, each ward or township committeeman shall  
21 have one vote for each ballot voted in his or her ward by the  
22 primary electors of his or her party at the primary election  
23 immediately preceding the meeting of the board of review  
24 election district committee.

25 Congressional Committee

26 (e) The congressional committee of each party in each  
27 congressional district shall be composed of the chairmen of  
28 the county central committees of the counties composing the  
29 congressional district, except that in congressional  
30 districts wholly within the territorial limits of one county,  
31 or partly within 2 or more counties, but not coterminous with  
32 the county lines of all of such counties, the precinct  
33 committeemen, township committeemen and ward committeemen, if  
34 any, of the party representing the precincts within the



1 limits of the congressional district, shall compose the  
2 congressional committee. A State central committeeman in each  
3 district shall be a member and the chairman or, when a  
4 district has 2 State central committeemen, a co-chairman of  
5 the congressional committee, but shall not have the right to  
6 vote except in case of a tie.

7 In the organization and proceedings of congressional  
8 committees composed of precinct committeemen or township  
9 committeemen or ward committeemen, or any combination  
10 thereof, each precinct committeeman shall have one vote for  
11 each ballot voted in his precinct by the primary electors of  
12 his party at the primary at which he was elected, each  
13 township committeeman shall have one vote for each ballot  
14 voted in his township or part of a township as the case may  
15 be by the primary electors of his party at the primary  
16 election immediately preceding the meeting of the  
17 congressional committee, and each ward committeeman shall  
18 have one vote for each ballot voted in each precinct of his  
19 ward located in such congressional district by the primary  
20 electors of his party at the primary election immediately  
21 preceding the meeting of the congressional committee; and in  
22 the organization and proceedings of congressional committees  
23 composed of the chairmen of the county central committees of  
24 the counties within such district, each chairman of such  
25 county central committee shall have one vote for each ballot  
26 voted in his county by the primary electors of his party at  
27 the primary election immediately preceding the meeting of the  
28 congressional committee.

29 Judicial District Committee

30 (f) The judicial district committee of each political  
31 party in each judicial district shall be composed of the  
32 chairman of the county central committees of the counties  
33 composing the judicial district.

34 In the organization and proceedings of judicial district

1 committees composed of the chairmen of the county central  
2 committees of the counties within such district, each  
3 chairman of such county central committee shall have one vote  
4 for each ballot voted in his county by the primary electors  
5 of his party at the primary election immediately preceding  
6 the meeting of the judicial district committee.

7 Circuit Court Committee

8 (g) The circuit court committee of each political party  
9 in each judicial circuit outside Cook County shall be  
10 composed of the chairmen of the county central committees of  
11 the counties composing the judicial circuit.

12 In the organization and proceedings of circuit court  
13 committees, each chairman of a county central committee shall  
14 have one vote for each ballot voted in his county by the  
15 primary electors of his party at the primary election  
16 immediately preceding the meeting of the circuit court  
17 committee.

18 Judicial Subcircuit Committee

19 (g-1) The judicial subcircuit committee of each  
20 political party in each judicial subcircuit in Cook County  
21 shall be composed of the ward and township committeemen of  
22 the townships and wards composing the judicial subcircuit.

23 In the organization and proceedings of each judicial  
24 subcircuit committee, each township committeeman shall have  
25 one vote for each ballot voted in his township or part of a  
26 township, as the case may be, in the judicial subcircuit by  
27 the primary electors of his party at the primary election  
28 immediately preceding the meeting of the judicial subcircuit  
29 committee; and each ward committeeman shall have one vote for  
30 each ballot voted in his ward or part of a ward, as the case  
31 may be, in the judicial subcircuit by the primary electors of  
32 his party at the primary election immediately preceding the  
33 meeting of the judicial subcircuit committee.

34 Municipal Central Committee

1 (h) The municipal central committee of each political  
2 party shall be composed of the precinct, township or ward  
3 committeemen, as the case may be, of such party representing  
4 the precincts or wards, embraced in such city, incorporated  
5 town or village. The voting strength of each precinct,  
6 township or ward committeeman on the municipal central  
7 committee shall be the same as his voting strength on the  
8 county central committee.

9 For political parties, other than a statewide political  
10 party, established only within a municipality or township,  
11 the municipal or township managing committee shall be  
12 composed of the party officers of the local established  
13 party. The party officers of a local established party shall  
14 be as follows: the chairman and secretary of the caucus for  
15 those municipalities and townships authorized by statute to  
16 nominate candidates by caucus shall serve as party officers  
17 for the purpose of filling vacancies in nomination under  
18 Section 7-61; for municipalities and townships authorized by  
19 statute or ordinance to nominate candidates by petition and  
20 primary election, the party officers shall be the party's  
21 candidates who are nominated at the primary. If no party  
22 primary was held because of the provisions of Section 7-5,  
23 vacancies in nomination shall be filled by the party's  
24 remaining candidates who shall serve as the party's officers.

25 Powers

26 (i) Each committee and its officers shall have the  
27 powers usually exercised by such committees and by the  
28 officers thereof, not inconsistent with the provisions of  
29 this Article. The several committees herein provided for  
30 shall not have power to delegate any of their powers, or  
31 functions to any other person, officer or committee, but this  
32 shall not be construed to prevent a committee from appointing  
33 from its own membership proper and necessary subcommittees.

34 (j) The State central committee of a political party

1 which elects its members by Alternative B under paragraph (a)  
2 of this Section shall adopt a plan to give effect to the  
3 delegate selection rules of the national political party and  
4 file a copy of such plan with the State Board of Elections  
5 when approved by a national political party.

6 (k) For the purpose of the designation of a proxy by a  
7 Congressional Committee to vote in place of an absent State  
8 central committeeman or committeewoman at meetings of the  
9 State central committee of a political party which elects its  
10 members by Alternative B under paragraph (a) of this Section,  
11 the proxy shall be appointed by the vote of the ward and  
12 township committeemen, if any, of the wards and townships  
13 which lie entirely or partially within the Congressional  
14 District from which the absent State central committeeman or  
15 committeewoman was elected and the vote of the chairmen of  
16 the county central committees of those counties which lie  
17 entirely or partially within that Congressional District and  
18 in which there are no ward or township committeemen. When  
19 voting for such proxy the county chairman, ward committeeman  
20 or township committeeman, as the case may be shall have one  
21 vote for each ballot voted in his county, ward or township,  
22 or portion thereof within the Congressional District, by the  
23 primary electors of his party at the primary at which he was  
24 elected. However, the absent State central committeeman or  
25 committeewoman may designate a proxy when permitted by the  
26 rules of a political party which elects its members by  
27 Alternative B under paragraph (a) of this Section.

28 (Source: P.A. 90-627, eff. 7-10-98; 91-426, eff. 8-6-99.)

29 (10 ILCS 5/7-10) (from Ch. 46, par. 7-10)

30 Sec. 7-10. Form of petition for nomination. The name of  
31 no candidate for nomination, or State central committeeman,  
32 or township committeeman, or precinct committeeman, or ward  
33 committeeman or candidate for delegate or alternate delegate

1 to national nominating conventions, shall be printed upon the  
2 primary ballot unless a petition for nomination has been  
3 filed in his behalf as provided in this Article in  
4 substantially the following form:

5 We, the undersigned, members of and affiliated with the  
6 .... party and qualified primary electors of the .... party,  
7 in the .... of ....., in the county of .... and State of  
8 Illinois, do hereby petition that the following named person  
9 or persons shall be a candidate or candidates of the ....  
10 party for the nomination for (or in case of committeemen for  
11 election to) the office or offices hereinafter specified, to  
12 be voted for at the primary election to be held on (insert  
13 date).

Name	Office	Address
John Jones	Governor	Belvidere, Ill.
Thomas Smith	Attorney General	Oakland, Ill.

17 Name..... Address.....

18 State of Illinois)

19 ) ss.

20 County of.....)

21 I, ....., do hereby certify that I reside at No. ....  
22 street, in the .... of ....., county of ....., and State of  
23 ....., that I am 18 years of age or older, that I am a  
24 citizen of the United States, and that the signatures on this  
25 sheet were signed in my presence, and are genuine, and that  
26 to the best of my knowledge and belief the persons so signing  
27 were at the time of signing the petitions qualified voters of  
28 the .... party, and that their respective residences are  
29 correctly stated, as above set forth.

30 .....

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

32 .....

33 Each sheet of the petition other than the statement of

1 candidacy and candidate's statement shall be of uniform size  
2 and shall contain above the space for signatures an  
3 appropriate heading giving the information as to name of  
4 candidate or candidates, in whose behalf such petition is  
5 signed; the office, the political party represented and place  
6 of residence; and the heading of each sheet shall be the  
7 same.

8 Such petition shall be signed by qualified primary  
9 electors residing in the political division for which the  
10 nomination is sought in their own proper persons only and  
11 opposite the signature of each signer, his residence address  
12 shall be written or printed. The residence address required  
13 to be written or printed opposite each qualified primary  
14 elector's name shall include the street address or rural  
15 route number of the signer, as the case may be, as well as  
16 the signer's county, and city, village or town, and state.  
17 However the county or city, village or town, and state of  
18 residence of the electors may be printed on the petition  
19 forms where all of the electors signing the petition reside  
20 in the same county or city, village or town, and state.  
21 Standard abbreviations may be used in writing the residence  
22 address, including street number, if any. At the bottom of  
23 each sheet of such petition shall be added a circulator  
24 statement signed by a person 18 years of age or older who is  
25 a citizen of the United States, stating the street address or  
26 rural route number, as the case may be, as well as the  
27 county, city, village or town, and state; and certifying that  
28 the signatures on that sheet of the petition were signed in  
29 his or her presence and certifying that the signatures are  
30 genuine; and either (1) indicating the dates on which that  
31 sheet was circulated, or (2) indicating the first and last  
32 dates on which the sheet was circulated, or (3) certifying  
33 that none of the signatures on the sheet were signed more  
34 than 90 days preceding the last day for the filing of the

1 petition and certifying that to the best of his or her  
2 knowledge and belief the persons so signing were at the time  
3 of signing the petitions qualified voters of the political  
4 party for which a nomination is sought. Such statement shall  
5 be sworn to before some officer authorized to administer  
6 oaths in this State.

7 No petition sheet shall be circulated more than 90 days  
8 preceding the last day provided in Section 7-12 for the  
9 filing of such petition.

10 The person circulating the petition, or the candidate on  
11 whose behalf the petition is circulated, may strike any  
12 signature from the petition, provided that:

13 (1) the person striking the signature shall initial  
14 the petition at the place where the signature is struck;  
15 and

16 (2) the person striking the signature shall sign a  
17 certification listing the page number and line number of  
18 each signature struck from the petition. Such  
19 certification shall be filed as a part of the petition.

20 Such sheets before being filed shall be neatly fastened  
21 together in book form, by placing the sheets in a pile and  
22 fastening them together at one edge in a secure and suitable  
23 manner, and the sheets shall then be numbered consecutively.  
24 The sheets shall not be fastened by pasting them together end  
25 to end, so as to form a continuous strip or roll. All  
26 petition sheets which are filed with the proper local  
27 election officials, election authorities or the State Board  
28 of Elections shall be the original sheets which have been  
29 signed by the voters and by the circulator thereof, and not  
30 photocopies or duplicates of such sheets. Each petition must  
31 include as a part thereof, a statement of candidacy for each  
32 of the candidates filing, or in whose behalf the petition is  
33 filed. This statement shall set out the address of such  
34 candidate, the office for which he is a candidate, shall

1 state that the candidate is a qualified primary voter of the  
 2 party to which the petition relates and is qualified for the  
 3 office specified (in the case of a candidate for State's  
 4 Attorney it shall state that the candidate is at the time of  
 5 filing such statement a licensed attorney-at-law of this  
 6 State), shall state that he has filed (or will file before  
 7 the close of the petition filing period) a statement of  
 8 economic interests as required by the Illinois Governmental  
 9 Ethics Act, shall request that the candidate's name be placed  
 10 upon the official ballot, and shall be subscribed and sworn  
 11 to by such candidate before some officer authorized to take  
 12 acknowledgment of deeds in the State and shall be in  
 13 substantially the following form:

14 Statement of Candidacy

15	Name	Address	Office	District	Party
16	John Jones	102 Main St.	Governor	Statewide	Republican
17		Belvidere,			
18		Illinois			

19 State of Illinois)  
 20 ) ss.  
 21 County of .....

22 I, ....., being first duly sworn, say that I reside at  
 23 .... Street in the city (or village) of ....., in the county  
 24 of ....., State of Illinois; that I am a qualified voter  
 25 therein and am a qualified primary voter of the .... party;  
 26 that I am a candidate for nomination (for election in the  
 27 case of committeeman and delegates and alternate delegates)  
 28 to the office of .... to be voted upon at the primary  
 29 election to be held on (insert date); that I am legally  
 30 qualified (including being the holder of any license that may  
 31 be an eligibility requirement for the office I seek the  
 32 nomination for) to hold such office and that I have filed (or  
 33 I will file before the close of the petition filing period) a  
 34 statement of economic interests as required by the Illinois



1 Governmental Ethics Act and I hereby request that my name be  
2 printed upon the official primary ballot for nomination for  
3 (or election to in the case of committeemen and delegates and  
4 alternate delegates) such office.

5 Signed .....

6 Subscribed and sworn to (or affirmed) before me by .....,  
7 who is to me personally known, on (insert date).

8 Signed .....

9 (Official Character)

10 (Seal, if officer has one.)

11 The petitions, when filed, shall not be withdrawn or  
12 added to, and no signatures shall be revoked except by  
13 revocation filed in writing with the State Board of  
14 Elections, election authority or local election official with  
15 whom the petition is required to be filed, and before the  
16 filing of such petition. Whoever forges the name of a signer  
17 upon any petition required by this Article is deemed guilty  
18 of a forgery and on conviction thereof shall be punished  
19 accordingly.

20 A candidate for the offices listed in this Section must  
21 obtain the number of signatures specified in this Section on  
22 his or her petition for nomination.

23 (a) Statewide office or delegate to a national  
24 nominating convention. If a candidate seeks to run for  
25 statewide office or as a delegate or alternate delegate to a  
26 national nominating convention elected from the State  
27 at-large, then the candidate's petition for nomination must  
28 contain at least 5,000 but not more than 10,000 signatures.

29 (b) Congressional office or congressional delegate to a  
30 national nominating convention. If a candidate seeks to run  
31 for United States Congress or as a congressional delegate or  
32 alternate congressional delegate to a national nominating  
33 convention elected from a congressional district, then the  
34 candidate's petition for nomination must contain at least the

1 number of signatures equal to 0.5% of the qualified primary  
2 electors of his or her party in his or her congressional  
3 district. In the first primary election following a  
4 redistricting of congressional districts, a candidate's  
5 petition for nomination must contain at least 600 signatures  
6 of qualified primary electors of the candidate's political  
7 party in his or her congressional district.

8 (c) County office. If a candidate seeks to run for any  
9 countywide office, including but not limited to county board  
10 chairperson or county board member, elected on an at-large  
11 basis, in a county other than Cook County, then the  
12 candidate's petition for nomination must contain at least the  
13 number of signatures equal to 0.5% of the qualified electors  
14 of his or her party who cast votes at the last preceding  
15 general election in his or her county. If a candidate seeks  
16 to run for county board member elected from a county board  
17 district, then the candidate's petition for nomination must  
18 contain at least the number of signatures equal to 0.5% of  
19 the qualified primary electors of his or her party in the  
20 county board district. In the first primary election  
21 following a redistricting of county board districts or the  
22 initial establishment of county board districts, a  
23 candidate's petition for nomination must contain at least the  
24 number of signatures equal to 0.5% of the qualified electors  
25 of his or her party in the entire county who cast votes at  
26 the last preceding general election divided by the total  
27 number of county board districts comprising the county board;  
28 provided that in no event shall the number of signatures be  
29 less than 25.

30 (d) County office; Cook County only.

31 (1) If a candidate seeks to run for countywide  
32 office in Cook County, then the candidate's petition for  
33 nomination must contain at least the number of signatures  
34 equal to 0.5% of the qualified electors of his or her

1 party who cast votes at the last preceding general  
2 election in Cook County.

3 (2) If a candidate seeks to run for Cook County  
4 Board Commissioner, then the candidate's petition for  
5 nomination must contain at least the number of signatures  
6 equal to 0.5% of the qualified primary electors of his or  
7 her party in his or her county board district. In the  
8 first primary election following a redistricting of Cook  
9 County Board of Commissioners districts, a candidate's  
10 petition for nomination must contain at least the number  
11 of signatures equal to 0.5% of the qualified electors of  
12 his or her party in the entire county who cast votes at  
13 the last preceding general election divided by the total  
14 number of county board districts comprising the county  
15 board; provided that in no event shall the number of  
16 signatures be less than 25.

17 (3) If a candidate seeks to run for Cook County  
18 Board of Review Commissioner, which is elected from a  
19 district pursuant to subsection (c) of Section 5-5 of the  
20 Property Tax Code, then the candidate's petition for  
21 nomination must contain at least the number of signatures  
22 equal to 0.5% of the total number of registered voters in  
23 his or her board of review district in the last general  
24 election at which a commissioner was regularly scheduled  
25 to be elected from that board of review district. In no  
26 event shall the number of signatures required be greater  
27 than the requisite number for a candidate who seeks  
28 countywide office in Cook County under subsection (d)(1)  
29 of this Section. In the first primary election following  
30 a redistricting of Cook County Board of Review districts,  
31 a candidate's petition for nomination must contain at  
32 least 4,000 signatures or at least the number of  
33 signatures required for a county-wide candidate in Cook  
34 County, whichever is less, of the qualified electors of

1 his or her party in the district.

2 (e) Municipal or township office. If a candidate seeks  
3 to run for municipal or township office, then the candidate's  
4 petition for nomination must contain at least the number of  
5 signatures equal to 0.5% of the qualified primary electors of  
6 his or her party in the municipality or township. If a  
7 candidate seeks to run for alderman of a municipality, then  
8 the candidate's petition for nomination must contain at least  
9 the number of signatures equal to 0.5% of the qualified  
10 primary electors of his or her party of the ward. In the  
11 first primary election following redistricting of aldermanic  
12 wards or trustee districts of a municipality or the initial  
13 establishment of wards or districts, a candidate's petition  
14 for nomination must contain the number of signatures equal to  
15 at least 0.5% of the total number of votes cast for the  
16 candidate of that political party who received the highest  
17 number of votes in the entire municipality at the last  
18 regular election at which an officer was regularly scheduled  
19 to be elected from the entire municipality, divided by the  
20 number of wards or districts. In no event shall the number of  
21 signatures be less than 25.

22 (f) State central committeeperson. If a candidate seeks  
23 to run for State central committeeperson, then the  
24 candidate's petition for nomination must contain at least 100  
25 signatures of the primary electors of his or her party of his  
26 or her congressional district.

27 (g) Sanitary district trustee. If a candidate seeks to  
28 run for trustee of a sanitary district in which trustees are  
29 not elected from wards, then the candidate's petition for  
30 nomination must contain at least the number of signatures  
31 equal to 0.5% of the primary electors of his or her party  
32 from the sanitary district. If a candidate seeks to run for  
33 trustee of a sanitary district in which trustees are elected  
34 from wards, then the candidate's petition for nomination must

1 contain at least the number of signatures equal to 0.5% of  
2 the primary electors of his or her party in the ward of that  
3 sanitary district. In the first primary election following  
4 redistricting of sanitary districts elected from wards, a  
5 candidate's petition for nomination must contain at least the  
6 signatures of 150 qualified primary electors of his or her  
7 ward of that sanitary district.

8 (h) Judicial office. If a candidate seeks to run for  
9 judicial office in a district, circuit, or subcircuit, then  
10 the candidate's petition for nomination must contain the  
11 number of signatures equal to 0.25% of the number of votes  
12 cast for the judicial candidate of his or her political party  
13 who received the highest number of votes at the last general  
14 election at which a judicial officer from the same district,  
15 circuit, or subcircuit was regularly scheduled to be elected,  
16 but in no event less than 500 signatures.

17 (i) Precinct, ward, and township committeeperson. If a  
18 candidate seeks to run for precinct committeeperson, then the  
19 candidate's petition for nomination must contain at least 10  
20 signatures of the primary electors of his or her party for  
21 the precinct. If a candidate seeks to run for ward  
22 committeeperson, then the candidate's petition for nomination  
23 must contain no less than the number of signatures equal to  
24 10% of the primary electors of his or her party of the ward,  
25 but no more than 16% of those same electors; provided that  
26 the maximum number of signatures may be 50 more than the  
27 minimum number, whichever is greater. If a candidate seeks to  
28 run for township committeeperson, then the candidate's  
29 petition for nomination must contain no less than the number  
30 of signatures equal to 5% of the primary electors of his or  
31 her party of the township, but no more than 8% of those same  
32 electors; provided that the maximum number of signatures may  
33 be 50 more than the minimum number, whichever is greater.

34 (j) State's attorney or regional superintendent of

1 schools for multiple counties. If a candidate seeks to run  
2 for State's attorney or regional Superintendent of Schools  
3 who serves more than one county, then the candidate's  
4 petition for nomination must contain at least the number of  
5 signatures equal to 0.5% of the primary electors of his or  
6 her party in the territory comprising the counties.

7 (k) Any other office. If a candidate seeks any other  
8 office, then the candidate's petition for nomination must  
9 contain at least the number of signatures equal to 0.5% of  
10 the registered voters of the political subdivision, district,  
11 or division for which the nomination is made or 25  
12 signatures, whichever is greater.

13 For purposes of this Section the number of primary  
14 electors shall be determined by taking the total vote cast,  
15 in the applicable district, for the candidate for that  
16 political party who received the highest number of votes,  
17 statewide, at the last general election in the State at which  
18 electors for President of the United States were elected. For  
19 political subdivisions, the number of primary electors shall  
20 be determined by taking the total vote cast for the candidate  
21 for that political party who received the highest number of  
22 votes in the political subdivision at the last regular  
23 election at which an officer was regularly scheduled to be  
24 elected from that subdivision. For wards or districts of  
25 political subdivisions, the number of primary electors shall  
26 be determined by taking the total vote cast for the candidate  
27 for that political party who received the highest number of  
28 votes in the ward or district at the last regular election at  
29 which an officer was regularly scheduled to be elected from  
30 that ward or district.

31 A "qualified primary elector" of a party may not sign  
32 petitions for or be a candidate in the primary of more than  
33 one party.

34 Petitions-of-candidates-for-nomination-for-offices-herein

1 specified, to be filed with the same officer, may contain the  
2 names of 2 or more candidates of the same political party for  
3 the same or different offices.

4 Such petitions for nominations shall be signed:

5 (a) -- If for a State office, or for delegate or  
6 alternate delegate to be elected from the State at large  
7 to a National nominating convention by not less than  
8 5,000 nor more than 10,000 primary electors of his party.

9 (b) -- If for a congressional officer or for delegate  
10 or alternate delegate to be elected from a congressional  
11 district to a national nominating convention by at least  
12 .5% of the qualified primary electors of his party in his  
13 congressional district, except that for the first primary  
14 following a redistricting of congressional districts such  
15 petitions shall be signed by at least 600 qualified  
16 primary electors of the candidate's party in his  
17 congressional district.

18 (c) -- If for a county office (including county board  
19 member and chairman of the county board where elected  
20 from the county at large), by at least .5% of the  
21 qualified electors of his party cast at the last  
22 preceding general election in his county. -- However, if  
23 for the nomination for county commissioner of Cook  
24 County, then by at least .5% of the qualified primary  
25 electors of his or her party in his or her county in the  
26 district or division in which such person is a candidate  
27 for nomination; and if for county board member from a  
28 county board district, then by at least .5% of the  
29 qualified primary electors of his party in the county  
30 board district. -- In the case of an election for county  
31 board member to be elected from a district, for the first  
32 primary following a redistricting of county board  
33 districts or the initial establishment of county board  
34 districts, then by at least .5% of the qualified electors

1 of-his-party-in-the-entire-county-at-the--last--preceding  
2 general--election,--divided-by-the-number-of-county-board  
3 districts,--but-in-any-event-not-less--than--25--qualified  
4 primary-electors-of-his-party-in-the-district.

5 (d)--If--for--a--municipal--or-township-office-by-at  
6 least-.5%-of-the-qualified-primary-electors-of-his--party  
7 in--the--municipality-or-township;--if-for-alderman,--by-at  
8 least-.5%-of-the-voters-of-his-party-of-his-ward.--In-the  
9 case--of--an--election--for--alderman--or--trustee--of--a  
10 municipality-to-be-elected-from-a-ward-or--district,--for  
11 the--first--primary--following--a--redistricting--or--the  
12 initial--establishment-of-wards-or-districts,--then-by-.5%  
13 of-the-total-number-of-votes-cast-for--the--candidate--of  
14 such--political--party-who-received-the-highest-number-of  
15 votes-in-the-entire--municipality--at--the--last--regular  
16 election--at--which-an-officer-was-regularly-scheduled-to  
17 be-elected-from-the-entire-municipality,--divided--by--the  
18 number--of--wards-or-districts,--but-in-any-event-not-less  
19 than-25-qualified-primary-electors-of-his--party--in--the  
20 ward-or-district.

21 (e)--If--for-State-central-committeeman,--by-at-least  
22 100-of-the-primary-electors-of-his-or-her-party-of-his-or  
23 her-congressional-district.

24 (f)--If-for-a-candidate-for-trustee--of--a--sanitary  
25 district-in-which-trustees-are-not-elected-from-wards,--by  
26 at--least--.5%-of-the-primary-electors-of-his-party,--from  
27 such-sanitary-district.

28 (g)--If-for-a-candidate-for-trustee--of--a--sanitary  
29 district-in-which-the-trustees-are-elected-from-wards,--by  
30 at--least-.5%-of-the-primary-electors-of-his-party-in-his  
31 ward-of-such-sanitary-district,--except-that-for-the-first  
32 primary-following-a-reapportionment-of-the-district--such  
33 petitions--shall--be--signed--by--at--least-150-qualified  
34 primary-electors-of-the-candidate's-ward-of-such-sanitary



1 district.

2 (h) -- If for a candidate for judicial office in a  
3 district, circuit, or subcircuit, by a number of primary  
4 electors at least equal to 0.25% of the number of votes  
5 cast for the judicial candidate of his or her political  
6 party who received the highest number of votes at the  
7 last regular general election at which a judicial officer  
8 from the same district, circuit, or subcircuit was  
9 regularly scheduled to be elected, but in no event fewer  
10 than 500.

11 (i) -- If for a candidate for precinct committeeman,  
12 by at least 10 primary electors of his or her party of  
13 his or her precinct; if for a candidate for ward  
14 committeeman, by not less than 10% nor more than 16% (or  
15 50 more than the minimum, whichever is greater) of the  
16 primary electors of his party of his ward; if for a  
17 candidate for township committeeman, by not less than 5%  
18 nor more than 8% (or 50 more than the minimum, whichever  
19 is greater) of the primary electors of his party in his  
20 township or part of a township as the case may be.

21 (j) -- If for a candidate for State's Attorney or  
22 Regional Superintendent of Schools to serve 2 or more  
23 counties, by at least .5% of the primary electors of his  
24 party in the territory comprising such counties.

25 (k) -- If for any other office by at least .5% of the  
26 total number of registered voters of the political  
27 subdivision, district or division for which the  
28 nomination is made or a minimum of 25, whichever is  
29 greater.

30 For the purposes of this Section the number of primary  
31 electors shall be determined by taking the total vote cast,  
32 in the applicable district, for the candidate for such  
33 political party who received the highest number of votes,  
34 state-wide, at the last general election in the State at

1 which--electors--for--President--of--the--United--States--were  
2 elected.-For-political-subdivisions,-the--number--of--primary  
3 electors--shall--be--determined-by-taking-the-total-vote-cast  
4 for-the-candidate-for-such-political-party-who--received--the  
5 highest--number-of-votes-in-such-political-subdivision-at-the  
6 last-regular-election--at--which--an--officer--was--regularly  
7 scheduled--to-be-elected-from-that-subdivision.-For-wards-or  
8 districts-of-political-subdivisions,-the--number--of--primary  
9 electors--shall--be--determined-by-taking-the-total-vote-cast  
10 for-the-candidate-for-such-political-party-who--received--the  
11 highest--number-of-votes-in-such-ward-or-district-at-the-last  
12 regular-election-at-which-an-officer-was-regularly--scheduled  
13 to-be-elected-from-that-ward-or-district.

14 A--"qualified--primary--elector"--of-a-party-may-not-sign  
15 petitions-for-or-be-a-candidate-in-the-primary-of--more--than  
16 one-party.

17 (Source: P.A. 91-57, eff. 6-30-99; 91-357, eff. 7-29-99;  
18 91-358, eff. 7-29-99; 92-16, eff. 6-28-01; 92-129, eff.  
19 7-20-01.)

20 (10 ILCS 5/7-10.2) (from Ch. 46, par. 7-10.2)

21 Sec. 7-10.2. In the designation of the name of a  
22 candidate on a petition for nomination or certificate of  
23 nomination the candidate's given name or names, initial or  
24 initials, a nickname by which the candidate is commonly  
25 known, or a combination thereof, may be used in addition to  
26 the candidate's surname. No other designation such as a  
27 political slogan, as defined by Section 7-17, title, or  
28 degree, or nickname suggesting or implying possession of a  
29 title, degree or professional status, similar information  
30 may be used in connection with the candidate's surname,  
31 except that the title "Mrs." may be used in the case of a  
32 married woman.

33 (Source: P.A. 81-135.)

1 (10 ILCS 5/7-17) (from Ch. 46, par. 7-17)

2 Sec. 7-17. Candidate ballot name procedures.

3 (a) Each election authority in each county shall cause  
4 to be printed upon the general primary ballot of each party  
5 for each precinct in his jurisdiction the name of each  
6 candidate whose petition for nomination or for committeeman  
7 has been filed in the office of the county clerk, as herein  
8 provided; and also the name of each candidate whose name has  
9 been certified to his office by the State Board of Elections,  
10 and in the order so certified, except as hereinafter  
11 provided.

12 It shall be the duty of the election authority to cause  
13 to be printed upon the consolidated primary ballot of each  
14 political party for each precinct in his jurisdiction the  
15 name of each candidate whose name has been certified to him,  
16 as herein provided and which is to be voted for in such  
17 precinct.

18 (b) In the designation of the name of a candidate on the  
19 primary ballot the candidate's given name or names, initial  
20 or initials, a nickname by which the candidate is commonly  
21 known, or a combination thereof, may be used in addition to  
22 the candidate's surname. No other designation such as a  
23 political slogan, title, or degree, or nickname suggesting or  
24 implying possession of a title, degree or professional  
25 status, or similar information may be used in connection with  
26 the candidate's surname, except that the title "Mrs." may be  
27 used in the case of a married woman. For purposes of this  
28 Section, a "political slogan" is defined as any word or words  
29 expressing or connoting a position, opinion, or belief that  
30 the candidate may espouse, including but not limited to, any  
31 word or words conveying any meaning other than that of the  
32 personal identity of the candidate. A candidate may not use a  
33 political slogan as part of his or her name on the ballot,  
34 notwithstanding that the political slogan may be part of the

1 candidate's name.

2 (c) The State Board of Elections, a local election  
3 official, or an election authority shall remove any  
4 candidate's name designation from a ballot that is  
5 inconsistent with subsection (b) of this Section. In  
6 addition, the State Board of Elections, a local election  
7 official, or an election authority shall not certify to any  
8 election authority any candidate name designation that is  
9 inconsistent with subsection (b) of this Section.

10 (d) If the State Board of Elections, a local election  
11 official, or an election authority removes a candidate's name  
12 designation from a ballot under subsection (c) of this  
13 Section, then the aggrieved candidate may seek appropriate  
14 relief in circuit court.

15 (Source: P.A. 81-135.)

16 (10 ILCS 5/7-34) (from Ch. 46, par. 7-34)

17 Sec. 7-34. Pollwatchers in a primary election shall be  
18 authorized in the following manner:

19 (1) Each established political party shall be entitled  
20 to appoint one pollwatcher per precinct. Such pollwatchers  
21 must be affiliated with the political party for which they  
22 are pollwatching and must be a registered voter in Illinois.  
23 ~~For all primary elections, except as provided in subsection~~  
24 ~~(5), such pollwatchers must be registered to vote from a~~  
25 ~~residence in the county in which they are pollwatching.~~

26 (2) Each candidate shall be entitled to appoint two  
27 pollwatchers per precinct. For Federal, State, and county  
28 primary elections, the poll watchers ~~one pollwatcher~~ must be  
29 registered to vote in Illinois ~~from a residence in the county~~  
30 ~~in which he is pollwatching.~~ ~~The second pollwatcher must be~~  
31 ~~registered to vote from a residence in the precinct or ward~~  
32 ~~in which he is pollwatching.~~ ~~For township and municipal~~  
33 ~~primary elections, one pollwatcher must be registered to vote~~

1 from-a-residence-in-the-county-in-which-he-is-pollwatching.  
2 The-second-pollwatcher-must-be-registered-to-vote-from-a  
3 residence-in-the-precinct-or-ward-in-which-he-is  
4 pollwatching.

5 (3) Each organization of citizens within the county or  
6 political subdivision, which has among its purposes or  
7 interests the investigation or prosecution of election  
8 frauds, and which shall have registered its name and address  
9 and the names and addresses of its principal officers with  
10 the proper election authority at least 40 days before the  
11 primary election, shall be entitled to appoint one  
12 pollwatcher per precinct. For all primary elections, the  
13 ~~except-as-provided-in-subsection-(5),~~ such pollwatcher must  
14 be registered to vote in Illinois ~~from-a-residence-in-the~~  
15 ~~county-in-which-he-is-pollwatching.~~

16 (4) Each organized group of proponents or opponents of a  
17 ballot proposition, which shall have registered the name and  
18 address of its organization or committee and the name and  
19 address of its chairman with the proper election authority at  
20 least 40 days before the primary election, shall be entitled  
21 to appoint one pollwatcher per precinct. The ~~Except-as~~  
22 ~~provided-in-subsection-(5),~~ such pollwatcher must be  
23 registered to vote in Illinois ~~from-a-residence-in-the-county~~  
24 ~~in-which-the-ballot-proposition-is-being-voted-upon.~~

25 (5) In any primary election held to nominate candidates  
26 for the offices of a municipality of less than 3,000,000  
27 population that is situated in 2 or more counties, a  
28 pollwatcher who is a resident of a county in which any part  
29 of the municipality is situated shall be eligible to serve as  
30 a pollwatcher in any polling place located within such  
31 municipality, provided that such pollwatcher otherwise  
32 complies with the respective requirements of subsections (1)  
33 through (4) of this Section and is a registered voter whose  
34 residence is within Illinois ~~the-municipality.~~

1 All pollwatchers shall be required to have proper  
 2 credentials. Such credentials shall be printed in sufficient  
 3 quantities, shall be issued by and under the facsimile  
 4 signature(s) of the election authority and shall be available  
 5 for distribution at least 2 weeks prior to the election.  
 6 Such credentials shall be authorized by the real or facsimile  
 7 signature of the State or local party official or the  
 8 candidate or the presiding officer of the civic organization  
 9 or the chairman of the proponent or opponent group, as the  
 10 case may be.

11 Pollwatcher credentials shall be in substantially the  
 12 following form:

13 POLLWATCHER CREDENTIALS

14 TO THE JUDGES OF ELECTION:

15 In accordance with the provisions of the Election Code,  
 16 the undersigned hereby appoints ..... (name of  
 17 pollwatcher) at ..... (address) in the county of  
 18 ....., ..... (township or municipality) of  
 19 ..... (name), State of Illinois and who is duly  
 20 registered to vote from this address, to act as a pollwatcher  
 21 in the ..... precinct of the ..... ward (if  
 22 applicable) of the ..... (township or municipality) of  
 23 ..... at the ..... election to be held on (insert  
 24 date).

25 ..... (Signature of Appointing Authority)  
 26 ..... TITLE (party official, candidate,  
 27 civic organization president,  
 28 proponent or opponent group chairman)

29 Under penalties provided by law pursuant to Section 29-10  
 30 of the Election Code, the undersigned pollwatcher certifies  
 31 that he or she resides at ..... (address) in the  
 32 county of ....., ..... (township or municipality) of  
 33 ..... (name), State of Illinois, and is duly registered  
 34 to vote in Illinois ~~from that address~~.

1 .....  
 2 (Precinct and/or Ward in (Signature of Pollwatcher)  
 3 Which Pollwatcher Resides)

4 Pollwatchers must present their credentials to the Judges  
 5 of Election upon entering the polling place. Pollwatcher  
 6 credentials properly executed and signed shall be proof of  
 7 the qualifications of the pollwatcher authorized thereby.  
 8 Such credentials are retained by the Judges and returned to  
 9 the Election Authority at the end of the day of election with  
 10 the other election materials. Once a pollwatcher has  
 11 surrendered a valid credential, he may leave and reenter the  
 12 polling place provided that such continuing action does not  
 13 disrupt the conduct of the election. Pollwatchers may be  
 14 substituted during the course of the day, but established  
 15 political parties, candidates, qualified civic organizations  
 16 and proponents and opponents of a ballot proposition can have  
 17 only as many pollwatchers at any given time as are authorized  
 18 in this Article. A substitute must present his signed  
 19 credential to the judges of election upon entering the  
 20 polling place. Election authorities must provide a  
 21 sufficient number of credentials to allow for substitution of  
 22 pollwatchers. After the polls have closed, pollwatchers shall  
 23 be allowed to remain until the canvass of votes is completed;  
 24 but may leave and reenter only in cases of necessity,  
 25 provided that such action is not so continuous as to disrupt  
 26 the canvass of votes.

27 Candidates seeking office in a district or municipality  
 28 encompassing 2 or more counties shall be admitted to any and  
 29 all polling places throughout such district or municipality  
 30 without regard to the counties in which such candidates are  
 31 registered to vote. Actions of such candidates shall be  
 32 governed in each polling place by the same privileges and  
 33 limitations that apply to pollwatchers as provided in this  
 34 Section. Any such candidate who engages in an activity in a

1 polling place which could reasonably be construed by a  
2 majority of the judges of election as campaign activity shall  
3 be removed forthwith from such polling place.

4 Candidates seeking office in a district or municipality  
5 encompassing 2 or more counties who desire to be admitted to  
6 polling places on election day in such district or  
7 municipality shall be required to have proper credentials.  
8 Such credentials shall be printed in sufficient quantities,  
9 shall be issued by and under the facsimile signature of the  
10 election authority of the election jurisdiction where the  
11 polling place in which the candidate seeks admittance is  
12 located, and shall be available for distribution at least 2  
13 weeks prior to the election. Such credentials shall be  
14 signed by the candidate.

15 Candidate credentials shall be in substantially the  
16 following form:

17 CANDIDATE CREDENTIALS

18 TO THE JUDGES OF ELECTION:

19 In accordance with the provisions of the Election Code, I  
20 ..... (name of candidate) hereby certify that I am a  
21 candidate for ..... (name of office) and seek admittance to  
22 ..... precinct of the ..... ward (if applicable) of the  
23 ..... (township or municipality) of ..... at the .....  
24 election to be held on (insert date).

25 .....  
26 (Signature of Candidate) OFFICE FOR WHICH  
27 CANDIDATE SEEKS  
28 NOMINATION OR  
29 ELECTION

30 Pollwatchers shall be permitted to observe all  
31 proceedings relating to the conduct of the election and to  
32 station themselves in a position in the voting room as will  
33 enable them to observe the judges making the signature



1 comparison between the voter application and the voter  
2 registration record card; provided, however, that such  
3 pollwatchers shall not be permitted to station themselves in  
4 such close proximity to the judges of election so as to  
5 interfere with the orderly conduct of the election and shall  
6 not, in any event, be permitted to handle election materials.  
7 Pollwatchers may challenge for cause the voting  
8 qualifications of a person offering to vote and may call to  
9 the attention of the judges of election any incorrect  
10 procedure or apparent violations of this Code.

11 If a majority of the judges of election determine that  
12 the polling place has become too overcrowded with  
13 pollwatchers so as to interfere with the orderly conduct of  
14 the election, the judges shall, by lot, limit such  
15 pollwatchers to a reasonable number, except that each  
16 candidate and each established or new political party shall  
17 be permitted to have at least one pollwatcher present.

18 Representatives of an election authority, with regard to  
19 an election under its jurisdiction, the State Board of  
20 Elections, and law enforcement agencies, including but not  
21 limited to a United States Attorney, a State's attorney, the  
22 Attorney General, and a State, county, or local police  
23 department, in the performance of their official election  
24 duties, shall be permitted at all times to enter and remain  
25 in the polling place. Upon entering the polling place, such  
26 representatives shall display their official credentials or  
27 other identification to the judges of election.

28 Uniformed police officers assigned to polling place duty  
29 shall follow all lawful instructions of the judges of  
30 election.

31 The provisions of this Section shall also apply to  
32 supervised casting of absentee ballots as provided in Section  
33 19-12.2 of this Act.

34 (Source: P.A. 90-655, eff. 7-30-98; 91-357, eff. 7-29-99.)

1 (10 ILCS 5/7-41) (from Ch. 46, par. 7-41)

2 Sec. 7-41. (a) All officers upon whom is imposed by law  
3 the duty of designating and providing polling places for  
4 general elections, shall provide in each such polling place  
5 so designated and provided, a sufficient number of booths for  
6 such primary election, which booths shall be provided with  
7 shelves, such supplies and pencils as will enable the voter  
8 to prepare his ballot for voting and in which voters may  
9 prepare their ballots screened from all observation as to the  
10 manner in which they do so. Such booths shall be within plain  
11 view of the election officers and both they and the ballot  
12 boxes shall be within plain view of those within the  
13 proximity of the voting booths. No person other than election  
14 officers and the challengers allowed by law and those  
15 admitted for the purpose of voting, as hereinafter provided,  
16 shall be permitted within the proximity of the voting booths,  
17 except by authority of the primary officers to keep order and  
18 enforce the law.

19 (b) The number of such voting booths shall not be less  
20 than one to every seventy-five voters or fraction thereof,  
21 who voted at the last preceding election in the precinct or  
22 election district.

23 (c) No person shall do any electioneering or soliciting  
24 of votes on primary day within any polling place or within  
25 one hundred feet of any polling place. Election officers  
26 shall place 2 or more cones, small United States national  
27 flags, or some other marker a distance of 100 horizontal feet  
28 from each entrance to the room used by voters to engage in  
29 voting, which shall be known as the polling room. If the  
30 polling room is located within a public or private school  
31 building and the distance of 100 horizontal feet ends within  
32 the interior of the public or private school building, then  
33 the markers shall be placed outside of the public or private  
34 school building at each entrance used by voters to enter that

1 building on the grounds adjacent to the thoroughfare or  
2 walkway. If the polling room is located within a public or  
3 private building with 2 or more floors and the polling room  
4 is located on the ground floor, then the markers shall be  
5 placed 100 horizontal feet from each entrance to the polling  
6 room used by voters to engage in voting. If the polling room  
7 is located in a public or private building with 2 or more  
8 floors and the polling room is located on a floor above or  
9 below the ground floor, then the markers shall be placed a  
10 distance of 100 feet from the nearest elevator or staircase  
11 used by voters on the ground floor to access the floor where  
12 the polling room is located. The area within where the  
13 markers are placed shall be known as a campaign free zone,  
14 and electioneering is prohibited pursuant to this subsection.

15 The area on polling place property beyond the campaign  
16 free zone, whether publicly or privately owned, is a public  
17 forum for the time that the polls are open on an election  
18 day. At the request of election officers any publicly owned  
19 building must be made available for use as a polling place. A  
20 person shall have the right to congregate and engage in  
21 electioneering on any polling place property while the polls  
22 are open beyond the campaign free zone, including but not  
23 limited to, the placement of temporary signs. This subsection  
24 shall be construed liberally in favor of persons engaging in  
25 electioneering on all polling place property beyond the  
26 campaign free zone for the time that the polls are open on an  
27 election day.

28 (d) The regulation of electioneering on polling place  
29 property on an election day, including but not limited to the  
30 placement of temporary signs, is an exclusive power and  
31 function of the State. A home rule unit may not regulate  
32 electioneering and any ordinance or local law contrary to  
33 subsection (c) is declared void. This is a denial and  
34 limitation of home rule powers and functions under subsection

1 (h) of Section 6 of Article VII of the Illinois Constitution.

2 (Source: P.A. 89-653, eff. 8-14-96.)

3 (10 ILCS 5/8-8.1) (from Ch. 46, par. 8-8.1)

4 Sec. 8-8.1. In the designation of the name of a  
5 candidate on a petition for nomination, the candidate's given  
6 name or names, initial or initials, a nickname by which the  
7 candidate is commonly known, or a combination thereof, may be  
8 used in addition to the candidate's surname. No other  
9 designation such as a political slogan, title, or degree, or  
10 nickname suggesting or implying possession of a title, degree  
11 or professional status, or similar information may be used in  
12 connection with the candidate's surname, except that the  
13 title "Mrs." may be used in the case of a married woman.

14 (Source: P.A. 81-135.)

15 (10 ILCS 5/9-1.5) (from Ch. 46, par. 9-1.5)

16 Sec. 9-1.5. Expenditure defined

17 "Expenditure" means-

18 (1) a payment, distribution, purchase, loan,  
19 advance, deposit, or gift of money or anything of value,  
20 in connection with the nomination for election, or  
21 election, of any person to public office, in connection  
22 with the election of any person as ward or township  
23 committeeman in counties of 3,000,000 or more population,  
24 or in connection with any question of public policy.

25 "Expenditure" also includes a payment, distribution,  
26 purchase, loan, advance, deposit, or gift of money or  
27 anything of value that constitutes an electioneering  
28 communication regardless of whether the communication is  
29 made in concert or cooperation with or at the request or  
30 suggestion of the candidate, the candidate's authorized  
31 local political committee, a State political committee,  
32 or any of their agents. However, expenditure does not

1 include -

2 (a) the use of real or personal property and the  
3 cost of invitations, food, and beverages, voluntarily  
4 provided by an individual in rendering voluntary personal  
5 services on the individual's residential premises for  
6 candidate-related activities; provided the value of the  
7 service provided does not exceed an aggregate of \$150 in  
8 a reporting period;

9 (b) the sale of any food or beverage by a vendor  
10 for use in a candidate's campaign at a charge less than  
11 the normal comparable charge, if such charge for use in a  
12 candidate's campaign is at least equal to the cost of  
13 such food or beverage to the vendor.

14 (2) a transfer of funds between political committees.

15 (Source: P.A. 89-405, eff. 11-8-95.)

16 (10 ILCS 5/9-1.14 new)

17 Sec. 9-1.14. Electioneering communication defined.

18 (a) "Electioneering communication" means, for the  
19 purposes of this Article, any form of communication, in  
20 whatever medium, that refers to a clearly identified  
21 candidate and is made within (i) 60 days before a general  
22 election for the office sought by the candidate or (ii) 30  
23 days before a general primary election for the office sought  
24 by the candidate.

25 (b) "Electioneering communication" does not include:

26 (1) A communication appearing in a news story,  
27 commentary, or editorial distributed through the  
28 facilities of any broadcasting station, unless the  
29 facilities are owned or controlled by any political  
30 party, political committee, or candidate.

31 (2) A communication made solely to promote a  
32 candidate debate or forum that is made by or on behalf of  
33 the person sponsoring the debate or forum.

1           (3) A communication made as part of a non-partisan  
2           activity designed to encourage individuals to vote or to  
3           register to vote.

4           (4) A communication by an organization operating  
5           and remaining in good standing under Section 501(c)(3) of  
6           the Internal Revenue Code of 1986.

7           (10 ILCS 5/9-10) (from Ch. 46, par. 9-10)  
8           Sec. 9-10. Financial reports.

9           (a) The treasurer of every state political committee and  
10          the treasurer of every local political committee shall file  
11          with the Board, and the treasurer of every local political  
12          committee shall file with the county clerk, reports of  
13          campaign contributions, and semi-annual reports of campaign  
14          contributions and expenditures on forms to be prescribed or  
15          approved by the Board. The treasurer of every political  
16          committee that acts as both a state political committee and a  
17          local political committee shall file a copy of each report  
18          with the State Board of Elections and the county clerk.  
19          Entities subject to Section 9-7.5 shall file reports required  
20          by that Section at times provided in this Section and are  
21          subject to the penalties provided in this Section.

22          (b) Reports of campaign contributions shall be filed no  
23          later than the 15th day next preceding each election  
24          including a primary election in connection with which the  
25          political committee has accepted or is accepting  
26          contributions or has made or is making expenditures. Such  
27          reports shall be complete as of the 30th day next preceding  
28          each election including a primary election. The Board shall  
29          assess a civil penalty not to exceed \$5,000 for a violation  
30          of this subsection, except that for State officers and  
31          candidates and political committees formed for statewide  
32          office, the civil penalty may not exceed \$10,000. The fine,  
33          however, shall not exceed \$500 for a first filing violation

1 for filing less than 10 days after the deadline. There shall  
2 be no fine if the report is mailed and postmarked at least 72  
3 hours prior to the filing deadline. For the purpose of this  
4 subsection, "statewide office" and "State officer" means the  
5 Governor, Lieutenant Governor, Attorney General, Secretary of  
6 State, Comptroller, and Treasurer. However, a continuing  
7 political committee that neither accepts contributions nor  
8 makes expenditures on behalf of or in opposition to any  
9 candidate or public question on the ballot at an election  
10 shall not be required to file the reports heretofore  
11 prescribed but may file in lieu thereof a Statement of  
12 Nonparticipation in the Election with the Board or the Board  
13 and the county clerk.

14 (b-5) Notwithstanding the provisions of subsection (b),  
15 any contribution of \$500 or more received in the interim  
16 between the last date of the period covered by the last  
17 report filed under subsection (b) prior to the election and  
18 the date of the election shall be reported within 2 business  
19 days after its receipt. The State Board shall allow filings  
20 under this subsection (b-5) to be made by facsimile  
21 transmission. For the purpose of this subsection, a  
22 contribution is considered received on the date the public  
23 official, candidate, or political committee (or equivalent  
24 person in the case of a reporting entity other than a  
25 political committee) actually receives it or, in the case of  
26 goods or services, 2 days after the date the public official,  
27 candidate, committee, or other reporting entity receives the  
28 certification required under subsection (b) of Section 9-6.  
29 Failure to report each contribution is a separate violation  
30 of this subsection. The Board shall impose fines for  
31 violations of this subsection as follows:

32 (1) if the political committee's or other reporting  
33 entity's total receipts, total expenditures, and balance  
34 remaining at the end of the last reporting period were

1 each \$5,000 or less, then \$100 per business day for the  
2 first violation, \$200 per business day for the second  
3 violation, and \$300 per business day for the third and  
4 subsequent violations.

5 (2) if the political committee's or other reporting  
6 entity's total receipts, total expenditures, and balance  
7 remaining at the end of the last reporting period were  
8 each more than \$5,000, then \$200 per business day for the  
9 first violation, \$400 per business day for the second  
10 violation, and \$600 per business day for the third and  
11 subsequent violations.

12 (c) In addition to such reports the treasurer of every  
13 political committee shall file semi-annual reports of  
14 campaign contributions and expenditures no later than July  
15 31st, covering the period from January 1st through June 30th  
16 immediately preceding, and no later than January 31st,  
17 covering the period from July 1st through December 31st of  
18 the preceding calendar year. Reports of contributions and  
19 expenditures must be filed to cover the prescribed time  
20 periods even though no contributions or expenditures may have  
21 been received or made during the period. The Board shall  
22 assess a civil penalty not to exceed \$5,000 for a violation  
23 of this subsection, except that for State officers and  
24 candidates and political committees formed for statewide  
25 office, the civil penalty may not exceed \$10,000. The fine,  
26 however, shall not exceed \$500 for a first filing violation  
27 for filing less than 10 days after the deadline. There shall  
28 be no fine if the report is mailed and postmarked at least 72  
29 hours prior to the filing deadline. For the purpose of this  
30 subsection, "statewide office" and "State officer" means the  
31 Governor, Lieutenant Governor, Attorney General, Secretary of  
32 State, Comptroller, and Treasurer.

33 (c-5) A political committee that acts as either (i) a  
34 State and local political committee or (ii) a local political



1 committee and that files reports electronically under Section  
2 9-28 is not required to file copies of the reports with the  
3 appropriate county clerk if the county clerk has a system  
4 that permits access to, and duplication of, reports that are  
5 filed with the State Board of Elections. A State and local  
6 political committee or a local political committee shall file  
7 with the county clerk a copy of its statement of organization  
8 pursuant to Section 9-3.

9 (d) A copy of each report or statement filed under this  
10 Article shall be preserved by the person filing it for a  
11 period of two years from the date of filing.

12 (Source: P.A. 90-737, eff. 1-1-99.)

13 (10 ILCS 5/9-21) (from Ch. 46, par. 9-21)

14 Sec. 9-21. Upon receipt of such complaint, the Board  
15 shall hold a closed preliminary hearing to determine whether  
16 or not the complaint appears to have been filed on  
17 justifiable grounds. Such closed preliminary hearing shall be  
18 conducted as soon as practicable after affording reasonable  
19 notice, a copy of the complaint, and an opportunity to  
20 testify at such hearing to both the person making the  
21 complaint and the person against whom the complaint is  
22 directed. If the Board fails to determine determines that the  
23 complaint has not been filed on justifiable grounds, it shall  
24 dismiss the complaint without further hearing.

25 Whenever in the judgment of the Board, after affording  
26 due notice and an opportunity for a public hearing, any  
27 person has engaged or is about to engage in an act or  
28 practice which constitutes or will constitute a violation of  
29 any provision of this Article or any regulation or order  
30 issued thereunder, the Board shall issue an order directing  
31 such person to take such action as the Board determines may  
32 be necessary in the public interest to correct the violation.  
33 In addition, if the act or practice engaged in consists of

1 the failure to file any required report within the time  
2 prescribed by this Article, the Board, as part of its order,  
3 shall further provide that if, within the 12-month period  
4 following the issuance of the order, such person fails to  
5 file within the time prescribed by this Article any  
6 subsequent report as may be required, such person may be  
7 subject to a civil penalty pursuant to Section 9-23. The  
8 Board shall render its final judgment within 60 days of the  
9 date the complaint is filed; except that during the 60 days  
10 preceding the date of the election in reference to which the  
11 complaint is filed, the Board shall render its final judgment  
12 within 7 days of the date the complaint is filed, and during  
13 the 7 days preceding such election, the Board shall render  
14 such judgment before the date of such election, if possible.

15 At any time prior to the issuance of the Board's final  
16 judgment, the parties may dispose of the complaint by a  
17 written stipulation, agreed settlement or consent order. Any  
18 such stipulation, settlement or order shall, however, be  
19 submitted in writing to the Board and shall become effective  
20 only if approved by the Board. If the act or practice  
21 complained of consists of the failure to file any required  
22 report within the time prescribed by this Article, such  
23 stipulation, settlement or order may provide that if, within  
24 the 12-month period following the approval of such  
25 stipulation, agreement or order, the person complained of  
26 fails to file within the time prescribed by this Article any  
27 subsequent reports as may be required, such person may be  
28 subject to a civil penalty pursuant to Section 9-23.

29 Any person filing a complaint pursuant to Section 9-20  
30 may, upon written notice to the other parties and to the  
31 Board, voluntarily withdraw the complaint at any time prior  
32 to the issuance of the Board's final determination.

33 (Source: P.A. 90-495, eff. 1-1-98.)

1 (10 ILCS 5/10-5.1) (from Ch. 46, par. 10-5.1)

2 Sec. 10-5.1. In the designation of the name of a  
3 candidate on a certificate of nomination or nomination papers  
4 the candidate's given name or names, initial or initials, a  
5 nickname by which the candidate is commonly known, or a  
6 combination thereof, may be used in addition to the  
7 candidate's surname. No other designation such as a political  
8 slogan, title, or degree, or nickname suggesting or implying  
9 possession of a title, degree or professional status, or  
10 similar information may be used in connection with the  
11 candidate's surname, except that the title "Mrs." may be used  
12 in the case of a married woman.

13 (Source: P.A. 81-135.)

14 (10 ILCS 5/13-1.1) (from Ch. 46, par. 13-1.1)

15 Sec. 13-1.1. In addition to the list provided for in  
16 Section 13-1 or 13-2, the chairman of the county central  
17 committee of each of the two leading political parties shall  
18 submit to the county board a supplemental list, arranged  
19 according to precincts in which they are to serve, of persons  
20 available as judges of election, the names and number of all  
21 persons listed thereon to be acknowledged in writing to the  
22 county chairman submitting such list by the county board.  
23 Vacancies among the judges of election shall be filled by  
24 selection from this supplemental list of persons qualified  
25 under Section 13-4. If the list provided for in Section 13-1  
26 or 13-2 for any precinct is exhausted, then selection shall  
27 be made from the supplemental list submitted by the chairman  
28 of the county central committee of the party. If such  
29 supplemental list is exhausted for any precinct, then  
30 selection shall be made from any of the persons on the  
31 supplemental list without regard to the precincts in which  
32 they are listed to serve. No selection or appointment from  
33 the supplemental list shall be made more than 21 days prior

1 to the date of precinct registration for those judges needed  
2 as precinct registrars, and more than 45 28 days prior to the  
3 date of an election for those additional persons needed as  
4 election judges. In any case where selection cannot be made  
5 from the supplemental list without violating Section 13-4,  
6 selection shall be made from outside the supplemental list of  
7 some person qualified under Section 13-4.

8 (Source: P.A. 78-888; 78-889; 78-1297.)

9 (10 ILCS 5/14-3.2) (from Ch. 46, par. 14-3.2)

10 Sec. 14-3.2. In addition to the list provided for in  
11 Section 14-3.1, the chairman of the county central committee  
12 of each of the 2 leading political parties shall furnish to  
13 the board of election commissioners a supplemental list,  
14 arranged according to precinct in which they are to serve, of  
15 persons available as judges of election, the names and number  
16 of all persons listed thereon to be acknowledged in writing  
17 to the county chairman submitting such list by the board of  
18 election commissioners. The board of election commissioners  
19 shall select from this supplemental list persons qualified  
20 under Section 14-1, to fill vacancies among the judges of  
21 election. If the list provided for in Section 14-3.1 for any  
22 precinct is exhausted, then selection shall be made from the  
23 supplemental list furnished by the chairman of the county  
24 central committee of the party. If such supplemental list is  
25 exhausted for any precinct, then selection shall be made from  
26 any of the persons on the supplemental list without regard to  
27 the precincts in which they are listed to serve. No selection  
28 or appointment from the supplemental list shall be made more  
29 than 21 days prior to the date of precinct registration for  
30 those judges needed as precinct registrars, and more than 45  
31 28 days prior to the date of an election for those additional  
32 persons needed as election judges. In any case where  
33 selection cannot be made from the supplemental list without

1 violating Section 14-1, selection shall be made from outside  
2 the supplemental list of some person qualified under Section  
3 14-1.

4 (Source: P. A. 78-888; 78-889; 78-1297.)

5 (10 ILCS 5/16-3) (from Ch. 46, par. 16-3)

6 Sec. 16-3. (a) The names of all candidates to be voted  
7 for in each election district or precinct shall be printed on  
8 one ballot, except as is provided in Sections 16-6.1 and  
9 21-1.01 of this Act and except as otherwise provided in this  
10 Act with respect to the odd year regular elections and the  
11 emergency referenda; all nominations of any political party  
12 being placed under the party appellation or title of such  
13 party as designated in the certificates of nomination or  
14 petitions. The names of all independent candidates shall be  
15 printed upon the ballot in a column or columns under the  
16 heading "independent" arranged under the names or titles of  
17 the respective offices for which such independent candidates  
18 shall have been nominated and so far as practicable, the name  
19 or names of any independent candidate or candidates for any  
20 office shall be printed upon the ballot opposite the name or  
21 names of any candidate or candidates for the same office  
22 contained in any party column or columns upon said ballot.  
23 The ballot shall contain no other names, except that in cases  
24 of electors for President and Vice-President of the United  
25 States, the names of the candidates for President and  
26 Vice-President may be added to the party designation and  
27 words calculated to aid the voter in his choice of candidates  
28 may be added, such as "Vote for one," "Vote for three." When  
29 an electronic voting system is used which utilizes a ballot  
30 label booklet, the candidates and questions shall appear on  
31 the pages of such booklet in the order provided by this Code;  
32 and, in any case where candidates for an office appear on a  
33 page which does not contain the name of any candidate for

1 another office, and where less than 50% of the page is  
2 utilized, the name of no candidate shall be printed on the  
3 lowest 25% of such page. On the back or outside of the  
4 ballot, so as to appear when folded, shall be printed the  
5 words "Official Ballot", followed by the designation of the  
6 polling place for which the ballot is prepared, the date of  
7 the election and a facsimile of the signature of the election  
8 authority who has caused the ballots to be printed. The  
9 ballots shall be of plain white paper, through which the  
10 printing or writing cannot be read. However, ballots for use  
11 at the nonpartisan and consolidated elections may be printed  
12 on different color paper, except blue paper, whenever  
13 necessary or desirable to facilitate distinguishing between  
14 ballots for different political subdivisions. In the case of  
15 nonpartisan elections for officers of a political  
16 subdivision, unless the statute or an ordinance adopted  
17 pursuant to Article VII of the Constitution providing the  
18 form of government therefor requires otherwise, the column  
19 listing such nonpartisan candidates shall be printed with no  
20 appellation or circle at its head. The party appellation or  
21 title, or the word "independent" at the head of any column  
22 provided for independent candidates, shall be printed in  
23 letters not less than one-fourth of an inch in height and a  
24 circle one-half inch in diameter shall be printed at the  
25 beginning of the line in which such appellation or title is  
26 printed, provided, however, that no such circle shall be  
27 printed at the head of any column or columns provided for  
28 such independent candidates. The names of candidates shall be  
29 printed in letters not less than one-eighth nor more than  
30 one-fourth of an inch in height, and at the beginning of each  
31 line in which a name of a candidate is printed a square shall  
32 be printed, the sides of which shall be not less than  
33 one-fourth of an inch in length. However, the names of the  
34 candidates for Governor and Lieutenant Governor on the same

1 ticket shall be printed within a bracket and a single square  
 2 shall be printed in front of the bracket. The list of  
 3 candidates of the several parties and any such list of  
 4 independent candidates shall be placed in separate columns on  
 5 the ballot in such order as the election authorities charged  
 6 with the printing of the ballots shall decide; provided, that  
 7 the names of the candidates of the several political parties,  
 8 certified by the State Board of Elections to the several  
 9 county clerks shall be printed by the county clerk of the  
 10 proper county on the official ballot in the order certified  
 11 by the State Board of Elections. Any county clerk refusing,  
 12 neglecting or failing to print on the official ballot the  
 13 names of candidates of the several political parties in the  
 14 order certified by the State Board of Elections, and any  
 15 county clerk who prints or causes to be printed upon the  
 16 official ballot the name of a candidate, for an office to be  
 17 filled by the Electors of the entire State, whose name has  
 18 not been duly certified to him upon a certificate signed by  
 19 the State Board of Elections shall be guilty of a Class C  
 20 misdemeanor.

21 (b) When an electronic voting system is used which  
 22 utilizes a ballot card, on the inside flap of each ballot  
 23 card envelope there shall be printed a form for write-in  
 24 voting which shall be substantially as follows:

25 WRITE-IN VOTES

26 (See card of instructions for specific information.  
 27 Duplicate form below by hand for additional write-in votes.)

28 \_\_\_\_\_  
 29 Title of Office  
 30 ( ) \_\_\_\_\_  
 31 Name of Candidate

32 (c) When an electronic voting system is used which uses  
 33 a ballot sheet, the instructions to voters on the ballot  
 34 sheet shall refer the voter to the card of instructions for

1 specific information on write-in voting. Below each office  
2 appearing on such ballot sheet there shall be a provision for  
3 the casting of a write-in vote.

4 (d) When such electronic system is used, there shall be  
5 printed on the back of each ballot card, each ballot card  
6 envelope, and the first page of the ballot label when a  
7 ballot label is used, the words "Official Ballot," followed  
8 by the number of the precinct or other precinct  
9 identification, which may be stamped, in lieu thereof and, as  
10 applicable, the number and name of the township, ward or  
11 other election district for which the ballot card, ballot  
12 card envelope, and ballot label are prepared, the date of the  
13 election and a facsimile of the signature of the election  
14 authority who has caused the ballots to be printed. The back  
15 of the ballot card shall also include a method of identifying  
16 the ballot configuration such as a listing of the political  
17 subdivisions and districts for which votes may be cast on  
18 that ballot, or a number code identifying the ballot  
19 configuration or color coded ballots, except that where there  
20 is only one ballot configuration in a precinct, the precinct  
21 identification, and any applicable ward identification, shall  
22 be sufficient. Ballot card envelopes used in punch card  
23 systems shall be of paper through which no writing or punches  
24 may be discerned and shall be of sufficient length to enclose  
25 all voting positions. However, the election authority may  
26 provide ballot card envelopes on which no precinct number or  
27 township, ward or other election district designation, or  
28 election date are preprinted, if space and a preprinted form  
29 are provided below the space provided for the names of  
30 write-in candidates where such information may be entered by  
31 the judges of election. Whenever an election authority  
32 utilizes ballot card envelopes on which the election date and  
33 precinct is not preprinted, a judge of election shall mark  
34 such information for the particular precinct and election on



1 the envelope in ink before tallying and counting any write-in  
2 vote written thereon. If some method of insuring ballot  
3 secrecy other than an envelope is used, such information must  
4 be provided on the ballot itself.

5 (e) In the designation of the name of a candidate on the  
6 ballot, the candidate's given name or names, initial or  
7 initials, a nickname by which the candidate is commonly  
8 known, or a combination thereof, may be used in addition to  
9 the candidate's surname. No other designation such as a  
10 political slogan, title, or degree or nickname suggesting or  
11 implying possession of a title, degree or professional  
12 status, or similar information may be used in connection with  
13 the candidate's surname, except that the title "Mrs." may be  
14 used in the case of a married woman. For purposes of this  
15 Section, a "political slogan" is defined as any word or words  
16 expressing or connoting a position, opinion, or belief that  
17 the candidate may espouse, including but not limited to, any  
18 word or words conveying any meaning other than that of the  
19 personal identity of the candidate. A candidate may not use a  
20 political slogan as part of his or her name on the ballot,  
21 notwithstanding that the political slogan may be part of the  
22 candidate's name.

23 (f) The State Board of Elections, a local election  
24 official, or an election authority shall remove any  
25 candidate's name designation from a ballot that is  
26 inconsistent with subsection (e) of this Section. In  
27 addition, the State Board of Elections, a local election  
28 official, or an election authority shall not certify to any  
29 election authority any candidate name designation that is  
30 inconsistent with subsection (e) of this Section.

31 (g) If the State Board of Elections, a local election  
32 official, or an election authority removes a candidate's name  
33 designation from a ballot under subsection (f) of this  
34 Section, then the aggrieved candidate may seek appropriate

1 relief in circuit court.

2 Where voting machines or electronic voting systems are  
3 used, the provisions of this Section may be modified as  
4 required or authorized by Article 24 or Article 24A,  
5 whichever is applicable.

6 Nothing in this Section shall prohibit election  
7 authorities from using or reusing ballot card envelopes which  
8 were printed before the effective date of this amendatory Act  
9 of 1985.

10 (Source: P.A. 92-178, eff. 1-1-02.)

11 (10 ILCS 5/17-23) (from Ch. 46, par. 17-23)

12 Sec. 17-23. Pollwatchers in a general election shall be  
13 authorized in the following manner:

14 (1) Each established political party shall be entitled  
15 to appoint two pollwatchers per precinct. Such pollwatchers  
16 must be affiliated with the political party for which they  
17 are pollwatching. For all elections, the pollwatchers except  
18 ~~as provided in subsection (4), one pollwatcher~~ must be  
19 registered to vote in Illinois ~~from a residence in the county~~  
20 ~~in which he is pollwatching. The second pollwatcher must be~~  
21 ~~registered to vote from a residence in the precinct or ward~~  
22 ~~in which he is pollwatching.~~

23 (2) Each candidate shall be entitled to appoint two  
24 pollwatchers per precinct. For all elections, the  
25 pollwatchers one pollwatcher must be registered to vote in  
26 Illinois ~~from a residence in the county in which he is~~  
27 ~~pollwatching. The second pollwatcher must be registered to~~  
28 ~~vote from a residence in the precinct or ward in which he is~~  
29 ~~pollwatching.~~

30 (3) Each organization of citizens within the county or  
31 political subdivision, which has among its purposes or  
32 interests the investigation or prosecution of election  
33 frauds, and which shall have registered its name and address

1 and the name and addresses of its principal officers with the  
2 proper election authority at least 40 days before the  
3 election, shall be entitled to appoint one pollwatcher per  
4 precinct. For all elections, the such pollwatcher must be  
5 registered to vote in Illinois ~~from-a-residence-in-the-county~~  
6 ~~in-which-he-is-pollwatching~~.

7 (4) In any general election held to elect candidates for  
8 the offices of a municipality of less than 3,000,000  
9 population that is situated in 2 or more counties, a  
10 pollwatcher who is a resident of Illinois ~~a-county-in-which~~  
11 ~~any-part-of-the-municipality-is-situated~~ shall be eligible to  
12 serve as a pollwatcher in any poll located within such  
13 municipality, provided that such pollwatcher otherwise  
14 complies with the respective requirements of subsections (1)  
15 through (3) of this Section and is a registered voter in  
16 Illinois ~~whose-residence-is-within-the-municipality~~.

17 (5) Each organized group of proponents or opponents of a  
18 ballot proposition, which shall have registered the name and  
19 address of its organization or committee and the name and  
20 address of its chairman with the proper election authority at  
21 least 40 days before the election, shall be entitled to  
22 appoint one pollwatcher per precinct. The Such pollwatcher  
23 must be registered to vote in Illinois ~~from--a--residence--in~~  
24 ~~the--county--in--which--the-ballot-proposition-is-being-voted~~  
25 ~~upon~~.

26 All pollwatchers shall be required to have proper  
27 credentials. Such credentials shall be printed in sufficient  
28 quantities, shall be issued by and under the facsimile  
29 signature(s) of the election authority and shall be available  
30 for distribution at least 2 weeks prior to the election. Such  
31 credentials shall be authorized by the real or facsimile  
32 signature of the State or local party official or the  
33 candidate or the presiding officer of the civic organization  
34 or the chairman of the proponent or opponent group, as the

1 case may be.

2 Pollwatcher credentials shall be in substantially the  
3 following form:

4 POLLWATCHER CREDENTIALS

5 TO THE JUDGES OF ELECTION:

6 In accordance with the provisions of the Election Code,  
7 the undersigned hereby appoints ..... (name of  
8 pollwatcher) who resides at ..... (address) in the  
9 county of ....., ..... (township or municipality)  
10 of ..... (name), State of Illinois and who is duly  
11 registered to vote from this address, to act as a  
12 pollwatcher in the ..... precinct of the .....  
13 ward (if applicable) of the ..... (township or  
14 municipality) of ..... at the ..... election to  
15 be held on (insert date).

16 ..... (Signature of Appointing Authority)  
17 ..... TITLE (party official, candidate,  
18 civic organization president,  
19 proponent or opponent group chairman)

20 Under penalties provided by law pursuant to Section 29-10  
21 of the Election Code, the undersigned pollwatcher certifies  
22 that he or she resides at ..... (address) in the  
23 county of ....., ..... (township or municipality)  
24 of ..... (name), State of Illinois, and is duly  
25 registered to vote in Illinois ~~from-that-address~~.

26 .....  
27 (Precinct and/or Ward in ..... (Signature of Pollwatcher)  
28 Which Pollwatcher Resides)

29 Pollwatchers must present their credentials to the Judges  
30 of Election upon entering the polling place. Pollwatcher  
31 credentials properly executed and signed shall be proof of  
32 the qualifications of the pollwatcher authorized thereby.  
33 Such credentials are retained by the Judges and returned to

1 the Election Authority at the end of the day of election with  
2 the other election materials. Once a pollwatcher has  
3 surrendered a valid credential, he may leave and reenter the  
4 polling place provided that such continuing action does not  
5 disrupt the conduct of the election. Pollwatchers may be  
6 substituted during the course of the day, but established  
7 political parties, candidates and qualified civic  
8 organizations can have only as many pollwatchers at any given  
9 time as are authorized in this Article. A substitute must  
10 present his signed credential to the judges of election upon  
11 entering the polling place. Election authorities must  
12 provide a sufficient number of credentials to allow for  
13 substitution of pollwatchers. After the polls have closed  
14 pollwatchers shall be allowed to remain until the canvass of  
15 votes is completed; but may leave and reenter only in cases  
16 of necessity, provided that such action is not so continuous  
17 as to disrupt the canvass of votes.

18 Candidates seeking office in a district or municipality  
19 encompassing 2 or more counties shall be admitted to any and  
20 all polling places throughout such district or municipality  
21 without regard to the counties in which such candidates are  
22 registered to vote. Actions of such candidates shall be  
23 governed in each polling place by the same privileges and  
24 limitations that apply to pollwatchers as provided in this  
25 Section. Any such candidate who engages in an activity in a  
26 polling place which could reasonably be construed by a  
27 majority of the judges of election as campaign activity shall  
28 be removed forthwith from such polling place.

29 Candidates seeking office in a district or municipality  
30 encompassing 2 or more counties who desire to be admitted to  
31 polling places on election day in such district or  
32 municipality shall be required to have proper credentials.  
33 Such credentials shall be printed in sufficient quantities,  
34 shall be issued by and under the facsimile signature of the

1 election authority of the election jurisdiction where the  
 2 polling place in which the candidate seeks admittance is  
 3 located, and shall be available for distribution at least 2  
 4 weeks prior to the election. Such credentials shall be  
 5 signed by the candidate.

6 Candidate credentials shall be in substantially the  
 7 following form:

8 CANDIDATE CREDENTIALS

9 TO THE JUDGES OF ELECTION:

10 In accordance with the provisions of the Election Code, I  
 11 ..... (name of candidate) hereby certify that I am a  
 12 candidate for ..... (name of office) and seek admittance to  
 13 ..... precinct of the ..... ward (if applicable) of the  
 14 ..... (township or municipality) of ..... at the .....  
 15 election to be held on (insert date).

16 .....  
 17 (Signature of Candidate) OFFICE FOR WHICH  
 18 CANDIDATE SEEKS  
 19 NOMINATION OR  
 20 ELECTION

21 Pollwatchers shall be permitted to observe all  
 22 proceedings relating to the conduct of the election and to  
 23 station themselves in a position in the voting room as will  
 24 enable them to observe the judges making the signature  
 25 comparison between the voter application and the voter  
 26 registration record card; provided, however, that such  
 27 pollwatchers shall not be permitted to station themselves in  
 28 such close proximity to the judges of election so as to  
 29 interfere with the orderly conduct of the election and shall  
 30 not, in any event, be permitted to handle election materials.  
 31 Pollwatchers may challenge for cause the voting  
 32 qualifications of a person offering to vote and may call to  
 33 the attention of the judges of election any incorrect

1 procedure or apparent violations of this Code.

2 If a majority of the judges of election determine that  
3 the polling place has become too overcrowded with  
4 pollwatchers so as to interfere with the orderly conduct of  
5 the election, the judges shall, by lot, limit such  
6 pollwatchers to a reasonable number, except that each  
7 established or new political party shall be permitted to have  
8 at least one pollwatcher present.

9 Representatives of an election authority, with regard to  
10 an election under its jurisdiction, the State Board of  
11 Elections, and law enforcement agencies, including but not  
12 limited to a United States Attorney, a State's attorney, the  
13 Attorney General, and a State, county, or local police  
14 department, in the performance of their official election  
15 duties, shall be permitted at all times to enter and remain  
16 in the polling place. Upon entering the polling place, such  
17 representatives shall display their official credentials or  
18 other identification to the judges of election.

19 Uniformed police officers assigned to polling place duty  
20 shall follow all lawful instructions of the judges of  
21 election.

22 The provisions of this Section shall also apply to  
23 supervised casting of absentee ballots as provided in Section  
24 19-12.2 of this Act.

25 (Source: P.A. 90-655, eff. 7-30-98; 91-357, eff. 7-29-99.)

26 (10 ILCS 5/17-29) (from Ch. 46, par. 17-29)

27 Sec. 17-29. (a) No judge of election, pollwatcher, or  
28 other person shall, at any primary or election, do any  
29 electioneering or soliciting of votes or engage in any  
30 political discussion within any polling place or within 100  
31 feet of any polling place; no person shall interrupt, hinder  
32 or oppose any voter while approaching within 100 feet of any  
33 polling place for the purpose of voting. Judges of election

1 shall enforce the provisions of this Section.

2 (b) Election officers shall place 2 or more cones, small  
3 United States national flags, or some other marker a distance  
4 of 100 horizontal feet from each entrance to the room used by  
5 voters to engage in voting, which shall be known as the  
6 polling room. If the polling room is located within a public  
7 or private school building and the distance of 100 horizontal  
8 feet ends within the interior of the public or private school  
9 building, then the markers shall be placed outside of the  
10 public or private school building at each entrance used by  
11 voters to enter that building on the grounds adjacent to the  
12 thoroughfare or walkway. If the polling room is located  
13 within a public or private building with 2 or more floors and  
14 the polling room is located on the ground floor, then the  
15 markers shall be placed 100 horizontal feet from each  
16 entrance to the polling room used by voters to engage in  
17 voting. If the polling room is located in a public or private  
18 building with 2 or more floors and the polling room is  
19 located on a floor above or below the ground floor, then the  
20 markers shall be placed a distance of 100 feet from the  
21 nearest elevator or staircase used by voters on the ground  
22 floor to access the floor where the polling room is located.  
23 The area within where the markers are placed shall be known  
24 as a campaign free zone, and electioneering is prohibited  
25 pursuant to this subsection.

26 The area on polling place property beyond the campaign  
27 free zone, whether publicly or privately owned, is a public  
28 forum for the time that the polls are open on an election  
29 day. At the request of election officers any publicly owned  
30 building must be made available for use as a polling place. A  
31 person shall have the right to congregate and engage in  
32 electioneering on any polling place property while the polls  
33 are open beyond the campaign free zone, including but not  
34 limited to, the placement of temporary signs. This subsection



1 shall be construed liberally in favor of persons engaging in  
2 electioneering on all polling place property beyond the  
3 campaign free zone for the time that the polls are open on an  
4 election day.

5 (c) The regulation of electioneering on polling place  
6 property on an election day, including but not limited to the  
7 placement of temporary signs, is an exclusive power and  
8 function of the State. A home rule unit may not regulate  
9 electioneering and any ordinance or local law contrary to  
10 subsection (c) is declared void. This is a denial and  
11 limitation of home rule powers and functions under subsection  
12 (h) of Section 6 of Article VII of the Illinois Constitution.  
13 (Source: P.A. 80-1090.)

14 (10 ILCS 5/Art. 18A heading new)

15 ARTICLE 18A

16 PROVISIONAL VOTING

17 (10 ILCS 5/18A-2 new)

18 Sec. 18A-2. Application of Article. In addition to and  
19 notwithstanding any other law to the contrary, the procedures  
20 in this Article shall govern provisional voting.

21 (10 ILCS 5/18A-5 new)

22 Sec. 18A-5. Provisional voting; general provisions.

23 (a) A person who claims to be a registered voter is  
24 entitled to cast a provisional ballot under the following  
25 circumstances:

26 (1) The person's name does not appear on the  
27 official list of eligible voters, whether a list of  
28 active or inactive voters, for the precinct in which the  
29 person seeks to vote;

30 (2) The person's voting status has been challenged

1 by an election judge, a poll watcher, or any other  
2 person; or

3 (3) A federal or State court order extends the time  
4 for closing the polls beyond the time period established  
5 by State law and the person votes during the extended  
6 time period.

7 (b) The procedure for obtaining and casting a  
8 provisional ballot at the polling place shall be as follows:

9 (1) An election judge at the polling place shall  
10 notify a person who is entitled to cast a provisional  
11 ballot pursuant to subsection (a) that he or she may cast  
12 a provisional ballot in that election. An election judge  
13 must accept any information provided by a person who  
14 casts a provisional ballot that the person believes  
15 supports his or her claim that he or she is a duly  
16 registered voter and qualified to vote in the election.

17 (2) The person shall execute a written form  
18 provided by the election judge that shall state or  
19 contain all of the following:

20 (i) an affidavit stating the following:

21 State of Illinois, County of .....,  
22 Township ....., Precinct ....., Ward  
23 ....., I, ....., do solemnly  
24 swear (or affirm) that: I am a citizen of the United  
25 States; I am 18 years of age or older; I have  
26 resided in this State and in this precinct for 30  
27 days preceding this election; I have not voted in  
28 this election; I am a duly registered voter in every  
29 respect; and I am eligible to vote in this election.  
30 Signature ..... Printed Name of Voter .....  
31 Printed Residence Address of Voter ..... City  
32 ..... State .... Zip Code ..... Telephone Number  
33 ..... Date of Birth ..... Last 4 digits of Social  
34 Security Number ..... or Driver's License Number

1 ..... or State Identification Card Number ..... or  
2 other unique identifier number issued to the person  
3 by the Secretary of State or State Board of  
4 Elections .....

5 (ii) Written instruction stating the following:

6 In order to expedite the verification of your  
7 voter registration status, the .... (insert name of  
8 county clerk of board of election commissioners  
9 here) requests that you include your phone number  
10 and both the last four digits of your social  
11 security number and your driver's license number or  
12 State Identification Card Number or other unique  
13 identifier number issued to you by the  
14 Secretary of State or State Board of Elections. At  
15 minimum, you are required to include either (A) the  
16 last 4 digits of your social security number or (B)  
17 your driver's license number, State Identification  
18 Card Number or other unique identifier number issued  
19 to you by the Secretary of State or State Board of  
20 Elections, but not your phone number.

21 (iii) A box for the election judge to check one of  
22 the 3 reasons why the person was given a provisional  
23 ballot under subsection (a) of Section 18A-5.

24 (iv) An area for the election judge to affix his or  
25 her signature and to set forth any facts that support or  
26 oppose the allegation that the person is not qualified to  
27 vote in the precinct in which the person is seeking to  
28 vote.

29 The written affidavit form described in this subsection  
30 (b)(2) must be printed on a multi-part form prescribed by the  
31 county clerk or board of election commissioners, as the case  
32 may be.

33 (3) After the person executes the portion of the written  
34 affidavit described in subsection (b)(2)(i) of this Section,

1 the election judge shall complete the portion of the written  
2 affidavit described in subsection (b)(2)(iii) and (b)(2)(iv).

3 (4) The election judge shall give a copy of the  
4 completed written affidavit to the person. The election judge  
5 shall place the original written affidavit in a self-adhesive  
6 clear plastic packing list envelope that must be attached to  
7 a separate envelope marked as a "provisional ballot  
8 envelope". The election judge shall also place any  
9 information provided by the person who casts a provisional  
10 ballot in the clear plastic packing list envelope. Each  
11 county clerk or board of election commissioners, as the case  
12 may be, must design, obtain or procure self-adhesive clear  
13 plastic packing list envelopes and provisional ballot  
14 envelopes that are suitable for implementing this subsection  
15 (b)(4) of this Section.

16 (5) The election judge shall provide the person with a  
17 provisional ballot, written instructions for casting a  
18 provisional ballot, and the provisional ballot envelope with  
19 the clear plastic packing list envelope affixed to it, which  
20 contains the person's original written affidavit and, if any,  
21 information provided by the provisional voter to support his  
22 or her claim that he or she is a duly registered voter. An  
23 election judge must also give the person written information  
24 that states that any person who casts a provisional ballot  
25 shall be able to ascertain, pursuant to guidelines  
26 established by the State Board of Elections, whether the  
27 provisional vote was counted in the official canvass of votes  
28 for that election and, if the provisional vote was not  
29 counted, the reason that the vote was not counted.

30 (6) After the person has completed marking his or her  
31 provisional ballot, he or she shall place the marked ballot  
32 inside of the provisional ballot envelope, close and seal the  
33 envelope, and return the envelope to an election judge, who  
34 shall then deposit the sealed provisional ballot envelope

1 into a securable container separately identified and utilized  
2 for containing sealed provisional ballot envelopes. The  
3 securable container shall be sealed with filament tape  
4 provided for that purpose, which shall be wrapped around the  
5 box lengthwise and crosswise, at least twice each way, and  
6 each of the election judges shall sign the seal.

7 (c) Instead of the affidavit form described in  
8 subsection (b), the county clerk or board of election  
9 commissioners, as the case may be, may design and use a  
10 multi-part affidavit form that is imprinted upon or attached  
11 to the provisional ballot envelope described subsection (b).  
12 If a county clerk or board of election commissioners elects  
13 to design and use its own multi-part affidavit form, then the  
14 county clerk or board of election commissioners shall  
15 establish a mechanism for accepting any information the  
16 provisional voter has supplied to the election judge to  
17 support his or her claim that he or she is a duly registered  
18 voter. In all other respects, a county clerk or board of  
19 election commissioners shall establish procedures consistent  
20 with subsection (b).

21 (d) The county clerk or board of election commissioners,  
22 as the case may be, shall use the completed affidavit form  
23 described in subsection (b) to update the person's voter  
24 registration information in the State voter registration  
25 database and voter registration database of the county clerk  
26 or board of election commissioners, as the case may be. If a  
27 person is later determined not to be a registered voter based  
28 on Section 18A-15 of this Code, then the affidavit shall be  
29 processed by the county clerk or board of election  
30 commissioners, as the case may be, as a voter registration  
31 application.

32 (10 ILCS 5/18A-10 new)

33 Sec. 18A-10. Sealing and transporting provisional

1 ballots.

2 (a) Upon the closing of the polls, 2 election judges not  
3 of the same political party shall return to the county clerk  
4 or board of election commissioners the unopened sealed  
5 securable container containing the provisional ballots to a  
6 location specified by the county clerk or board of election  
7 commissioners in the most direct manner of transport. The  
8 county clerk or board of election commissioners shall keep  
9 the securable container secure until such time as the  
10 provisional ballots are counted in accordance with Section  
11 18A-15.

12 (b) Upon receipt of materials returned from the polling  
13 places, the county clerk or board of election commissioners  
14 shall update the State voter registration list and the voter  
15 registration database of the county clerk or board of  
16 election commissioners, as the case may be, by using the  
17 affidavit forms of provisional voters.

18 (10 ILCS 5/18A-15 new)

19 Sec. 18A-15. Validating and counting provisional  
20 ballots.

21 (a) The county clerk or board of election commissioners  
22 shall complete the validation and counting of provisional  
23 ballots within 14 calendar days of the day of the election.  
24 The county clerk or board of election commissioners shall  
25 have 7 calendar days from the completion of the validation  
26 and counting of provisional ballots to conduct its final  
27 canvass. The State Board of Election shall complete within 35  
28 calendar days of the election or sooner if all the returns  
29 are received, its final canvass of the vote for all public  
30 offices.

31 (b) If a county clerk or board of election commissioners  
32 determines that all of the following apply, then a  
33 provisional ballot is valid and shall be counted as a vote:

1           (1) The provisional voter cast the provisional  
2 ballot in the correct precinct based on the address  
3 provided by the provisional voter;

4           (2) The affidavit executed by the provisional voter  
5 pursuant to subsection (b)(2) of Section 18A-10 is  
6 properly executed; and

7           (3) the provisional voter is a registered voter  
8 based on information available to the county clerk or  
9 board of election commissioners provided by or obtained  
10 from any of the following:

11                   i. the provisional voter;

12                   ii. an election judge;

13                   iii. the State-wide voter registration  
14 database maintained by the State Board of Elections;

15                   iv. the records of the county clerk or board  
16 of election commissioners' database; or

17                   v. the records of the Secretary of State.

18           (c) With respect to subsection (b)(3) of this Section,  
19 the county clerk or board of election commissioners shall  
20 investigate whether each of the 5 types of information is  
21 available and record whether this information is or is not  
22 available. If one or more types of information is available,  
23 then the county clerk or board of election commissioners  
24 shall obtain all relevant information from all sources  
25 identified in subsection (b)(3). The county clerk or board of  
26 election commissioners shall use any information it obtains  
27 as the basis for determining the voter registration status of  
28 the provisional voter. If a conflict exists among the  
29 information available to the county clerk or board of  
30 election commissioners as to the registration status of the  
31 provisional voter, then the county clerk or board of election  
32 commissioners shall make a determination based on the  
33 totality of the circumstances. In a case where the above  
34 information equally supports or opposes the registration

1 status of the voter, the county clerk or board of election  
2 commissioners shall decide in favor of the provisional voter  
3 as being duly registered to vote. If the Statewide voter  
4 registration database maintained by the State Board of  
5 Elections indicates that the provisional voter is registered  
6 to vote, but the county clerk's or board of election  
7 commissioners' voter registration database indicates that the  
8 provisional voter is not registered to vote, then the  
9 information found in the statewide voter registration  
10 database shall control the matter and the provisional voter  
11 shall be deemed to be registered to vote. If the records of  
12 the county clerk or board of election commissioners indicates  
13 that the provisional voter is registered to vote, but the  
14 State-wide voter registration database maintained by the  
15 State Board of Elections indicates that the provisional voter  
16 is not registered to vote, then the information found in the  
17 records of the county clerk or board of election  
18 commissioners shall control the matter and the provisional  
19 voter shall be deemed to be registered to vote. If the  
20 provisional voter's signature on his or her provisional  
21 ballot request varies from the signature on an otherwise  
22 valid registration application solely because of the  
23 substitution of initials for the first or middle name, the  
24 election authority may not reject the provisional ballot.

25 (d) In validating the registration status of a person  
26 casting a provisional ballot, the county clerk or board of  
27 election commissioners shall not require a provisional voter  
28 to complete any form other than the affidavit executed by the  
29 provisional voter under subsection (b)(2) of Section 18A-5.  
30 In addition, the county clerk or board of election  
31 commissioners shall not require all provisional voters or any  
32 particular class or group of provisional voters to appear  
33 personally before the county clerk or board of election  
34 commissioners or as a matter of policy require provisional



1 voters to submit additional information to verify or  
2 otherwise support the information already submitted by the  
3 provisional voter. The provisional voter may, within 2  
4 calendar days after the election, submit additional  
5 information to the county clerk or board of election  
6 commissioners. This information must be received by the  
7 county clerk or board of election commissioners within the  
8 2-calendar-day period.

9 (e) If the county clerk or board of election  
10 commissioners determines that subsection (b)(1), (b)(2), or  
11 (b)(3) does not apply, then the provisional ballot is not  
12 valid and may not be counted. The provisional ballot envelope  
13 containing the ballot cast by the provisional voter may not  
14 be opened. The county clerk or board of election  
15 commissioners shall write on the provisional ballot envelope  
16 the following: "Provisional ballot determined invalid."

17 (f) If the county clerk or board of election  
18 commissioners determines that a provisional ballot is valid  
19 under this Section, then the provisional ballot envelope  
20 shall be opened. The outside of each provisional ballot shall  
21 also be marked to identify the precinct and the date of the  
22 election.

23 (g) The provisional ballots determined to be valid shall  
24 be added to the vote totals for the precincts from which they  
25 were cast in the order in which the ballots were opened. The  
26 county clerk or board of election commissioners may, in the  
27 alternative, create a separate provisional-voter precinct for  
28 the purpose of counting and recording provisional ballots and  
29 adding the recorded votes to its official canvass. The  
30 validation and counting of provisional ballots shall be  
31 subject to the provisions of this Code that apply to  
32 pollwatchers. If the provisional ballots are a ballot of a  
33 punch card voting system, then the provisional ballot shall  
34 be counted in a manner consistent with Article 24A. If the

1 provisional ballots are a ballot of optical scan or other  
2 type of approved electronic voting system, then the  
3 provisional ballots shall be counted in a manner consistent  
4 with Article 24B.

5 (h) As soon as the ballots have been counted, the  
6 election judges or election officials shall, in the presence  
7 of the county clerk or board of election commissioners, place  
8 each of the following items in a separate envelope or bag:  
9 (1) all provisional ballots, voted or spoiled; (2) all  
10 provisional ballots determined invalid or rejected; (3) all  
11 provisional ballot envelopes; and (4) all executed affidavits  
12 relating to the provisional ballots. The election judges  
13 shall then securely seal each envelope or bag, initial the  
14 envelope or bag, and plainly mark on the outside of the  
15 envelope or bag in ink the precinct in which the provisional  
16 ballots were cast. The election judges shall then place each  
17 sealed envelope or bag into a box, secure and seal it in the  
18 same manner as described in subsection (d) of Section 18A-5,  
19 and deliver the box to the county clerk or board of election  
20 commissioners. Upon delivery of the box to the county clerk  
21 or board of election commissioners, each election judge shall  
22 take and subscribe an oath before the county clerk or board  
23 of election commissioners that the election judge securely  
24 kept the ballots and papers in the box, did not permit any  
25 person to open the box or otherwise touch or tamper with the  
26 ballots and papers in the box, and has no knowledge of any  
27 other person opening the box.

28 (10 ILCS 5/18A-20 new)

29 Sec. 18A-20. Provisional voting verification system. In  
30 conjunction with each county clerk or board of election  
31 commissioners, the State Board of Elections shall establish a  
32 uniform free access information system by which a person  
33 casting a provisional ballot may ascertain whether the

1 provisional vote was counted in the official canvass of votes  
2 for that election and, if the vote was not counted, the  
3 reason that the vote was not counted.

4 (10 ILCS 5/19-2.1) (from Ch. 46, par. 19-2.1)

5 Sec. 19-2.1. At the consolidated primary, general  
6 primary, consolidated, and general elections, electors  
7 entitled to vote by absentee ballot under the provisions of  
8 Section 19-1 may vote in person at the office of the  
9 municipal clerk, if the elector is a resident of a  
10 municipality not having a board of election commissioners, or  
11 at the office of the township clerk or, in counties not under  
12 township organization, at the office of the road district  
13 clerk if the elector is not a resident of a municipality;  
14 provided, in each case that the municipal, township or road  
15 district clerk, as the case may be, is authorized to conduct  
16 in-person absentee voting pursuant to this Section. Absentee  
17 voting in such municipal and township clerk's offices under  
18 this Section shall be conducted from the 22nd day through the  
19 day before the election.

20 Municipal and township clerks (or road district clerks)  
21 who have regularly scheduled working hours at regularly  
22 designated offices other than a place of residence and whose  
23 offices are open for business during the same hours as the  
24 office of the election authority shall conduct in-person  
25 absentee voting for said elections. Municipal and township  
26 clerks (or road district clerks) who have no regularly  
27 scheduled working hours but who have regularly designated  
28 offices other than a place of residence shall conduct  
29 in-person absentee voting for said elections during the hours  
30 of 8:30 a.m. to 4:30 p.m. or 9:00 a.m. to 5:00 p.m.,  
31 weekdays, and 9:00 a.m. to 12:00 noon on Saturdays, but not  
32 during such hours as the office of the election authority is  
33 closed, unless the clerk files a written waiver with the

1 election authority not later than July 1 of each year stating  
2 that he or she is unable to conduct such voting and the  
3 reasons therefor. Such clerks who conduct in-person absentee  
4 voting may extend their hours for that purpose to include any  
5 hours in which the election authority's office is open.  
6 Municipal and township clerks (or road district clerks) who  
7 have no regularly scheduled office hours and no regularly  
8 designated offices other than a place of residence may not  
9 conduct in-person absentee voting for said elections. The  
10 election authority may devise alternative methods for  
11 in-person absentee voting before said elections for those  
12 precincts located within the territorial area of a  
13 municipality or township (or road district) wherein the clerk  
14 of such municipality or township (or road district) has  
15 waived or is not entitled to conduct such voting. In  
16 addition, electors may vote by absentee ballot under the  
17 provisions of Section 19-1 at the office of the election  
18 authority having jurisdiction over their residence.

19 In conducting absentee voting under this Section, the  
20 respective clerks shall not be required to verify the  
21 signature of the absentee voter by comparison with the  
22 signature on the official registration record card. However,  
23 the clerk shall reasonably ascertain the identity of such  
24 applicant, shall verify that each such applicant is a  
25 registered voter, and shall verify the precinct in which he  
26 or she is registered and the proper ballots of the political  
27 subdivisions in which the applicant resides and is entitled  
28 to vote, prior to providing any absentee ballot to such  
29 applicant. The clerk shall verify the applicant's  
30 registration and from the most recent poll list provided by  
31 the county clerk, and if the applicant is not listed on that  
32 poll list then by telephoning the office of the county clerk.

33 Absentee voting procedures in the office of the  
34 municipal, township and road district clerks shall be subject

1 to all of the applicable provisions of this Article 19.  
2 Pollwatchers may be appointed to observe in-person absentee  
3 voting procedures at the office of the municipal, township or  
4 road district clerks' offices where such absentee voting is  
5 conducted. Such pollwatchers shall qualify and be appointed  
6 in the same manner as provided in Sections 7-34 and 17-23,  
7 except each candidate, political party or organization of  
8 citizens may appoint only one pollwatcher for each location  
9 where in-person absentee voting is conducted. Pollwatchers  
10 ~~must~~ shall be registered to vote in Illinois residents-of-the  
11 ~~county~~ and possess valid pollwatcher credentials. All  
12 requirements in this Article applicable to election  
13 authorities shall apply to the respective local clerks,  
14 except where inconsistent with this Section.

15 The sealed absentee ballots in their carrier envelope  
16 shall be delivered by the respective clerks, or by the  
17 election authority on behalf of a clerk if the clerk and the  
18 election authority agree, to the proper polling place before  
19 the close of the polls on the day of the general primary,  
20 consolidated primary, consolidated, or general election.

21 Not more than 23 days before the nonpartisan, general and  
22 consolidated elections, the county clerk shall make available  
23 to those municipal, township and road district clerks  
24 conducting in-person absentee voting within such county, a  
25 sufficient number of applications, absentee ballots,  
26 envelopes, and printed voting instruction slips for use by  
27 absentee voters in the offices of such clerks. The respective  
28 clerks shall receipt for all ballots received, shall return  
29 all unused or spoiled ballots to the county clerk on the day  
30 of the election and shall strictly account for all ballots  
31 received.

32 The ballots delivered to the respective clerks shall  
33 include absentee ballots for each precinct in the  
34 municipality, township or road district, or shall include

1 such separate ballots for each political subdivision  
2 conducting an election of officers or a referendum on that  
3 election day as will permit any resident of the municipality,  
4 township or road district to vote absentee in the office of  
5 the proper clerk.

6 The clerks of all municipalities, townships and road  
7 districts may distribute applications for absentee ballot for  
8 the use of voters who wish to mail such applications to the  
9 appropriate election authority. Such applications for  
10 absentee ballots shall be made on forms provided by the  
11 election authority. Duplication of such forms by the  
12 municipal, township or road district clerk is prohibited.

13 (Source: P.A. 91-210, eff. 1-1-00.)

14 (10 ILCS 5/19-2.2) (from Ch. 46, par. 19-2.2)

15 Sec. 19-2.2. (a) During the period beginning on the 40th  
16 day preceding an election and continuing through the day  
17 preceding such election, no advertising pertaining to any  
18 candidate or proposition to be voted upon shall be displayed  
19 in or within 100 feet of any room used by voters pursuant to  
20 this Article; nor shall any person engage in electioneering  
21 in or within 100 feet of any such room. Any person who  
22 violates this Section may be punished as for contempt of  
23 court.

24 (b) Election officers shall place 2 or more cones, small  
25 United States national flags, or some other marker a distance  
26 of 100 horizontal feet from each entrance to the room used by  
27 voters to engage in voting, which shall be known as the  
28 polling room. If the polling room is located within a public  
29 or private school building and the distance of 100 horizontal  
30 feet ends within the interior of the public or private school  
31 building, then the markers shall be placed outside of the  
32 public or private school building at each entrance used by  
33 voters to enter that building on the grounds adjacent to the

1 thoroughfare or walkway. If the polling room is located  
2 within a public or private building with 2 or more floors and  
3 the polling room is located on the ground floor, then the  
4 markers shall be placed 100 horizontal feet from each  
5 entrance to the polling room used by voters to engage in  
6 voting. If the polling room is located in a public or private  
7 building with 2 or more floors and the polling room is  
8 located on a floor above or below the ground floor, then the  
9 markers shall be placed a distance of 100 feet from the  
10 nearest elevator or staircase used by voters on the ground  
11 floor to access the floor where the polling room is located.  
12 The area within where the markers are placed shall be known  
13 as a campaign free zone, and electioneering is prohibited  
14 pursuant to this subsection.

15 The area on polling place property beyond the campaign  
16 free zone, whether publicly or privately owned, is a public  
17 forum for the time that the polls are open on an election  
18 day. At the request of election officers any publicly owned  
19 building must be made available for use as a polling place. A  
20 person shall have the right to congregate and engage in  
21 electioneering on any polling place property while the polls  
22 are open beyond the campaign free zone, including but not  
23 limited to, the placement of temporary signs. This subsection  
24 shall be construed liberally in favor of persons engaging in  
25 electioneering on all polling place property beyond the  
26 campaign free zone for the time that the polls are open on an  
27 election day.

28 (c) The regulation of electioneering on polling place  
29 property on an election day, including but not limited to the  
30 placement of temporary signs, is an exclusive power and  
31 function of the State. A home rule unit may not regulate  
32 electioneering and any ordinance or local law contrary to  
33 subsection (b) is declared void. This is a denial and  
34 limitation of home rule powers and functions under subsection

1 (h) of Section 6 of Article VII of the Illinois Constitution.

2 (Source: P.A. 80-1281; 80-1469; 80-1494.)

3 (10 ILCS 5/19-4) (from Ch. 46, par. 19-4)

4 Sec. 19-4. Mailing or delivery of ballots - Time.)  
5 Immediately upon the receipt of such application either by  
6 mail, not more than 40 days nor less than 5 days prior to  
7 such election, or by personal delivery not more than 40 days  
8 nor less than one day prior to such election, at the office  
9 of such election authority, it shall be the duty of such  
10 election authority to examine the records to ascertain  
11 whether or not such applicant is lawfully entitled to vote as  
12 requested, and if found so to be, to post within one business  
13 day thereafter the name, street address, ward and precinct  
14 number or township and district number, as the case may be,  
15 of such applicant given on a list, the pages of which are to  
16 be numbered consecutively to be kept by such election  
17 authority for such purpose in a conspicuous, open and public  
18 place accessible to the public at the entrance of the office  
19 of such election authority, and in such a manner that such  
20 list may be viewed without necessity of requesting permission  
21 therefor, and within 2 business days thereafter to mail,  
22 postage prepaid, or deliver in person in such office an  
23 official ballot or ballots if more than one are to be voted  
24 at said election. Each election authority that has a website  
25 or establishes a website after the effective date of this  
26 amendatory Act of the 93rd General Assembly shall post on its  
27 website the list described above within one business day.  
28 Each election authority that does not have a website on or  
29 after the effective date of this amendatory Act of the 93rd  
30 General Assembly shall make available to members of the  
31 public on a daily basis a copy of the above list in  
32 electronic format. Mail delivery of Temporarily Absent  
33 Student ballot applications pursuant to Section 19-12.3 shall



1 be by nonforwardable mail. However, for the consolidated  
2 election, absentee ballots for certain precincts may be  
3 delivered to applicants not less than 25 days before the  
4 election if so much time is required to have prepared and  
5 printed the ballots containing the names of persons nominated  
6 for offices at the consolidated primary. The election  
7 authority shall enclose with each absentee ballot or  
8 application written instructions on how voting assistance  
9 shall be provided pursuant to Section 17-14 and a document,  
10 written and approved by the State Board of Elections,  
11 enumerating the circumstances under which a person is  
12 authorized to vote by absentee ballot pursuant to this  
13 Article; such document shall also include a statement  
14 informing the applicant that if he or she falsifies or is  
15 solicited by another to falsify his or her eligibility to  
16 cast an absentee ballot, such applicant or other is subject  
17 to penalties pursuant to Section 29-10 and Section 29-20 of  
18 the Election Code. Each election authority shall maintain a  
19 list of the name, street address, ward and precinct, or  
20 township and district number, as the case may be, of all  
21 applicants who have returned absentee ballots to such  
22 authority, and the name of such absent voter shall be added  
23 to such list within one business day from receipt of such  
24 ballot. If the absentee ballot envelope indicates that the  
25 voter was assisted in casting the ballot, the name of the  
26 person so assisting shall be included on the list. The list,  
27 the pages of which are to be numbered consecutively, shall be  
28 kept by each election authority in a conspicuous, open, and  
29 public place accessible to the public at the entrance of the  
30 office of the election authority and in a manner that the  
31 list may be viewed without necessity of requesting permission  
32 for viewing.

33 Each election authority shall maintain a list for each  
34 election of the voters to whom it has issued absentee

1 ballots. The list shall be maintained for each precinct  
2 within the jurisdiction of the election authority. Prior to  
3 the opening of the polls on election day, the election  
4 authority shall deliver to the judges of election in each  
5 precinct the list of registered voters in that precinct to  
6 whom absentee ballots have been issued by mail.

7 Each election authority shall maintain a list for each  
8 election of voters to whom it has issued temporarily absent  
9 student ballots. The list shall be maintained for each  
10 election jurisdiction within which such voters temporarily  
11 abide. Immediately after the close of the period during  
12 which application may be made by mail for absentee ballots,  
13 each election authority shall mail to each other election  
14 authority within the State a certified list of all such  
15 voters temporarily abiding within the jurisdiction of the  
16 other election authority.

17 In the event that the return address of an application  
18 for ballot by a physically incapacitated elector is that of a  
19 facility licensed or certified under the Nursing Home Care  
20 Act, within the jurisdiction of the election authority, and  
21 the applicant is a registered voter in the precinct in which  
22 such facility is located, the ballots shall be prepared and  
23 transmitted to a responsible judge of election no later than  
24 9 a.m. on the Saturday, Sunday or Monday immediately  
25 preceding the election as designated by the election  
26 authority under Section 19-12.2. Such judge shall deliver in  
27 person on the designated day the ballot to the applicant on  
28 the premises of the facility from which application was made.  
29 The election authority shall by mail notify the applicant in  
30 such facility that the ballot will be delivered by a judge of  
31 election on the designated day.

32 All applications for absentee ballots shall be available  
33 at the office of the election authority for public inspection  
34 upon request from the time of receipt thereof by the election

1 authority until 30 days after the election, except during the  
2 time such applications are kept in the office of the election  
3 authority pursuant to Section 19-7, and except during the  
4 time such applications are in the possession of the judges of  
5 election.

6 (Source: P.A. 89-653, eff. 8-14-96; 90-101, eff. 7-11-97.)

7 (10 ILCS 5/19-10) (from Ch. 46, par. 19-10)

8 Sec. 19-10. Pollwatchers may be appointed to observe  
9 in-person absentee voting procedures at the office of the  
10 election authority as well as at municipal, township or road  
11 district clerks' offices where such absentee voting is  
12 conducted. Such pollwatchers shall qualify and be appointed  
13 in the same manner as provided in Sections 7-34 and 17-23,  
14 except each candidate, political party or organization of  
15 citizens may appoint only one pollwatcher for each location  
16 where in-person absentee voting is conducted. Pollwatchers  
17 ~~must shall~~ be registered to vote in Illinois residents-of-the  
18 ~~county~~ and possess valid pollwatcher credentials.

19 In the polling place on election day, pollwatchers shall  
20 be permitted to be present during the casting of the absent  
21 voters' ballots and the vote of any absent voter may be  
22 challenged for cause the same as if he were present and voted  
23 in person, and the judges of the election or a majority  
24 thereof shall have power and authority to hear and determine  
25 the legality of such ballot; Provided, however, that if a  
26 challenge to any absent voter's right to vote is sustained,  
27 notice of the same must be given by the judges of election by  
28 mail addressed to the voter's place of residence.

29 Where certain absent voters' ballots are counted on the  
30 day of the election in the office of the election authority  
31 as provided in Section 19-8 of this Act, each political  
32 party, candidate and qualified civic organization shall be  
33 entitled to have present one pollwatcher for each panel of

1 election judges therein assigned. Such pollwatchers shall be  
2 subject to the same provisions as are provided for  
3 pollwatchers in Sections 7-34 and 17-23 of this Code, and  
4 shall be permitted to observe the election judges making the  
5 signature comparison between that which is on the ballot  
6 envelope and that which is on the permanent voter  
7 registration record card taken from the master file.

8 (Source: P.A. 86-875.)

9 (10 ILCS 5/23-15.1 new)

10 Sec. 23-15.1. Production of ballot counting source code  
11 and attendance of witnesses. All voting-system vendors  
12 shall, within 90 days after the adoption of rules or upon  
13 application for voting-system approval, place in escrow all  
14 source code for its voting system with State Board of  
15 Elections. The State Board of Elections shall promulgate  
16 rules to implement this Section. For purposes of this  
17 Section, the term "source code" includes, but is not limited  
18 to, ballot counting source code, table structures, modules,  
19 program narratives, and other human readable computer  
20 instructions used to count ballots. Any source code submitted  
21 by vendors to the State Board of Elections shall be  
22 considered strictly confidential and the intellectual  
23 property of the vendors and shall not be subject to public  
24 disclosure under the Freedom of Information Act.

25 The State Board of Elections shall determine which  
26 software components of a voting system it deems necessary to  
27 enable the review and verification of the ballot counting  
28 source code. The State Board of Elections shall secure and  
29 maintain all proprietary ballot counting source codes in  
30 strict confidence and shall make a ballot counting source  
31 code available to authorized persons in connection with an  
32 election contest or pursuant to any State or federal court  
33 order.

1 In an election contest, each party to the contest may  
2 designate one or more persons who are authorized to receive  
3 the ballot-counting source code of the relevant voting  
4 systems. The person or persons authorized to receive the  
5 relevant ballot-counting source code shall enter into a  
6 confidentiality agreement with the State Board of Elections  
7 and must exercise the highest degree of reasonable care to  
8 maintain the confidentiality of all proprietary information.

9 The State Board of Elections shall promulgate rules to  
10 provide for the security, review, and verification of ballot  
11 counting source codes. Verification includes, but is not  
12 limited to, determining that the ballot counting source code  
13 corresponds to computer instructions actually in use to count  
14 ballots. Nothing in this Section shall impair the obligation  
15 of any contract between a voting-systems vendor and an  
16 election authority that provides access to ballot-counting  
17 source code that is equal to or greater than that provided by  
18 this Section.

19 (10 ILCS 5/24A-22 new)

20 Sec. 24A-22. Definition of a vote.

21 (a) Notwithstanding any law to the contrary, for the  
22 purpose of this Article, a person casts a valid vote on a  
23 punch card ballot when:

24 (1) A chad on the card has at least one corner  
25 detached from the card;

26 (2) The fibers of paper on at least one edge of the  
27 chad are broken in a way that permits unimpeded light to  
28 be seen through the card; or

29 (3) An indentation on the chad from the stylus or  
30 other object is present and indicates a clearly  
31 ascertainable intent of the voter to vote based on the  
32 totality of the circumstances, including but not limited  
33 to any pattern or frequency of indentations on other

1 ballot positions from the same ballot card.

2 (b) Write-in votes shall be counted in a manner  
3 consistent with the existing provisions of this Code.

4 (c) For purposes of this Section, a "chad" is that  
5 portion of a ballot card that a voter punches or perforates  
6 with a stylus or other designated marking device to manifest  
7 his or her vote for a particular ballot position on a ballot  
8 card as defined in subsection (a). Chads shall be removed  
9 from ballot cards prior to their processing and tabulation in  
10 election jurisdictions that utilize a ballot card as a means  
11 of recording votes at an election. Election jurisdictions  
12 that utilize a mechanical means or device for chad removal as  
13 a component of their tabulation shall use that means or  
14 device for chad removal.

15 (10 ILCS 5/24B-2)

16 Sec. 24B-2. Definitions. As used in this Article:

17 "Computer", "automatic tabulating equipment" or  
18 "equipment" includes apparatus necessary to automatically  
19 examine and count votes as designated on ballots, and data  
20 processing machines which can be used for counting ballots  
21 and tabulating results.

22 "Ballot" means paper ballot sheets.

23 "Ballot configuration" means the particular combination  
24 of political subdivision ballots including, for each  
25 political subdivision, the particular combination of offices,  
26 candidate names and questions as it appears for each group of  
27 voters who may cast the same ballot.

28 "Ballot sheet" means a paper ballot printed on one or  
29 both sides which is (1) designed and prepared so that the  
30 voter may indicate his or her votes in designated areas,  
31 which must be areas clearly printed or otherwise delineated  
32 for such purpose, and (2) capable of having votes marked in  
33 the designated areas automatically examined, counted, and

1 tabulated by an electronic scanning process.

2 "Central counting" means the counting of ballots in one  
3 or more locations selected by the election authority for the  
4 processing or counting, or both, of ballots. A location for  
5 central counting shall be within the territorial jurisdiction  
6 of the election authority unless there is no suitable  
7 tabulating equipment available within his territorial  
8 jurisdiction. However, in any event a counting location  
9 shall be within this State.

10 "Computer operator" means any person or persons  
11 designated by the election authority to operate the automatic  
12 tabulating equipment during any portion of the vote tallying  
13 process in an election, but shall not include judges of  
14 election operating vote tabulating equipment in the precinct.

15 "Computer program" or "program" means the set of  
16 operating instructions for the automatic tabulating equipment  
17 that examines, counts, tabulates, canvasses and prints votes  
18 recorded by a voter on a ballot.

19 "Edit listing" means a computer generated listing of the  
20 names of each candidate and proposition as they appear in the  
21 program for each precinct.

22 "Header sheet" means a data processing document which is  
23 coded to indicate to the computer the precinct identity of  
24 the ballots that will follow immediately and may indicate to  
25 the computer how such ballots are to be tabulated.

26 "In-precinct counting" means the counting of ballots on  
27 automatic tabulating equipment provided by the election  
28 authority in the same precinct polling place in which those  
29 ballots have been cast.

30 "Marking device" means a pen, computer, or other device  
31 or-similar-device approved by the State Board of Elections  
32 for marking, or causing to be marked, a paper ballot with ink  
33 or other substance which will enable the ballot to be  
34 tabulated by automatic tabulating equipment or by an

1 electronic scanning process.

2 "Precinct Tabulation Optical Scan Technology" means the  
3 capability to examine a ballot through electronic means and  
4 tabulate the votes at one or more counting places.

5 "Redundant count" means a verification of the original  
6 computer count by another count using compatible equipment or  
7 by hand as part of a discovery recount.

8 "Security designation" means a printed designation placed  
9 on a ballot to identify to the computer program the offices  
10 and propositions for which votes may be cast and to indicate  
11 the manner in which votes cast should be tabulated while  
12 negating any inadmissible votes.

13 "Separate ballot", with respect to ballot sheets, means a  
14 separate portion of the ballot sheet which is clearly defined  
15 by a border or borders or shading.

16 "Specimen ballot" means a representation of names of  
17 offices and candidates and statements of measures to be voted  
18 on which will appear on the official ballot or marking device  
19 on election day. The specimen ballot also contains the party  
20 and position number where applicable.

21 "Voting defect identification" means the capability to  
22 detect overvoted ballots or ballots which cannot be read by  
23 the automatic tabulating equipment.

24 "Voting defects" means an overvoted ballot, or a ballot  
25 which cannot be read by the automatic tabulating equipment.

26 "Voting system" or "electronic voting system" means that  
27 combination of equipment and programs used in the casting,  
28 examination and tabulation of ballots and the cumulation and  
29 reporting of results by electronic means.

30 (Source: P.A. 89-394, eff. 1-1-97.)

31 (10 ILCS 5/24B-6)

32 Sec. 24B-6. Ballot Information; Arrangement; Electronic  
33 Precinct Tabulation Optical Scan Technology Voting System;



1 Absentee Ballots; Spoiled Ballots. The ballot information,  
2 shall, as far as practicable, be in the order of arrangement  
3 provided for paper ballots, except that the information may  
4 be in vertical or horizontal rows, or on a number of separate  
5 pages or displays on the marking device. Ballots for all  
6 questions or propositions to be voted on should be provided  
7 in a similar manner and must be arranged on the ballot sheet  
8 or marking device in the places provided for such purposes.  
9 Ballots shall be of white paper unless provided otherwise by  
10 administrative rule of the State Board of Elections or  
11 otherwise specified.

12 All propositions, including but not limited to  
13 propositions calling for a constitutional convention,  
14 constitutional amendment, judicial retention, and public  
15 measures to be voted upon shall be placed on separate  
16 portions of the ballot sheet or marking device by utilizing  
17 borders or grey screens. Candidates shall be listed on a  
18 separate portion of the ballot sheet or marking device by  
19 utilizing borders or grey screens. Below the name of the  
20 last candidate listed for an office shall be printed or  
21 displayed a line or lines on which the voter may select a  
22 write-in candidate. Such line or lines shall be proximate to  
23 ~~the-name-of-a-candidate-or-candidates-may-be-written-by-the~~  
24 ~~voter,--and-proximate-to-such-lines~~ an area shall be provided  
25 for marking votes for the write-in candidate or candidates.  
26 The number of write-in lines for an office shall equal the  
27 number of candidates for which a voter may vote. More than  
28 one amendment to the constitution may be placed on the same  
29 portion of the ballot sheet or marking device. Constitutional  
30 convention or constitutional amendment propositions shall be  
31 printed or displayed on a separate portion of the ballot  
32 sheet or marking device and designated by borders or grey  
33 screens, unless otherwise provided by administrative rule of  
34 the State Board of Elections. More than one public measure

1 or proposition may be placed on the same portion of the  
2 ballot sheet or marking device. More than one proposition  
3 for retention of judges in office may be placed on the same  
4 portion of the ballot sheet or marking device. Names of  
5 candidates shall be printed in black. The party affiliation  
6 of each candidate or the word "independent" shall appear near  
7 or under the candidate's name, and the names of candidates  
8 for the same office shall be listed vertically under the  
9 title of that office, on separate pages of the marking  
10 device, or as otherwise approved by the State Board of  
11 Elections. In the case of nonpartisan elections for officers  
12 of political subdivisions, unless the statute or an ordinance  
13 adopted pursuant to Article VII of the Constitution requires  
14 otherwise, the listing of nonpartisan candidates shall not  
15 include any party or "independent" designation. Judicial  
16 retention questions and ballot questions for all public  
17 measures and other propositions shall be designated by  
18 borders or grey screens on the ballot or marking device.  
19 ~~Judicial--retention--ballots--shall--be--designated--by--borders--or~~  
20 ~~grey--screens.--Ballots--for--all--public--measures--and--other~~  
21 ~~propositions--shall--be--designated--by--borders--or--grey--screens.~~  
22 In primary elections, a separate ballot, or displays on the  
23 marking device, shall be used for each political party  
24 holding a primary, with the ballot or marking device arranged  
25 to include names of the candidates of the party and public  
26 measures and other propositions to be voted upon on the day  
27 of the primary election.

28 If the ballot includes both candidates for office and  
29 public measures or propositions to be voted on, the election  
30 official in charge of the election shall divide the ballot or  
31 displays on the marking device in sections for "Candidates"  
32 and "Propositions", or separate ballots may be used.

33 Absentee ballots may consist of envelopes, paper ballots  
34 or ballot sheets voted in person in the office of the

1 election official in charge of the election or voted by mail.  
2 Where a Precinct Tabulation Optical Scan Technology ballot is  
3 used for voting by mail it must be accompanied by voter  
4 instructions.

5 Any voter who spoils his or her ballot, makes an error,  
6 or has a ballot returned by the automatic tabulating  
7 equipment may return the ballot to the judges of election and  
8 get another ballot.

9 (Source: P.A. 89-394, eff. 1-1-97; 89-700, eff. 1-17-97.)

10 (10 ILCS 5/24B-8)

11 Sec. 24B-8. Preparation for Use; Comparison of Ballots;  
12 Operational Checks of Automatic Precinct Tabulation Optical  
13 Scan Technology Tabulating Equipment; Pollwatchers. The  
14 county clerk or board of election commissioners shall cause  
15 the approved marking devices to be delivered to the polling  
16 places. Before the opening of the polls the judges of  
17 election shall compare the ballots or displays on the marking  
18 device used with the specimen ballots furnished and see that  
19 the names, numbers and letters thereon agree and shall  
20 certify thereto on forms provided by the county clerk or  
21 board of election commissioners.

22 In addition, in those polling places where in-precinct  
23 Precinct Tabulation Optical Scan Technology counting  
24 equipment is utilized, the judges of election shall make an  
25 operational check of the automatic Precinct Tabulation  
26 Optical Scan Technology tabulating equipment before the  
27 opening of the polls. The judges of election shall ensure  
28 that the totals are all zeroes in the count column on the  
29 Precinct Tabulation Optical Scan Technology unit.

30 Pollwatchers as provided by law shall be permitted to  
31 closely observe the judges in these procedures and to  
32 periodically inspect the Precinct Tabulation Optical Scan  
33 Technology equipment when not in use by the voters.

1 (Source: P.A. 89-394, eff. 1-1-97.)

2 (10 ILCS 5/24B-9)

3 Sec. 24B-9. Testing of Precinct Tabulation Optical Scan  
4 Technology Equipment and Program; Custody of Programs, Test  
5 Materials and Ballots. Prior to the public test, the  
6 election authority shall conduct an errorless pre-test of the  
7 automatic Precinct Tabulation Optical Scan Technology  
8 tabulating equipment and program and marking device to  
9 determine that they will correctly detect Voting Defects and  
10 count the votes cast for all offices and all measures. On any  
11 day not less than 5 days prior to the election day, the  
12 election authority shall publicly test the automatic Precinct  
13 Tabulation Optical Scan Technology tabulating equipment and  
14 program to determine that they will correctly detect Voting  
15 Defects and count the votes cast for all offices and on all  
16 measures. Public notice of the time and place of the test  
17 shall be given at least 48 hours before the test by  
18 publishing the notice in one or more newspapers within the  
19 election jurisdiction of the election authority, if a  
20 newspaper is published in that jurisdiction. If a newspaper  
21 is not published in that jurisdiction, notice shall be  
22 published in a newspaper of general circulation in that  
23 jurisdiction. Timely written notice stating the date, time,  
24 and location of the public test shall also be provided to the  
25 State Board of Elections. The test shall be open to  
26 representatives of the political parties, the press,  
27 representatives of the State Board of Elections, and the  
28 public. The test shall be conducted by processing a  
29 preaudited group of ballots marked to record a predetermined  
30 number of valid votes for each candidate and on each measure,  
31 and shall include for each office one or more ballots having  
32 votes exceeding the number allowed by law to test the ability  
33 of the automatic tabulating equipment or marking device to

1 reject the votes. The test shall also include producing an  
2 edit listing. In those election jurisdictions where  
3 in-precinct counting equipment is used, a public test of both  
4 the equipment and program shall be conducted as nearly as  
5 possible in the manner prescribed above. The State Board of  
6 Elections may select as many election jurisdictions as the  
7 Board deems advisable in the interests of the election  
8 process of this State, to order a special test of the  
9 automatic tabulating equipment and program before any regular  
10 election. The Board may order a special test in any election  
11 jurisdiction where, during the preceding 12 months, computer  
12 programming errors or other errors in the use of electronic  
13 voting systems resulted in vote tabulation errors. Not less  
14 than 30 days before any election, the State Board of  
15 Elections shall provide written notice to those selected  
16 jurisdictions of their intent to conduct a test. Within 5  
17 days of receipt of the State Board of Elections' written  
18 notice of intent to conduct a test, the selected  
19 jurisdictions shall forward to the principal office of the  
20 State Board of Elections a copy of all specimen ballots. The  
21 State Board of Elections' tests shall be conducted and  
22 completed not less than 2 days before the public test  
23 utilizing testing materials supplied by the Board and under  
24 the supervision of the Board, and the Board shall reimburse  
25 the election authority for the reasonable cost of computer  
26 time required to conduct the special test. After an  
27 errorless test, materials used in the public test, including  
28 the program, if appropriate, shall be sealed and remain  
29 sealed until the test is run again on election day. If any  
30 error is detected, the cause of the error shall be determined  
31 and corrected, and an errorless public test shall be made  
32 before the automatic tabulating equipment is approved. Each  
33 election authority shall file a sealed copy of each tested  
34 program to be used within its jurisdiction at an election

1 with the State Board of Elections before the election. The  
2 Board shall secure the program or programs of each election  
3 jurisdiction so filed in its office for the 60 days following  
4 the canvass and proclamation of election results. At the  
5 expiration of that time, if no election contest or appeal is  
6 pending in an election jurisdiction, the Board shall return  
7 the sealed program or programs to the election authority of  
8 the jurisdiction. Except where in-precinct counting  
9 equipment is used, the test shall be repeated immediately  
10 before the start of the official counting of the ballots, in  
11 the same manner as set forth above. After the completion of  
12 the count, the test shall be re-run using the same program.  
13 Immediately after the re-run, all material used in testing  
14 the program and the programs shall be sealed and retained  
15 under the custody of the election authority for a period of  
16 60 days. At the expiration of that time the election  
17 authority shall destroy the voted ballots, together with all  
18 unused ballots returned from the precincts. Provided, if any  
19 contest of election is pending at the time in which the  
20 ballots may be required as evidence and the election  
21 authority has notice of the contest, the same shall not be  
22 destroyed until after the contest is finally determined. If  
23 the use of back-up equipment becomes necessary, the same  
24 testing required for the original equipment shall be  
25 conducted.

26 (Source: P.A. 89-394, eff. 1-1-97.)

27 (10 ILCS 5/24B-9.1)

28 Sec. 24B-9.1. Examination of Votes by Electronic  
29 Precinct Tabulation Optical Scan Technology Scanning Process  
30 or other authorized electronic process; definition of a vote.

31 (a) Examination of Votes by Electronic Precinct  
32 Tabulation Optical Scan Technology Scanning Process. Whenever  
33 a Precinct Tabulation Optical Scan Technology process is used

1 to automatically examine and count the votes on ballot  
2 sheets, the provisions of this Section shall apply. A voter  
3 shall cast a proper vote on a ballot sheet by making a mark,  
4 or causing a mark to be made, in the designated area for the  
5 casting of a vote for any party or candidate or for or  
6 against any proposition. For this purpose, a mark is an  
7 intentional darkening of the designated area on the ballot  
8 sheet, and not an identifying mark.

9 (b) For any ballot sheet that does not register a vote  
10 for one or more ballot positions on the ballot sheet on a  
11 Electronic Precinct Tabulation Optical Scan Technology  
12 Scanning Process, the following shall constitute a vote on  
13 the ballot sheet:

14 (1) The designated area for casting a vote for a  
15 particular ballot position on the ballot sheet is fully  
16 darkened or shaded in;

17 (2) The designated area for casting a vote for a  
18 particular ballot position on the ballot sheet is  
19 partially darkened or shaded in;

20 (3) The designated area for casting a vote for a  
21 particular ballot position on the ballot sheet contains a  
22 dot or ".", a check, or a plus or "+"; or

23 (4) The designated area for casting a vote for a  
24 particular ballot position on the ballot sheet contains  
25 some other type of mark that indicates the clearly  
26 ascertainable intent of the voter to vote based on the  
27 totality of the circumstances, including but not limited  
28 to any pattern or frequency of marks on other ballot  
29 positions from the same ballot sheet.

30 (c) For other electronic voting systems that use a  
31 computer as the marking device to mark a ballot sheet, the  
32 bar code found on the ballot sheet shall constitute the votes  
33 found on the ballot. If, however, the county clerk or board  
34 of election commissioners determines that the votes

1 represented by the tally on the bar code for one or more  
2 ballot positions is inconsistent with the votes represented  
3 by numerical ballot positions identified on the ballot sheet  
4 produced using a computer as the marking device, then the  
5 numerical ballot positions identified on the ballot sheet  
6 shall constitute the votes for purposes of any official  
7 canvass or recount proceeding. An electronic voting system  
8 that uses a computer as the marking device to mark a ballot  
9 sheet shall be capable of producing a ballot sheet that  
10 contains all numerical ballot positions selected by the  
11 voter, and provides a place for the voter to cast a write-in  
12 vote for a candidate for a particular numerical ballot  
13 position.

14 (d) The election authority shall provide an envelope,  
15 sleeve or other device to each voter so the voter can deliver  
16 the voted ballot sheet to the counting equipment and ballot  
17 box without the votes indicated on the ballot sheet being  
18 visible to other persons in the polling place.

19 (Source: P.A. 89-394, eff. 1-1-97.)

20 (10 ILCS 5/24B-10)

21 Sec. 24B-10. Receiving, Counting, Tallying and Return of  
22 Ballots; Acceptance of Ballots by Election Authority.

23 (a) In an election jurisdiction which has adopted an  
24 electronic Precinct Tabulation Optical Scan Technology voting  
25 system, the election official in charge of the election shall  
26 select one of the 3 following procedures for receiving,  
27 counting, tallying, and return of the ballots:

28 (1) Two ballot boxes shall be provided for each  
29 polling place. The first ballot box is for the  
30 depositing of votes cast on the electronic voting system;  
31 and the second ballot box is for all votes cast on other  
32 ballots, including absentee paper ballots and any other  
33 paper ballots required to be voted other than on the



1 Precinct Tabulation Optical Scan Technology electronic  
2 voting system. Ballots, except absentee ballots for  
3 candidates and propositions which are listed on the  
4 Precinct Tabulation Optical Scan Technology electronic  
5 voting system, deposited in the second ballot box shall  
6 be counted, tallied, and returned as is elsewhere  
7 provided in this Code for the counting and handling of  
8 paper ballots. Immediately after the closing of the  
9 polls the absentee ballots delivered to the precinct  
10 judges of election by the election official in charge of  
11 the election shall be examined to determine that the  
12 ballots comply with Sections 19-9 and 20-9 of this Code  
13 and are entitled to be inserted into the counting  
14 equipment and deposited into the ballot box provided;  
15 those entitled to be deposited in this ballot box shall  
16 be initialed by the precinct judges of election and  
17 deposited. Those not entitled to be deposited in this  
18 ballot box shall be marked "Rejected" and disposed of as  
19 provided in Sections 19-9 and 20-9. The precinct judges  
20 of election shall then open the second ballot box and  
21 examine all paper absentee ballots which are in the  
22 ballot box to determine whether the absentee ballots bear  
23 the initials of a precinct judge of election. If any  
24 absentee ballot is not so initialed, it shall be marked  
25 on the back "Defective", initialed as to the label by all  
26 judges immediately under the word "Defective", and not  
27 counted, but placed in the envelope provided for that  
28 purpose labeled "Defective Ballots Envelope". The judges  
29 of election, consisting in each case of at least one  
30 judge of election of each of the 2 major political  
31 parties, shall examine the paper absentee ballots which  
32 were in such ballot box and properly initialed to  
33 determine whether the same contain write-in votes.  
34 Write-in votes, not causing an overvote for an office

1 otherwise voted for on the paper absentee ballot, and  
2 otherwise properly voted, shall be counted, tallied and  
3 recorded on the tally sheet provided for the record. A  
4 write-in vote causing an overvote for an office shall not  
5 be counted for that office, but the precinct judges shall  
6 mark such paper absentee ballot "Objected To" on the back  
7 and write on its back the manner in which the ballot is  
8 counted and initial the same. An overvote for one office  
9 shall invalidate only the vote or count of that  
10 particular office. After counting, tallying and  
11 recording the write-in votes on absentee ballots, the  
12 judges of election, consisting in each case of at least  
13 one judge of election of each of the 2 major political  
14 parties, shall make a true duplicate ballot of the  
15 remaining valid votes on each paper absentee ballot which  
16 was in the ballot box and properly initialed, by using  
17 the electronic Precinct Tabulation Optical Scan  
18 Technology voting system used in the precinct and one of  
19 the marking devices, or equivalent marking device or  
20 equivalent ballot, of the precinct to transfer the  
21 remaining valid votes of the voter on the paper absentee  
22 ballot to an official ballot or a ballot card of that  
23 kind used in the precinct at that election. The original  
24 paper absentee ballot shall be clearly labeled "Absentee  
25 Ballot" and the ballot card so produced "Duplicate  
26 Absentee Ballot", and each shall bear the same serial  
27 number which shall be placed thereon by the judges of  
28 election, beginning with number 1 and continuing  
29 consecutively for the ballots of that kind in that  
30 precinct. The judges of election shall initial the  
31 "Duplicate Absentee Ballot" ballots and shall place them  
32 in the first ballot box provided for return of the  
33 ballots to be counted at the central counting location in  
34 lieu of the paper absentee ballots. The paper absentee

1 ballots shall be placed in an envelope provided for that  
2 purpose labeled "Duplicate Ballots".

3 As soon as the absentee ballots have been deposited  
4 in the first ballot box, the judges of election shall  
5 make out a slip indicating the number of persons who  
6 voted in the precinct at the election. The slip shall be  
7 signed by all the judges of election and shall be  
8 inserted by them in the first ballot box. The judges of  
9 election shall thereupon immediately lock the first  
10 ballot box; provided, that if the box is not of a type  
11 which may be securely locked, the box shall be sealed  
12 with filament tape provided for the purpose that shall be  
13 wrapped around the box lengthwise and crosswise, at least  
14 twice each way, and in a manner that the seal completely  
15 covers the slot in the ballot box, and each of the judges  
16 shall sign the seal. Two of the judges of election, of  
17 different political parties, shall by the most direct  
18 route transport both ballot boxes to the counting  
19 location designated by the county clerk or board of  
20 election commissioners.

21 Before the ballots of a precinct are fed to the  
22 electronic Precinct Tabulation Optical Scan Technology  
23 tabulating equipment, the first ballot box shall be  
24 opened at the central counting station by the 2 precinct  
25 transport judges. Upon opening a ballot box, the team  
26 shall first count the number of ballots in the box. If 2  
27 or more are folded together to appear to have been cast  
28 by the same person, all of the ballots folded together  
29 shall be marked and returned with the other ballots in  
30 the same condition, as near as may be, in which they were  
31 found when first opened, but shall not be counted. If  
32 the remaining ballots are found to exceed the number of  
33 persons voting in the precinct as shown by the slip  
34 signed by the judges of election, the ballots shall be

1 replaced in the box, and the box closed and well shaken  
2 and again opened and one of the precinct transport judges  
3 shall publicly draw out so many ballots unopened as are  
4 equal to the excess.

5 The excess ballots shall be marked "Excess-Not  
6 Counted" and signed by the 2 precinct transport judges  
7 and shall be placed in the "After 7:00 p.m. Defective  
8 Ballots Envelope". The number of excess ballots shall be  
9 noted in the remarks section of the Certificate of  
10 Results. "Excess" ballots shall not be counted in the  
11 total of "defective" ballots.

12 The precinct transport judges shall then examine the  
13 remaining ballots for write-in votes and shall count and  
14 tabulate the write-in vote.

15 (2) A single ballot box, for the deposit of all  
16 votes cast, shall be used. All ballots which are not to  
17 be tabulated on the electronic voting system shall be  
18 counted, tallied, and returned as elsewhere provided in  
19 this Code for the counting and handling of paper ballots.

20 All ballots to be processed and tabulated with the  
21 electronic Precinct Tabulation Optical Scan Technology  
22 voting system shall be processed as follows:

23 Immediately after the closing of the polls the  
24 absentee ballots delivered to the precinct judges of  
25 election by the election official in charge of the  
26 election shall be examined to determine that such ballots  
27 comply with Sections 19-9 and 20-9 of this Code and are  
28 entitled to be deposited in the ballot box; those  
29 entitled to be deposited in the ballot box shall be  
30 initialed by the precinct judges of election and  
31 deposited in the ballot box. Those not entitled to be  
32 deposited in the ballot box shall be marked "Rejected"  
33 and disposed of as provided in Sections 19-9 and 20-9.  
34 The precinct judges of election then shall open the

1 ballot box and canvass the votes polled to determine that  
2 the number of ballots agree with the number of voters  
3 voting as shown by the applications for ballot, or if the  
4 same do not agree the judges of election shall make such  
5 ballots agree with the applications for ballot in the  
6 manner provided by Section 17-18 of this Code. The  
7 judges of election shall then examine all paper absentee  
8 ballots and ballot envelopes which are in the ballot box  
9 to determine whether the ballots and ballot envelopes  
10 bear the initials of a precinct judge of election. If  
11 any ballot or ballot envelope is not initialed, it shall  
12 be marked on the back "Defective", initialed as to the  
13 label by all judges immediately under the word  
14 "Defective", and not counted, but placed in the envelope  
15 provided for that purpose labeled "Defective Ballots  
16 Envelope". The judges of election, consisting in each  
17 case of at least one judge of election of each of the 2  
18 major political parties, shall examine the paper absentee  
19 ballots which were in the ballot box and properly  
20 initialed to determine whether the same contain write-in  
21 votes. Write-in votes, not causing an overvote for an  
22 office otherwise voted for on the paper absentee ballot,  
23 and otherwise properly voted, shall be counted, tallied  
24 and recorded on the tally sheet provided for the record.  
25 A write-in vote causing an overvote for an office shall  
26 not be counted for that office, but the precinct judges  
27 shall mark the paper absentee ballot "Objected To" on the  
28 back and write on its back the manner the ballot is  
29 counted and initial the same. An overvote for one office  
30 shall invalidate only the vote or count of that  
31 particular office. After counting, tallying and  
32 recording the write-in votes on absentee ballots, the  
33 judges of election, consisting in each case of at least  
34 one judge of election of each of the 2 major political

1 parties, shall make a true duplicate ballot of the  
2 remaining valid votes on each paper absentee ballot which  
3 was in the ballot box and properly initialed, by using  
4 the electronic voting system used in the precinct and one  
5 of the marking devices of the precinct to transfer the  
6 remaining valid votes of the voter on the paper absentee  
7 ballot to an official ballot of that kind used in the  
8 precinct at that election. The original paper absentee  
9 ballot shall be clearly labeled "Absentee Ballot" and the  
10 ballot so produced "Duplicate Absentee Ballot", and each  
11 shall bear the same serial number which shall be placed  
12 thereon by the judges of election, commencing with number  
13 1 and continuing consecutively for the ballots of that  
14 kind in that precinct. The judges of election shall  
15 initial the "Duplicate Absentee Ballot" ballots and shall  
16 place them in the box for return of the ballots with all  
17 other ballots to be counted at the central counting  
18 location in lieu of the paper absentee ballots. The  
19 paper absentee ballots shall be placed in an envelope  
20 provided for that purpose labeled "Duplicate Ballots".

21 In case of an overvote for any office, the judges of  
22 election, consisting in each case of at least one judge  
23 of election of each of the 2 major political parties,  
24 shall make a true duplicate ballot of all votes on the  
25 ballot except for the office which is overvoted, by using  
26 the ballot of the precinct and one of the marking  
27 devices, or equivalent ballot, of the precinct to  
28 transfer all votes of the voter except for the office  
29 overvoted, to an official ballot of that kind used in the  
30 precinct at that election. The original ballot upon  
31 which there is an overvote shall be clearly labeled  
32 "Overvoted Ballot", and each shall bear the same serial  
33 number which shall be placed thereon by the judges of  
34 election, beginning with number 1 and continuing

1 consecutively for the ballots of that kind in that  
2 precinct. The judges of election shall initial the  
3 "Duplicate Overvoted Ballot" ballots and shall place them  
4 in the box for return of the ballots. The "Overvoted  
5 Ballot" ballots shall be placed in the "Duplicate  
6 Ballots" envelope. The ballots except any defective or  
7 overvoted ballot shall be placed separately in the box  
8 for return of the ballots, along with all "Duplicate  
9 Absentee Ballots", and "Duplicate Overvoted Ballots".  
10 The judges of election shall examine the ballots to  
11 determine if any is damaged or defective so that it  
12 cannot be counted by the automatic tabulating equipment.  
13 If any ballot is damaged or defective so that it cannot  
14 properly be counted by the automatic tabulating  
15 equipment, the judges of election, consisting in each  
16 case of at least one judge of election of each of the 2  
17 major political parties, shall make a true duplicate  
18 ballot of all votes on such ballot by using the ballot of  
19 the precinct and one of the marking devices, or  
20 equivalent ballot, of the precinct. The original ballot  
21 and ballot envelope shall be clearly labeled "Damaged  
22 Ballot" and the ballot so produced "Duplicate Damaged  
23 Ballot", and each shall bear the same number which shall  
24 be placed thereon by the judges of election, commencing  
25 with number 1 and continuing consecutively for the  
26 ballots of that kind in the precinct. The judges of  
27 election shall initial the "Duplicate Damaged Ballot"  
28 ballot and shall place them in the box for return of the  
29 ballots. The "Damaged Ballot" ballots shall be placed  
30 in the "Duplicated Ballots" envelope. A slip indicating  
31 the number of voters voting in person, number of absentee  
32 votes deposited in the ballot box, and the total number  
33 of voters of the precinct who voted at the election shall  
34 be made out, signed by all judges of election, and

1 inserted in the box for return of the ballots. The tally  
2 sheets recording the write-in votes shall be placed in  
3 this box. The judges of election immediately shall  
4 securely lock the ballot box or other suitable box  
5 furnished for return of the ballots by the election  
6 official in charge of the election; provided that if the  
7 box is not of a type which may be securely locked, the  
8 box shall be sealed with filament tape provided for the  
9 purpose which shall be wrapped around the box lengthwise  
10 and crosswise, at least twice each way. A separate  
11 adhesive seal label signed by each of the judges of  
12 election of the precinct shall be affixed to the box to  
13 cover any slot therein and to identify the box of the  
14 precinct; and if the box is sealed with filament tape as  
15 provided rather than locked, such tape shall be wrapped  
16 around the box as provided, but in such manner that the  
17 separate adhesive seal label affixed to the box and  
18 signed by the judges may not be removed without breaking  
19 the filament tape and disturbing the signature of the  
20 judges. Two of the judges of election, of different  
21 major political parties, shall by the most direct route  
22 transport the box for return of the ballots and enclosed  
23 ballots and returns to the central counting location  
24 designated by the election official in charge of the  
25 election. If, however, because of the lack of adequate  
26 parking facilities at the central counting location or  
27 for any other reason, it is impossible or impracticable  
28 for the boxes from all the polling places to be delivered  
29 directly to the central counting location, the election  
30 official in charge of the election may designate some  
31 other location to which the boxes shall be delivered by  
32 the 2 precinct judges. While at the other location the  
33 boxes shall be in the care and custody of one or more  
34 teams, each consisting of 4 persons, 2 from each of the 2



1 major political parties, designated for such purpose by  
2 the election official in charge of elections from  
3 recommendations by the appropriate political party  
4 organizations. As soon as possible, the boxes shall be  
5 transported from the other location to the central  
6 counting location by one or more teams, each consisting  
7 of 4 persons, 2 from each of the 2 major political  
8 parties, designated for the purpose by the election  
9 official in charge of elections from recommendations by  
10 the appropriate political party organizations.

11 The "Defective Ballots" envelope, and "Duplicated  
12 Ballots" envelope each shall be securely sealed and the  
13 flap or end of each envelope signed by the precinct  
14 judges of election and returned to the central counting  
15 location with the box for return of the ballots, enclosed  
16 ballots and returns.

17 At the central counting location, a team of tally  
18 judges designated by the election official in charge of  
19 the election shall check the box returned containing the  
20 ballots to determine that all seals are intact, and shall  
21 open the box, check the voters' slip and compare the  
22 number of ballots so delivered against the total number  
23 of voters of the precinct who voted, remove the ballots  
24 and deliver them to the technicians operating the  
25 automatic tabulating equipment. Any discrepancies  
26 between the number of ballots and total number of voters  
27 shall be noted on a sheet furnished for that purpose and  
28 signed by the tally judges.

29 (3) A single ballot box, for the deposit of all  
30 votes cast, shall be used. Immediately after the closing  
31 of the polls the judges of election shall examine the  
32 absentee ballots received by the precinct judges of  
33 election from the election authority of voters in that  
34 precinct to determine that they comply with the

1 provisions of Sections 19-9, 20-8 and 20-9 of this Code  
2 and are entitled to be deposited in the ballot box; those  
3 entitled to be deposited in the ballot box shall be  
4 initialed by the precinct judges and deposited in the  
5 ballot box. Those not entitled to be deposited in the  
6 ballot box, in accordance with Sections 19-9, 20-8 and  
7 20-9 of this Code shall be marked "Rejected" and  
8 preserved in the manner provided in this Code for the  
9 retention and preservation of official ballots rejected  
10 at such election. Immediately upon the completion of the  
11 absentee balloting, the precinct judges of election shall  
12 securely lock the ballot box; provided that if such box  
13 is not of a type which may be securely locked, the box  
14 shall be sealed with filament tape provided for the  
15 purpose which shall be wrapped around the box lengthwise  
16 and crosswise, at least twice each way. A separate  
17 adhesive seal label signed by each of the judges of  
18 election of the precinct shall be affixed to the box to  
19 cover any slot therein and to identify the box of the  
20 precinct; and if the box is sealed with filament tape as  
21 provided rather than locked, such tape shall be wrapped  
22 around the box as provided, but in a manner that the  
23 separate adhesive seal label affixed to the box and  
24 signed by the judges may not be removed without breaking  
25 the filament tape and disturbing the signature of the  
26 judges. Two of the judges of election, of different  
27 major political parties, shall by the most direct route  
28 transport the box for return of the ballots and enclosed  
29 absentee ballots and returns to the central counting  
30 location designated by the election official in charge of  
31 the election. If however, because of the lack of  
32 adequate parking facilities at the central counting  
33 location or for some other reason, it is impossible or  
34 impracticable for the boxes from all the polling places

1 to be delivered directly to the central counting  
2 location, the election official in charge of the election  
3 may designate some other location to which the boxes  
4 shall be delivered by the 2 precinct judges. While at  
5 the other location the boxes shall be in the care and  
6 custody of one or more teams, each consisting of 4  
7 persons, 2 from each of the 2 major political parties,  
8 designated for the purpose by the election official in  
9 charge of elections from recommendations by the  
10 appropriate political party organizations. As soon as  
11 possible, the boxes shall be transported from the other  
12 location to the central counting location by one or more  
13 teams, each consisting of 4 persons, 2 from each of the 2  
14 major political parties, designated for the purpose by  
15 the election official in charge of the election from  
16 recommendations by the appropriate political party  
17 organizations.

18 At the central counting location there shall be one  
19 or more teams of tally judges who possess the same  
20 qualifications as tally judges in election jurisdictions  
21 using paper ballots. The number of the teams shall be  
22 determined by the election authority. Each team shall  
23 consist of 5 tally judges, 3 selected and approved by the  
24 county board from a certified list furnished by the  
25 chairman of the county central committee of the party  
26 with the majority of members on the county board and 2  
27 selected and approved by the county board from a  
28 certified list furnished by the chairman of the county  
29 central committee of the party with the second largest  
30 number of members on the county board. At the central  
31 counting location a team of tally judges shall open the  
32 ballot box and canvass the votes polled to determine that  
33 the number of ballot sheets therein agree with the number  
34 of voters voting as shown by the applications for ballot

1 and for absentee ballot; and, if the same do not agree,  
2 the tally judges shall make such ballots agree with the  
3 number of applications for ballot in the manner provided  
4 by Section 17-18 of this Code. The tally judges shall  
5 then examine all ballot sheets that are in the ballot box  
6 to determine whether they bear the initials of the  
7 precinct judge of election. If any ballot is not  
8 initialed, it shall be marked on the back "Defective",  
9 initialed as to that label by all tally judges  
10 immediately under the word "Defective", and not counted,  
11 but placed in the envelope provided for that purpose  
12 labeled "Defective Ballots Envelope". Write-in votes,  
13 not causing an overvote for an office otherwise voted for  
14 on the absentee ballot sheet, and otherwise properly  
15 voted, shall be counted, tallied, and recorded by the  
16 central counting location judges on the tally sheet  
17 provided for the record. A write-in vote causing an  
18 overvote for an office shall not be counted for that  
19 office, but the tally judges shall mark the absentee  
20 ballot sheet "Objected To" and write the manner in which  
21 the ballot is counted on its back and initial the sheet.  
22 An overvote for one office shall invalidate only the vote  
23 or count for that particular office.

24 At the central counting location, a team of tally  
25 judges designated by the election official in charge of  
26 the election shall deliver the ballot sheets to the  
27 technicians operating the automatic Precinct Tabulation  
28 Optical Scan Technology tabulating equipment. Any  
29 discrepancies between the number of ballots and total  
30 number of voters shall be noted on a sheet furnished for  
31 that purpose and signed by the tally judges.

32 (b) Regardless of which procedure described in  
33 subsection (a) of this Section is used, the judges of  
34 election designated to transport the ballots properly signed

1 and sealed, shall ensure that the ballots are delivered to  
2 the central counting station no later than 12 hours after the  
3 polls close. At the central counting station, a team of  
4 tally judges designated by the election official in charge of  
5 the election shall examine the ballots so transported and  
6 shall not accept ballots for tabulating which are not signed  
7 and sealed as provided in subsection (a) of this Section  
8 until the judges transporting the ballots make and sign the  
9 necessary corrections. Upon acceptance of the ballots by a  
10 team of tally judges at the central counting station, the  
11 election judges transporting the ballots shall take a receipt  
12 signed by the election official in charge of the election and  
13 stamped with the date and time of acceptance. The election  
14 judges whose duty it is to transport any ballots shall, in  
15 the event the ballots cannot be found when needed, on proper  
16 request, produce the receipt which they are to take as above  
17 provided.

18 (Source: P.A. 89-394, eff. 1-1-97.)

19 (10 ILCS 5/24B-10.1)

20 Sec. 24B-10.1. In-Precinct Counting Equipment;  
21 Procedures for Counting and Tallying Ballots. In an election  
22 jurisdiction where Precinct Tabulation Optical Scan  
23 Technology counting equipment is used, the following  
24 procedures for counting and tallying the ballots shall apply:

25 Before the opening of the polls, and before the ballots  
26 are entered into the automatic tabulating equipment, the  
27 judges of election shall be sure that the totals are all  
28 zeros in the counting column. Ballots may then be counted by  
29 entering or scanning each ballot into the automatic  
30 tabulating equipment. Throughout the election day and before  
31 the closing of the polls, no person may check any vote totals  
32 for any candidate or proposition on the automatic tabulating  
33 equipment. Such automatic tabulating equipment shall be

1 programmed so that no person may reset the equipment for  
2 refeeding of ballots unless provided a code from an  
3 authorized representative of the election authority. At the  
4 option of the election authority, the ballots may be fed into  
5 the Precinct Tabulation Optical Scan Technology equipment by  
6 the voters under the direct supervision of the judges of  
7 elections.

8 Immediately after the closing of the polls, the absentee  
9 ballots delivered to the precinct judges of election by the  
10 election authority shall be examined to determine that the  
11 ballots comply with Sections 19-9 and 20-9 of this Code and  
12 are entitled to be scanned by the Precinct Tabulation Optical  
13 Scan Technology equipment and then deposited in the ballot  
14 box; those entitled to be scanned and deposited in the ballot  
15 box shall be initialed by the precinct judges of election and  
16 then scanned and deposited in the ballot box. Those not  
17 entitled to be deposited in the ballot box shall be marked  
18 "Rejected" and disposed of as provided in said Sections 19-9  
19 and 20-9.

20 The precinct judges of election shall open the ballot box  
21 and count the number of ballots to determine if the number  
22 agrees with the number of voters voting as shown on the  
23 Precinct Tabulation Optical Scan Technology equipment and by  
24 the applications for ballot or, if the same do not agree, the  
25 judges of election shall make the ballots agree with the  
26 applications for ballot in the manner provided by Section  
27 17-18 of this Code. The judges of election shall then  
28 examine all ballots which are in the ballot box to determine  
29 whether the ballots contain the initials of a precinct judge  
30 of election. If any ballot is not initialed, it shall be  
31 marked on the back "Defective", initialed as to such label by  
32 all judges immediately under the word "Defective" and not  
33 counted. The judges of election shall place an initialed  
34 blank official ballot in the place of the defective ballot,

1 so that the count of the ballots to be counted on the  
2 automatic tabulating equipment will be the same, and each  
3 "Defective Ballot" and "Replacement" ballot shall contain the  
4 same serial number which shall be placed thereon by the  
5 judges of election, beginning with number 1 and continuing  
6 consecutively for the ballots of that kind in that precinct.  
7 The original "Defective" ballot shall be placed in the  
8 "Defective Ballot Envelope" provided for that purpose.

9 If the judges of election have removed a ballot pursuant  
10 to Section 17-18, have labeled "Defective" a ballot which is  
11 not initialed, or have otherwise determined under this Code  
12 to not count a ballot originally deposited into a ballot box,  
13 the judges of election shall be sure that the totals on the  
14 automatic tabulating equipment are reset to all zeros in the  
15 counting column. Thereafter the judges of election shall  
16 enter or otherwise scan each ballot to be counted in the  
17 automatic tabulating equipment. Resetting the automatic  
18 tabulating equipment to all zeros and re-entering of ballots  
19 to be counted may occur at the precinct polling place, the  
20 office of the election authority, or any receiving station  
21 designated by the election authority. The election authority  
22 shall designate the place for resetting and re-entering or  
23 re-scanning.

24 When a Precinct Tabulation Optical Scan Technology  
25 electronic voting system is used which uses a paper ballot,  
26 the judges of election shall examine the ballot for write-in  
27 votes. When the voter has cast a write-in vote, the judges  
28 of election shall compare the write-in vote with the votes on  
29 the ballot to determine whether the write-in results in an  
30 overvote for any office, unless the Precinct Tabulation  
31 Optical Scan Technology equipment has already done so. In  
32 case of an overvote for any office, the judges of election,  
33 consisting in each case of at least one judge of election of  
34 each of the 2 major political parties, shall make a true

1 duplicate ballot of all votes on such ballot except for the  
2 office which is overvoted, by using the ballot of the  
3 precinct and one of the marking devices, or equivalent  
4 ballot, of the precinct so as to transfer all votes of the  
5 voter, except for the office overvoted, to a duplicate  
6 ballot. The original ballot upon which there is an overvote  
7 shall be clearly labeled "Overvoted Ballot", and each such  
8 "Overvoted Ballot" as well as its "Replacement" shall contain  
9 the same serial number which shall be placed thereon by the  
10 judges of election, beginning with number 1 and continuing  
11 consecutively for the ballots of that kind in that precinct.  
12 The "Overvoted Ballot" shall be placed in an envelope  
13 provided for that purpose labeled "Duplicate Ballot"  
14 envelope, and the judges of election shall initial the  
15 "Replacement" ballots and shall place them with the other  
16 ballots to be counted on the automatic tabulating equipment.

17 If any ballot is damaged or defective, or if any ballot  
18 contains a Voting Defect, so that it cannot properly be  
19 counted by the automatic tabulating equipment, the voter or  
20 the judges of election, consisting in each case of at least  
21 one judge of election of each of the 2 major political  
22 parties, shall make a true duplicate ballot of all votes on  
23 such ballot by using the ballot of the precinct and one of  
24 the marking devices of the precinct, or equivalent. If a  
25 damaged ballot, the original ballot shall be clearly labeled  
26 "Damaged Ballot" and the ballot so produced shall be clearly  
27 labeled "Damaged Ballot" and the ballot so produced shall be  
28 clearly labeled "Duplicate Damaged Ballot", and each shall  
29 contain the same serial number which shall be placed by the  
30 judges of election, beginning with number 1 and continuing  
31 consecutively for the ballots of that kind in the precinct.  
32 The judges of election shall initial the "Duplicate Damaged  
33 Ballot" ballot and shall enter or otherwise scan the  
34 duplicate damaged ballot into the automatic tabulating



1 equipment. The "Damaged Ballots" shall be placed in the  
2 "Duplicated Ballots" envelope; after all ballots have been  
3 successfully read, the judges of election shall check to make  
4 certain that the Precinct Tabulation Optical Scan Technology  
5 equipment readout agrees with the number of voters making  
6 application for ballot in that precinct. The number shall be  
7 listed on the "Statement of Ballots" form provided by the  
8 election authority.

9 The totals for all candidates and propositions shall be  
10 tabulated; and 4 copies of a "Certificate of Results" shall  
11 be generated by the automatic tabulating equipment; one copy  
12 shall be posted in a conspicuous place inside the polling  
13 place; and every effort shall be made by the judges of  
14 election to provide a copy for each authorized pollwatcher or  
15 other official authorized to be present in the polling place  
16 to observe the counting of ballots; but in no case shall the  
17 number of copies to be made available to pollwatchers be  
18 fewer than 4, chosen by lot by the judges of election. In  
19 addition, sufficient time shall be provided by the judges of  
20 election to the pollwatchers to allow them to copy  
21 information from the copy which has been posted.

22 The judges of election shall count all unused ballots and  
23 enter the number on the "Statement of Ballots". All  
24 "Spoiled", "Defective" and "Duplicated" ballots shall be  
25 counted and the number entered on the "Statement of Ballots".

26 The precinct judges of election shall select a  
27 bi-partisan team of 2 judges, who shall immediately return  
28 the ballots in a sealed container, along with all other  
29 election materials as instructed by the election authority;  
30 provided, however, that such container must first be sealed  
31 by the election judges with filament tape or other approved  
32 sealing devices provided for the purpose which shall be  
33 wrapped around the container lengthwise and crosswise, at  
34 least twice each way, in a manner that the ballots cannot be

1 removed from the container without breaking the seal and  
2 filament tape and disturbing any signatures affixed by the  
3 election judges to the container, or which other approved  
4 sealing devices are affixed in a manner approved by the  
5 election authority. The election authority shall keep the  
6 office of the election authority or any receiving stations  
7 designated by the authority, open for at least 12 consecutive  
8 hours after the polls close or until the ballots from all  
9 precincts with in-precinct counting equipment within the  
10 jurisdiction of the election authority have been returned to  
11 the election authority. Ballots returned to the office of  
12 the election authority which are not signed and sealed as  
13 required by law shall not be accepted by the election  
14 authority until the judges returning the ballots make and  
15 sign the necessary corrections. Upon acceptance of the  
16 ballots by the election authority, the judges returning the  
17 ballots shall take a receipt signed by the election authority  
18 and stamped with the time and date of the return. The  
19 election judges whose duty it is to return any ballots as  
20 provided shall, in the event the ballots cannot be found when  
21 needed, on proper request, produce the receipt which they are  
22 to take as above provided. The precinct judges of election  
23 shall also deliver the Precinct Tabulation Optical Scan  
24 Technology equipment to the election authority.

25 (Source: P.A. 89-394, eff. 1-1-97.)

26 (10 ILCS 5/24B-15)

27 Sec. 24B-15. Official Return of Precinct; Check of  
28 Totals; Retabulation. The precinct return printed by the  
29 automatic Precinct Tabulation Optical Scan Technology  
30 tabulating equipment shall include the number of ballots cast  
31 and votes cast for each candidate and proposition and shall  
32 constitute the official return of each precinct. In  
33 addition to the precinct return, the election authority shall

1 provide the number of applications for ballots in each  
2 precinct, the write-in votes, the total number of ballots  
3 counted in each precinct for each political subdivision and  
4 district and the number of registered voters in each  
5 precinct. However, the election authority shall check the  
6 totals shown by the precinct return and, if there is an  
7 obvious discrepancy regarding the total number of votes cast  
8 in any precinct, shall have the ballots for that precinct  
9 retabulated to correct the return. The procedures for  
10 retabulation shall apply prior to and after the proclamation  
11 is completed; however, after the proclamation of results, the  
12 election authority must obtain a court order to unseal voted  
13 ballots except for election contests and discovery recounts.  
14 In those election jurisdictions that use in-precinct counting  
15 equipment, the certificate of results, which has been  
16 prepared by the judges of election in the polling place after  
17 the ballots have been tabulated, shall be the document used  
18 for the canvass of votes for such precinct. Whenever a  
19 discrepancy exists during the canvass of votes between the  
20 unofficial results and the certificate of results, or  
21 whenever a discrepancy exists during the canvass of votes  
22 between the certificate of results and the set of totals  
23 which has been affixed to the certificate of results, the  
24 ballots for that precinct shall be retabulated to correct the  
25 return. As an additional part of this check prior to the  
26 proclamation, in those jurisdictions where in-precinct  
27 counting equipment is used, the election authority shall  
28 retabulate the total number of votes cast in 5% of the  
29 precincts within the election jurisdiction. The precincts to  
30 be retabulated shall be selected after election day on a  
31 random basis by the election authority, so that every  
32 precinct in the election jurisdiction has an equal  
33 mathematical chance of being selected. The State Board of  
34 Elections shall design a standard and scientific random

1 method of selecting the precincts which are to be  
2 retabulated, and the election authority shall be required to  
3 use that method. The State Board of Elections, the State's  
4 Attorney and other appropriate law enforcement agencies, the  
5 county chairman of each established political party and  
6 qualified civic organizations shall be given prior written  
7 notice of the time and place of the random selection  
8 procedure and may be represented at the procedure. The  
9 retabulation shall consist of counting the ballots which were  
10 originally counted and shall not involve any determination of  
11 which ballots were, in fact, properly counted. The ballots  
12 from the precincts selected for the retabulation shall remain  
13 at all times under the custody and control of the election  
14 authority and shall be transported and retabulated by the  
15 designated staff of the election authority.

16 As part of the retabulation, the election authority shall  
17 test the computer program in the selected precincts. The  
18 test shall be conducted by processing a preaudited group of  
19 ballots marked to record a predetermined number of valid  
20 votes for each candidate and on each public question, and  
21 shall include for each office one or more ballots which have  
22 votes in excess of the number allowed by law to test the  
23 ability of the equipment and the marking device to reject  
24 such votes. If any error is detected, the cause shall be  
25 determined and corrected, and an errorless count shall be  
26 made prior to the official canvass and proclamation of  
27 election results.

28 The State Board of Elections, the State's Attorney and  
29 other appropriate law enforcement agencies, the county  
30 chairman of each established political party and qualified  
31 civic organizations shall be given prior written notice of  
32 the time and place of the retabulation and may be represented  
33 at the retabulation.

34 The results of this retabulation shall be treated in the

1 same manner and have the same effect as the results of the  
2 discovery procedures set forth in Section 22-9.1 of this  
3 Code. Upon completion of the retabulation, the election  
4 authority shall print a comparison of the results of the  
5 retabulation with the original precinct return printed by the  
6 automatic tabulating equipment. The comparison shall be done  
7 for each precinct and for each office voted upon within that  
8 precinct, and the comparisons shall be open to the public.  
9 Upon completion of the retabulation, the returns shall be  
10 open to the public.

11 (Source: P.A. 89-394, eff. 1-1-97; 89-700, eff. 1-17-97.)

12 (10 ILCS 5/24B-18)

13 Sec. 24B-18. Specimen Ballots; Publication. When an  
14 electronic Precinct Tabulation Optical Scan Technology voting  
15 system is used, the election authority shall cause to be  
16 published, at least 5 days before the day of each general and  
17 general primary election, in 2 or more newspapers published  
18 in and having a general circulation in the county, a true and  
19 legible copy of the specimen ballot ~~containing the names of~~  
20 ~~offices and candidates and statements of measures to be voted~~  
21 ~~on, as near as may be, in the form in which they will appear~~  
22 ~~on the official ballot on election day.~~ A true legible copy  
23 may be in the form of an actual size ballot and shall be  
24 published as required by this Section if distributed in 2 or  
25 more newspapers published and having a general circulation in  
26 the county as an insert. For each election prescribed in  
27 Article 2A of this Code, specimen ballots shall be made  
28 available for public distribution and shall be supplied to  
29 the judges of election for posting in the polling place on  
30 the day of election. Notice for the nonpartisan and  
31 consolidated elections shall be given as provided in Article  
32 12.

33 (Source: P.A. 89-394, eff. 1-1-97.)

1 Section 10. The State Finance Act is amended by adding  
2 Section 5.595 as follows:

3 (30 ILCS 105/5.595 new)

4 Sec. 5.595. The Help Illinois Vote Fund.

5 Section 15. The School Code is amended by changing  
6 Section 22-21 as follows:

7 (105 ILCS 5/22-21) (from Ch. 122, par. 22-21)

8 Sec. 22-21. Elections-Use of school buildings.

9 (a) Every school board shall offer to the appropriate  
10 officer or board having responsibility for providing polling  
11 places for elections the use of any and all buildings under  
12 its jurisdiction for any and all elections to be held, if so  
13 requested by such appropriate officer or board.

14 (b) Election officers shall place 2 or more cones, small  
15 United States national flags, or some other marker a distance  
16 of 100 horizontal feet from each entrance to the room used by  
17 voters to engage in voting, which shall be known as the  
18 polling room. If the polling room is located within a public  
19 or private school building and the distance of 100 horizontal  
20 feet ends within the interior of the public or private school  
21 building, then the markers shall be placed outside of the  
22 public or private school building at each entrance used by  
23 voters to enter that building on the grounds adjacent to the  
24 thoroughfare or walkway. If the polling room is located  
25 within a public or private building with 2 or more floors and  
26 the polling room is located on the ground floor, then the  
27 markers shall be placed 100 horizontal feet from each  
28 entrance to the polling room used by voters to engage in  
29 voting. If the polling room is located in a public or private  
30 building with 2 or more floors and the polling room is  
31 located on a floor above or below the ground floor, then the

1 markers shall be placed a distance of 100 feet from the  
2 nearest elevator or staircase used by voters on the ground  
3 floor to access the floor where the polling room is located.  
4 The area within where the markers are placed shall be known  
5 as a campaign free zone, and electioneering is prohibited  
6 pursuant to this subsection.

7 Notwithstanding any other provision of this Code, the  
8 area on polling place property beyond the campaign free zone,  
9 whether publicly or privately owned, is a public forum for  
10 the time that the polls are open on an election day. At the  
11 request of election officers any publicly owned building must  
12 be made available for use as a polling place. A person shall  
13 have the right to congregate and engage in electioneering on  
14 any polling place property while the polls are open beyond  
15 the campaign free zone, including but not limited to, the  
16 placement of temporary signs. This subsection shall be  
17 construed liberally in favor of persons engaging in  
18 electioneering on all polling place property beyond the  
19 campaign free zone for the time that the polls are open on an  
20 election day.

21 (Source: Laws 1965, p. 2477.).

22 Section 90. The State Mandates Act is amended by adding  
23 Section 8.27 as follows:

24 (30 ILCS 805/8.27 new)

25 Sec. 8.27. Exempt mandate. Notwithstanding Sections 6  
26 and 8 of this Act, no reimbursement by the State is required  
27 for the implementation of any mandate created by this  
28 amendatory Act of the 93rd General Assembly.

29 Section 99. Effective date. This Act takes effect upon  
30 becoming law."