

1 AMENDMENT TO SENATE BILL 428

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

5 "Section 5. The Election Code is amended by changing  
6 Sections 2A-12, 4-6.2, 4-8, 4-33, 5-7, 5-16.2, 5-43, 6-35,  
7 6-50.2, 6-79, 7-7, 7-8, 7-10, 7-10.2, 7-17, 7-34, 7-41,  
8 8-8.1, 9-1.5, 9-10, 9-21, 10-5.1, 13-1.1, 14-3.2, 16-3,  
9 17-23, 17-29, 19-2.1, 19-2.2, 19-4, 19-10, 22-5, 22-9, 22-15,  
10 24B-2, 24B-6, 24B-8, 24B-9, 24B-9.1, 24B-10, 24B-10.1,  
11 24B-15, and 24B-18 and by adding Articles 18A and 24C and  
12 Sections 1-10, 1A-16, 1A-20, 9-1.14, 23-15.1, and 24A-22 as  
13 follows:

14 (10 ILCS 5/1-10 new)

15 Sec. 1-10. Public comment. Notwithstanding any law to  
16 the contrary, the State Board of Elections in evaluating the  
17 feasibility of any new voting system shall seek and accept  
18 public comment from persons of the disabled community,  
19 including but not limited to the community for the blind.

20 (10 ILCS 5/1A-16 new)

21 Sec. 1A-16. Voter registration information; internet

1 posting; processing of voter registration forms; content of  
2 such forms. Notwithstanding any law to the contrary, the  
3 following provisions shall apply to voter registration under  
4 this Code.

5 (a) Voter registration information; Internet posting of  
6 voter registration form. Within 90 days after the effective  
7 date of this amendatory Act of the 93rd General Assembly, the  
8 State Board of Elections shall post on its World Wide Web  
9 site the following information:

10 (1) A comprehensive list of the names, addresses,  
11 phone numbers, and websites, if applicable, of all county  
12 clerks and boards of election commissioners in Illinois.

13 (2) A schedule of upcoming elections and the  
14 deadline for voter registration.

15 (3) A downloadable, printable voter registration  
16 form, in at least English and in Spanish versions, that a  
17 person may complete and mail or submit to the State Board  
18 of Elections or the appropriate county clerk or board of  
19 election commissioners.

20 Any forms described under paragraph (3) must state the  
21 following:

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

1       (b) Acceptance of registration forms by the State Board  
2 of Elections and county clerks and board of election  
3 commissioners. The State Board of Elections, county clerks,  
4 and board of election commissioners shall accept all  
5 completed voter registration forms described in subsection  
6 (a)(3) that are:

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

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

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

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

18       Upon the receipt of a registration form, the State Board  
19 of Elections shall mark the date on which the form was  
20 received and send the form via first class mail to the  
21 appropriate county clerk or board of election commissioners,  
22 as the case may be, within 2 business days based upon the  
23 home address of the person submitting the registration form.  
24 The county clerk and board of election commissioners shall  
25 accept and process any form received from the State Board of  
26 Elections.

27       (c) Processing of registration forms by county clerks  
28 and boards of election commissioners. The county clerk or  
29 board of election commissioners shall promulgate procedures  
30 for processing the voter registration form.

31       (d) Contents of the voter registration form. The State  
32 Board shall create a voter registration form, which must  
33 contain the following content:

34           (1) Instructions for completing the form.

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

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

5           (4) The phone number for the State Board of  
6 Elections should a person submitting the form have  
7 questions.

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

10                   (a) new registration;

11                   (b) change of address; or

12                   (c) change of name.

13           (6) a box for the person to check yes or no that  
14 asks, "Are you a citizen of the United States'", a box  
15 for the person to check yes or no that asks, "Will you be  
16 18 years of age on or before election day'", and a  
17 statement of "If you checked 'no' in response to either  
18 of these questions, then do not complete this form."

19           (7) A space for the person to fill in his or her  
20 home telephone number.

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

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

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

30           (11) A space for a person without a driver's  
31 license to fill in the last four digits of his or her  
32 social security number if the person has a social  
33 security number.

34           (12) A space for a person without an Illinois

1 driver's license to fill in his or her identification  
2 number from his or her State Identification card issued  
3 by the Secretary of State.

4 (13) A space for the person to fill the name  
5 appearing on his or her last voter registration, the  
6 street address of his or her last registration, including  
7 the city, county, state, and zip code.

8 (14) A space where the person swears or affirms the  
9 following under penalty of perjury with his or her  
10 signature:

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

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

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

17 "The information I have provided is true to the  
18 best of my knowledge under penalty of perjury. If  
19 I have provided false information, than I may be  
20 fined, imprisoned, or if I am not a U.S. citizen,  
21 deported from or refused entry into the United  
22 States."

23 (d) Compliance with federal law; rulemaking authority.

24 The voter registration form described in this Section shall  
25 be consistent with the form prescribed by the Federal  
26 Election Commission under the National Voter Registration Act  
27 of 1993, P.L. 103-31, as amended from time to time, and the  
28 Help America Vote Act of 2002, P.L. 107-252, in all relevant  
29 respects. The State Board of Elections shall periodically  
30 up-date the form based on changes to federal or State law.  
31 The State Board of Elections shall promulgate any rules  
32 necessary for the implementation of this Section; provided  
33 that the rules comport with the letter and spirit of the  
34 National Voter Registration Act of 1993 and Help America Vote

1 Act of 2002 and maximize the opportunity for a person to  
2 register to vote.

3 (e) Forms available in paper form. The State Board of  
4 Elections shall make the voter registration form available in  
5 regular paper stock and form in sufficient quantities for the  
6 general public. The State Board of Elections may provide the  
7 voter registration form to the Secretary of State, county  
8 clerks, boards of election commissioners, designated agencies  
9 of the State of Illinois, and any other person or entity  
10 designated to have these forms by the Election Code in  
11 regular paper stock and form in or some other format deemed  
12 suitable by the Board. Each county clerk or board of election  
13 commissioners has the authority to design and print its own  
14 voter registration form so long as the form complies with the  
15 requirements of this Section. The State Board of Elections,  
16 county clerks, boards of election commissioners, or other  
17 designated agencies of the State of Illinois required to have  
18 these forms under the Election Code shall provide a member of  
19 the public with any reasonable number of forms that he or she  
20 may request. Nothing in this Section shall permit the State  
21 Board of Elections, county clerk, board of election  
22 commissioners, or other appropriate election official who may  
23 accept a voter registration form to refuse to accept a voter  
24 registration form because the form is printed on photocopier  
25 or regular paper stock and form.

26 (f) Internet voter registration study. The State Board  
27 of Elections shall investigate the feasibility of offering  
28 voter registration on its website and consider voter  
29 registration methods of other states in an effort to maximize  
30 the opportunity for all Illinois citizens to register to  
31 vote. The State Board of Elections shall assemble its  
32 findings in a report and submit it to the General Assembly no  
33 later than January 1, 2006. The report shall contain  
34 legislative recommendations to the General Assembly on

1 improving voter registration in Illinois.

2 (10 ILCS 5/1A-20 new)

3 Sec. 1A-20. Help Illinois Vote Fund. The Help Illinois  
4 Vote Fund is created as a special fund in the State treasury.  
5 All federal funds received by the State for the  
6 implementation of the federal Help America Vote Act of 2002  
7 shall be deposited into the Help Illinois Vote Fund. Moneys  
8 from any other source may be deposited into the Help Illinois  
9 Vote Fund. The Help Illinois Vote Fund shall be appropriated  
10 solely to the State Board of Elections for use only in the  
11 performance of activities and programs authorized or mandated  
12 by or in accordance with the federal Help America Vote Act of  
13 2002.

14 (10 ILCS 5/2A-12) (from Ch. 46, par. 2A-12)

15 Sec. 2A-12. Board of Review - Time of Election. A  
16 member of the Board of Review in any county which elects  
17 members of a Board of Review shall be elected, at each  
18 general election which immediately precedes the expiration of  
19 the term of any incumbent member, to succeed each member  
20 whose term ends before the following general election, except  
21 that members of the Cook County Board of Review shall be  
22 elected as provided in subsection (c) of Section 5-5 of the  
23 Property Tax Code.

24 (Source: P.A. 80-936.)

25 (10 ILCS 5/4-6.2) (from Ch. 46, par. 4-6.2)

26 Sec. 4-6.2. (a) The county clerk shall appoint all  
27 municipal and township or road district clerks or their duly  
28 authorized deputies as deputy registrars who may accept the  
29 registration of all qualified residents of their respective  
30 municipalities, townships and road districts. A deputy  
31 registrar serving as such by virtue of his status as a

1 municipal clerk, or a duly authorized deputy of a municipal  
2 clerk, of a municipality the territory of which lies in more  
3 than one county may accept the registration of any qualified  
4 resident of the municipality, regardless of which county the  
5 resident, municipal clerk or the duly authorized deputy of  
6 the municipal clerk lives in.

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

11 The election authority shall appoint as deputy registrars  
12 a reasonable number of employees of the Secretary of State  
13 located at driver's license examination stations and  
14 designated to the election authority by the Secretary of  
15 State who may accept the registration of any qualified  
16 residents of the county at any such driver's license  
17 examination stations. The appointment of employees of the  
18 Secretary of State as deputy registrars shall be made in the  
19 manner provided in Section 2-105 of the Illinois Vehicle  
20 Code.

21 The county clerk shall appoint each of the following  
22 named persons as deputy registrars upon the written request  
23 of such persons:

24 1. The chief librarian, or a qualified person  
25 designated by the chief librarian, of any public library  
26 situated within the election jurisdiction, who may accept  
27 the registrations of any qualified resident of the  
28 county, at such library.

29 2. The principal, or a qualified person designated  
30 by the principal, of any high school, elementary school,  
31 or vocational school situated within the election  
32 jurisdiction, who may accept the registrations of any  
33 qualified resident of the county, at such school. The  
34 county clerk shall notify every principal and



1 vice-principal of each high school, elementary school,  
2 and vocational school situated within the election  
3 jurisdiction of their eligibility to serve as deputy  
4 registrars and offer training courses for service as  
5 deputy registrars at conveniently located facilities at  
6 least 4 months prior to every election.

7 3. The president, or a qualified person designated  
8 by the president, of any university, college, community  
9 college, academy or other institution of learning  
10 situated within the election jurisdiction, who may accept  
11 the registrations of any resident of the county, at such  
12 university, college, community college, academy or  
13 institution.

14 4. A duly elected or appointed official of a bona  
15 fide labor organization, or a reasonable number of  
16 qualified members designated by such official, who may  
17 accept the registrations of any qualified resident of the  
18 county.

19 5. A duly elected or appointed official of a  
20 bonafide State civic organization, as defined and  
21 determined by rule of the State Board of Elections, or  
22 qualified members designated by such official, who may  
23 accept the registration of any qualified resident of the  
24 county. In determining the number of deputy registrars  
25 that shall be appointed, the county clerk shall consider  
26 the population of the jurisdiction, the size of the  
27 organization, the geographic size of the jurisdiction,  
28 convenience for the public, the existing number of deputy  
29 registrars in the jurisdiction and their location, the  
30 registration activities of the organization and the need  
31 to appoint deputy registrars to assist and facilitate the  
32 registration of non-English speaking individuals. In no  
33 event shall a county clerk fix an arbitrary number  
34 applicable to every civic organization requesting

1 appointment of its members as deputy registrars. The  
2 State Board of Elections shall by rule provide for  
3 certification of bonafide State civic organizations. Such  
4 appointments shall be made for a period not to exceed 2  
5 years, terminating on the first business day of the month  
6 following the month of the general election, and shall be  
7 valid for all periods of voter registration as provided  
8 by this Code during the terms of such appointments.

9 6. The Director of the Illinois Department of  
10 Public Aid, or a reasonable number of employees  
11 designated by the Director and located at public aid  
12 offices, who may accept the registration of any qualified  
13 resident of the county at any such public aid office.

14 7. The Director of the Illinois Department of  
15 Employment Security, or a reasonable number of employees  
16 designated by the Director and located at unemployment  
17 offices, who may accept the registration of any qualified  
18 resident of the county at any such unemployment office.

19 8. The president of any corporation as defined by  
20 the Business Corporation Act of 1983, or a reasonable  
21 number of employees designated by such president, who may  
22 accept the registrations of any qualified resident of the  
23 county.

24 If the request to be appointed as deputy registrar is  
25 denied, the county clerk shall, within 10 days after the date  
26 the request is submitted, provide the affected individual or  
27 organization with written notice setting forth the specific  
28 reasons or criteria relied upon to deny the request to be  
29 appointed as deputy registrar.

30 The county clerk may appoint as many additional deputy  
31 registrars as he considers necessary. The county clerk shall  
32 appoint such additional deputy registrars in such manner that  
33 the convenience of the public is served, giving due  
34 consideration to both population concentration and area.

1 Some of the additional deputy registrars shall be selected so  
2 that there are an equal number from each of the 2 major  
3 political parties in the election jurisdiction. The county  
4 clerk, in appointing an additional deputy registrar, shall  
5 make the appointment from a list of applicants submitted by  
6 the Chairman of the County Central Committee of the  
7 applicant's political party. A Chairman of a County Central  
8 Committee shall submit a list of applicants to the county  
9 clerk by November 30 of each year. The county clerk may  
10 require a Chairman of a County Central Committee to furnish a  
11 supplemental list of applicants.

12 Deputy registrars may accept registrations at any time  
13 other than the 27 day period preceding an election. All  
14 persons appointed as deputy registrars shall be registered  
15 voters within the county and shall take and subscribe to the  
16 following oath or affirmation:

17 "I do solemnly swear (or affirm, as the case may be) that  
18 I will support the Constitution of the United States, and the  
19 Constitution of the State of Illinois, and that I will  
20 faithfully discharge the duties of the office of deputy  
21 registrar to the best of my ability and that I will register  
22 no person nor cause the registration of any person except  
23 upon his personal application before me.

24 .....  
25 (Signature Deputy Registrar)"

26 This oath shall be administered by the county clerk, or  
27 by one of his deputies, or by any person qualified to take  
28 acknowledgement of deeds and shall immediately thereafter be  
29 filed with the county clerk.

30 Appointments of deputy registrars under this Section,  
31 except precinct committeemen, shall be for 2-year terms,  
32 commencing on December 1 following the general election of  
33 each even-numbered year; except that the terms of the initial  
34 appointments shall be until December 1st following the next

1 general election. Appointments of precinct committeemen shall  
2 be for 2-year terms commencing on the date of the county  
3 convention following the general primary at which they were  
4 elected. The county clerk shall issue a certificate of  
5 appointment to each deputy registrar, and shall maintain in  
6 his office for public inspection a list of the names of all  
7 appointees.

8 (b) The county clerk shall be responsible for training  
9 all deputy registrars appointed pursuant to subsection (a),  
10 at times and locations reasonably convenient for both the  
11 county clerk and such appointees. The county clerk shall be  
12 responsible for certifying and supervising all deputy  
13 registrars appointed pursuant to subsection (a). Deputy  
14 registrars appointed under subsection (a) shall be subject to  
15 removal for cause.

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

30 (d) The county clerk or board of election commissioners,  
31 as the case may be, must provide any additional forms  
32 requested by any deputy registrar regardless of the number of  
33 unaccounted registration forms the deputy registrar may have  
34 in his or her possession. The--county--clerk--shall--not--be

1 required--to-provide-additional-forms-to-any-deputy-registrar  
2 having-more--than--200--registration--forms--unaccounted--for  
3 during-the-preceding-12-month-period.

4 (e) No deputy registrar shall engage in any  
5 electioneering or the promotion of any cause during the  
6 performance of his or her duties.

7 (f) The county clerk shall not be criminally or civilly  
8 liable for the acts or omissions of any deputy registrar.  
9 Such deputy registrars shall not be deemed to be employees of  
10 the county clerk.

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

12 (10 ILCS 5/4-8) (from Ch. 46, par. 4-8)

13 Sec. 4-8. The county clerk shall provide a sufficient  
14 number of blank forms for the registration of electors, which  
15 shall be known as registration record cards and which shall  
16 consist of loose leaf sheets or cards, of suitable size to  
17 contain in plain writing and figures the data hereinafter  
18 required thereon or shall consist of computer cards of  
19 suitable nature to contain the data required thereon. The  
20 registration record cards, which shall include an affidavit  
21 of registration as hereinafter provided, shall be executed in  
22 duplicate.

23 The registration record card shall contain the following  
24 and such other information as the county clerk may think it  
25 proper to require for the identification of the applicant for  
26 registration:

27 Name. The name of the applicant, giving surname and  
28 first or Christian name in full, and the middle name or the  
29 initial for such middle name, if any.

30 Sex.

31 Residence. The name and number of the street, avenue, or  
32 other location of the dwelling, including the apartment, unit  
33 or room number, if any, and in the case of a mobile home the

1 lot number, and such additional clear and definite  
2 description as may be necessary to determine the exact  
3 location of the dwelling of the applicant. Where the location  
4 cannot be determined by street and number, then the section,  
5 congressional township and range number may be used, or such  
6 other description as may be necessary, including post-office  
7 mailing address. In the case of a homeless individual, the  
8 individual's voting residence that is his or her mailing  
9 address shall be included on his or her registration record  
10 card.

11 Term of residence in the State of Illinois and precinct.  
12 This information shall be furnished by the applicant stating  
13 the place or places where he resided and the dates during  
14 which he resided in such place or places during the year next  
15 preceding the date of the next ensuing election.

16 Nativity. The state or country in which the applicant  
17 was born.

18 Citizenship. Whether the applicant is native born or  
19 naturalized. If naturalized, the court, place, and date of  
20 naturalization.

21 Date of application for registration, i.e., the day,  
22 month and year when applicant presented himself for  
23 registration.

24 Age. Date of birth, by month, day and year.

25 Physical disability of the applicant, if any, at the time  
26 of registration, which would require assistance in voting.

27 The county and state in which the applicant was last  
28 registered.

29 Signature of voter. The applicant, after the  
30 registration and in the presence of a deputy registrar or  
31 other officer of registration shall be required to sign his  
32 or her name in ink to the affidavit on both the original and  
33 duplicate registration record cards.

34 Signature of deputy registrar or officer of registration.

1 In case applicant is unable to sign his name, he may  
2 affix his mark to the affidavit. In such case the officer  
3 empowered to give the registration oath shall write a  
4 detailed description of the applicant in the space provided  
5 on the back or at the bottom of the card or sheet; and shall  
6 ask the following questions and record the answers thereto:

7 Father's first name.

8 Mother's first name.

9 From what address did the applicant last register?

10 Reason for inability to sign name.

11 Each applicant for registration shall make an affidavit  
12 in substantially the following form:

13 AFFIDAVIT OF REGISTRATION

14 STATE OF ILLINOIS

15 COUNTY OF .....

16 I hereby swear (or affirm) that I am a citizen of the  
17 United States; that on the date of the next election I shall  
18 have resided in the State of Illinois and in the election  
19 precinct in which I reside 30 days and that I intend that  
20 this location shall be my residence; that I am fully  
21 qualified to vote, and that the above statements are true.

22 .....

23 (His or her signature or mark)

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

25 .....

26 Signature of registration officer.

27 (To be signed in presence of registrant.)

28 Space shall be provided upon the face of each  
29 registration record card for the notation of the voting  
30 record of the person registered thereon.

31 Each registration record card shall be numbered according  
32 to precincts, and may be serially or otherwise marked for  
33 identification in such manner as the county clerk may  
34 determine.

1           The registration cards shall be deemed public records and  
2 shall be open to inspection during regular business hours,  
3 except during the 27 days immediately preceding any election.  
4 On written request of any candidate or objector or any person  
5 intending to object to a petition, the election authority  
6 shall extend its hours for inspection of registration cards  
7 and other records of the election authority during the period  
8 beginning with the filing of petitions under Sections 7-10,  
9 8-8, 10-6 or 28-3 and continuing through the termination of  
10 electoral board hearings on any objections to petitions  
11 containing signatures of registered voters in the  
12 jurisdiction of the election authority. The extension shall  
13 be for a period of hours sufficient to allow adequate  
14 opportunity for examination of the records but the election  
15 authority is not required to extend its hours beyond the  
16 period beginning at its normal opening for business and  
17 ending at midnight. If the business hours are so extended,  
18 the election authority shall post a public notice of such  
19 extended hours. Registration record cards may also be  
20 inspected, upon approval of the officer in charge of the  
21 cards, during the 27 days immediately preceding any election.  
22 Registration record cards shall also be open to inspection by  
23 certified judges and poll watchers and challengers at the  
24 polling place on election day, but only to the extent  
25 necessary to determine the question of the right of a person  
26 to vote or to serve as a judge of election. At no time shall  
27 poll watchers or challengers be allowed to physically handle  
28 the registration record cards.

29           Updated copies of computer tapes or computer discs or  
30 other electronic data processing information containing voter  
31 registration information shall be furnished by the county  
32 clerk within 10 days after December 15 and May 15 each year  
33 and within 10 days after each registration period is closed  
34 to the State Board of Elections in a form prescribed by the



1 Board. For the purposes of this Section, a registration  
2 period is closed 27 days before the date of any regular or  
3 special election. Registration information shall include, but  
4 not be limited to, the following information: name, sex,  
5 residence, telephone number, if any, age, party affiliation,  
6 if applicable, precinct, ward, township, county, and  
7 representative, legislative and congressional districts. In  
8 the event of noncompliance, the State Board of Elections is  
9 directed to obtain compliance forthwith with this  
10 nondiscretionary duty of the election authority by  
11 instituting legal proceedings in the circuit court of the  
12 county in which the election authority maintains the  
13 registration information. The costs of furnishing updated  
14 copies of tapes or discs shall be paid at a rate of \$.00034  
15 per name of registered voters in the election jurisdiction,  
16 but not less than \$50 per tape or disc and shall be paid from  
17 appropriations made to the State Board of Elections for  
18 reimbursement to the election authority for such purpose. The  
19 Board shall furnish copies of such tapes, discs, other  
20 electronic data or compilations thereof to state political  
21 committees registered pursuant to the Illinois Campaign  
22 Finance Act or the Federal Election Campaign Act at their  
23 request and at a reasonable cost. Copies of the tapes, discs  
24 or other electronic data shall be furnished by the county  
25 clerk to local political committees at their request and at a  
26 reasonable cost. To protect the privacy and confidentiality  
27 of voter registration information, the disclosure of  
28 electronic voter registration records to any person or entity  
29 other than a State political committee is specifically  
30 prohibited. Reasonable cost of the tapes, discs, et cetera  
31 for this purpose would be the cost of duplication plus 15%  
32 for administration. The individual representing a political  
33 committee requesting copies of such tapes shall make a sworn  
34 affidavit that the information shall be used only for bona

1     fide political purposes, including by or for candidates for  
2     office or incumbent office holders. Such tapes, discs or  
3     other electronic data shall not be used under any  
4     circumstances by any political committee or individuals for  
5     purposes of commercial solicitation or other business  
6     purposes. If such tapes contain information on county  
7     residents related to the operations of county government in  
8     addition to registration information, that information shall  
9     not be used under any circumstances for commercial  
10    solicitation or other business purposes. The prohibition in  
11    this Section against using the computer tapes or computer  
12    discs or other electronic data processing information  
13    containing voter registration information for purposes of  
14    commercial solicitation or other business purposes shall be  
15    prospective only from the effective date of this amended Act  
16    of 1979. Any person who violates this provision shall be  
17    guilty of a Class 4 felony.

18         The State Board of Elections shall promulgate, by October  
19    1, 1987, such regulations as may be necessary to ensure  
20    uniformity throughout the State in electronic data processing  
21    of voter registration information. The regulations shall  
22    include, but need not be limited to, specifications for  
23    uniform medium, communications protocol and file structure to  
24    be employed by the election authorities of this State in the  
25    electronic data processing of voter registration information.  
26    Each election authority utilizing electronic data processing  
27    of voter registration information shall comply with such  
28    regulations on and after May 15, 1988.

29         If the applicant for registration was last registered in  
30    another county within this State, he shall also sign a  
31    certificate authorizing cancellation of the former  
32    registration. The certificate shall be in substantially the  
33    following form:

34    To the County Clerk of.... County, Illinois. (or)

1 To the Election Commission of the City of ....., Illinois.

2 This is to certify that I am registered in your (county)  
3 (city) and that my residence was .....

4 Having moved out of your (county) (city), I hereby authorize  
5 you to cancel said registration in your office.

6 Dated at ....., Illinois, on (insert date).

7 .....  
8 (Signature of Voter)

9 Attest: ....., County Clerk, .....  
10 County, Illinois.

11 The cancellation certificate shall be mailed immediately  
12 by the County Clerk to the County Clerk (or election  
13 commission as the case may be) where the applicant was  
14 formerly registered. Receipt of such certificate shall be  
15 full authority for cancellation of any previous registration.  
16 (Source: P.A. 91-357, eff. 7-29-99; 92-465, eff. 1-1-02;  
17 92-816, eff. 8-21-02.)

18 (10 ILCS 5/4-33)

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

20 (a) The State Board of Elections shall design a  
21 registration record card that, except as otherwise provided  
22 in this Section, shall be used in duplicate by all election  
23 authorities in the State adopting a computer-based voter  
24 registration file as provided in this Section. The Board  
25 shall prescribe the form and specifications, including but  
26 not limited to the weight of paper, color, and print of the  
27 cards. The cards shall contain boxes or spaces for the  
28 information required under Sections 4-8 and 4-21; provided  
29 that the cards shall also contain: (i) A space for a person  
30 to fill in his or her Illinois driver's license number if the  
31 person has a driver's license; (ii) A space for a person  
32 without a driver's license to fill in the last four digits of  
33 his or her social security number if the person has a social

1 security number a box or space for the applicant's social  
2 security number, which shall be required to the extent  
3 allowed by law but in no case shall the applicant provide  
4 fewer than the last 4 digits of the social security number,  
5 and a box for the applicant's telephone number, if available.

6 (b) The election authority may develop and implement a  
7 system to prepare, use, and maintain a computer-based voter  
8 registration file that includes a computer-stored image of  
9 the signature of each voter. The computer-based voter  
10 registration file may be used for all purposes for which the  
11 original registration cards are to be used, provided that a  
12 system for the storage of at least one copy of the original  
13 registration cards remains in effect. The electronic file  
14 shall be the master file.

15 (c) Any system created, used, and maintained under  
16 subsection (b) of this Section shall meet the following  
17 standards:

18 (1) Access to any computer-based voter registration  
19 file shall be limited to those persons authorized by the  
20 election authority, and each access to the computer-based  
21 voter registration file, other than an access solely for  
22 inquiry, shall be recorded.

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

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

33 (4) Each person desiring to vote shall sign an  
34 application for a ballot, and the signature comparison

1 authorized in Articles 17 and 18 of this Code may be made  
2 to a copy of the computer-stored image of the signature  
3 of the registered voter.

4 (5) Any voter list produced from a computer-based  
5 voter registration file that includes computer-stored  
6 images of the signatures of registered voters and is used  
7 in a polling place during an election shall be preserved  
8 by the election authority in secure storage until the end  
9 of the second calendar year following the election in  
10 which it was used.

11 (d) Before the first election in which the election  
12 authority elects to use a voter list produced from the  
13 computer-stored images of the signatures of registered voters  
14 in a computer-based voter registration file for signature  
15 comparison in a polling place, the State Board of Elections  
16 shall certify that the system used by the election authority  
17 complies with the standards set forth in this Section. The  
18 State Board of Elections may request a sample poll list  
19 intended to be used in a polling place to test the accuracy  
20 of the list and the adequacy of the computer-stored images of  
21 the signatures of the registered voters.

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

27 (f) Nothing in this Section prevents an election  
28 authority from submitting to the State Board of Elections a  
29 duplicate copy of some, as the State Board of Elections shall  
30 determine, or all of the data contained in each voter  
31 registration record that is part of the electronic master  
32 file. The duplicate copy of the registration record shall be  
33 maintained by the State Board of Elections under the same  
34 terms and limitations applicable to the election authority

1 and shall be of equal legal dignity with the original  
2 registration record maintained by the election authority as  
3 proof of any fact contained in the voter registration record.

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

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

6 Sec. 5-7. The county clerk shall provide a sufficient  
7 number of blank forms for the registration of electors which  
8 shall be known as registration record cards and which shall  
9 consist of loose leaf sheets or cards, of suitable size to  
10 contain in plain writing and figures the data hereinafter  
11 required thereon or shall consist of computer cards of  
12 suitable nature to contain the data required thereon. The  
13 registration record cards, which shall include an affidavit  
14 of registration as hereinafter provided, shall be executed in  
15 duplicate.

16 The registration record card shall contain the following  
17 and such other information as the county clerk may think it  
18 proper to require for the identification of the applicant for  
19 registration:

20 Name. The name of the applicant, giving surname and  
21 first or Christian name in full, and the middle name or the  
22 initial for such middle name, if any.

23 Sex.

24 Residence. The name and number of the street, avenue, or  
25 other location of the dwelling, including the apartment, unit  
26 or room number, if any, and in the case of a mobile home the  
27 lot number, and such additional clear and definite  
28 description as may be necessary to determine the exact  
29 location of the dwelling of the applicant, including  
30 post-office mailing address. In the case of a homeless  
31 individual, the individual's voting residence that is his or  
32 her mailing address shall be included on his or her  
33 registration record card.

1 Term of residence in the State of Illinois and the  
2 precinct. Which questions may be answered by the applicant  
3 stating, in excess of 30 days in the State and in excess of  
4 30 days in the precinct.

5 Nativity. The State or country in which the applicant  
6 was born.

7 Citizenship. Whether the applicant is native born or  
8 naturalized. If naturalized, the court, place and date of  
9 naturalization.

10 Date of application for registration, i.e., the day,  
11 month and year when applicant presented himself for  
12 registration.

13 Age. Date of birth, by month, day and year.

14 Physical disability of the applicant, if any, at the time  
15 of registration, which would require assistance in voting.

16 The county and state in which the applicant was last  
17 registered.

18 Signature of voter. The applicant, after the  
19 registration and in the presence of a deputy registrar or  
20 other officer of registration shall be required to sign his  
21 or her name in ink to the affidavit on the original and  
22 duplicate registration record card.

23 Signature of Deputy Registrar.

24 In case applicant is unable to sign his name, he may  
25 affix his mark to the affidavit. In such case the officer  
26 empowered to give the registration oath shall write a  
27 detailed description of the applicant in the space provided  
28 at the bottom of the card or sheet; and shall ask the  
29 following questions and record the answers thereto:

30 Father's first name .....

31 Mother's first name .....

32 From what address did you last register?

33 Reason for inability to sign name.

34 Each applicant for registration shall make an affidavit

1 in substantially the following form:

2 AFFIDAVIT OF REGISTRATION

3 State of Illinois)

4 )ss

5 County of )

6 I hereby swear (or affirm) that I am a citizen of the  
7 United States; that on the date of the next election I shall  
8 have resided in the State of Illinois and in the election  
9 precinct in which I reside 30 days; that I am fully qualified  
10 to vote. That I intend that this location shall be my  
11 residence and that the above statements are true.

12 .....  
13 (His or her signature or mark)

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

15 .....

16 Signature of Registration Officer.

17 (To be signed in presence of Registrant.)

18 Space shall be provided upon the face of each  
19 registration record card for the notation of the voting  
20 record of the person registered thereon.

21 Each registration record card shall be numbered according  
22 to towns and precincts, wards, cities and villages, as the  
23 case may be, and may be serially or otherwise marked for  
24 identification in such manner as the county clerk may  
25 determine.

26 The registration cards shall be deemed public records and  
27 shall be open to inspection during regular business hours,  
28 except during the 27 days immediately preceding any election.  
29 On written request of any candidate or objector or any person  
30 intending to object to a petition, the election authority  
31 shall extend its hours for inspection of registration cards  
32 and other records of the election authority during the period  
33 beginning with the filing of petitions under Sections 7-10,  
34 8-8, 10-6 or 28-3 and continuing through the termination of



1 electoral board hearings on any objections to petitions  
2 containing signatures of registered voters in the  
3 jurisdiction of the election authority. The extension shall  
4 be for a period of hours sufficient to allow adequate  
5 opportunity for examination of the records but the election  
6 authority is not required to extend its hours beyond the  
7 period beginning at its normal opening for business and  
8 ending at midnight. If the business hours are so extended,  
9 the election authority shall post a public notice of such  
10 extended hours. Registration record cards may also be  
11 inspected, upon approval of the officer in charge of the  
12 cards, during the 27 days immediately preceding any election.  
13 Registration record cards shall also be open to inspection by  
14 certified judges and poll watchers and challengers at the  
15 polling place on election day, but only to the extent  
16 necessary to determine the question of the right of a person  
17 to vote or to serve as a judge of election. At no time shall  
18 poll watchers or challengers be allowed to physically handle  
19 the registration record cards.

20 Updated copies of computer tapes or computer discs or  
21 other electronic data processing information containing voter  
22 registration information shall be furnished by the county  
23 clerk within 10 days after December 15 and May 15 each year  
24 and within 10 days after each registration period is closed  
25 to the State Board of Elections in a form prescribed by the  
26 Board. For the purposes of this Section, a registration  
27 period is closed 27 days before the date of any regular or  
28 special election. Registration information shall include, but  
29 not be limited to, the following information: name, sex,  
30 residence, telephone number, if any, age, party affiliation,  
31 if applicable, precinct, ward, township, county, and  
32 representative, legislative and congressional districts. In  
33 the event of noncompliance, the State Board of Elections is  
34 directed to obtain compliance forthwith with this

1 nondiscretionary duty of the election authority by  
2 instituting legal proceedings in the circuit court of the  
3 county in which the election authority maintains the  
4 registration information. The costs of furnishing updated  
5 copies of tapes or discs shall be paid at a rate of \$.00034  
6 per name of registered voters in the election jurisdiction,  
7 but not less than \$50 per tape or disc and shall be paid from  
8 appropriations made to the State Board of Elections for  
9 reimbursement to the election authority for such purpose. The  
10 Board shall furnish copies of such tapes, discs, other  
11 electronic data or compilations thereof to state political  
12 committees registered pursuant to the Illinois Campaign  
13 Finance Act or the Federal Election Campaign Act at their  
14 request and at a reasonable cost. To protect the privacy and  
15 confidentiality of voter registration information, the  
16 disclosure of electronic voter registration records to any  
17 person or entity other than a State political committee is  
18 specifically prohibited. Copies of the tapes, discs or other  
19 electronic data shall be furnished by the county clerk to  
20 local political committees at their request and at a  
21 reasonable cost. Reasonable cost of the tapes, discs, et  
22 cetera for this purpose would be the cost of duplication plus  
23 15% for administration. The individual representing a  
24 political committee requesting copies of such tapes shall  
25 make a sworn affidavit that the information shall be used  
26 only for bona fide political purposes, including by or for  
27 candidates for office or incumbent office holders. Such  
28 tapes, discs or other electronic data shall not be used under  
29 any circumstances by any political committee or individuals  
30 for purposes of commercial solicitation or other business  
31 purposes. If such tapes contain information on county  
32 residents related to the operations of county government in  
33 addition to registration information, that information shall  
34 not be used under any circumstances for commercial

1 solicitation or other business purposes. The prohibition in  
 2 this Section against using the computer tapes or computer  
 3 discs or other electronic data processing information  
 4 containing voter registration information for purposes of  
 5 commercial solicitation or other business purposes shall be  
 6 prospective only from the effective date of this amended Act  
 7 of 1979. Any person who violates this provision shall be  
 8 guilty of a Class 4 felony.

9 The State Board of Elections shall promulgate, by October  
 10 1, 1987, such regulations as may be necessary to ensure  
 11 uniformity throughout the State in electronic data processing  
 12 of voter registration information. The regulations shall  
 13 include, but need not be limited to, specifications for  
 14 uniform medium, communications protocol and file structure to  
 15 be employed by the election authorities of this State in the  
 16 electronic data processing of voter registration information.  
 17 Each election authority utilizing electronic data processing  
 18 of voter registration information shall comply with such  
 19 regulations on and after May 15, 1988.

20 If the applicant for registration was last registered in  
 21 another county within this State, he shall also sign a  
 22 certificate authorizing cancellation of the former  
 23 registration. The certificate shall be in substantially the  
 24 following form:

25 To the County Clerk of .... County, Illinois. To the Election  
 26 Commission of the City of ....., Illinois.

27 This is to certify that I am registered in your (county)  
 28 (city) and that my residence was .....

29 Having moved out of your (county) (city), I hereby  
 30 authorize you to cancel said registration in your office.

31 Dated at .... Illinois, on (insert date).

32 .....  
 33 (Signature of Voter)

34 Attest ....., County Clerk, ..... County, Illinois.

1           The cancellation certificate shall be mailed immediately  
2 by the county clerk to the county clerk (or election  
3 commission as the case may be) where the applicant was  
4 formerly registered. Receipt of such certificate shall be  
5 full authority for cancellation of any previous registration.  
6 (Source: P.A. 91-357, eff. 7-29-99; 92-465, eff. 1-1-02;  
7 92-816, eff. 8-21-02.)

8           (10 ILCS 5/5-16.2) (from Ch. 46, par. 5-16.2)

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

20           The county clerk shall appoint all precinct  
21 committeepersons in the county as deputy registrars who may  
22 accept the registration of any qualified resident of the  
23 county, except during the 27 days preceding an 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 county clerk shall appoint each of the following  
2 named persons as deputy registrars upon the written request  
3 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 county, 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 county, at such school. The county clerk  
14 shall notify every principal and vice-principal of each  
15 high school, elementary school, and vocational school  
16 situated within the election jurisdiction of their  
17 eligibility to serve as deputy registrars and offer  
18 training courses for service as deputy registrars at  
19 conveniently located facilities at least 4 months prior  
20 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 county, at such  
26 university, college, community college, academy or  
27 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 county.

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

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

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

34 8. The president of any corporation as defined by

1 the Business Corporation Act of 1983, or a reasonable  
2 number of employees designated by such president, who may  
3 accept the registrations of any qualified resident of the  
4 county.

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

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

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

32 "I do solemnly swear (or affirm, as the case may be) that  
33 I will support the Constitution of the United States, and the  
34 Constitution of the State of Illinois, and that I will

1 faithfully discharge the duties of the office of deputy  
2 registrar to the best of my ability and that I will register  
3 no person nor cause the registration of any person except  
4 upon his personal application before me.

5 .....  
6 (Signature of Deputy Registrar)"

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

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

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

31 (c) Completed registration materials under the control  
32 of deputy registrars, appointed pursuant to subsection (a),  
33 shall be returned to the proper election authority within 7  
34 days, except that completed registration materials received



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

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

19 (e) No deputy registrar shall engage in any  
20 electioneering or the promotion of any cause during the  
21 performance of his or her duties.

22 (f) The county clerk shall not be criminally or civilly  
23 liable for the acts or omissions of any deputy registrar.  
24 Such deputy registers shall not be deemed to be employees of  
25 the county clerk.

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

27 (10 ILCS 5/5-43)

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

29 (a) The State Board of Elections shall design a  
30 registration record card that, except as otherwise provided  
31 in this Section, shall be used in duplicate by all election  
32 authorities in the State adopting a computer-based voter  
33 registration file as provided in this Section. The Board

1 shall prescribe the form and specifications, including but  
 2 not limited to the weight of paper, color, and print of the  
 3 cards. The cards shall contain boxes or spaces for the  
 4 information required under Sections 5-7 and 5-28.1; provided  
 5 that the cards shall also contain: (i) A space for the person  
 6 to fill in his or her Illinois driver's license number if the  
 7 person has a driver's license; (ii) A space for a person  
 8 without a driver's license to fill in the last four digits of  
 9 his or her social security number if the person has a social  
 10 security number card a--box--or--space--for--the--applicant's  
 11 social-security-number,-which-shall-be-required-to-the-extent  
 12 allowed-by-law-but-in-no-case--shall--the--applicant--provide  
 13 fewer--than--the--last-4-digits-of-the-social-security-number,  
 14 and-a-box-for-the-applicant's-telephone-number,-if-available.

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 5/6-35) (from Ch. 46, par. 6-35)

15 Sec. 6-35. The Boards of Election Commissioners shall  
16 provide a sufficient number of blank forms for the  
17 registration of electors which shall be known as registration  
18 record cards and which shall consist of loose leaf sheets or  
19 cards, of suitable size to contain in plain writing and  
20 figures the data hereinafter required thereon or shall  
21 consist of computer cards of suitable nature to contain the  
22 data required thereon. The registration record cards, which  
23 shall include an affidavit of registration as hereinafter  
24 provided, shall be executed in duplicate. The duplicate of  
25 which may be a carbon copy of the original or a copy of the  
26 original made by the use of other method or material used for  
27 making simultaneous true copies or duplications.

28 The registration record card shall contain the following  
29 and such other information as the Board of Election  
30 Commissioners may think it proper to require for the  
31 identification of the applicant for registration:

32 Name. The name of the applicant, giving surname and  
33 first or Christian name in full, and the middle name or the

1 initial for such middle name, if any.

2 Sex.

3 Residence. The name and number of the street, avenue, or  
4 other location of the dwelling, including the apartment, unit  
5 or room number, if any, and in the case of a mobile home the  
6 lot number, and such additional clear and definite  
7 description as may be necessary to determine the exact  
8 location of the dwelling of the applicant, including  
9 post-office mailing address. In the case of a homeless  
10 individual, the individual's voting residence that is his or  
11 her mailing address shall be included on his or her  
12 registration record card.

13 Term of residence in the State of Illinois and the  
14 precinct.

15 Nativity. The state or country in which the applicant  
16 was born.

17 Citizenship. Whether the applicant is native born or  
18 naturalized. If naturalized, the court, place, and date of  
19 naturalization.

20 Date of application for registration, i.e., the day,  
21 month and year when the applicant presented himself for  
22 registration.

23 Age. Date of birth, by month, day and year.

24 Physical disability of the applicant, if any, at the time  
25 of registration, which would require assistance in voting.

26 The county and state in which the applicant was last  
27 registered.

28 Signature of voter. The applicant, after registration  
29 and in the presence of a deputy registrar or other officer of  
30 registration shall be required to sign his or her name in ink  
31 to the affidavit on both the original and the duplicate  
32 registration record card.

33 Signature of deputy registrar.

34 In case applicant is unable to sign his name, he may

1 affix his mark to the affidavit. In such case the  
2 registration officer shall write a detailed description of  
3 the applicant in the space provided at the bottom of the card  
4 or sheet; and shall ask the following questions and record  
5 the answers thereto:

6 Father's first name .....

7 Mother's first name .....

8 From what address did you last register? ....

9 Reason for inability to sign name .....

10 Each applicant for registration shall make an affidavit  
11 in substantially the following form:

AFFIDAVIT OF REGISTRATION

13 State of Illinois )

14 )ss

15 County of ..... )

16 I hereby swear (or affirm) that I am a citizen of the  
17 United States, that on the day of the next election I shall  
18 have resided in the State of Illinois and in the election  
19 precinct 30 days and that I intend that this location is my  
20 residence; that I am fully qualified to vote, and that the  
21 above statements are true.

22 .....  
23 (His or her signature or mark)

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

25 .....

26 Signature of registration officer  
27 (to be signed in presence of registrant).

28 Space shall be provided upon the face of each  
29 registration record card for the notation of the voting  
30 record of the person registered thereon.

31 Each registration record card shall be numbered according  
32 to wards or precincts, as the case may be, and may be  
33 serially or otherwise marked for identification in such  
34 manner as the Board of Election Commissioners may determine.

1           The registration cards shall be deemed public records and  
2 shall be open to inspection during regular business hours,  
3 except during the 27 days immediately preceding any election.  
4 On written request of any candidate or objector or any person  
5 intending to object to a petition, the election authority  
6 shall extend its hours for inspection of registration cards  
7 and other records of the election authority during the period  
8 beginning with the filing of petitions under Sections 7-10,  
9 8-8, 10-6 or 28-3 and continuing through the termination of  
10 electoral board hearings on any objections to petitions  
11 containing signatures of registered voters in the  
12 jurisdiction of the election authority. The extension shall  
13 be for a period of hours sufficient to allow adequate  
14 opportunity for examination of the records but the election  
15 authority is not required to extend its hours beyond the  
16 period beginning at its normal opening for business and  
17 ending at midnight. If the business hours are so extended,  
18 the election authority shall post a public notice of such  
19 extended hours. Registration record cards may also be  
20 inspected, upon approval of the officer in charge of the  
21 cards, during the 27 days immediately preceding any election.  
22 Registration record cards shall also be open to inspection by  
23 certified judges and poll watchers and challengers at the  
24 polling place on election day, but only to the extent  
25 necessary to determine the question of the right of a person  
26 to vote or to serve as a judge of election. At no time shall  
27 poll watchers or challengers be allowed to physically handle  
28 the registration record cards.

29           Updated copies of computer tapes or computer discs or  
30 other electronic data processing information containing voter  
31 registration information shall be furnished by the Board of  
32 Election Commissioners within 10 days after December 15 and  
33 May 15 each year and within 10 days after each registration  
34 period is closed to the State Board of Elections in a form

1 prescribed by the State Board. For the purposes of this  
2 Section, a registration period is closed 27 days before the  
3 date of any regular or special election. Registration  
4 information shall include, but not be limited to, the  
5 following information: name, sex, residence, telephone  
6 number, if any, age, party affiliation, if applicable,  
7 precinct, ward, township, county, and representative,  
8 legislative and congressional districts. In the event of  
9 noncompliance, the State Board of Elections is directed to  
10 obtain compliance forthwith with this nondiscretionary duty  
11 of the election authority by instituting legal proceedings in  
12 the circuit court of the county in which the election  
13 authority maintains the registration information. The costs  
14 of furnishing updated copies of tapes or discs shall be paid  
15 at a rate of \$.00034 per name of registered voters in the  
16 election jurisdiction, but not less than \$50 per tape or disc  
17 and shall be paid from appropriations made to the State Board  
18 of Elections for reimbursement to the election authority for  
19 such purpose. The State Board shall furnish copies of such  
20 tapes, discs, other electronic data or compilations thereof  
21 to state political committees registered pursuant to the  
22 Illinois Campaign Finance Act or the Federal Election  
23 Campaign Act at their request and at a reasonable cost. To  
24 protect the privacy and confidentiality of voter registration  
25 information, the disclosure of electronic voter registration  
26 records to any person or entity other than a State political  
27 committee is specifically prohibited. Copies of the tapes,  
28 discs or other electronic data shall be furnished by the  
29 Board of Election Commissioners to local political committees  
30 at their request and at a reasonable cost. Reasonable cost  
31 of the tapes, discs, et cetera for this purpose would be the  
32 cost of duplication plus 15% for administration. The  
33 individual representing a political committee requesting  
34 copies of such tapes shall make a sworn affidavit that the



1 information shall be used only for bona fide political  
2 purposes, including by or for candidates for office or  
3 incumbent office holders. Such tapes, discs or other  
4 electronic data shall not be used under any circumstances by  
5 any political committee or individuals for purposes of  
6 commercial solicitation or other business purposes. If such  
7 tapes contain information on county residents related to the  
8 operations of county government in addition to registration  
9 information, that information shall not be used under any  
10 circumstances for commercial solicitation or other business  
11 purposes. The prohibition in this Section against using the  
12 computer tapes or computer discs or other electronic data  
13 processing information containing voter registration  
14 information for purposes of commercial solicitation or other  
15 business purposes shall be prospective only from the  
16 effective date of this amended Act of 1979. Any person who  
17 violates this provision shall be guilty of a Class 4 felony.

18 The State Board of Elections shall promulgate, by October  
19 1, 1987, such regulations as may be necessary to ensure  
20 uniformity throughout the State in electronic data processing  
21 of voter registration information. The regulations shall  
22 include, but need not be limited to, specifications for  
23 uniform medium, communications protocol and file structure to  
24 be employed by the election authorities of this State in the  
25 electronic data processing of voter registration information.  
26 Each election authority utilizing electronic data processing  
27 of voter registration information shall comply with such  
28 regulations on and after May 15, 1988.

29 If the applicant for registration was last registered in  
30 another county within this State, he shall also sign a  
31 certificate authorizing cancellation of the former  
32 registration. The certificate shall be in substantially the  
33 following form:

34 To the County Clerk of .... County, Illinois.

1 To the Election Commission of the City of ....., Illinois.

2 This is to certify that I am registered in your (county)  
3 (city) and that my residence was ..... Having moved out of  
4 your (county), (city), I hereby authorize you to cancel that  
5 registration in your office.

6 Dated at ....., Illinois, on (insert date).

7 .....  
8 (Signature of Voter)

9 Attest ....., Clerk, Election Commission of the City  
10 of....., Illinois.

11 The cancellation certificate shall be mailed immediately  
12 by the clerk of the Election Commission to the county clerk,  
13 (or Election Commission as the case may be) where the  
14 applicant was formerly registered. Receipt of such  
15 certificate shall be full authority for cancellation of any  
16 previous registration.

17 (Source: P.A. 91-357, eff. 7-29-99; 92-465, eff. 1-1-02;  
18 92-816, eff. 8-21-02.)

19 (10 ILCS 5/6-50.2) (from Ch. 46, par. 6-50.2)

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

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

1 manner provided in Section 2-105 of the Illinois Vehicle  
2 Code.

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

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

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

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

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

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

33           7. The Director of the Illinois Department of  
34 Employment Security, or a reasonable number of employees

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

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

16 The board of election commissioners may appoint as many  
17 additional deputy registrars as it considers necessary. The  
18 board of election commissioners shall appoint such additional  
19 deputy registrars in such manner that the convenience of the  
20 public is served, giving due consideration to both population  
21 concentration and area. Some of the additional deputy  
22 registrars shall be selected so that there are an equal  
23 number from each of the 2 major political parties in the  
24 election jurisdiction. The board of election commissioners,  
25 in appointing an additional deputy registrar, shall make the  
26 appointment from a list of applicants submitted by the  
27 Chairman of the County Central Committee of the applicant's  
28 political party. A Chairman of a County Central Committee  
29 shall submit a list of applicants to the board by November 30  
30 of each year. The board may require a Chairman of a County  
31 Central Committee to furnish a supplemental list of  
32 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 election jurisdiction and shall take and  
3 subscribe to the 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 registration  
8 officer to the best of my ability and that I will register no  
9 person nor cause the registration of any person except upon  
10 his personal application before me.

11 .....  
12 (Signature of Registration Officer)"

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

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

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

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

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

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

1 (f) The board of election commissioners shall not be  
 2 criminally or civilly liable for the acts or omissions of any  
 3 deputy registrar. Such deputy registrars shall not be deemed  
 4 to be employees of the board of election commissioners.

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

6 (10 ILCS 5/6-79)

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

8 (a) The State Board of Elections shall design a  
 9 registration record card that, except as otherwise provided  
 10 in this Section, shall be used in duplicate by all election  
 11 authorities in the State adopting a computer-based voter  
 12 registration file as provided in this Section. The Board  
 13 shall prescribe the form and specifications, including but  
 14 not limited to the weight of paper, color, and print of the  
 15 cards. The cards shall contain boxes or spaces for the  
 16 information required under Sections 6-31.1 and 6-35; provided  
 17 that the cards shall also contain: (i) A space for the  
 18 person to fill in his or her Illinois driver's license number  
 19 if the person has a driver's license; (ii) A space for a  
 20 person without a driver's license to fill in the last four  
 21 digits of his or her social security number if the person has  
 22 a social security number card a--box--er--space--for--the  
 23 applicant's--social--security-number,--which--shall--be--required  
 24 to--the--extent--allowed--by--law--but--in--no--case--shall--the  
 25 applicant--provide--fewer--than--the--last--4--digits--of--the--social  
 26 security-number,--and--a--box--for--the--applicant's--telephone  
 27 number,--if--available.

28 (b) The election authority may develop and implement a  
 29 system to prepare, use, and maintain a computer-based voter  
 30 registration file that includes a computer-stored image of  
 31 the signature of each voter. The computer-based voter  
 32 registration file may be used for all purposes for which the  
 33 original registration cards are to be used, provided that a



1 system for the storage of at least one copy of the original  
2 registration cards remains in effect. The electronic file  
3 shall be the master file.

4 (c) Any system created, used, and maintained under  
5 subsection (b) of this Section shall meet the following  
6 standards:

7 (1) Access to any computer-based voter registration  
8 file shall be limited to those persons authorized by the  
9 election authority, and each access to the computer-based  
10 voter registration file, other than an access solely for  
11 inquiry, shall be recorded.

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

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

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

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

34 (d) Before the first election in which the election

1 authority elects to use a voter list produced from the  
2 computer-stored images of the signatures of registered voters  
3 in a computer-based voter registration file for signature  
4 comparison in a polling place, the State Board of Elections  
5 shall certify that the system used by the election authority  
6 complies with the standards set forth in this Section. The  
7 State Board of Elections may request a sample poll list  
8 intended to be used in a polling place to test the accuracy  
9 of the list and the adequacy of the computer-stored images of  
10 the signatures of the registered voters.

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

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

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

28 (10 ILCS 5/7-7) (from Ch. 46, par. 7-7)

29 Sec. 7-7. For the purpose of making nominations in  
30 certain instances as provided in this Article and this Act,  
31 the following committees are authorized and shall constitute  
32 the central or managing committees of each political party,  
33 viz: A State central committee, a congressional committee for

1 each congressional district, a county central committee for  
2 each county, a municipal central committee for each city,  
3 incorporated town or village, a ward committeeman for each  
4 ward in cities containing a population of 500,000 or more; a  
5 township committeeman for each township or part of a township  
6 that lies outside of cities having a population of 200,000 or  
7 more, in counties having a population of 2,000,000 or more; a  
8 precinct committeeman for each precinct in counties having a  
9 population of less than 2,000,000; a county board district  
10 committee for each county board district created under  
11 Division 2-3 of the Counties Code; a State's Attorney  
12 committee for each group of 2 or more counties which jointly  
13 elect a State's Attorney; a Superintendent of Multi-County  
14 Educational Service Region committee for each group of 2 or  
15 more counties which jointly elect a Superintendent of a  
16 Multi-County Educational Service Region; and a judicial  
17 subcircuit committee in Cook County for each judicial  
18 subcircuit in Cook County; and a board of review election  
19 district committee for each Cook County Board of Review  
20 election district.

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

22 (10 ILCS 5/7-8) (from Ch. 46, par. 7-8)

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

26 State Central Committee

27 (a) Within 30 days after the effective date of this  
28 amendatory Act of 1983 the State central committee of each  
29 political party shall certify to the State Board of Elections  
30 which of the following alternatives it wishes to apply to the  
31 State central committee of that party.

32 Alternative A. At the primary held on the third Tuesday  
33 in March 1970, and at the primary held every 4 years

1 thereafter, each primary elector may vote for one candidate  
2 of his party for member of the State central committee for  
3 the congressional district in which he resides. The  
4 candidate receiving the highest number of votes shall be  
5 declared elected State central committeeman from the  
6 district. A political party may, in lieu of the foregoing, by  
7 a majority vote of delegates at any State convention of such  
8 party, determine to thereafter elect the State central  
9 committeemen in the manner following:

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

1 shall certify the candidate receiving the highest number of  
2 votes elected State central committeeman for that  
3 congressional district.

4 The State central committee shall adopt rules to provide  
5 for and govern the procedures to be followed in the election  
6 of members of the State central committee.

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

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

1 from a congressional district are of the same sex, the  
2 candidate receiving the highest number of votes shall be  
3 declared elected a State central committeeman or State  
4 central committeewoman from the district, and, because of a  
5 failure to elect one male and one female to the committee, a  
6 vacancy shall be declared to exist in the office of the  
7 second member of the State central committee from the  
8 district. This vacancy shall be filled by appointment by the  
9 congressional committee of the political party, and the  
10 person appointed to fill the vacancy shall be a resident of  
11 the congressional district and of the sex opposite that of  
12 the committeeman or committeewoman elected at the general  
13 primary election. Each congressional committee shall make  
14 this appointment by voting on the basis set forth in  
15 paragraph (e) of this Section.

16 The Chairman of a State central committee composed as  
17 provided in this Alternative B must be selected from the  
18 committee's members.

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

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

1 in accordance with this Section shall be reported to the  
2 State Board of Elections by the chairman and secretary of  
3 such convention within 10 days after such action.

4 Ward, Township and Precinct Committeemen

5 (b) At the primary held on the third Tuesday in March,  
6 1972, and every 4 years thereafter, each primary elector in  
7 cities having a population of 200,000 or over may vote for  
8 one candidate of his party in his ward for ward committeeman.  
9 Each candidate for ward committeeman must be a resident of  
10 and in the ward where he seeks to be elected ward  
11 committeeman. The one having the highest number of votes  
12 shall be such ward committeeman of such party for such ward.  
13 At the primary election held on the third Tuesday in March,  
14 1970, and every 4 years thereafter, each primary elector in  
15 counties containing a population of 2,000,000 or more,  
16 outside of cities containing a population of 200,000 or more,  
17 may vote for one candidate of his party for township  
18 committeeman. Each candidate for township committeeman must  
19 be a resident of and in the township or part of a township  
20 (which lies outside of a city having a population of 200,000  
21 or more, in counties containing a population of 2,000,000 or  
22 more), and in which township or part of a township he seeks  
23 to be elected township committeeman. The one having the  
24 highest number of votes shall be such township committeeman  
25 of such party for such township or part of a township. At the  
26 primary held on the third Tuesday in March, 1970 and every 2  
27 years thereafter, each primary elector, except in counties  
28 having a population of 2,000,000 or over, may vote for one  
29 candidate of his party in his precinct for precinct  
30 committeeman. Each candidate for precinct committeeman must  
31 be a bona fide resident of the precinct where he seeks to be  
32 elected precinct committeeman. The one having the highest  
33 number of votes shall be such precinct committeeman of such  
34 party for such precinct. The official returns of the primary



1 shall show the name of the committeeman of each political  
2 party.

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

18 (c) The Multi-Township Central Committee shall consist  
19 of the precinct committeemen of such party, in the  
20 multi-township assessing district formed pursuant to Section  
21 2-10 of the Property Tax Code and shall be organized for the  
22 purposes set forth in Section 45-25 of the Township Code. In  
23 the organization and proceedings of the Multi-Township  
24 Central Committee each precinct committeeman shall have one  
25 vote for each ballot voted in his precinct by the primary  
26 electors of his party at the primary at which he was elected.

27 County Central Committee

28 (d) The county central committee of each political party  
29 in each county shall consist of the various township  
30 committeemen, precinct committeemen and ward committeemen, if  
31 any, of such party in the county. In the organization and  
32 proceedings of the county central committee, each precinct  
33 committeeman shall have one vote for each ballot voted in his  
34 precinct by the primary electors of his party at the primary

1 at which he was elected; each township committeeman shall  
 2 have one vote for each ballot voted in his township or part  
 3 of a township as the case may be by the primary electors of  
 4 his 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; and in  
 7 the organization and proceedings of the county central  
 8 committee, each ward committeeman shall have one vote for  
 9 each ballot voted in his ward by the primary electors of his  
 10 party at the primary election for the nomination of  
 11 candidates for election to the General Assembly immediately  
 12 preceding the meeting of the county central committee.

13 Cook County Board of Review Election District Committee

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

31 Congressional Committee

32 (e) The congressional committee of each party in each  
 33 congressional district shall be composed of the chairmen of  
 34 the county central committees of the counties composing the

1 congressional district, except that in congressional  
2 districts wholly within the territorial limits of one county,  
3 or partly within 2 or more counties, but not coterminous with  
4 the county lines of all of such counties, the precinct  
5 committeemen, township committeemen and ward committeemen, if  
6 any, of the party representing the precincts within the  
7 limits of the congressional district, shall compose the  
8 congressional committee. A State central committeeman in each  
9 district shall be a member and the chairman or, when a  
10 district has 2 State central committeemen, a co-chairman of  
11 the congressional committee, but shall not have the right to  
12 vote except in case of a tie.

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

Judicial District Committee

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

In the organization and proceedings of judicial district committees composed of the chairmen of the county central committees of the counties within such district, each chairman of such county central committee shall have one vote for each ballot voted in his county by the primary electors of his party at the primary election immediately preceding the meeting of the judicial district committee.

Circuit Court Committee

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

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

Judicial Subcircuit Committee

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

In the organization and proceedings of each judicial subcircuit committee, each township committeeman shall have one vote for each ballot voted in his township or part of a township, as the case may be, in the judicial subcircuit by the primary electors of his party at the primary election immediately preceding the meeting of the judicial subcircuit

1 committee; and each ward committeeman shall have one vote for  
2 each ballot voted in his ward or part of a ward, as the case  
3 may be, in the judicial subcircuit by the primary electors of  
4 his party at the primary election immediately preceding the  
5 meeting of the judicial subcircuit committee.

6 Municipal Central Committee

7 (h) The municipal central committee of each political  
8 party shall be composed of the precinct, township or ward  
9 committeemen, as the case may be, of such party representing  
10 the precincts or wards, embraced in such city, incorporated  
11 town or village. The voting strength of each precinct,  
12 township or ward committeeman on the municipal central  
13 committee shall be the same as his voting strength on the  
14 county central committee.

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

31 Powers

32 (i) Each committee and its officers shall have the  
33 powers usually exercised by such committees and by the  
34 officers thereof, not inconsistent with the provisions of

1 this Article. The several committees herein provided for  
2 shall not have power to delegate any of their powers, or  
3 functions to any other person, officer or committee, but this  
4 shall not be construed to prevent a committee from appointing  
5 from its own membership proper and necessary subcommittees.

6 (j) The State central committee of a political party  
7 which elects its members by Alternative B under paragraph (a)  
8 of this Section shall adopt a plan to give effect to the  
9 delegate selection rules of the national political party and  
10 file a copy of such plan with the State Board of Elections  
11 when approved by a national political party.

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

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

1 (10 ILCS 5/7-10) (from Ch. 46, par. 7-10)  
2 Sec. 7-10. Form of petition for nomination. The name of  
3 no candidate for nomination, or State central committeeman,  
4 or township committeeman, or precinct committeeman, or ward  
5 committeeman or candidate for delegate or alternate delegate  
6 to national nominating conventions, shall be printed upon the  
7 primary ballot unless a petition for nomination has been  
8 filed in his behalf as provided in this Article in  
9 substantially the following form:

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

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

22 Name..... Address.....

23 State of Illinois)

24 ) ss.

25 County of.....)

26 I, ....., do hereby certify that I reside at No. ....  
27 street, in the .... of ....., county of ....., and State of  
28 ....., that I am 18 years of age or older, that I am a  
29 citizen of the United States, and that the signatures on this  
30 sheet were signed in my presence, and are genuine, and that  
31 to the best of my knowledge and belief the persons so signing  
32 were at the time of signing the petitions qualified voters of  
33 the .... party, and that their respective residences are

1 correctly stated, as above set forth.

2 .....

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

4 .....

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

13 Such petition shall be signed by qualified primary  
14 electors residing in the political division for which the  
15 nomination is sought in their own proper persons only and  
16 opposite the signature of each signer, his residence address  
17 shall be written or printed. The residence address required  
18 to be written or printed opposite each qualified primary  
19 elector's name shall include the street address or rural  
20 route number of the signer, as the case may be, as well as  
21 the signer's county, and city, village or town, and state.  
22 However the county or city, village or town, and state of  
23 residence of the electors may be printed on the petition  
24 forms where all of the electors signing the petition reside  
25 in the same county or city, village or town, and state.  
26 Standard abbreviations may be used in writing the residence  
27 address, including street number, if any. At the bottom of  
28 each sheet of such petition shall be added a circulator  
29 statement signed by a person 18 years of age or older who is  
30 a citizen of the United States, stating the street address or  
31 rural route number, as the case may be, as well as the  
32 county, city, village or town, and state; and certifying that  
33 the signatures on that sheet of the petition were signed in  
34 his or her presence and certifying that the signatures are



1 genuine; and either (1) indicating the dates on which that  
2 sheet was circulated, or (2) indicating the first and last  
3 dates on which the sheet was circulated, or (3) certifying  
4 that none of the signatures on the sheet were signed more  
5 than 90 days preceding the last day for the filing of the  
6 petition and certifying that to the best of his or her  
7 knowledge and belief the persons so signing were at the time  
8 of signing the petitions qualified voters of the political  
9 party for which a nomination is sought. Such statement shall  
10 be sworn to before some officer authorized to administer  
11 oaths in this State.

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

15 The person circulating the petition, or the candidate on  
16 whose behalf the petition is circulated, may strike any  
17 signature from the petition, provided that:

18 (1) the person striking the signature shall initial  
19 the petition at the place where the signature is struck;  
20 and

21 (2) the person striking the signature shall sign a  
22 certification listing the page number and line number of  
23 each signature struck from the petition. Such  
24 certification shall be filed as a part of the petition.

25 Such sheets before being filed shall be neatly fastened  
26 together in book form, by placing the sheets in a pile and  
27 fastening them together at one edge in a secure and suitable  
28 manner, and the sheets shall then be numbered consecutively.  
29 The sheets shall not be fastened by pasting them together end  
30 to end, so as to form a continuous strip or roll. All  
31 petition sheets which are filed with the proper local  
32 election officials, election authorities or the State Board  
33 of Elections shall be the original sheets which have been  
34 signed by the voters and by the circulator thereof, and not

1 photocopies or duplicates of such sheets. Each petition must  
 2 include as a part thereof, a statement of candidacy for each  
 3 of the candidates filing, or in whose behalf the petition is  
 4 filed. This statement shall set out the address of such  
 5 candidate, the office for which he is a candidate, shall  
 6 state that the candidate is a qualified primary voter of the  
 7 party to which the petition relates and is qualified for the  
 8 office specified (in the case of a candidate for State's  
 9 Attorney it shall state that the candidate is at the time of  
 10 filing such statement a licensed attorney-at-law of this  
 11 State), shall state that he has filed (or will file before  
 12 the close of the petition filing period) a statement of  
 13 economic interests as required by the Illinois Governmental  
 14 Ethics Act, shall request that the candidate's name be placed  
 15 upon the official ballot, and shall be subscribed and sworn  
 16 to by such candidate before some officer authorized to take  
 17 acknowledgment of deeds in the State and shall be in  
 18 substantially the following form:

19 Statement of Candidacy

20	Name	Address	Office	District	Party
21	John Jones	102 Main St.	Governor	Statewide	Republican
22		Belvidere,			
23		Illinois			

24 State of Illinois)

25 ) ss.

26 County of .....)

27 I, ....., being first duly sworn, say that I reside at  
 28 .... Street in the city (or village) of ....., in the county  
 29 of ....., State of Illinois; that I am a qualified voter  
 30 therein and am a qualified primary voter of the .... party;  
 31 that I am a candidate for nomination (for election in the  
 32 case of committeeman and delegates and alternate delegates)  
 33 to the office of .... to be voted upon at the primary  
 34 election to be held on (insert date); that I am legally

1 qualified (including being the holder of any license that may  
2 be an eligibility requirement for the office I seek the  
3 nomination for) to hold such office and that I have filed (or  
4 I will file before the close of the petition filing period) a  
5 statement of economic interests as required by the Illinois  
6 Governmental Ethics Act and I hereby request that my name be  
7 printed upon the official primary ballot for nomination for  
8 (or election to in the case of committeemen and delegates and  
9 alternate delegates) such office.

10 Signed .....

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

13 Signed .....

14 (Official Character)

15 (Seal, if officer has one.)

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

25 A candidate for the offices listed in this Section must  
26 obtain the number of signatures specified in this Section on  
27 his or her petition for nomination.

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

34 (b) Congressional office or congressional delegate to a

1 national nominating convention. If a candidate seeks to run  
2 for United States Congress or as a congressional delegate or  
3 alternate congressional delegate to a national nominating  
4 convention elected from a congressional district, then the  
5 candidate's petition for nomination must contain at least the  
6 number of signatures equal to 0.5% of the qualified primary  
7 electors of his or her party in his or her congressional  
8 district. In the first primary election following a  
9 redistricting of congressional districts, a candidate's  
10 petition for nomination must contain at least 600 signatures  
11 of qualified primary electors of the candidate's political  
12 party in his or her congressional district.

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

1 (d) County office; Cook County only.

2 (1) If a candidate seeks to run for countywide  
3 office in Cook County, then the candidate's petition for  
4 nomination must contain at least the number of signatures  
5 equal to 0.5% of the qualified electors of his or her  
6 party who cast votes at the last preceding general  
7 election in Cook County.

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

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

1 a redistricting of Cook County Board of Review districts,  
2 a candidate's petition for nomination must contain at  
3 least 4,000 signatures or at least the number of  
4 signatures required for a county-wide candidate in Cook  
5 County, whichever is less, of the qualified electors of  
6 his or her party in the district.

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

27 (f) State central committeeperson. If a candidate seeks  
28 to run for State central committeeperson, then the  
29 candidate's petition for nomination must contain at least 100  
30 signatures of the primary electors of his or her party of his  
31 or her congressional district.

32 (g) Sanitary district trustee. If a candidate seeks to  
33 run for trustee of a sanitary district in which trustees are  
34 not elected from wards, then the candidate's petition for

1 nomination must contain at least the number of signatures  
2 equal to 0.5% of the primary electors of his or her party  
3 from the sanitary district. If a candidate seeks to run for  
4 trustee of a sanitary district in which trustees are elected  
5 from wards, then the candidate's petition for nomination must  
6 contain at least the number of signatures equal to 0.5% of  
7 the primary electors of his or her party in the ward of that  
8 sanitary district. In the first primary election following  
9 redistricting of sanitary districts elected from wards, a  
10 candidate's petition for nomination must contain at least the  
11 signatures of 150 qualified primary electors of his or her  
12 ward of that sanitary district.

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

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

1 of signatures equal to 5% of the primary electors of his or  
2 her party of the township, but no more than 8% of those same  
3 electors; provided that the maximum number of signatures may  
4 be 50 more than the minimum number, whichever is greater.

5 (j) State's attorney or regional superintendent of  
6 schools for multiple counties. If a candidate seeks to run  
7 for State's attorney or regional Superintendent of Schools  
8 who serves more than one county, then the candidate's  
9 petition for nomination must contain at least the number of  
10 signatures equal to 0.5% of the primary electors of his or  
11 her party in the territory comprising the counties.

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

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



1 that ward or district.

2 A "qualified primary elector" of a party may not sign  
3 petitions for or be a candidate in the primary of more than  
4 one party.

5 The changes made to this Section of this amendatory Act  
6 of the 93rd General Assembly are declarative of existing law,  
7 except for the item (3) of subsection (d).

8 Petitions of candidates for nomination for offices herein  
9 specified, to be filed with the same officer, may contain the  
10 names of 2 or more candidates of the same political party for  
11 the same or different offices.

12 ~~Such petitions for nominations shall be signed:~~

13 ~~(a) If for a State office, or for delegate or~~  
14 ~~alternate delegate to be elected from the State at large~~  
15 ~~to a National nominating convention by not less than~~  
16 ~~5,000 nor more than 10,000 primary electors of his party.~~

17 ~~(b) If for a congressional officer or for delegate~~  
18 ~~or alternate delegate to be elected from a congressional~~  
19 ~~district to a national nominating convention by at least~~  
20 ~~.5% of the qualified primary electors of his party in his~~  
21 ~~congressional district, except that for the first primary~~  
22 ~~following a redistricting of congressional districts such~~  
23 ~~petitions shall be signed by at least 600 qualified~~  
24 ~~primary electors of the candidate's party in his~~  
25 ~~congressional district.~~

26 ~~(c) If for a county office (including county board~~  
27 ~~member and chairman of the county board where elected~~  
28 ~~from the county at large), by at least .5% of the~~  
29 ~~qualified electors of his party cast at the last~~  
30 ~~preceding general election in his county. However, if~~  
31 ~~for the nomination for county commissioner of Cook~~  
32 ~~County, then by at least .5% of the qualified primary~~  
33 ~~electors of his or her party in his or her county in the~~  
34 ~~district or division in which such person is a candidate~~

1 for nomination; and if for county board member from a  
2 county board district, then by at least .5% of the  
3 qualified primary electors of his party in the county  
4 board district. In the case of an election for county  
5 board member to be elected from a district, for the first  
6 primary following a redistricting of county board  
7 districts or the initial establishment of county board  
8 districts, then by at least .5% of the qualified electors  
9 of his party in the entire county at the last preceding  
10 general election, divided by the number of county board  
11 districts, but in any event not less than 25 qualified  
12 primary electors of his party in the district.

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

29 (e) If for State central committeeman, by at least  
30 100 of the primary electors of his or her party of his or  
31 her congressional district.

32 (f) If for a candidate for trustee of a sanitary  
33 district in which trustees are not elected from wards, by  
34 at least .5% of the primary electors of his party, from

1 such-sanitary-district.

2 (g)--If-for-a-candidate-for-trustee--of--a--sanitary  
3 district-in-which-the-trustees-are-elected-from-wards,-by  
4 at--least--.5%-of-the-primary-electors-of-his-party-in-his  
5 ward-of-such-sanitary-district,-except-that-for-the-first  
6 primary-following-a-reapportionment-of-the-district--such  
7 petitions--shall--be--signed--by--at--least-150-qualified  
8 primary-electors-of-the-candidate's-ward-of-such-sanitary  
9 district.

10 (h)--If-for-a-candidate-for--judicial--office--in--a  
11 district,---circuit,-or-subcircuit,-by-a-number-of-primary  
12 electors-at-least-equal-to-0.25%-of-the-number--of--votes  
13 east--for--the-judicial-candidate-of-his-or-her-political  
14 party-who-received-the-highest-number--of--votes--at--the  
15 last-regular-general-election-at-which-a-judicial-officer  
16 from--the--same--district,-circuit,-or--subcircuit--was  
17 regularly--scheduled-to-be-elected,-but-in-no-event-fewer  
18 than-500.

19 (i)--If-for-a-candidate-for--precinct--committeeman,  
20 by--at--least--10-primary-electors-of-his-or-her-party-of  
21 his--or--her--precinct;---if--for--a--candidate--for--ward  
22 committeeman,-by-not-less-than-10%-nor-more-than-16%--(or  
23 50--more--than--the-minimum,-whichever-is-greater)-of-the  
24 primary-electors-of-his-party--of--his--ward;---if--for--a  
25 candidate--for-township-committeeman,-by-not-less-than-5%  
26 nor-more-than-8%-(or-50-more-than-the-minimum,-whichever  
27 is--greater)--of-the-primary-electors-of-his-party-in-his  
28 township-or-part-of-a-township-as-the-case-may-be.

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

33 (k)--If--for-any-other-office-by-at-least-.5%-of-the  
34 total--number--of--registered--voters--of--the--political

1 subdivision,--district--or---division---for---which---the  
2 nomination--is--made--or--a--minimum--of-25,-whichever-is  
3 greater.

4 For-the-purposes-of-this-Section-the--number--of--primary  
5 electors--shall--be-determined-by-taking-the-total-vote-cast,  
6 in-the--applicable--district,-for--the--candidate--for--such  
7 political--party--who--received--the-highest-number-of-votes,  
8 state-wide,-at-the-last-general--election--in--the--State--at  
9 which--electors--for--President--of--the--United--States-were  
10 elected.-For-political-subdivisions,-the--number--of--primary  
11 electors--shall--be--determined-by-taking-the-total-vote-cast  
12 for-the-candidate-for-such-political-party-who--received--the  
13 highest--number-of-votes-in-such-political-subdivision-at-the  
14 last-regular-election--at--which--an--officer--was--regularly  
15 scheduled--to-be-elected-from-that-subdivision.-For-wards-or  
16 districts-of-political-subdivisions,-the--number--of--primary  
17 electors--shall--be--determined-by-taking-the-total-vote-cast  
18 for-the-candidate-for-such-political-party-who--received--the  
19 highest--number-of-votes-in-such-ward-or-district-at-the-last  
20 regular-election-at-which-an-officer-was-regularly--scheduled  
21 to-be-elected-from-that-ward-or-district.

22 A--"qualified--primary--elector"--of-a-party-may-not-sign  
23 petitions-for-or-be-a-candidate-in-the-primary-of--more--than  
24 one-party.

25 (Source: P.A. 91-57, eff. 6-30-99; 91-357, eff. 7-29-99;  
26 91-358, eff. 7-29-99; 92-16, eff. 6-28-01; 92-129, eff.  
27 7-20-01.)

28 (10 ILCS 5/7-10.2) (from Ch. 46, par. 7-10.2)  
29 Sec. 7-10.2. In the designation of the name of a  
30 candidate on a petition for nomination or certificate of  
31 nomination the candidate's given name or names, initial or  
32 initials, a nickname by which the candidate is commonly  
33 known, or a combination thereof, may be used in addition to

1 the candidate's surname. No other designation such as a  
2 political slogan, as defined by Section 7-17, title, or  
3 degree, or nickname suggesting or implying possession of a  
4 title, degree or professional status, or similar information  
5 may be used in connection with the candidate's surname,  
6 except that the title "Mrs." may be used in the case of a  
7 married woman.

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

9 (10 ILCS 5/7-17) (from Ch. 46, par. 7-17)

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

11 (a) Each election authority in each county shall cause  
12 to be printed upon the general primary ballot of each party  
13 for each precinct in his jurisdiction the name of each  
14 candidate whose petition for nomination or for committeeman  
15 has been filed in the office of the county clerk, as herein  
16 provided; and also the name of each candidate whose name has  
17 been certified to his office by the State Board of Elections,  
18 and in the order so certified, except as hereinafter  
19 provided.

20 It shall be the duty of the election authority to cause  
21 to be printed upon the consolidated primary ballot of each  
22 political party for each precinct in his jurisdiction the  
23 name of each candidate whose name has been certified to him,  
24 as herein provided and which is to be voted for in such  
25 precinct.

26 (b) In the designation of the name of a candidate on the  
27 primary ballot the candidate's given name or names, initial  
28 or initials, a nickname by which the candidate is commonly  
29 known, or a combination thereof, may be used in addition to  
30 the candidate's surname. No other designation such as a  
31 political slogan, title, or degree, or nickname suggesting or  
32 implying possession of a title, degree or professional  
33 status, or similar information may be used in connection with

1 the candidate's surname, except that the title "Mrs." may be  
 2 used in the case of a married woman. For purposes of this  
 3 Section, a "political slogan" is defined as any word or words  
 4 expressing or connoting a position, opinion, or belief that  
 5 the candidate may espouse, including but not limited to, any  
 6 word or words conveying any meaning other than that of the  
 7 personal identity of the candidate. A candidate may not use a  
 8 political slogan as part of his or her name on the ballot,  
 9 notwithstanding that the political slogan may be part of the  
 10 candidate's name.

11 (c) The State Board of Elections, a local election  
 12 official, or an election authority shall remove any  
 13 candidate's name designation from a ballot that is  
 14 inconsistent with subsection (b) of this Section. In  
 15 addition, the State Board of Elections, a local election  
 16 official, or an election authority shall not certify to any  
 17 election authority any candidate name designation that is  
 18 inconsistent with subsection (b) of this Section.

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

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

25 (10 ILCS 5/7-34) (from Ch. 46, par. 7-34)

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

28 (1) Each established political party shall be entitled  
 29 to appoint one pollwatcher per precinct. Such pollwatchers  
 30 must be affiliated with the political party for which they  
 31 are pollwatching and must be a registered voter in Illinois.  
 32 ~~For--all--primary-elections,--except--as--provided--in--subsection~~  
 33 ~~{5},--such--pollwatchers--must--be--registered--to--vote--from--a~~

1 residence-in-the-county-in-which-they-are-pollwatching.

2 (2) Each candidate shall be entitled to appoint two  
3 pollwatchers per precinct. For Federal, State, and county  
4 primary elections, the poll watchers one-pollwatcher must be  
5 registered to vote in Illinois from-a-residence-in-the-county  
6 in-which-he-is-pollwatching.--The-second-pollwatcher-must--be  
7 registered--to--vote-from-a-residence-in-the-precinct-or-ward  
8 in-which-he-is--pollwatching.---For--township--and--municipal  
9 primary-elections, one-pollwatcher-must-be-registered-to-vote  
10 from--a--residence-in-the-county-in-which-he-is-pollwatching.  
11 The-second-pollwatcher-must-be--registered--to--vote--from--a  
12 residence---in---the---precinct---or---ward---in--which--he--is  
13 pollwatching.

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

25 (4) Each organized group of proponents or opponents of a  
26 ballot proposition, which shall have registered the name and  
27 address of its organization or committee and the name and  
28 address of its chairman with the proper election authority at  
29 least 40 days before the primary election, shall be entitled  
30 to appoint one pollwatcher per precinct. The ~~Except--as~~  
31 ~~provided---in---subsection--(5),~~ such pollwatcher must be  
32 registered to vote in Illinois from-a-residence-in-the-county  
33 in-which-the-ballot-proposition-is-being-voted-upon.

34 (5) In any primary election held to nominate candidates

1 for the offices of a municipality of less than 3,000,000  
2 population that is situated in 2 or more counties, a  
3 pollwatcher who is a resident of a county in which any part  
4 of the municipality is situated shall be eligible to serve as  
5 a pollwatcher in any polling place located within such  
6 municipality, provided that such pollwatcher otherwise  
7 complies with the respective requirements of subsections (1)  
8 through (4) of this Section and is a registered voter whose  
9 residence is within Illinois ~~the-municipality~~.

10 All pollwatchers shall be required to have proper  
11 credentials. Such credentials shall be printed in sufficient  
12 quantities, shall be issued by and under the facsimile  
13 signature(s) of the election authority and shall be available  
14 for distribution at least 2 weeks prior to the election.  
15 Such credentials shall be authorized by the real or facsimile  
16 signature of the State or local party official or the  
17 candidate or the presiding officer of the civic organization  
18 or the chairman of the proponent or opponent group, as the  
19 case may be.

20 Pollwatcher credentials shall be in substantially the  
21 following form:

22 POLLWATCHER CREDENTIALS

23 TO THE JUDGES OF ELECTION:

24 In accordance with the provisions of the Election Code,  
25 the undersigned hereby appoints ..... (name of  
26 pollwatcher) at ..... (address) in the county of  
27 ....., ..... (township or municipality) of  
28 ..... (name), State of Illinois and who is duly  
29 registered to vote from this address, to act as a pollwatcher  
30 in the ..... precinct of the ..... ward (if  
31 applicable) of the ..... (township or municipality) of  
32 ..... at the ..... election to be held on (insert  
33 date).

34 ..... (Signature of Appointing Authority)



1 ..... TITLE (party official, candidate,  
2 civic organization president,  
3 proponent or opponent group chairman)

4 Under penalties provided by law pursuant to Section 29-10  
5 of the Election Code, the undersigned pollwatcher certifies  
6 that he or she resides at ..... (address) in the  
7 county of ....., ..... (township or municipality) of  
8 ..... (name), State of Illinois, and is duly registered  
9 to vote in Illinois ~~from that address~~.

10 .....  
11 (Precinct and/or Ward in ..... (Signature of Pollwatcher)  
12 Which Pollwatcher Resides)

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

1 the canvass of votes.

2 Candidates seeking office in a district or municipality  
3 encompassing 2 or more counties shall be admitted to any and  
4 all polling places throughout such district or municipality  
5 without regard to the counties in which such candidates are  
6 registered to vote. Actions of such candidates shall be  
7 governed in each polling place by the same privileges and  
8 limitations that apply to pollwatchers as provided in this  
9 Section. Any such candidate who engages in an activity in a  
10 polling place which could reasonably be construed by a  
11 majority of the judges of election as campaign activity shall  
12 be removed forthwith from such polling place.

13 Candidates seeking office in a district or municipality  
14 encompassing 2 or more counties who desire to be admitted to  
15 polling places on election day in such district or  
16 municipality shall be required to have proper credentials.  
17 Such credentials shall be printed in sufficient quantities,  
18 shall be issued by and under the facsimile signature of the  
19 election authority of the election jurisdiction where the  
20 polling place in which the candidate seeks admittance is  
21 located, and shall be available for distribution at least 2  
22 weeks prior to the election. Such credentials shall be  
23 signed by the candidate.

24 Candidate credentials shall be in substantially the  
25 following form:

26 CANDIDATE CREDENTIALS

27 TO THE JUDGES OF ELECTION:

28 In accordance with the provisions of the Election Code, I  
29 ..... (name of candidate) hereby certify that I am a  
30 candidate for ..... (name of office) and seek admittance to  
31 ..... precinct of the ..... ward (if applicable) of the  
32 ..... (township or municipality) of ..... at the .....  
33 election to be held on (insert date).  
34 .....

1	(Signature of Candidate)	OFFICE FOR WHICH
2		CANDIDATE SEEKS
3		NOMINATION OR
4		ELECTION

5 Pollwatchers shall be permitted to observe all  
6 proceedings relating to the conduct of the election and to  
7 station themselves in a position in the voting room as will  
8 enable them to observe the judges making the signature  
9 comparison between the voter application and the voter  
10 registration record card; provided, however, that such  
11 pollwatchers shall not be permitted to station themselves in  
12 such close proximity to the judges of election so as to  
13 interfere with the orderly conduct of the election and shall  
14 not, in any event, be permitted to handle election materials.  
15 Pollwatchers may challenge for cause the voting  
16 qualifications of a person offering to vote and may call to  
17 the attention of the judges of election any incorrect  
18 procedure or apparent violations of this Code.

19 If a majority of the judges of election determine that  
20 the polling place has become too overcrowded with  
21 pollwatchers so as to interfere with the orderly conduct of  
22 the election, the judges shall, by lot, limit such  
23 pollwatchers to a reasonable number, except that each  
24 candidate and each established or new political party shall  
25 be permitted to have at least one pollwatcher present.

26 Representatives of an election authority, with regard to  
27 an election under its jurisdiction, the State Board of  
28 Elections, and law enforcement agencies, including but not  
29 limited to a United States Attorney, a State's attorney, the  
30 Attorney General, and a State, county, or local police  
31 department, in the performance of their official election  
32 duties, shall be permitted at all times to enter and remain  
33 in the polling place. Upon entering the polling place, such  
34 representatives shall display their official credentials or

1 other identification to the judges of election.

2 Uniformed police officers assigned to polling place duty  
3 shall follow all lawful instructions of the judges of  
4 election.

5 The provisions of this Section shall also apply to  
6 supervised casting of absentee ballots as provided in Section  
7 19-12.2 of this Act.

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

9 (10 ILCS 5/7-41) (from Ch. 46, par. 7-41)

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

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

31 (c) No person shall do any electioneering or soliciting  
32 of votes on primary day within any polling place or within  
33 one hundred feet of any polling place. Election officers

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

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

1 electioneering on all polling place property beyond the  
2 campaign free zone for the time that the polls are open on an  
3 election day.

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

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

13 (10 ILCS 5/8-8.1) (from Ch. 46, par. 8-8.1)

14 Sec. 8-8.1. In the designation of the name of a  
15 candidate on a petition for nomination, the candidate's given  
16 name or names, initial or initials, a nickname by which the  
17 candidate is commonly known, or a combination thereof, may be  
18 used in addition to the candidate's surname. No other  
19 designation such as a political slogan, title, or degree, or  
20 nickname suggesting or implying possession of a title, degree  
21 or professional status, or similar information may be used in  
22 connection with the candidate's surname, except that the  
23 title "Mrs." may be used in the case of a married woman.

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

25 (10 ILCS 5/9-1.5) (from Ch. 46, par. 9-1.5)

26 Sec. 9-1.5. Expenditure defined.

27 "Expenditure" means-

- 28 (1) a payment, distribution, purchase, loan,  
29 advance, deposit, or gift of money or anything of value,  
30 in connection with the nomination for election, or  
31 election, of any person to public office, in connection  
32 with the election of any person as ward or township

1       committeeman in counties of 3,000,000 or more population,  
2       or in connection with any question of public policy.  
3       "Expenditure" also includes a payment, distribution,  
4       purchase, loan, advance, deposit, or gift of money or  
5       anything of value that constitutes an electioneering  
6       communication regardless of whether the communication is  
7       made in concert or cooperation with or at the request,  
8       suggestion, or knowledge of the candidate, the  
9       candidate's authorized local political committee, a State  
10       political committee, or any of their agents. However,  
11       expenditure does not include -

12               (a) the use of real or personal property and the  
13       cost of invitations, food, and beverages, voluntarily  
14       provided by an individual in rendering voluntary personal  
15       services on the individual's residential premises for  
16       candidate-related activities; provided the value of the  
17       service provided does not exceed an aggregate of \$150 in  
18       a reporting period;

19               (b) the sale of any food or beverage by a vendor  
20       for use in a candidate's campaign at a charge less than  
21       the normal comparable charge, if such charge for use in a  
22       candidate's campaign is at least equal to the cost of  
23       such food or beverage to the vendor.

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

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

26               (10 ILCS 5/9-1.14 new)

27       Sec. 9-1.14. Electioneering communication defined.

28       (a) "Electioneering communication" means, for the  
29       purposes of this Article, any form of communication, in  
30       whatever medium, including but not limited to, newspaper,  
31       radio, television, or Internet communications, that refers to  
32       a clearly identified candidate, candidates, or political  
33       party and is made within (i) 60 days before a general

1 election for the office sought by the candidate or (ii) 30  
2 days before a general primary election for the office sought  
3 by the candidate.

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

5 (1) A communication appearing in a news story,  
6 commentary, or editorial distributed through the  
7 facilities of any newspaper or radio or television  
8 broadcasting station, unless the facilities are owned or  
9 controlled by any political party, political committee,  
10 or candidate.

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

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

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

20 (10 ILCS 5/9-10) (from Ch. 46, par. 9-10)

21 Sec. 9-10. Financial reports.

22 (a) The treasurer of every state political committee and  
23 the treasurer of every local political committee shall file  
24 with the Board, and the treasurer of every local political  
25 committee shall file with the county clerk, reports of  
26 campaign contributions, and semi-annual reports of campaign  
27 contributions and expenditures on forms to be prescribed or  
28 approved by the Board. The treasurer of every political  
29 committee that acts as both a state political committee and a  
30 local political committee shall file a copy of each report  
31 with the State Board of Elections and the county clerk.  
32 Entities subject to Section 9-7.5 shall file reports required  
33 by that Section at times provided in this Section and are



1 subject to the penalties provided in this Section.

2 (b) Reports of campaign contributions shall be filed no  
3 later than the 15th day next preceding each election  
4 including a primary election in connection with which the  
5 political committee has accepted or is accepting  
6 contributions or has made or is making expenditures. Such  
7 reports shall be complete as of the 30th day next preceding  
8 each election including a primary election. The Board shall  
9 assess a civil penalty not to exceed \$5,000 for a violation  
10 of this subsection, except that for State officers and  
11 candidates and political committees formed for statewide  
12 office, the civil penalty may not exceed \$10,000. The fine,  
13 however, shall not exceed \$500 for a first filing violation  
14 for filing less than 10 days after the deadline. There shall  
15 be no fine if the report is mailed and postmarked at least 72  
16 hours prior to the filing deadline. For the purpose of this  
17 subsection, "statewide office" and "State officer" means the  
18 Governor, Lieutenant Governor, Attorney General, Secretary of  
19 State, Comptroller, and Treasurer. However, a continuing  
20 political committee that neither accepts contributions nor  
21 makes expenditures on behalf of or in opposition to any  
22 candidate or public question on the ballot at an election  
23 shall not be required to file the reports heretofore  
24 prescribed but may file in lieu thereof a Statement of  
25 Nonparticipation in the Election with the Board or the Board  
26 and the county clerk.

27 (b-5) Notwithstanding the provisions of subsection (b),  
28 any contribution of \$500 or more received in the interim  
29 between the last date of the period covered by the last  
30 report filed under subsection (b) prior to the election and  
31 the date of the election shall be reported within 2 business  
32 days after its receipt. The State Board shall allow filings  
33 under this subsection (b-5) to be made by facsimile  
34 transmission. For the purpose of this subsection, a

1 contribution is considered received on the date the public  
2 official, candidate, or political committee (or equivalent  
3 person in the case of a reporting entity other than a  
4 political committee) actually receives it or, in the case of  
5 goods or services, 2 days after the date the public official,  
6 candidate, committee, or other reporting entity receives the  
7 certification required under subsection (b) of Section 9-6.  
8 Failure to report each contribution is a separate violation  
9 of this subsection. The Board shall impose fines for  
10 violations of this subsection as follows:

11 (1) if the political committee's or other reporting  
12 entity's total receipts, total expenditures, and balance  
13 remaining at the end of the last reporting period were  
14 each \$5,000 or less, then \$100 per business day for the  
15 first violation, \$200 per business day for the second  
16 violation, and \$300 per business day for the third and  
17 subsequent violations.

18 (2) if the political committee's or other reporting  
19 entity's total receipts, total expenditures, and balance  
20 remaining at the end of the last reporting period were  
21 each more than \$5,000, then \$200 per business day for the  
22 first violation, \$400 per business day for the second  
23 violation, and \$600 per business day for the third and  
24 subsequent violations.

25 (c) In addition to such reports the treasurer of every  
26 political committee shall file semi-annual reports of  
27 campaign contributions and expenditures no later than July  
28 31st, covering the period from January 1st through June 30th  
29 immediately preceding, and no later than January 31st,  
30 covering the period from July 1st through December 31st of  
31 the preceding calendar year. Reports of contributions and  
32 expenditures must be filed to cover the prescribed time  
33 periods even though no contributions or expenditures may have  
34 been received or made during the period. The Board shall

1 assess a civil penalty not to exceed \$5,000 for a violation  
2 of this subsection, except that for State officers and  
3 candidates and political committees formed for statewide  
4 office, the civil penalty may not exceed \$10,000. The fine,  
5 however, shall not exceed \$500 for a first filing violation  
6 for filing less than 10 days after the deadline. There shall  
7 be no fine if the report is mailed and postmarked at least 72  
8 hours prior to the filing deadline. For the purpose of this  
9 subsection, "statewide office" and "State officer" means the  
10 Governor, Lieutenant Governor, Attorney General, Secretary of  
11 State, Comptroller, and Treasurer.

12 (c-5) A political committee that acts as either (i) a  
13 State and local political committee or (ii) a local political  
14 committee and that files reports electronically under Section  
15 9-28 is not required to file copies of the reports with the  
16 appropriate county clerk if the county clerk has a system  
17 that permits access to, and duplication of, reports that are  
18 filed with the State Board of Elections. A State and local  
19 political committee or a local political committee shall file  
20 with the county clerk a copy of its statement of organization  
21 pursuant to Section 9-3.

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

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

26 (10 ILCS 5/9-21) (from Ch. 46, par. 9-21)

27 Sec. 9-21. Upon receipt of such complaint, the Board  
28 shall hold a closed preliminary hearing to determine whether  
29 or not the complaint appears to have been filed on  
30 justifiable grounds. Such closed preliminary hearing shall be  
31 conducted as soon as practicable after affording reasonable  
32 notice, a copy of the complaint, and an opportunity to  
33 testify at such hearing to both the person making the

1 complaint and the person against whom the complaint is  
2 directed. If the Board fails to determine determines that the  
3 complaint has not been filed on justifiable grounds, it shall  
4 dismiss the complaint without further hearing.

5 Whenever in the judgment of the Board, after affording  
6 due notice and an opportunity for a public hearing, any  
7 person has engaged or is about to engage in an act or  
8 practice which constitutes or will constitute a violation of  
9 any provision of this Article or any regulation or order  
10 issued thereunder, the Board shall issue an order directing  
11 such person to take such action as the Board determines may  
12 be necessary in the public interest to correct the violation.  
13 In addition, if the act or practice engaged in consists of  
14 the failure to file any required report within the time  
15 prescribed by this Article, the Board, as part of its order,  
16 shall further provide that if, within the 12-month period  
17 following the issuance of the order, such person fails to  
18 file within the time prescribed by this Article any  
19 subsequent report as may be required, such person may be  
20 subject to a civil penalty pursuant to Section 9-23. The  
21 Board shall render its final judgment within 60 days of the  
22 date the complaint is filed; except that during the 60 days  
23 preceding the date of the election in reference to which the  
24 complaint is filed, the Board shall render its final judgment  
25 within 7 days of the date the complaint is filed, and during  
26 the 7 days preceding such election, the Board shall render  
27 such judgment before the date of such election, if possible.

28 At any time prior to the issuance of the Board's final  
29 judgment, the parties may dispose of the complaint by a  
30 written stipulation, agreed settlement or consent order. Any  
31 such stipulation, settlement or order shall, however, be  
32 submitted in writing to the Board and shall become effective  
33 only if approved by the Board. If the act or practice  
34 complained of consists of the failure to file any required

1 report within the time prescribed by this Article, such  
2 stipulation, settlement or order may provide that if, within  
3 the 12-month period following the approval of such  
4 stipulation, agreement or order, the person complained of  
5 fails to file within the time prescribed by this Article any  
6 subsequent reports as may be required, such person may be  
7 subject to a civil penalty pursuant to Section 9-23.

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

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

13 (10 ILCS 5/10-5.1) (from Ch. 46, par. 10-5.1)

14 Sec. 10-5.1. In the designation of the name of a  
15 candidate on a certificate of nomination or nomination papers  
16 the candidate's given name or names, initial or initials, a  
17 nickname by which the candidate is commonly known, or a  
18 combination thereof, may be used in addition to the  
19 candidate's surname. No other designation such as a political  
20 slogan, title, or degree, or nickname suggesting or implying  
21 possession of a title, degree or professional status, or  
22 similar information may be used in connection with the  
23 candidate's surname, except that the title "Mrs." may be used  
24 in the case of a married woman.

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

26 (10 ILCS 5/13-1.1) (from Ch. 46, par. 13-1.1)

27 Sec. 13-1.1. In addition to the list provided for in  
28 Section 13-1 or 13-2, the chairman of the county central  
29 committee of each of the two leading political parties shall  
30 submit to the county board a supplemental list, arranged  
31 according to precincts in which they are to serve, of persons  
32 available as judges of election, the names and number of all

1 persons listed thereon to be acknowledged in writing to the  
2 county chairman submitting such list by the county board.  
3 Vacancies among the judges of election shall be filled by  
4 selection from this supplemental list of persons qualified  
5 under Section 13-4. If the list provided for in Section 13-1  
6 or 13-2 for any precinct is exhausted, then selection shall  
7 be made from the supplemental list submitted by the chairman  
8 of the county central committee of the party. If such  
9 supplemental list is exhausted for any precinct, then  
10 selection shall be made from any of the persons on the  
11 supplemental list without regard to the precincts in which  
12 they are listed to serve. No selection or appointment from  
13 the supplemental list shall be made more than 21 days prior  
14 to the date of precinct registration for those judges needed  
15 as precinct registrars, and more than 45 28 days prior to the  
16 date of an election for those additional persons needed as  
17 election judges. In any case where selection cannot be made  
18 from the supplemental list without violating Section 13-4,  
19 selection shall be made from outside the supplemental list of  
20 some person qualified under Section 13-4.

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

22 (10 ILCS 5/14-3.2) (from Ch. 46, par. 14-3.2)  
23 Sec. 14-3.2. In addition to the list provided for in  
24 Section 14-3.1, the chairman of the county central committee  
25 of each of the 2 leading political parties shall furnish to  
26 the board of election commissioners a supplemental list,  
27 arranged according to precinct in which they are to serve, of  
28 persons available as judges of election, the names and number  
29 of all persons listed thereon to be acknowledged in writing  
30 to the county chairman submitting such list by the board of  
31 election commissioners. The board of election commissioners  
32 shall select from this supplemental list persons qualified  
33 under Section 14-1, to fill vacancies among the judges of

1 election. If the list provided for in Section 14-3.1 for any  
2 precinct is exhausted, then selection shall be made from the  
3 supplemental list furnished by the chairman of the county  
4 central committee of the party. If such supplemental list is  
5 exhausted for any precinct, then selection shall be made from  
6 any of the persons on the supplemental list without regard to  
7 the precincts in which they are listed to serve. No selection  
8 or appointment from the supplemental list shall be made more  
9 than 21 days prior to the date of precinct registration for  
10 those judges needed as precinct registrars, and more than 45  
11 28 days prior to the date of an election for those additional  
12 persons needed as election judges. In any case where  
13 selection cannot be made from the supplemental list without  
14 violating Section 14-1, selection shall be made from outside  
15 the supplemental list of some person qualified under Section  
16 14-1.

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

18 (10 ILCS 5/16-3) (from Ch. 46, par. 16-3)

19 Sec. 16-3. (a) The names of all candidates to be voted  
20 for in each election district or precinct shall be printed on  
21 one ballot, except as is provided in Sections 16-6.1 and  
22 21-1.01 of this Act and except as otherwise provided in this  
23 Act with respect to the odd year regular elections and the  
24 emergency referenda; all nominations of any political party  
25 being placed under the party appellation or title of such  
26 party as designated in the certificates of nomination or  
27 petitions. The names of all independent candidates shall be  
28 printed upon the ballot in a column or columns under the  
29 heading "independent" arranged under the names or titles of  
30 the respective offices for which such independent candidates  
31 shall have been nominated and so far as practicable, the name  
32 or names of any independent candidate or candidates for any  
33 office shall be printed upon the ballot opposite the name or

1 names of any candidate or candidates for the same office  
2 contained in any party column or columns upon said ballot.  
3 The ballot shall contain no other names, except that in cases  
4 of electors for President and Vice-President of the United  
5 States, the names of the candidates for President and  
6 Vice-President may be added to the party designation and  
7 words calculated to aid the voter in his choice of candidates  
8 may be added, such as "Vote for one," "Vote for three." When  
9 an electronic voting system is used which utilizes a ballot  
10 label booklet, the candidates and questions shall appear on  
11 the pages of such booklet in the order provided by this Code;  
12 and, in any case where candidates for an office appear on a  
13 page which does not contain the name of any candidate for  
14 another office, and where less than 50% of the page is  
15 utilized, the name of no candidate shall be printed on the  
16 lowest 25% of such page. On the back or outside of the  
17 ballot, so as to appear when folded, shall be printed the  
18 words "Official Ballot", followed by the designation of the  
19 polling place for which the ballot is prepared, the date of  
20 the election and a facsimile of the signature of the election  
21 authority who has caused the ballots to be printed. The  
22 ballots shall be of plain white paper, through which the  
23 printing or writing cannot be read. However, ballots for use  
24 at the nonpartisan and consolidated elections may be printed  
25 on different color paper, except blue paper, whenever  
26 necessary or desirable to facilitate distinguishing between  
27 ballots for different political subdivisions. In the case of  
28 nonpartisan elections for officers of a political  
29 subdivision, unless the statute or an ordinance adopted  
30 pursuant to Article VII of the Constitution providing the  
31 form of government therefor requires otherwise, the column  
32 listing such nonpartisan candidates shall be printed with no  
33 appellation or circle at its head. The party appellation or  
34 title, or the word "independent" at the head of any column



1 provided for independent candidates, shall be printed in  
2 letters not less than one-fourth of an inch in height and a  
3 circle one-half inch in diameter shall be printed at the  
4 beginning of the line in which such appellation or title is  
5 printed, provided, however, that no such circle shall be  
6 printed at the head of any column or columns provided for  
7 such independent candidates. The names of candidates shall be  
8 printed in letters not less than one-eighth nor more than  
9 one-fourth of an inch in height, and at the beginning of each  
10 line in which a name of a candidate is printed a square shall  
11 be printed, the sides of which shall be not less than  
12 one-fourth of an inch in length. However, the names of the  
13 candidates for Governor and Lieutenant Governor on the same  
14 ticket shall be printed within a bracket and a single square  
15 shall be printed in front of the bracket. The list of  
16 candidates of the several parties and any such list of  
17 independent candidates shall be placed in separate columns on  
18 the ballot in such order as the election authorities charged  
19 with the printing of the ballots shall decide; provided, that  
20 the names of the candidates of the several political parties,  
21 certified by the State Board of Elections to the several  
22 county clerks shall be printed by the county clerk of the  
23 proper county on the official ballot in the order certified  
24 by the State Board of Elections. Any county clerk refusing,  
25 neglecting or failing to print on the official ballot the  
26 names of candidates of the several political parties in the  
27 order certified by the State Board of Elections, and any  
28 county clerk who prints or causes to be printed upon the  
29 official ballot the name of a candidate, for an office to be  
30 filled by the Electors of the entire State, whose name has  
31 not been duly certified to him upon a certificate signed by  
32 the State Board of Elections shall be guilty of a Class C  
33 misdemeanor.

34 (b) When an electronic voting system is used which

1 utilizes a ballot card, on the inside flap of each ballot  
2 card envelope there shall be printed a form for write-in  
3 voting which shall be substantially as follows:

4 WRITE-IN VOTES

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

7 \_\_\_\_\_

8 Title of Office

9 ( ) \_\_\_\_\_

10 Name of Candidate

11 (c) When an electronic voting system is used which uses  
12 a ballot sheet, the instructions to voters on the ballot  
13 sheet shall refer the voter to the card of instructions for  
14 specific information on write-in voting. Below each office  
15 appearing on such ballot sheet there shall be a provision for  
16 the casting of a write-in vote.

17 (d) When such electronic system is used, there shall be  
18 printed on the back of each ballot card, each ballot card  
19 envelope, and the first page of the ballot label when a  
20 ballot label is used, the words "Official Ballot," followed  
21 by the number of the precinct or other precinct  
22 identification, which may be stamped, in lieu thereof and, as  
23 applicable, the number and name of the township, ward or  
24 other election district for which the ballot card, ballot  
25 card envelope, and ballot label are prepared, the date of the  
26 election and a facsimile of the signature of the election  
27 authority who has caused the ballots to be printed. The back  
28 of the ballot card shall also include a method of identifying  
29 the ballot configuration such as a listing of the political  
30 subdivisions and districts for which votes may be cast on  
31 that ballot, or a number code identifying the ballot  
32 configuration or color coded ballots, except that where there  
33 is only one ballot configuration in a precinct, the precinct  
34 identification, and any applicable ward identification, shall

1 be sufficient. Ballot card envelopes used in punch card  
2 systems shall be of paper through which no writing or punches  
3 may be discerned and shall be of sufficient length to enclose  
4 all voting positions. However, the election authority may  
5 provide ballot card envelopes on which no precinct number or  
6 township, ward or other election district designation, or  
7 election date are preprinted, if space and a preprinted form  
8 are provided below the space provided for the names of  
9 write-in candidates where such information may be entered by  
10 the judges of election. Whenever an election authority  
11 utilizes ballot card envelopes on which the election date and  
12 precinct is not preprinted, a judge of election shall mark  
13 such information for the particular precinct and election on  
14 the envelope in ink before tallying and counting any write-in  
15 vote written thereon. If some method of insuring ballot  
16 secrecy other than an envelope is used, such information must  
17 be provided on the ballot itself.

18 (e) In the designation of the name of a candidate on the  
19 ballot, the candidate's given name or names, initial or  
20 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 (f) 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 (e) 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 (e) of this Section.

10 (g) 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 (f) of this  
13 Section, then the aggrieved candidate may seek appropriate  
14 relief in circuit court.

15 Where voting machines or electronic voting systems are  
16 used, the provisions of this Section may be modified as  
17 required or authorized by Article 24 or Article 24A,  
18 whichever is applicable.

19 Nothing in this Section shall prohibit election  
20 authorities from using or reusing ballot card envelopes which  
21 were printed before the effective date of this amendatory Act  
22 of 1985.

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

24 (10 ILCS 5/17-23) (from Ch. 46, par. 17-23)

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

27 (1) Each established political party shall be entitled  
28 to appoint two pollwatchers per precinct. Such pollwatchers  
29 must be affiliated with the political party for which they  
30 are pollwatching. For all elections, the pollwatchers except  
31 as provided in subsection (4), one pollwatcher must be  
32 registered to vote in Illinois from a residence in the county  
33 in which he is pollwatching. The second pollwatcher must be

1 registered-to-vote-from-a-residence-in-the-precinct--or--ward  
2 in-which-he-is-pollwatching.

3 (2) Each candidate shall be entitled to appoint two  
4 pollwatchers per precinct. For all elections, the  
5 pollwatchers one pollwatcher must be registered to vote in  
6 Illinois from-a-residence--in--the--county--in--which--he--is  
7 pollwatching.----The-second-pollwatcher-must-be-registered-to  
8 vote-from-a-residence-in-the-precinct-or-ward-in-which-he--is  
9 pollwatching.

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

20 (4) In any general election held to elect candidates for  
21 the offices of a municipality of less than 3,000,000  
22 population that is situated in 2 or more counties, a  
23 pollwatcher who is a resident of Illinois a-county-in-which  
24 any-part-of-the-municipality-is-situated shall be eligible to  
25 serve as a pollwatcher in any poll located within such  
26 municipality, provided that such pollwatcher otherwise  
27 complies with the respective requirements of subsections (1)  
28 through (3) of this Section and is a registered voter in  
29 Illinois whose-residence-is-within-the-municipality.

30 (5) Each organized group of proponents or opponents of a  
31 ballot proposition, which shall have registered the name and  
32 address of its organization or committee and the name and  
33 address of its chairman with the proper election authority at  
34 least 40 days before the election, shall be entitled to

1 appoint one pollwatcher per precinct. The Such pollwatcher  
2 must be registered to vote in Illinois from--a--residence--in  
3 the--county--in--which--the--ballot--proposition--is--being--voted  
4 upon.

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

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

17 POLLWATCHER CREDENTIALS

18 TO THE JUDGES OF ELECTION:

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

29 ..... (Signature of Appointing Authority)  
30 ..... TITLE (party official, candidate,  
31 civic organization president,  
32 proponent or opponent group chairman)

33 Under penalties provided by law pursuant to Section 29-10

1 of the Election Code, the undersigned pollwatcher certifies  
 2 that he or she resides at ..... (address) in the  
 3 county of ....., ..... (township or municipality)  
 4 of ..... (name), State of Illinois, and is duly  
 5 registered to vote in Illinois ~~from that address~~.  
 6 .....  
 7 (Precinct and/or Ward in ..... (Signature of Pollwatcher)  
 8 Which Pollwatcher Resides)

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

31 Candidates seeking office in a district or municipality  
 32 encompassing 2 or more counties shall be admitted to any and  
 33 all polling places throughout such district or municipality  
 34 without regard to the counties in which such candidates are

1 registered to vote. Actions of such candidates shall be  
2 governed in each polling place by the same privileges and  
3 limitations that apply to pollwatchers as provided in this  
4 Section. Any such candidate who engages in an activity in a  
5 polling place which could reasonably be construed by a  
6 majority of the judges of election as campaign activity shall  
7 be removed forthwith from such polling place.

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

19 Candidate credentials shall be in substantially the  
20 following form:

21 CANDIDATE CREDENTIALS

22 TO THE JUDGES OF ELECTION:

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

29 .....

30 (Signature of Candidate)

OFFICE FOR WHICH  
CANDIDATE SEEKS  
NOMINATION OR  
ELECTION

33



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

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

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

32 Uniformed police officers assigned to polling place duty  
33 shall follow all lawful instructions of the judges of  
34 election.

1 The provisions of this Section shall also apply to  
2 supervised casting of absentee ballots as provided in Section  
3 19-12.2 of this Act.

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

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

6 Sec. 17-29. (a) No judge of election, pollwatcher, or  
7 other person shall, at any primary or election, do any  
8 electioneering or soliciting of votes or engage in any  
9 political discussion within any polling place or within 100  
10 feet of any polling place; no person shall interrupt, hinder  
11 or oppose any voter while approaching within 100 feet of any  
12 polling place for the purpose of voting. Judges of election  
13 shall enforce the provisions of this Section.

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  
19 building that is a public or private school or a church or  
20 other organization founded for the purpose of religious  
21 worship and the distance of 100 horizontal feet ends within  
22 the interior of the building, then the markers shall be  
23 placed outside of the building at each entrance used by  
24 voters to enter that building on the grounds adjacent to the  
25 thoroughfare or walkway. If the polling room is located  
26 within a public or private building with 2 or more floors and  
27 the polling room is located on the ground floor, then the  
28 markers shall be placed 100 horizontal feet from each  
29 entrance to the polling room used by voters to engage in  
30 voting. If the polling room is located in a public or private  
31 building with 2 or more floors and the polling room is  
32 located on a floor above or below the ground floor, then the  
33 markers shall be placed a distance of 100 feet from the

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

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

19 (c) The regulation of electioneering on polling place  
20 property on an election day, including but not limited to the  
21 placement of temporary signs, is an exclusive power and  
22 function of the State. A home rule unit may not regulate  
23 electioneering and any ordinance or local law contrary to  
24 subsection (c) is declared void. This is a denial and  
25 limitation of home rule powers and functions under subsection  
26 (h) of Section 6 of Article VII of the Illinois Constitution.

27 (Source: P.A. 80-1090.)

28 (10 ILCS 5/Art. 18A heading new)

29 ARTICLE 18A

30 PROVISIONAL VOTING

31 (10 ILCS 5/18A-2 new)

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

4 (10 ILCS 5/18A-5 new)

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

6 (a) A person who claims to be a registered voter is  
7 entitled to cast a provisional ballot under the following  
8 circumstances:

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

13 (2) The person's voting status has been challenged  
14 by an election judge, a poll watcher, or any legal voter  
15 and that challenge has been sustained by a majority of  
16 the election judges; or

17 (3) A federal or State court order extends the time  
18 for closing the polls beyond the time period established  
19 by State law and the person votes during the extended  
20 time period.

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

23 (1) An election judge at the polling place shall  
24 notify a person who is entitled to cast a provisional  
25 ballot pursuant to subsection (a) that he or she may cast  
26 a provisional ballot in that election. An election judge  
27 must accept any information provided by a person who  
28 casts a provisional ballot that the person believes  
29 supports his or her claim that he or she is a duly  
30 registered voter and qualified to vote in the election.

31 (2) The person shall execute a written form  
32 provided by the election judge that shall state or  
33 contain all of the following:

1 (i) an affidavit stating the following:

2 State of Illinois, County of .....,  
3 Township ....., Precinct ....., Ward  
4 ....., I, ....., do solemnly  
5 swear (or affirm) that: I am a citizen of the United  
6 States; I am 18 years of age or older; I have  
7 resided in this State and in this precinct for 30  
8 days preceding this election; I have not voted in  
9 this election; I am a duly registered voter in every  
10 respect; and I am eligible to vote in this election.  
11 Signature ..... Printed Name of Voter .....  
12 Printed Residence Address of Voter ..... City  
13 ..... State .... Zip Code ..... Telephone Number  
14 ..... Date of Birth ..... Last 4 digits of Social  
15 Security Number ..... or Driver's License Number  
16 ..... or State Identification Card Number.

17 (ii) Written instruction stating the following:

18 In order to expedite the verification of your  
19 voter registration status, the .... (insert name of  
20 county clerk of board of election commissioners  
21 here) requests that you include your phone number  
22 and both the last four digits of your social  
23 security number and your driver's license number or  
24 State Identification Card Number or other unique  
25 identifier number issued to you by the Secretary of  
26 State or State Board of Elections. At minimum, you  
27 are required to include either (A) the last 4 digits  
28 of your social security number or (B) your driver's  
29 license number, State Identification Card Number or  
30 other unique identifier number issued to you by the  
31 Secretary of State or State Board of Elections, but  
32 not your phone number.

33 (iii) A box for the election judge to check one of  
34 the 3 reasons why the person was given a provisional

1 ballot under subsection (a) of Section 18A-5.

2 (iv) An area for the election judge to affix his or  
3 her signature and to set forth any facts that support or  
4 oppose the allegation that the person is not qualified to  
5 vote in the precinct in which the person is seeking to  
6 vote.

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

11 (3) After the person executes the portion of the written  
12 affidavit described in subsection (b)(2)(i) of this Section,  
13 the election judge shall complete the portion of the written  
14 affidavit described in subsection (b)(2)(iii) and (b)(2)(iv).

15 (4) The election judge shall give a copy of the  
16 completed written affidavit to the person. The election judge  
17 shall place the original written affidavit in a self-adhesive  
18 clear plastic packing list envelope that must be attached to  
19 a separate envelope marked as a "provisional ballot  
20 envelope". The election judge shall also place any  
21 information provided by the person who casts a provisional  
22 ballot in the clear plastic packing list envelope. Each  
23 county clerk or board of election commissioners, as the case  
24 may be, must design, obtain or procure self-adhesive clear  
25 plastic packing list envelopes and provisional ballot  
26 envelopes that are suitable for implementing this subsection  
27 (b)(4) of this Section.

28 (5) The election judge shall provide the person with a  
29 provisional ballot, written instructions for casting a  
30 provisional ballot, and the provisional ballot envelope with  
31 the clear plastic packing list envelope affixed to it, which  
32 contains the person's original written affidavit and, if any,  
33 information provided by the provisional voter to support his  
34 or her claim that he or she is a duly registered voter. An

1 election judge must also give the person written information  
2 that states that any person who casts a provisional ballot  
3 shall be able to ascertain, pursuant to guidelines  
4 established by the State Board of Elections, whether the  
5 provisional vote was counted in the official canvass of votes  
6 for that election and, if the provisional vote was not  
7 counted, the reason that the vote was not counted.

8 (6) After the person has completed marking his or her  
9 provisional ballot, he or she shall place the marked ballot  
10 inside of the provisional ballot envelope, close and seal the  
11 envelope, and return the envelope to an election judge, who  
12 shall then deposit the sealed provisional ballot envelope  
13 into a securable container separately identified and utilized  
14 for containing sealed provisional ballot envelopes. The  
15 securable container shall be sealed with filament tape  
16 provided for that purpose, which shall be wrapped around the  
17 box lengthwise and crosswise, at least twice each way, and  
18 each of the election judges shall sign the seal.

19 (c) Instead of the affidavit form described in  
20 subsection (b), the county clerk or board of election  
21 commissioners, as the case may be, may design and use a  
22 multi-part affidavit form that is imprinted upon or attached  
23 to the provisional ballot envelope described subsection (b).  
24 If a county clerk or board of election commissioners elects  
25 to design and use its own multi-part affidavit form, then the  
26 county clerk or board of election commissioners shall  
27 establish a mechanism for accepting any information the  
28 provisional voter has supplied to the election judge to  
29 support his or her claim that he or she is a duly registered  
30 voter. In all other respects, a county clerk or board of  
31 election commissioners shall establish procedures consistent  
32 with subsection (b).

33 (d) The county clerk or board of election commissioners,  
34 as the case may be, shall use the completed affidavit form

1 described in subsection (b) to update the person's voter  
2 registration information in the State voter registration  
3 database and voter registration database of the county clerk  
4 or board of election commissioners, as the case may be. If a  
5 person is later determined not to be a registered voter based  
6 on Section 18A-15 of this Code, then the affidavit shall be  
7 processed by the county clerk or board of election  
8 commissioners, as the case may be, as a voter registration  
9 application.

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

11 Sec. 18A-10. Sealing and transporting provisional  
12 ballots.

13 (a) Upon the closing of the polls, 2 election judges not  
14 of the same political party shall return to the county clerk  
15 or board of election commissioners the unopened sealed  
16 securable container containing the provisional ballots to a  
17 location specified by the county clerk or board of election  
18 commissioners in the most direct manner of transport. The  
19 county clerk or board of election commissioners shall keep  
20 the securable container secure until such time as the  
21 provisional ballots are counted in accordance with Section  
22 18A-15.

23 (b) Upon receipt of materials returned from the polling  
24 places, the county clerk or board of election commissioners  
25 shall update the State voter registration list and the voter  
26 registration database of the county clerk or board of  
27 election commissioners, as the case may be, by using the  
28 affidavit forms of provisional voters.

29 (10 ILCS 5/18A-15 new)

30 Sec. 18A-15. Validating and counting provisional  
31 ballots.

32 (a) The county clerk or board of election commissioners



1 shall complete the validation and counting of provisional  
2 ballots within 14 calendar days of the day of the election.  
3 The county clerk or board of election commissioners shall  
4 have 7 calendar days from the completion of the validation  
5 and counting of provisional ballots to conduct its final  
6 canvass. The State Board of Election shall complete within 31  
7 calendar days of the election or sooner if all the returns  
8 are received, its final canvass of the vote for all public  
9 offices.

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

13 (1) The provisional voter cast the provisional  
14 ballot in the correct precinct based on the address  
15 provided by the provisional voter;

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

19 (3) the provisional voter is a registered voter  
20 based on information available to the county clerk or  
21 board of election commissioners provided by or obtained  
22 from any of the following:

23 i. the provisional voter;

24 ii. an election judge;

25 iii. the State-wide voter registration  
26 database maintained by the State Board of Elections;

27 iv. the records of the county clerk or board  
28 of election commissioners' database; or

29 v. the records of the Secretary of State.

30 (c) With respect to subsection (b)(3) of this Section,  
31 the county clerk or board of election commissioners shall  
32 investigate whether each of the 5 types of information is  
33 available and record whether this information is or is not  
34 available. If one or more types of information is available,

1 then the county clerk or board of election commissioners  
2 shall obtain all relevant information from all sources  
3 identified in subsection (b)(3). The county clerk or board of  
4 election commissioners shall use any information it obtains  
5 as the basis for determining the voter registration status of  
6 the provisional voter. If a conflict exists among the  
7 information available to the county clerk or board of  
8 election commissioners as to the registration status of the  
9 provisional voter, then the county clerk or board of election  
10 commissioners shall make a determination based on the  
11 totality of the circumstances. In a case where the above  
12 information equally supports or opposes the registration  
13 status of the voter, the county clerk or board of election  
14 commissioners shall decide in favor of the provisional voter  
15 as being duly registered to vote. If the Statewide voter  
16 registration database maintained by the State Board of  
17 Elections indicates that the provisional voter is registered  
18 to vote, but the county clerk's or board of election  
19 commissioners' voter registration database indicates that the  
20 provisional voter is not registered to vote, then the  
21 information found in the statewide voter registration  
22 database shall control the matter and the provisional voter  
23 shall be deemed to be registered to vote. If the records of  
24 the county clerk or board of election commissioners indicates  
25 that the provisional voter is registered to vote, but the  
26 State-wide voter registration database maintained by the  
27 State Board of Elections indicates that the provisional voter  
28 is not registered to vote, then the information found in the  
29 records of the county clerk or board of election  
30 commissioners shall control the matter and the provisional  
31 voter shall be deemed to be registered to vote. If the  
32 provisional voter's signature on his or her provisional  
33 ballot request varies from the signature on an otherwise  
34 valid registration application solely because of the

1 substitution of initials for the first or middle name, the  
2 election authority may not reject the provisional ballot.

3 (d) In validating the registration status of a person  
4 casting a provisional ballot, the county clerk or board of  
5 election commissioners shall not require a provisional voter  
6 to complete any form other than the affidavit executed by the  
7 provisional voter under subsection (b)(2) of Section 18A-5.  
8 In addition, the county clerk or board of election  
9 commissioners shall not require all provisional voters or any  
10 particular class or group of provisional voters to appear  
11 personally before the county clerk or board of election  
12 commissioners or as a matter of policy require provisional  
13 voters to submit additional information to verify or  
14 otherwise support the information already submitted by the  
15 provisional voter. The provisional voter may, within 2  
16 calendar days after the election, submit additional  
17 information to the county clerk or board of election  
18 commissioners. This information must be received by the  
19 county clerk or board of election commissioners within the  
20 2-calendar-day period.

21 (e) If the county clerk or board of election  
22 commissioners determines that subsection (b)(1), (b)(2), or  
23 (b)(3) does not apply, then the provisional ballot is not  
24 valid and may not be counted. The provisional ballot envelope  
25 containing the ballot cast by the provisional voter may not  
26 be opened. The county clerk or board of election  
27 commissioners shall write on the provisional ballot envelope  
28 the following: "Provisional ballot determined invalid."

29 (f) If the county clerk or board of election  
30 commissioners determines that a provisional ballot is valid  
31 under this Section, then the provisional ballot envelope  
32 shall be opened. The outside of each provisional ballot  
33 envelope shall also be marked to identify the precinct and  
34 the date of the election.

1       (g) The provisional ballots determined to be valid shall  
2 be added to the vote totals for the precincts from which they  
3 were cast in the order in which the ballots were opened. The  
4 county clerk or board of election commissioners may, in the  
5 alternative, create a separate provisional-voter precinct for  
6 the purpose of counting and recording provisional ballots and  
7 adding the recorded votes to its official canvass. The  
8 validation and counting of provisional ballots shall be  
9 subject to the provisions of this Code that apply to  
10 pollwatchers. If the provisional ballots are a ballot of a  
11 punch card voting system, then the provisional ballot shall  
12 be counted in a manner consistent with Article 24A. If the  
13 provisional ballots are a ballot of optical scan or other  
14 type of approved electronic voting system, then the  
15 provisional ballots shall be counted in a manner consistent  
16 with Article 24B.

17       (h) As soon as the ballots have been counted, the  
18 election judges or election officials shall, in the presence  
19 of the county clerk or board of election commissioners, place  
20 each of the following items in a separate envelope or bag:  
21 (1) all provisional ballots, voted or spoiled; (2) all  
22 provisional ballot envelopes of provisional ballots voted or  
23 spoiled; and (3) all executed affidavits of the provisional  
24 ballots voted or spoiled. All provisional ballot envelopes  
25 for provisional voters who have been determined not to be  
26 registered to vote shall remain sealed. The county clerk or  
27 board of election commissioners shall treat the provisional  
28 ballot envelope containing the written affidavit as a voter  
29 registration application for that person for the next  
30 election and process that application. The election judges or  
31 election officials shall then securely seal each envelope or  
32 bag, initial the envelope or bag, and plainly mark on the  
33 outside of the envelope or bag in ink the precinct in which  
34 the provisional ballots were cast. The election judges or

1 election officials shall then place each sealed envelope or  
2 bag into a box, secure and seal it in the same manner as  
3 described in item (6) of subsection (b) of Section 18A-5.  
4 Each election judge or election official shall take and  
5 subscribe an oath before the county clerk or board of  
6 election commissioners that the election judge or election  
7 official securely kept the ballots and papers in the box, did  
8 not permit any person to open the box or otherwise touch or  
9 tamper with the ballots and papers in the box, and has no  
10 knowledge of any other person opening the box. For purposes  
11 of this Section, the term "election official" means the  
12 county clerk, a member of the board of election  
13 commissioners, as the case may be, and their respective  
14 employees.

15 (10 ILCS 5/18A-20 new)

16 Sec. 18A-20. Provisional voting verification system. In  
17 conjunction with each county clerk or board of election  
18 commissioners, the State Board of Elections shall establish a  
19 uniform free access information system by which a person  
20 casting a provisional ballot may ascertain whether the  
21 provisional vote was counted in the official canvass of votes  
22 for that election and, if the vote was not counted, the  
23 reason that the vote was not counted. Nothing in this Section  
24 shall prohibit a county clerk or a board of election  
25 commissioner from establishing a uniform free access  
26 information system described in this Section so long as that  
27 system is consistent with the federal Help America Vote Act.

28 (10 ILCS 5/19-2.1) (from Ch. 46, par. 19-2.1)

29 Sec. 19-2.1. At the consolidated primary, general  
30 primary, consolidated, and general elections, electors  
31 entitled to vote by absentee ballot under the provisions of  
32 Section 19-1 may vote in person at the office of the

1 municipal clerk, if the elector is a resident of a  
2 municipality not having a board of election commissioners, or  
3 at the office of the township clerk or, in counties not under  
4 township organization, at the office of the road district  
5 clerk if the elector is not a resident of a municipality;  
6 provided, in each case that the municipal, township or road  
7 district clerk, as the case may be, is authorized to conduct  
8 in-person absentee voting pursuant to this Section. Absentee  
9 voting in such municipal and township clerk's offices under  
10 this Section shall be conducted from the 22nd day through the  
11 day before the election.

12 Municipal and township clerks (or road district clerks)  
13 who have regularly scheduled working hours at regularly  
14 designated offices other than a place of residence and whose  
15 offices are open for business during the same hours as the  
16 office of the election authority shall conduct in-person  
17 absentee voting for said elections. Municipal and township  
18 clerks (or road district clerks) who have no regularly  
19 scheduled working hours but who have regularly designated  
20 offices other than a place of residence shall conduct  
21 in-person absentee voting for said elections during the hours  
22 of 8:30 a.m. to 4:30 p.m. or 9:00 a.m. to 5:00 p.m.,  
23 weekdays, and 9:00 a.m. to 12:00 noon on Saturdays, but not  
24 during such hours as the office of the election authority is  
25 closed, unless the clerk files a written waiver with the  
26 election authority not later than July 1 of each year stating  
27 that he or she is unable to conduct such voting and the  
28 reasons therefor. Such clerks who conduct in-person absentee  
29 voting may extend their hours for that purpose to include any  
30 hours in which the election authority's office is open.  
31 Municipal and township clerks (or road district clerks) who  
32 have no regularly scheduled office hours and no regularly  
33 designated offices other than a place of residence may not  
34 conduct in-person absentee voting for said elections. The

1 election authority may devise alternative methods for  
2 in-person absentee voting before said elections for those  
3 precincts located within the territorial area of a  
4 municipality or township (or road district) wherein the clerk  
5 of such municipality or township (or road district) has  
6 waived or is not entitled to conduct such voting. In  
7 addition, electors may vote by absentee ballot under the  
8 provisions of Section 19-1 at the office of the election  
9 authority having jurisdiction over their residence.

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

24 Absentee voting procedures in the office of the  
25 municipal, township and road district clerks shall be subject  
26 to all of the applicable provisions of this Article 19.  
27 Pollwatchers may be appointed to observe in-person absentee  
28 voting procedures at the office of the municipal, township or  
29 road district clerks' offices where such absentee voting is  
30 conducted. Such pollwatchers shall qualify and be appointed  
31 in the same manner as provided in Sections 7-34 and 17-23,  
32 except each candidate, political party or organization of  
33 citizens may appoint only one pollwatcher for each location  
34 where in-person absentee voting is conducted. Pollwatchers

1 ~~must shall~~ be registered to vote in Illinois residents-of-the  
2 county and possess valid pollwatcher credentials. All  
3 requirements in this Article applicable to election  
4 authorities shall apply to the respective local clerks,  
5 except where inconsistent with this Section.

6 The sealed absentee ballots in their carrier envelope  
7 shall be delivered by the respective clerks, or by the  
8 election authority on behalf of a clerk if the clerk and the  
9 election authority agree, to the proper polling place before  
10 the close of the polls on the day of the general primary,  
11 consolidated primary, consolidated, or general election.

12 Not more than 23 days before the nonpartisan, general and  
13 consolidated elections, the county clerk shall make available  
14 to those municipal, township and road district clerks  
15 conducting in-person absentee voting within such county, a  
16 sufficient number of applications, absentee ballots,  
17 envelopes, and printed voting instruction slips for use by  
18 absentee voters in the offices of such clerks. The respective  
19 clerks shall receipt for all ballots received, shall return  
20 all unused or spoiled ballots to the county clerk on the day  
21 of the election and shall strictly account for all ballots  
22 received.

23 The ballots delivered to the respective clerks shall  
24 include absentee ballots for each precinct in the  
25 municipality, township or road district, or shall include  
26 such separate ballots for each political subdivision  
27 conducting an election of officers or a referendum on that  
28 election day as will permit any resident of the municipality,  
29 township or road district to vote absentee in the office of  
30 the proper clerk.

31 The clerks of all municipalities, townships and road  
32 districts may distribute applications for absentee ballot for  
33 the use of voters who wish to mail such applications to the  
34 appropriate election authority. Such applications for



1 absentee ballots shall be made on forms provided by the  
2 election authority. Duplication of such forms by the  
3 municipal, township or road district clerk is prohibited.

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

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

6 Sec. 19-2.2. (a) During the period beginning on the 40th  
7 day preceding an election and continuing through the day  
8 preceding such election, no advertising pertaining to any  
9 candidate or proposition to be voted upon shall be displayed  
10 in or within 100 feet of any room used by voters pursuant to  
11 this Article; nor shall any person engage in electioneering  
12 in or within 100 feet of any such room. Any person who  
13 violates this Section may be punished as for contempt of  
14 court.

15 (b) Election officers shall place 2 or more cones, small  
16 United States national flags, or some other marker a distance  
17 of 100 horizontal feet from each entrance to the room used by  
18 voters to engage in voting, which shall be known as the  
19 polling room. If the polling room is located within a  
20 building that is a public or private school or a church or  
21 other organization founded for the purpose of religious  
22 worship and the distance of 100 horizontal feet ends within  
23 the interior of the building, then the markers shall be  
24 placed outside of the building at each entrance used by  
25 voters to enter that building on the grounds adjacent to the  
26 thoroughfare or walkway. If the polling room is located  
27 within a public or private building with 2 or more floors and  
28 the polling room is located on the ground floor, then the  
29 markers shall be placed 100 horizontal feet from each  
30 entrance to the polling room used by voters to engage in  
31 voting. If the polling room is located in a public or private  
32 building with 2 or more floors and the polling room is  
33 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 The area on polling place property beyond the campaign  
8 free zone, whether publicly or privately owned, is a public  
9 forum for the time that the polls are open on an election  
10 day. At the request of election officers any publicly owned  
11 building must be made available for use as a polling place. A  
12 person shall have the right to congregate and engage in  
13 electioneering on any polling place property while the polls  
14 are open beyond the campaign free zone, including but not  
15 limited to, the placement of temporary signs. This subsection  
16 shall be construed liberally in favor of persons engaging in  
17 electioneering on all polling place property beyond the  
18 campaign free zone for the time that the polls are open on an  
19 election day.

20 (c) The regulation of electioneering on polling place  
21 property on an election day, including but not limited to the  
22 placement of temporary signs, is an exclusive power and  
23 function of the State. A home rule unit may not regulate  
24 electioneering and any ordinance or local law contrary to  
25 subsection (b) is declared void. This is a denial and  
26 limitation of home rule powers and functions under subsection  
27 (h) of Section 6 of Article VII of the Illinois Constitution.

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

29 (10 ILCS 5/19-4) (from Ch. 46, par. 19-4)

30 Sec. 19-4. Mailing or delivery of ballots - Time.)  
31 Immediately upon the receipt of such application either by  
32 mail, not more than 40 days nor less than 5 days prior to  
33 such election, or by personal delivery not more than 40 days

1 nor less than one day prior to such election, at the office  
2 of such election authority, it shall be the duty of such  
3 election authority to examine the records to ascertain  
4 whether or not such applicant is lawfully entitled to vote as  
5 requested, and if found so to be, to post within one business  
6 day thereafter the name, street address, ward and precinct  
7 number or township and district number, as the case may be,  
8 of such applicant given on a list, the pages of which are to  
9 be numbered consecutively to be kept by such election  
10 authority for such purpose in a conspicuous, open and public  
11 place accessible to the public at the entrance of the office  
12 of such election authority, and in such a manner that such  
13 list may be viewed without necessity of requesting permission  
14 therefor, and within 2 business days thereafter to mail,  
15 postage prepaid, or deliver in person in such office an  
16 official ballot or ballots if more than one are to be voted  
17 at said election. Each election authority that has a website  
18 or establishes a website after the effective date of this  
19 amendatory Act of the 93rd General Assembly shall post on its  
20 website the list described above within one business day.  
21 Each election authority that does not have a website on or  
22 after the effective date of this amendatory Act of the 93rd  
23 General Assembly shall make available to members of the  
24 public on a daily basis a copy of the above list in  
25 electronic format. Mail delivery of Temporarily Absent  
26 Student ballot applications pursuant to Section 19-12.3 shall  
27 be by nonforwardable mail. However, for the consolidated  
28 election, absentee ballots for certain precincts may be  
29 delivered to applicants not less than 25 days before the  
30 election if so much time is required to have prepared and  
31 printed the ballots containing the names of persons nominated  
32 for offices at the consolidated primary. The election  
33 authority shall enclose with each absentee ballot or  
34 application written instructions on how voting assistance

1 shall be provided pursuant to Section 17-14 and a document,  
2 written and approved by the State Board of Elections,  
3 enumerating the circumstances under which a person is  
4 authorized to vote by absentee ballot pursuant to this  
5 Article; such document shall also include a statement  
6 informing the applicant that if he or she falsifies or is  
7 solicited by another to falsify his or her eligibility to  
8 cast an absentee ballot, such applicant or other is subject  
9 to penalties pursuant to Section 29-10 and Section 29-20 of  
10 the Election Code. Each election authority shall maintain a  
11 list of the name, street address, ward and precinct, or  
12 township and district number, as the case may be, of all  
13 applicants who have returned absentee ballots to such  
14 authority, and the name of such absent voter shall be added  
15 to such list within one business day from receipt of such  
16 ballot. If the absentee ballot envelope indicates that the  
17 voter was assisted in casting the ballot, the name of the  
18 person so assisting shall be included on the list. The list,  
19 the pages of which are to be numbered consecutively, shall be  
20 kept by each election authority in a conspicuous, open, and  
21 public place accessible to the public at the entrance of the  
22 office of the election authority and in a manner that the  
23 list may be viewed without necessity of requesting permission  
24 for viewing.

25 Each election authority shall maintain a list for each  
26 election of the voters to whom it has issued absentee  
27 ballots. The list shall be maintained for each precinct  
28 within the jurisdiction of the election authority. Prior to  
29 the opening of the polls on election day, the election  
30 authority shall deliver to the judges of election in each  
31 precinct the list of registered voters in that precinct to  
32 whom absentee ballots have been issued by mail.

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

1 student ballots. The list shall be maintained for each  
2 election jurisdiction within which such voters temporarily  
3 abide. Immediately after the close of the period during  
4 which application may be made by mail for absentee ballots,  
5 each election authority shall mail to each other election  
6 authority within the State a certified list of all such  
7 voters temporarily abiding within the jurisdiction of the  
8 other election authority.

9 In the event that the return address of an application  
10 for ballot by a physically incapacitated elector is that of a  
11 facility licensed or certified under the Nursing Home Care  
12 Act, within the jurisdiction of the election authority, and  
13 the applicant is a registered voter in the precinct in which  
14 such facility is located, the ballots shall be prepared and  
15 transmitted to a responsible judge of election no later than  
16 9 a.m. on the Saturday, Sunday or Monday immediately  
17 preceding the election as designated by the election  
18 authority under Section 19-12.2. Such judge shall deliver in  
19 person on the designated day the ballot to the applicant on  
20 the premises of the facility from which application was made.  
21 The election authority shall by mail notify the applicant in  
22 such facility that the ballot will be delivered by a judge of  
23 election on the designated day.

24 All applications for absentee ballots shall be available  
25 at the office of the election authority for public inspection  
26 upon request from the time of receipt thereof by the election  
27 authority until 30 days after the election, except during the  
28 time such applications are kept in the office of the election  
29 authority pursuant to Section 19-7, and except during the  
30 time such applications are in the possession of the judges of  
31 election.

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

33 (10 ILCS 5/19-10) (from Ch. 46, par. 19-10)

1           Sec. 19-10. Pollwatchers may be appointed to observe  
2 in-person absentee voting procedures at the office of the  
3 election authority as well as at municipal, township or road  
4 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.

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

22           Where certain absent voters' ballots are counted on the  
23 day of the election in the office of the election authority  
24 as provided in Section 19-8 of this Act, each political  
25 party, candidate and qualified civic organization shall be  
26 entitled to have present one pollwatcher for each panel of  
27 election judges therein assigned. Such pollwatchers shall be  
28 subject to the same provisions as are provided for  
29 pollwatchers in Sections 7-34 and 17-23 of this Code, and  
30 shall be permitted to observe the election judges making the  
31 signature comparison between that which is on the ballot  
32 envelope and that which is on the permanent voter  
33 registration record card taken from the master file.

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

1 (10 ILCS 5/22-5) (from Ch. 46, par. 22-5)

2 Sec. 22-5. Immediately after the completion of the  
3 abstracts of votes, the county clerk shall make 2 correct  
4 copies of the abstracts of votes for Governor, Lieutenant  
5 Governor, Secretary of State, State Comptroller, Treasurer,  
6 Attorney General, both of which said copies he shall envelope  
7 and seal up, and endorse upon the envelopes in substance,  
8 "Abstracts of votes for State Officers from .... County"; and  
9 shall seal up a copy of each of the abstracts of votes for  
10 other officers and amendments to the Constitution and other  
11 propositions voted on, and endorse the same so as to show the  
12 contents of the package, and address the same to the State  
13 Board of Elections. The several packages shall then be placed  
14 in one envelope and addressed to the State Board of  
15 Elections. The county clerk shall send the sealed envelope  
16 addressed to the State Board of Elections via overnight mail  
17 so it arrives at the address the following calendar day.

18 (Source: P.A. 78-592; 78-918; 78-1297.)

19 (10 ILCS 5/22-9) (from Ch. 46, par. 22-9)

20 Sec. 22-9. It shall be the duty of such Board of  
21 Canvassers to canvass, and add up and declare the result of  
22 every election hereafter held within the boundaries of such  
23 city, village or incorporated town, operating under Article 6  
24 of this Act, and the judge of the circuit court shall  
25 thereupon enter of record such abstract and result, and a  
26 certified copy of such record shall thereupon be filed with  
27 the County Clerk of the county; and such abstracts or results  
28 shall be treated, by the County Clerk in all respects, as if  
29 made by the Canvassing Board now provided by the foregoing  
30 sections of this law, and he shall transmit the same to the  
31 State Board of Elections, or other proper officer, as  
32 required hereinabove. The county clerk or board of election  
33 commissioners, as the case may be, shall send the abstract

1 and result in a sealed envelope addressed to the State Board  
2 of Elections via overnight mail so it arrives at the address  
3 the following calendar day. And such abstracts or results so  
4 entered and declared by such judge, and a certified copy  
5 thereof, shall be treated everywhere within the state, and by  
6 all public officers, with the same binding force and effect  
7 as the abstract of votes now authorized by the foregoing  
8 provisions of this Act.

9 (Source: P.A. 78-918.)

10 (10 ILCS 5/22-15) (from Ch. 46, par. 22-15)

11 Sec. 22-15. The county clerk or board of election  
12 commissioners shall, upon request, and by mail if so  
13 requested, furnish free of charge to any candidate for State  
14 office, including State Senator and Representative in the  
15 General Assembly, and any candidate for congressional office,  
16 whose name appeared upon the ballot within the jurisdiction  
17 of the county clerk or board of election commissioners, a  
18 copy of the abstract of votes by precinct for all candidates  
19 for the office for which such person was a candidate. Such  
20 abstract shall be furnished no later than 2 days after the  
21 receipt of the request or 8 days after the completing of the  
22 canvass, whichever is later.

23 Within one calendar day ~~10-days~~ following the canvass and  
24 proclamation of each general primary election and general  
25 election, each election authority shall transmit to the  
26 principal office of the State Board of Elections copies of  
27 the abstracts of votes by precinct for the above-named  
28 offices and for the offices of ward, township, and precinct  
29 committeeman via overnight mail so that the abstract of votes  
30 arrives at the address the following calendar day. Each  
31 election authority shall also transmit to the principal  
32 office of the State Board of Elections copies of current  
33 precinct poll lists.



1 (Source: P.A. 83-880.)

2 (10 ILCS 5/23-15.1 new)

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

18 The State Board of Elections shall determine which  
19 software components of a voting system it deems necessary to  
20 enable the review and verification of the computer. The State  
21 Board of Elections shall secure and maintain all proprietary  
22 computer codes in strict confidence and shall make a computer  
23 code available to authorized persons in connection with an  
24 election contest or pursuant to any State or federal court  
25 order.

26 In an election contest, each party to the contest may  
27 designate one or more persons who are authorized to receive  
28 the computer code of the relevant voting systems. The person  
29 or persons authorized to receive the relevant computer code  
30 shall enter into a confidentiality agreement with the State  
31 Board of Elections and must exercise the highest degree of  
32 reasonable care to maintain the confidentiality of all  
33 proprietary information.

1 The State Board of Elections shall promulgate rules to  
2 provide for the security, review, and verification of  
3 computer codes. Verification includes, but is not limited to,  
4 determining that the computer code corresponds to computer  
5 instructions actually in use to count ballots. Nothing in  
6 this Section shall impair the obligation of any contract  
7 between a voting-systems vendor and an election authority  
8 that provides access to computer code that is equal to or  
9 greater than that provided by this Section.

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

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

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

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

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

20 (3) An indentation on the chad from the stylus or  
21 other object is present and indicates a clearly  
22 ascertainable intent of the voter to vote based on the  
23 totality of the circumstances, including but not limited  
24 to any pattern or frequency of indentations on other  
25 ballot positions from the same ballot card.

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

28 (c) For purposes of this Section, a "chad" is that  
29 portion of a ballot card that a voter punches or perforates  
30 with a stylus or other designated marking device to manifest  
31 his or her vote for a particular ballot position on a ballot  
32 card as defined in subsection (a). Chads shall be removed  
33 from ballot cards prior to their processing and tabulation in

1 election jurisdictions that utilize a ballot card as a means  
2 of recording votes at an election. Election jurisdictions  
3 that utilize a mechanical means or device for chad removal as  
4 a component of their tabulation shall use that means or  
5 device for chad removal.

6 (10 ILCS 5/24B-2)

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

8 "Computer", "automatic tabulating equipment" or  
9 "equipment" includes apparatus necessary to automatically  
10 examine and count votes as designated on ballots, and data  
11 processing machines which can be used for counting ballots  
12 and tabulating results.

13 "Ballot" means paper ballot sheets.

14 "Ballot configuration" means the particular combination  
15 of political subdivision ballots including, for each  
16 political subdivision, the particular combination of offices,  
17 candidate names and questions as it appears for each group of  
18 voters who may cast the same ballot.

19 "Ballot sheet" means a paper ballot printed on one or  
20 both sides which is (1) designed and prepared so that the  
21 voter may indicate his or her votes in designated areas,  
22 which must be areas clearly printed or otherwise delineated  
23 for such purpose, and (2) capable of having votes marked in  
24 the designated areas automatically examined, counted, and  
25 tabulated by an electronic scanning process.

26 "Central counting" means the counting of ballots in one  
27 or more locations selected by the election authority for the  
28 processing or counting, or both, of ballots. A location for  
29 central counting shall be within the territorial jurisdiction  
30 of the election authority unless there is no suitable  
31 tabulating equipment available within his territorial  
32 jurisdiction. However, in any event a counting location  
33 shall be within this State.

1 "Computer operator" means any person or persons  
2 designated by the election authority to operate the automatic  
3 tabulating equipment during any portion of the vote tallying  
4 process in an election, but shall not include judges of  
5 election operating vote tabulating equipment in the precinct.

6 "Computer program" or "program" means the set of  
7 operating instructions for the automatic tabulating equipment  
8 that examines, counts, tabulates, canvasses and prints votes  
9 recorded by a voter on a ballot.

10 "Edit listing" means a computer generated listing of the  
11 names of each candidate and proposition as they appear in the  
12 program for each precinct.

13 "Header sheet" means a data processing document which is  
14 coded to indicate to the computer the precinct identity of  
15 the ballots that will follow immediately and may indicate to  
16 the computer how such ballots are to be tabulated.

17 "In-precinct counting" means the counting of ballots on  
18 automatic tabulating equipment provided by the election  
19 authority in the same precinct polling place in which those  
20 ballots have been cast.

21 "Marking device" means a pen, computer, or other device  
22 or--similar--device approved by the State Board of Elections  
23 for marking, or causing to be marked, a paper ballot with ink  
24 or other substance which will enable the ballot to be  
25 tabulated by automatic tabulating equipment or by an  
26 electronic scanning process.

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

30 "Redundant count" means a verification of the original  
31 computer count by another count using compatible equipment or  
32 by hand as part of a discovery recount.

33 "Security designation" means a printed designation placed  
34 on a ballot to identify to the computer program the offices

1 and propositions for which votes may be cast and to indicate  
2 the manner in which votes cast should be tabulated while  
3 negating any inadmissible votes.

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

7 "Specimen ballot" means a representation of names of  
8 offices and candidates and statements of measures to be voted  
9 on which will appear on the official ballot or marking device  
10 on election day. The specimen ballot also contains the party  
11 and position number where applicable.

12 "Voting defect identification" means the capability to  
13 detect overvoted ballots or ballots which cannot be read by  
14 the automatic tabulating equipment.

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

17 "Voting system" or "electronic voting system" means that  
18 combination of equipment and programs used in the casting,  
19 examination and tabulation of ballots and the cumulation and  
20 reporting of results by electronic means.

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

22 (10 ILCS 5/24B-6)

23 Sec. 24B-6. Ballot Information; Arrangement; Electronic  
24 Precinct Tabulation Optical Scan Technology Voting System;  
25 Absentee Ballots; Spoiled Ballots. The ballot information,  
26 shall, as far as practicable, be in the order of arrangement  
27 provided for paper ballots, except that the information may  
28 be in vertical or horizontal rows, or on a number of separate  
29 pages or displays on the marking device. Ballots for all  
30 questions or propositions to be voted on should be provided  
31 in a similar manner and must be arranged on the ballot sheet  
32 or marking device in the places provided for such purposes.  
33 Ballots shall be of white paper unless provided otherwise by

1 administrative rule of the State Board of Elections or  
2 otherwise specified.

3 All propositions, including but not limited to  
4 propositions calling for a constitutional convention,  
5 constitutional amendment, judicial retention, and public  
6 measures to be voted upon shall be placed on separate  
7 portions of the ballot sheet or marking device by utilizing  
8 borders or grey screens. Candidates shall be listed on a  
9 separate portion of the ballot sheet or marking device by  
10 utilizing borders or grey screens. Below the name of the  
11 last candidate listed for an office shall be printed or  
12 displayed a line or lines on which the voter may select a  
13 write-in candidate. Such line or lines shall be proximate to  
14 ~~the--name--of-a-candidate-or-candidates-may-be-written-by-the~~  
15 ~~voter,--and-proximate-to-such-lines~~ an area shall be provided  
16 for marking votes for the write-in candidate or candidates.  
17 The number of write-in lines for an office shall equal the  
18 number of candidates for which a voter may vote. More than  
19 one amendment to the constitution may be placed on the same  
20 portion of the ballot sheet or marking device. Constitutional  
21 convention or constitutional amendment propositions shall be  
22 printed or displayed on a separate portion of the ballot  
23 sheet or marking device and designated by borders or grey  
24 screens, unless otherwise provided by administrative rule of  
25 the State Board of Elections. More than one public measure  
26 or proposition may be placed on the same portion of the  
27 ballot sheet or marking device. More than one proposition  
28 for retention of judges in office may be placed on the same  
29 portion of the ballot sheet or marking device. Names of  
30 candidates shall be printed in black. The party affiliation  
31 of each candidate or the word "independent" shall appear near  
32 or under the candidate's name, and the names of candidates  
33 for the same office shall be listed vertically under the  
34 title of that office, on separate pages of the marking

1 device, or as otherwise approved by the State Board of  
2 Elections. In the case of nonpartisan elections for officers  
3 of political subdivisions, unless the statute or an ordinance  
4 adopted pursuant to Article VII of the Constitution requires  
5 otherwise, the listing of nonpartisan candidates shall not  
6 include any party or "independent" designation. Judicial  
7 retention questions and ballot questions for all public  
8 measures and other propositions shall be designated by  
9 borders or grey screens on the ballot or marking device.

10 ~~Judicial-retention-ballots-shall-be-designated-by-borders--or~~  
11 ~~grey--screens.---Ballots--for--all--public-measures-and-other~~  
12 ~~propositions-shall-be-designated-by-borders-or-grey--screens.~~

13 In primary elections, a separate ballot, or displays on the  
14 marking device, shall be used for each political party  
15 holding a primary, with the ballot or marking device arranged  
16 to include names of the candidates of the party and public  
17 measures and other propositions to be voted upon on the day  
18 of the primary election.

19 If the ballot includes both candidates for office and  
20 public measures or propositions to be voted on, the election  
21 official in charge of the election shall divide the ballot or  
22 displays on the marking device in sections for "Candidates"  
23 and "Propositions", or separate ballots may be used.

24 Absentee ballots may consist of envelopes, paper ballots  
25 or ballot sheets voted in person in the office of the  
26 election official in charge of the election or voted by mail.  
27 Where a Precinct Tabulation Optical Scan Technology ballot is  
28 used for voting by mail it must be accompanied by voter  
29 instructions.

30 Any voter who spoils his or her ballot, makes an error,  
31 or has a ballot returned by the automatic tabulating  
32 equipment may return the ballot to the judges of election and  
33 get another ballot.

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

1 (10 ILCS 5/24B-8)

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

13 In addition, in those polling places where in-precinct  
14 Precinct Tabulation Optical Scan Technology counting  
15 equipment is utilized, the judges of election shall make an  
16 operational check of the automatic Precinct Tabulation  
17 Optical Scan Technology tabulating equipment before the  
18 opening of the polls. The judges of election shall ensure  
19 that the totals are all zeroes in the count column on the  
20 Precinct Tabulation Optical Scan Technology unit.

21 Pollwatchers as provided by law shall be permitted to  
22 closely observe the judges in these procedures and to  
23 periodically inspect the Precinct Tabulation Optical Scan  
24 Technology equipment when not in use by the voters.

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

26 (10 ILCS 5/24B-9)

27 Sec. 24B-9. Testing of Precinct Tabulation Optical Scan  
28 Technology Equipment and Program; Custody of Programs, Test  
29 Materials and Ballots. Prior to the public test, the  
30 election authority shall conduct an errorless pre-test of the  
31 automatic Precinct Tabulation Optical Scan Technology  
32 tabulating equipment and program and marking device to  
33 determine that they will correctly detect Voting Defects and



1 count the votes cast for all offices and all measures. On any  
2 day not less than 5 days prior to the election day, the  
3 election authority shall publicly test the automatic Precinct  
4 Tabulation Optical Scan Technology tabulating equipment and  
5 program to determine that they will correctly detect Voting  
6 Defects and count the votes cast for all offices and on all  
7 measures. Public notice of the time and place of the test  
8 shall be given at least 48 hours before the test by  
9 publishing the notice in one or more newspapers within the  
10 election jurisdiction of the election authority, if a  
11 newspaper is published in that jurisdiction. If a newspaper  
12 is not published in that jurisdiction, notice shall be  
13 published in a newspaper of general circulation in that  
14 jurisdiction. Timely written notice stating the date, time,  
15 and location of the public test shall also be provided to the  
16 State Board of Elections. The test shall be open to  
17 representatives of the political parties, the press,  
18 representatives of the State Board of Elections, and the  
19 public. The test shall be conducted by processing a  
20 preaudited group of ballots marked to record a predetermined  
21 number of valid votes for each candidate and on each measure,  
22 and shall include for each office one or more ballots having  
23 votes exceeding the number allowed by law to test the ability  
24 of the automatic tabulating equipment or marking device to  
25 reject the votes. The test shall also include producing an  
26 edit listing. In those election jurisdictions where  
27 in-precinct counting equipment is used, a public test of both  
28 the equipment and program shall be conducted as nearly as  
29 possible in the manner prescribed above. The State Board of  
30 Elections may select as many election jurisdictions as the  
31 Board deems advisable in the interests of the election  
32 process of this State, to order a special test of the  
33 automatic tabulating equipment and program before any regular  
34 election. The Board may order a special test in any election

1 jurisdiction where, during the preceding 12 months, computer  
2 programming errors or other errors in the use of electronic  
3 voting systems resulted in vote tabulation errors. Not less  
4 than 30 days before any election, the State Board of  
5 Elections shall provide written notice to those selected  
6 jurisdictions of their intent to conduct a test. Within 5  
7 days of receipt of the State Board of Elections' written  
8 notice of intent to conduct a test, the selected  
9 jurisdictions shall forward to the principal office of the  
10 State Board of Elections a copy of all specimen ballots. The  
11 State Board of Elections' tests shall be conducted and  
12 completed not less than 2 days before the public test  
13 utilizing testing materials supplied by the Board and under  
14 the supervision of the Board, and the Board shall reimburse  
15 the election authority for the reasonable cost of computer  
16 time required to conduct the special test. After an  
17 errorless test, materials used in the public test, including  
18 the program, if appropriate, shall be sealed and remain  
19 sealed until the test is run again on election day. If any  
20 error is detected, the cause of the error shall be determined  
21 and corrected, and an errorless public test shall be made  
22 before the automatic tabulating equipment is approved. Each  
23 election authority shall file a sealed copy of each tested  
24 program to be used within its jurisdiction at an election  
25 with the State Board of Elections before the election. The  
26 Board shall secure the program or programs of each election  
27 jurisdiction so filed in its office for the 60 days following  
28 the canvass and proclamation of election results. At the  
29 expiration of that time, if no election contest or appeal is  
30 pending in an election jurisdiction, the Board shall return  
31 the sealed program or programs to the election authority of  
32 the jurisdiction. Except where in-precinct counting  
33 equipment is used, the test shall be repeated immediately  
34 before the start of the official counting of the ballots, in

1 the same manner as set forth above. After the completion of  
2 the count, the test shall be re-run using the same program.  
3 Immediately after the re-run, all material used in testing  
4 the program and the programs shall be sealed and retained  
5 under the custody of the election authority for a period of  
6 60 days. At the expiration of that time the election  
7 authority shall destroy the voted ballots, together with all  
8 unused ballots returned from the precincts. Provided, if any  
9 contest of election is pending at the time in which the  
10 ballots may be required as evidence and the election  
11 authority has notice of the contest, the same shall not be  
12 destroyed until after the contest is finally determined. If  
13 the use of back-up equipment becomes necessary, the same  
14 testing required for the original equipment shall be  
15 conducted.

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

17 (10 ILCS 5/24B-9.1)

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

21 (a) Examination of Votes by Electronic Precinct  
22 Tabulation Optical Scan Technology Scanning Process. Whenever  
23 a Precinct Tabulation Optical Scan Technology process is used  
24 to automatically examine and count the votes on ballot  
25 sheets, the provisions of this Section shall apply. A voter  
26 shall cast a proper vote on a ballot sheet by making a mark,  
27 or causing a mark to be made, in the designated area for the  
28 casting of a vote for any party or candidate or for or  
29 against any proposition. For this purpose, a mark is an  
30 intentional darkening of the designated area on the ballot  
31 sheet, and not an identifying mark.

32 (b) For any ballot sheet that does not register a vote  
33 for one or more ballot positions on the ballot sheet on a

1 Electronic Precinct Tabulation Optical Scan Technology  
2 Scanning Process, the following shall constitute a vote on  
3 the ballot sheet:

4 (1) The designated area for casting a vote for a  
5 particular ballot position on the ballot sheet is fully  
6 darkened or shaded in;

7 (2) The designated area for casting a vote for a  
8 particular ballot position on the ballot sheet is  
9 partially darkened or shaded in;

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

13 (4) The designated area for casting a vote for a  
14 particular ballot position on the ballot sheet contains  
15 some other type of mark that indicates the clearly  
16 ascertainable intent of the voter to vote based on the  
17 totality of the circumstances, including but not limited  
18 to any pattern or frequency of marks on other ballot  
19 positions from the same ballot sheet.

20 (5) The designated area for casting a vote for a  
21 particular ballot position on the ballot sheet is not  
22 marked, but the ballot sheet contains other markings  
23 associated with a particular ballot position, such as  
24 circling a candidate's name, that indicates the clearly  
25 ascertainable intent of the voter to vote, based on the  
26 totality of the circumstances, including but not limited  
27 to, any pattern or frequency of markings on other ballot  
28 positions from the same ballot sheet.

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

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

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

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

19 (10 ILCS 5/24B-10)

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

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

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

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

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

1 purpose labeled "Duplicate Ballots".

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

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



1 and again opened and one of the precinct transport judges  
2 shall publicly draw out so many ballots unopened as are  
3 equal to the excess.

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

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

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

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

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

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

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

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

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

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

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

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

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

28 (3) A single ballot box, for the deposit of all  
29 votes cast, shall be used. Immediately after the closing  
30 of the polls the judges of election shall examine the  
31 absentee ballots received by the precinct judges of  
32 election from the election authority of voters in that  
33 precinct to determine that they comply with the  
34 provisions of Sections 19-9, 20-8 and 20-9 of this Code

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

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

17 At the central counting location there shall be one  
18 or more teams of tally judges who possess the same  
19 qualifications as tally judges in election jurisdictions  
20 using paper ballots. The number of the teams shall be  
21 determined by the election authority. Each team shall  
22 consist of 5 tally judges, 3 selected and approved by the  
23 county board from a certified list furnished by the  
24 chairman of the county central committee of the party  
25 with the majority of members on the county board and 2  
26 selected and approved by the county board from a  
27 certified list furnished by the chairman of the county  
28 central committee of the party with the second largest  
29 number of members on the county board. At the central  
30 counting location a team of tally judges shall open the  
31 ballot box and canvass the votes polled to determine that  
32 the number of ballot sheets therein agree with the number  
33 of voters voting as shown by the applications for ballot  
34 and for absentee ballot; and, if the same do not agree,



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

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

31 (b) Regardless of which procedure described in  
32 subsection (a) of this Section is used, the judges of  
33 election designated to transport the ballots properly signed  
34 and sealed, shall ensure that the ballots are delivered to

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

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

18 (10 ILCS 5/24B-10.1)

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

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

1 refeeding of ballots unless provided a code from an  
2 authorized representative of the election authority. At the  
3 option of the election authority, the ballots may be fed into  
4 the Precinct Tabulation Optical Scan Technology equipment by  
5 the voters under the direct supervision of the judges of  
6 elections.

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

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

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

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

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

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

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

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

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

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

25 The precinct judges of election shall select a  
26 bi-partisan team of 2 judges, who shall immediately return  
27 the ballots in a sealed container, along with all other  
28 election materials as instructed by the election authority;  
29 provided, however, that such container must first be sealed  
30 by the election judges with filament tape or other approved  
31 sealing devices provided for the purpose which shall be  
32 wrapped around the container lengthwise and crosswise, at  
33 least twice each way, in a manner that the ballots cannot be  
34 removed from the container without breaking the seal and

1 filament tape and disturbing any signatures affixed by the  
2 election judges to the container, or which other approved  
3 sealing devices are affixed in a manner approved by the  
4 election authority. The election authority shall keep the  
5 office of the election authority or any receiving stations  
6 designated by the authority, open for at least 12 consecutive  
7 hours after the polls close or until the ballots from all  
8 precincts with in-precinct counting equipment within the  
9 jurisdiction of the election authority have been returned to  
10 the election authority. Ballots returned to the office of  
11 the election authority which are not signed and sealed as  
12 required by law shall not be accepted by the election  
13 authority until the judges returning the ballots make and  
14 sign the necessary corrections. Upon acceptance of the  
15 ballots by the election authority, the judges returning the  
16 ballots shall take a receipt signed by the election authority  
17 and stamped with the time and date of the return. The  
18 election judges whose duty it is to return any ballots as  
19 provided shall, in the event the ballots cannot be found when  
20 needed, on proper request, produce the receipt which they are  
21 to take as above provided. The precinct judges of election  
22 shall also deliver the Precinct Tabulation Optical Scan  
23 Technology equipment to the election authority.

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

25 (10 ILCS 5/24B-15)

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

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



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

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

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

33         The results of this retabulation shall be treated in the  
34    same manner and have the same effect as the results of the

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

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

11 (10 ILCS 5/24B-18)

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

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

1 (10 ILCS 5/Art. 24C heading new)

2 ARTICLE 24C. DIRECT RECORDING ELECTRONIC VOTING SYSTEMS

3 (10 ILCS 5/24C-1 new)

4 Sec. 24C-1. Purpose. The purpose of this Article is to  
5 authorize the use of Direct Recording Electronic Voting  
6 Systems approved by the State Board of Elections. In a  
7 Direct Recording Electronic Voting System, voters cast votes  
8 by means of a ballot display provided with mechanical or  
9 electro-optical devices that can be activated by the voters  
10 to mark their choices for the candidates of their preference  
11 and for or against public questions. Such voting devices  
12 shall be capable of instantaneously recording such votes,  
13 storing such votes, producing a permanent paper record and  
14 tabulating such votes at the precinct or at one or more  
15 counting stations. This Article authorizes the use of Direct  
16 Recording Electronic Voting Systems for in-precinct counting  
17 applications and for in-person absentee voting in the office  
18 of the election authority and in the offices of local  
19 officials authorized by the election authority to conduct  
20 such absentee voting. All other absentee ballots must be  
21 counted at the office of the election authority.

22 (10 ILCS 5/24C-2 new)

23 Sec. 24C-2. Definitions. As used in this Article:

24 "Audit trail" or "audit capacity" means a continuous  
25 trail of evidence linking individual transactions related to  
26 the casting of a vote, the vote count and the summary record  
27 of vote totals, but which shall not allow for the  
28 identification of the voter. It shall permit verification of  
29 the accuracy of the count and detection and correction of  
30 problems and shall provide a record of each step taken in:  
31 defining and producing ballots and generating related  
32 software for specific elections; installing ballots and

1 software; testing system readiness; casting and tabulating  
2 ballots; and producing images of votes cast and reports of  
3 vote totals. The record shall incorporate system status and  
4 error messages generated during election processing,  
5 including a log of machine activities and routine and unusual  
6 intervention by authorized and unauthorized individuals.  
7 Also part of an audit trail is the documentation of such  
8 items as ballots delivered and collected, administrative  
9 procedures for system security, pre-election testing of  
10 voting systems, and maintenance performed on voting  
11 equipment. It also means that the voting system is capable  
12 of producing and shall produce immediately after a ballot is  
13 cast a permanent paper record of each ballot cast that shall  
14 be available as an official record for any recount, redundant  
15 count, or verification or retabulation of the vote count  
16 conducted with respect to any election in which the voting  
17 system is used.

18 "Ballot" means an electronic audio or video display or  
19 any other medium, including paper, used to record a voter's  
20 choices for the candidates of their preference and for or  
21 against public questions.

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

28 "Ballot image" means a corresponding representation in  
29 electronic or paper form of the mark or vote position of a  
30 ballot.

31 "Ballot label" or "ballot screen" means the display of  
32 material containing the names of offices and candidates and  
33 public questions to be voted on.

34 "Central counting" means the counting of ballots in one

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

8 "Computer", "automatic tabulating equipment" or  
9 "equipment" includes apparatus necessary to automatically  
10 examine and count votes as designated on ballots, and data  
11 processing machines which can be used for counting ballots  
12 and tabulating results.

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

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

22 "Direct recording electronic voting system", "voting  
23 system" or "system" means the total combination of  
24 mechanical, electromechanical or electronic equipment,  
25 programs and practices used to define ballots, cast and count  
26 votes, report or display election results, maintain or  
27 produce any audit trail information, identify all system  
28 components, test the system during development, maintenance  
29 and operation, maintain records of system errors and defects,  
30 determine specific system changes to be made to a system  
31 after initial qualification, and make available any materials  
32 to the voter such as notices, instructions, forms or paper  
33 ballots.

34 "Edit listing" means a computer generated listing of the

1 names of each candidate and public question as they appear in  
2 the program for each precinct.

3 "In-precinct counting" means the recording and counting  
4 of ballots on automatic tabulating equipment provided by the  
5 election authority in the same precinct polling place in  
6 which those ballots have been cast.

7 "Marking device" means any device approved by the State  
8 Board of Elections for marking a ballot so as to enable the  
9 ballot to be recorded, counted and tabulated by automatic  
10 tabulating equipment.

11 "Permanent paper record" means a paper record upon which  
12 shall be printed in human readable form the votes cast for  
13 each candidate and for or against each public question on  
14 each ballot recorded in the voting system. Each permanent  
15 paper record shall be printed by the voting device upon  
16 activation of the marking device by the voter and shall  
17 contain a unique, randomly assigned identifying number that  
18 shall correspond to the number randomly assigned by the  
19 voting system to each ballot as it is electronically  
20 recorded.

21 "Redundant count" means a verification of the original  
22 computer count of ballots by another count using compatible  
23 equipment or other means as part of a discovery recount,  
24 including a count of the permanent paper record of each  
25 ballot cast by using compatible equipment, different  
26 equipment approved by the State Board of Elections for that  
27 purpose, or by hand.

28 "Separate ballot" means a separate page or display screen  
29 of the ballot that is clearly defined and distinguishable  
30 from other portions of the ballot.

31 "Voting device" or "voting machine" means an apparatus  
32 that contains the ballot label or ballot screen and allows  
33 the voter to record his or her vote.

1 (10 ILCS 5/24C-3 new)

2 Sec. 24C-3. Adoption, experimentation or abandonment of  
3 Direct Recording Electronic Voting System; Boundaries of  
4 precincts; Notice. Except as otherwise provided in this  
5 Section, any county board, board of county commissioners and  
6 any board of election commissioners, with respect to  
7 territory within its jurisdiction, may adopt, experiment  
8 with, or abandon a Direct Recording Electronic Voting System  
9 approved for use by the State Board of Elections and may use  
10 such System in all or some of the precincts within its  
11 jurisdiction, or in combination with paper ballots or other  
12 voting systems. Any county board, board of county  
13 commissioners or board of election commissioners may contract  
14 for the tabulation of votes at a location outside its  
15 territorial jurisdiction when there is no suitable tabulating  
16 equipment available within its territorial jurisdiction. In  
17 no case may a county board, board of county commissioners or  
18 board of election commissioners contract or arrange for the  
19 purchase, lease or loan of a Direct Recording Electronic  
20 Voting System or System component without the approval of the  
21 State Board of Elections as provided by Section 24C-16.

22 Before any Direct Recording Electronic Voting System is  
23 introduced, adopted or used in any precinct or territory at  
24 least 2 months public notice must be given before the date of  
25 the first election where the System is to be used. The  
26 election authority shall publish the notice at least once in  
27 one or more newspapers published within the county or other  
28 jurisdiction, where the election is held. If there is no  
29 such newspaper, the notice shall be published in a newspaper  
30 published in the county and having a general circulation  
31 within such jurisdiction. The notice shall be substantially  
32 as follows:

33 "Notice is hereby given that on ... (give date) ..., at  
34 ... (give place where election is held) ... in the county of

1 ..., an election will be held for ... (give name of offices  
2 to be filled) ... at which a Direct Recording Electronic  
3 Voting System will be used."

4 Dated at ... this ... day of ... 20....?

5 This notice referred to shall be given only at the first  
6 election at which the Direct Recording Electronic Voting  
7 System is used.

8 (10 ILCS 5/24C-3.1 new)

9 Sec. 24C-3.1. Retention or consolidation or alteration of  
10 existing precincts; Change of location. When a Direct  
11 Recording Electronic Voting System is used, the county board  
12 or board of election commissioners may retain existing  
13 precincts or may consolidate, combine, alter, decrease or  
14 enlarge the boundaries of the precincts to change the number  
15 of registered voters of the precincts using the System,  
16 establishing the number of registered voters within each  
17 precinct at a number not to exceed 800 as the appropriate  
18 county board or board of election commissioners determines  
19 will afford adequate voting facilities and efficient and  
20 economical elections.

21 Except in the event of a fire, flood or total loss of  
22 heat in a place fixed or established pursuant to law by any  
23 county board or board of election commissioners as a polling  
24 place for an election, no election authority shall change the  
25 location of a polling place established for any precinct  
26 after notice of the place of holding the election for that  
27 precinct has been given as required under Article 12 unless  
28 the election authority notifies all registered voters in the  
29 precinct of the change in location by first class mail in  
30 sufficient time for the notice to be received by the  
31 registered voters in the precinct at least one day prior to  
32 the date of the election.



1 (10 ILCS 5/24C-4 new)

2 Sec. 24C-4. Use of Direct Recording Electronic Voting  
3 System; Requisites; Applicable procedure. Direct Recording  
4 Electronic Voting Systems may be used in elections provided  
5 that such Systems are approved for use by the State Board of  
6 Elections. So far as applicable, the procedure provided for  
7 voting paper ballots shall apply when Direct Recording  
8 Electronic Voting Systems are used. However, the provisions  
9 of this Article 24C will govern when there are conflicts.

10 (10 ILCS 5/24C-5 new)

11 Sec. 24C-5. Voting Stations. In precincts where a Direct  
12 Recording Electronic Voting System is used, a sufficient  
13 number of voting stations shall be provided for the use of  
14 the System according to the requirements determined by the  
15 State Board of Elections. Each station shall be placed in a  
16 manner so that no judge of election or pollwatcher is able to  
17 observe a voter casting a ballot.

18 (10 ILCS 5/24C-5.1 new)

19 Sec. 24C-5.1. Instruction of Voters; Instruction Model;  
20 Partiality to Political Party; Manner of Instruction. Before  
21 entering the voting booth each voter shall be offered  
22 instruction in using the Direct Recording Electronic Voting  
23 System. In instructing voters, no precinct official may show  
24 partiality to any political party or candidate. The duties  
25 of instruction shall be discharged by a judge from each of  
26 the political parties represented and they shall alternate  
27 serving as instructor so that each judge shall serve a like  
28 time at such duties. No instructions may be given inside a  
29 voting booth after the voter has entered the voting booth.

30 No precinct official or person assisting a voter may in  
31 any manner request, suggest, or seek to persuade or induce  
32 any voter to cast his or her vote for any particular ticket,

1 candidate, amendment, question or proposition. All  
2 instructions shall be given by precinct officials in a manner  
3 that it may be observed by other persons in the polling  
4 place.

5 (10 ILCS 5/24C-5.2 new)

6 Sec. 24C-5.2. Demonstration of Direct Recording  
7 Electronic Voting System; Placement in Public Library. When  
8 a Direct Recording Electronic Voting System is used in a  
9 forthcoming election, the election authority may provide, for  
10 the purpose of instructing voters in the election, one  
11 demonstrator Direct Recording Electronic Voting System unit  
12 for placement in any public library or in any other public or  
13 private building within the political subdivision where the  
14 election occurs. If the placement of a demonstrator takes  
15 place it shall be made available at least 30 days before the  
16 election.

17 (10 ILCS 5/24C-6 new)

18 Sec. 24C-6. Ballot Information; Arrangement; Direct  
19 Recording Electronic Voting System; Absentee Ballots; Spoiled  
20 Ballots. The ballot information, shall, as far as  
21 practicable, be in the order of arrangement provided for  
22 paper ballots, except that the information may be in vertical  
23 or horizontal rows, or on a number of separate pages or  
24 display screens.

25 Ballots for all public questions to be voted on should be  
26 provided in a similar manner and must be arranged on the  
27 ballot in the places provided for such purposes. All public  
28 questions, including but not limited to public questions  
29 calling for a constitutional convention, constitutional  
30 amendment, or judicial retention, shall be placed on the  
31 ballot separate and apart from candidates. Ballots for all  
32 public questions shall be clearly designated by borders or

1 different color screens. More than one amendment to the  
2 constitution may be placed on the same portion of the ballot  
3 sheet. Constitutional convention or constitutional amendment  
4 propositions shall be placed on a separate portion of the  
5 ballot and designated by borders or unique color screens,  
6 unless otherwise provided by administrative rule of the State  
7 Board of Elections. More than one public question may be  
8 placed on the same portion of the ballot. More than one  
9 proposition for retention of judges in office may be placed  
10 on the same portion of the ballot.

11 The party affiliation, if any, of each candidate or the  
12 word "independent", where applicable, shall appear near or  
13 under the candidate's name, and the names of candidates for  
14 the same office shall be listed vertically under the title of  
15 that office. In the case of nonpartisan elections for  
16 officers of political subdivisions, unless the statute or an  
17 ordinance adopted pursuant to Article VII of the Constitution  
18 requires otherwise, the listing of nonpartisan candidates  
19 shall not include any party or "independent" designation. In  
20 primary elections, a separate ballot shall be used for each  
21 political party holding a primary, with the ballot arranged  
22 to include names of the candidates of the party and public  
23 questions and other propositions to be voted upon on the day  
24 of the primary election.

25 If the ballot includes both candidates for office and  
26 public questions or propositions to be voted on, the election  
27 official in charge of the election shall divide the ballot in  
28 sections for "Candidates" and "Public Questions", or separate  
29 ballots may be used.

30 Any voter who spoils his or her ballot, makes an error,  
31 or has a ballot rejected by the automatic tabulating  
32 equipment shall be provided a means of correcting the ballot  
33 or obtaining a new ballot prior to casting his or her ballot.

34 Any election authority using a Direct Recording

1 Electronic Voting System may use voting systems approved for  
2 use under Articles 24A or 24B of this Code in conducting  
3 absentee voting in the office of the election authority or  
4 voted by mail.

5 (10 ILCS 5/24C-6.1 new)

6 Sec. 24C-6.1. Security Designation. In all elections  
7 conducted under this Article, ballots shall have a security  
8 designation. In precincts where more than one ballot  
9 configuration may be voted upon, ballots shall have a  
10 different security designation for each ballot configuration.  
11 If a precinct has only one possible ballot configuration, the  
12 ballots must have a security designation to identify the  
13 precinct and the election. Where ballots from more than one  
14 precinct are being tabulated, the ballots from each precinct  
15 must be clearly identified; official results shall not be  
16 generated unless the precinct identification for any precinct  
17 corresponds. When the tabulating equipment being used  
18 requires entering the program immediately before tabulating  
19 the ballots for each precinct, the precinct program may be  
20 used. The Direct Recording Electronic Voting System shall be  
21 designed to ensure that the proper ballot is selected for  
22 each polling place and for each ballot configuration and that  
23 the format can be matched to the software or firmware  
24 required to interpret it correctly. The system shall provide  
25 a means of programming each piece of equipment to reflect the  
26 ballot requirements of the election and shall include a means  
27 for validating the correctness of the program and of the  
28 program's installation in the equipment or in a programmable  
29 memory devise.

30 (10 ILCS 5/24C-7 new)

31 Sec. 24C-7. Write-In Ballots. A Direct Recording  
32 Electronic Voting System shall provide an acceptable method

1 for a voter to vote for a person whose name does not appear  
2 on the ballot using the same apparatus used to record votes  
3 for candidates whose name do appear on the ballot. Election  
4 authorities utilizing Direct Recording Electronic Voting  
5 Systems shall not use separate write-in ballots.

6 Below the name of the last candidate listed for an office  
7 shall be a space or spaces in which the name of a candidate  
8 or candidates may be written in or recorded by the voter. The  
9 number of write-in lines for an office shall equal the number  
10 of candidates for which a voter may vote.

11 (10 ILCS 5/24C-8 new)

12 Sec. 24C-8. Preparation for Use; Comparison of Ballots;  
13 Operational Checks of Direct Recording Electronic Voting  
14 Systems Equipment; Pollwatchers. The county clerk or board  
15 of election commissioners shall cause the approved Direct  
16 Recording Electronic Voting System equipment to be delivered  
17 to the polling places. Before the opening of the polls, all  
18 Direct Recording Voting System devices shall provide a  
19 printed record of the following, upon verification of the  
20 authenticity of the commands by a judge of election: the  
21 election's identification data, the equipment's unit  
22 identification, the ballot's format identification, the  
23 contents of each active candidate register by office and of  
24 each active public question register showing that they  
25 contain all zeros, all ballot fields that can be used to  
26 invoke special voting options, and other information needed  
27 to ensure the readiness of the equipment, and to accommodate  
28 administrative reporting requirements.

29 The Direct Recording Electronic Voting System shall  
30 provide a means of opening the polling place and readying the  
31 equipment for the casting of ballots. Such means shall  
32 incorporate a security seal, a password, or a data code  
33 recognition capability to prevent inadvertent or unauthorized

1 actuation of the poll-opening function. If more than one  
2 step is required, it shall enforce their execution in the  
3 proper sequence.

4 Pollwatchers as provided by law shall be permitted to  
5 closely observe the judges in these procedures and to  
6 periodically inspect the Direct Recording Electronic Voting  
7 System equipment when not in use by the voters.

8 (10 ILCS 5/24C-9 new)

9 Sec. 24C-9. Testing of Direct Recording Electronic Voting  
10 System Equipment and Programs; Custody of Programs, Test  
11 Materials and Ballots. Prior to the public test, the  
12 election authority shall conduct an errorless pre-test of the  
13 Direct Recording Electronic Voting System equipment and  
14 programs to determine that they will correctly detect voting  
15 defects and count the votes cast for all offices and all  
16 public questions. On any day not less than 5 days prior to  
17 the election day, the election authority shall publicly test  
18 the Direct Recording Electronic Voting System equipment and  
19 programs to determine that they will correctly detect voting  
20 errors and accurately count the votes legally cast for all  
21 offices and on all public questions. Public notice of the  
22 time and place of the test shall be given at least 48 hours  
23 before the test by publishing the notice in one or more  
24 newspapers within the election jurisdiction of the election  
25 authority, if a newspaper is published in that jurisdiction.  
26 If a newspaper is not published in that jurisdiction, notice  
27 shall be published in a newspaper of general circulation in  
28 that jurisdiction. Timely written notice stating the date,  
29 time, and location of the public test shall also be provided  
30 to the State Board of Elections. The test shall be open to  
31 representatives of the political parties, the press,  
32 representatives of the State Board of Elections, and the  
33 public. The test shall be conducted by entering a pre-

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

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

30 (10 ILCS 5/24C-10 new)

31 Sec. 24C-10. Recording of votes by Direct Recording  
32 Electronic Voting Systems.

33 Whenever a Direct Recording Electronic Voting System is



1 used to automatically record and count the votes on ballots,  
2 the provisions of this Section shall apply. A voter shall  
3 cast a proper vote on a ballot by marking the designated area  
4 for the casting of a vote for any party or candidate or for  
5 or against any public question. For this purpose, a mark is  
6 an intentional selection of the designated area on the ballot  
7 by appropriate means and which is not otherwise an  
8 identifying mark.

9 (10 ILCS 5/24C-11 new)

10 Sec. 24C-11. Functional requirements.

11 A Direct Recording Electronic Voting System shall, in  
12 addition to satisfying the other requirements of this  
13 Article, fulfill the following functional requirements:

14 (a) Provide a voter in a primary election with the means  
15 of casting a ballot containing votes for any and all  
16 candidates of the party or parties of his or her choice, and  
17 for any and all non-partisan candidates and public questions  
18 and preclude the voter from voting for any candidate of any  
19 other political party except when legally permitted. In a  
20 general election, the system shall provide the voter with  
21 means of selecting the appropriate number of candidates for  
22 any office, and of voting on any public question on the  
23 ballot to which he or she is entitled to vote.

24 (b) If a voter is not entitled to vote for particular  
25 candidates or public questions appearing on the ballot, the  
26 system shall prevent the selection of the prohibited votes.

27 (c) Once the proper ballot has been selected, the system  
28 devices shall provide a means of enabling the recording of  
29 votes and the casting of said ballot.

30 (d) System voting devices shall provide voting choices  
31 that are clear to the voter and labels indicating the names  
32 of every candidate and the text of every public question on  
33 the voter's ballot. Each label shall identify the selection

1 button or switch, or the active area of the ballot associated  
2 with it. The system shall be able to incorporate minimal,  
3 easy-to-follow on-screen instruction for the voter on how to  
4 cast a ballot.

5 (e) Voting devices shall (i) enable the voter to vote  
6 for any and all candidates and public questions appearing on  
7 the ballot for which the voter is lawfully entitled to vote,  
8 in any legal number and combination; (ii) detect and reject  
9 all votes for an office or upon a public question when the  
10 voter has cast more votes for the office or upon the public  
11 question than the voter is entitled to cast; (iii) notify the  
12 voter if the voter's choices as recorded on the ballot for an  
13 office or public question are fewer than or exceed the number  
14 that the voter is entitled to vote for on that office or  
15 public question and the effect of casting more votes than  
16 legally permitted; (iv) notify the voter if the voter has  
17 failed to completely cast a vote for an office or public  
18 question appearing the ballot; and (v) permit the voter, in a  
19 private and independent manner, to verify the votes selected  
20 by the voter, to change the ballot or to correct any error on  
21 the ballot before the ballot is cast and counted. A means  
22 shall be provided to indicate each selection after it has  
23 been made or canceled.

24 (f) System voting devices shall provide a means for the  
25 voter to signify that the selection of candidates and public  
26 questions has been completed. Upon activation, the system  
27 shall record an image of the completed ballot, increment the  
28 proper ballot position registers, and shall signify to the  
29 voter that the ballot has been cast. The system shall then  
30 prevent any further attempt to vote until it has been reset  
31 or re-enabled by a judge of election.

32 (g) Each system voting device shall be equipped with a  
33 public counter that can be set to zero prior to the opening  
34 of the polling place, and that records the number of ballots

1 cast at a particular election. The counter shall be  
2 incremented only by the casting of a ballot. The counter  
3 shall be designed to prevent disabling or resetting by other  
4 than authorized persons after the polls close. The counter  
5 shall be visible to all judges of election so long as the  
6 device is installed at the polling place.

7 (h) Each system voting device shall be equipped with a  
8 protective counter that records all of the testing and  
9 election ballots cast since the unit was built. This counter  
10 shall be designed so that its reading cannot be changed by  
11 any cause other than the casting of a ballot. The protective  
12 counter shall be incapable of ever being reset and it shall  
13 be visible at all times when the device is configured for  
14 testing, maintenance, or election use.

15 (i) All system devices shall provide a means of  
16 preventing further voting once the polling place has closed  
17 and after all eligible voters have voted. Such means of  
18 control shall incorporate a visible indication of system  
19 status. Each device shall prevent any unauthorized use,  
20 prevent tampering with ballot labels and preclude its  
21 re-opening once the poll closing has been completed for that  
22 election.

23 (j) The system shall produce a printed summary report of  
24 the votes cast upon each voting device. Until the proper  
25 sequence of events associated with closing the polling place  
26 has been completed, the system shall not allow the printing  
27 of a report or the extraction of data. The printed report  
28 shall also contain all system audit information to be  
29 required by the election authority. Data shall not be  
30 altered or otherwise destroyed by report generation and the  
31 system shall ensure the integrity and security of data for a  
32 period of at least 6 months after the polls close.

33 (k) If more than one voting device is used in a polling  
34 place, the system shall provide a means to manually or

1 electronically consolidate the data from all such units into  
2 a single report even if different voting systems are used to  
3 record absentee ballots. The system shall also be capable of  
4 merging the vote tabulation results produced by other vote  
5 tabulation systems, if necessary.

6 (l) System functions shall be implemented such that  
7 unauthorized access to them is prevented and the execution of  
8 authorized functions in an improper sequence is precluded.  
9 System functions shall be executable only in the intended  
10 manner and order, and only under the intended conditions. If  
11 the preconditions to a system function have not been met, the  
12 function shall be precluded from executing by the system's  
13 control logic.

14 (m) All system voting devices shall incorporate at least  
15 3 memories in the machine itself and in its programmable  
16 memory devices.

17 (n) The system shall include capabilities of recording  
18 and reporting the date and time of normal and abnormal events  
19 and of maintaining a permanent record of audit information  
20 that cannot be turned off. Provisions shall be made to  
21 detect and record significant events (e.g., casting a ballot,  
22 error conditions that cannot be disposed of by the system  
23 itself, time-dependent or programmed events that occur  
24 without the intervention of the voter or a judge of  
25 election).

26 (o) The system and each system voting device must be  
27 capable of creating, printing and maintaining a permanent  
28 paper record and an electronic image of each ballot that is  
29 cast such that records of individual ballots are maintained  
30 by a subsystem independent and distinct from the main vote  
31 detection, interpretation, processing and reporting path.  
32 The electronic images of each ballot must protect the  
33 integrity of the data and the anonymity of each voter, for  
34 example, by means of storage location scrambling. The ballot

1 image records may be either machine-readable or manually  
2 transcribed, or both, at the discretion of the election  
3 authority.

4 (p) The system shall include built-in test, measurement  
5 and diagnostic software and hardware for detecting and  
6 reporting the system's status and degree of operability.

7 (q) The system shall contain provisions for maintaining  
8 the integrity of memory voting and audit data during an  
9 election and for a period of at least 6 months thereafter and  
10 shall provide the means for creating an audit trail.

11 (r) The system shall be fully accessible so as to permit  
12 blind or visually impaired voters as well as physically  
13 disabled voters to exercise their right to vote in private  
14 and without assistance.

15 (s) The system shall provide alternative language  
16 accessibility if required pursuant to Section 203 of the  
17 Voting Rights Act of 1965.

18 (t) Each voting device shall enable a voter to vote for  
19 a person whose name does not appear on the ballot.

20 (u) The system shall record and count accurately each  
21 vote properly cast for or against any candidate and for or  
22 against any public question, including the names of all  
23 candidates whose names are written in by the voters.

24 (v) The system shall allow for accepting provisional  
25 ballots and for separating such provisional ballots from  
26 precinct totals until authorized by the election authority.

27 (w) The system shall provide an effective audit trail as  
28 defined in Section 24C-2 in this Code.

29 (x) The system shall be suitably designed for the  
30 purpose used, be durably constructed, and be designed for  
31 safety, accuracy and efficiency.

32 (y) The system shall comply with all provisions of  
33 Federal, State and local election laws and regulations and  
34 any future modifications to those laws and regulations.

1 (10 ILCS 5/24C-12 new)

2 Sec. 24C-12. Procedures for Counting and Tallying of  
3 Ballots.

4 In an election jurisdiction where a Direct Recording  
5 Electronic Voting System is used, the following procedures  
6 for counting and tallying the ballots shall apply:

7 Before the opening of the polls, the judges of elections  
8 shall assemble the voting equipment and devices and turn the  
9 equipment on. The judges shall, if necessary, take steps to  
10 activate the voting devices and counting equipment by  
11 inserting into the equipment and voting devices appropriate  
12 data cards containing passwords and data codes that will  
13 select the proper ballot formats selected for that polling  
14 place and that will prevent inadvertent or unauthorized  
15 activation of the poll-opening function. Before voting  
16 begins and before ballots are entered into the voting  
17 devices, the judges of election shall cause to be printed a  
18 record of the following: the election's identification data,  
19 the device's unit identification, the ballot's format  
20 identification, the contents of each active candidate  
21 register by office and of each active public question  
22 register showing that they contain all zero votes, all ballot  
23 fields that can be used to invoke special voting options, and  
24 other information needed to ensure the readiness of the  
25 equipment and to accommodate administrative reporting  
26 requirements. The judges must also check to be sure that the  
27 totals are all zeros in the counting columns and in the  
28 public counter affixed to the voting devices.

29 After the judges have determined that a person is  
30 qualified to vote, a voting device with the proper ballot to  
31 which the voter is entitled shall be enabled to be used by  
32 the voter. The ballot may then be cast by the voter by  
33 marking by appropriate means the designated area of the  
34 ballot for the casting of a vote for any candidate or for or

1 against any public question. The voter shall be able to vote  
2 for any and all candidates and public measures appearing on  
3 the ballot in any legal number and combination and the voter  
4 shall be able to delete, change or correct his or her  
5 selections before the ballot is cast. The voter shall be  
6 able to select candidates whose names do not appear upon the  
7 ballot for any office by entering electronically as many  
8 names of candidates as the voter is entitled to select for  
9 each office.

10 Upon completing his or her selection of candidates or  
11 public questions, the voter shall signify that voting has  
12 been completed by activating the appropriate button, switch  
13 or active area of the ballot screen associated with end of  
14 voting. Upon activation, the voting system shall record an  
15 image of the completed ballot, increment the proper ballot  
16 position registers, and shall signify to the voter that the  
17 ballot has been cast. Upon activation, the voting system  
18 shall also print a permanent paper record of each ballot cast  
19 as defined in Section 24C-2 of this Code. This permanent  
20 paper record shall either be self-contained within the voting  
21 device or shall be deposited by the voter into a secure  
22 ballot box. No permanent paper record shall be removed from  
23 the polling place except by election officials as authorized  
24 by this Article. All permanent paper records shall be  
25 preserved and secured by election officials in the same  
26 manner as paper ballots and shall be available as an official  
27 record for any recount, redundant count, or verification or  
28 retabulation of the vote count conducted with respect to any  
29 election in which the voting system is used. The voter  
30 shall exit the voting station and the voting system shall  
31 prevent any further attempt to vote until it has been  
32 properly re-activated. If a voting device has been enabled  
33 for voting but the voter leaves the polling place without  
34 casting a ballot, 2 judges of election, one from each of the

1 2 major political parties, shall spoil the ballot.

2 Throughout the election day and before the closing of the  
3 polls, no person may check any vote totals for any candidate  
4 or public question on the voting or counting equipment. Such  
5 equipment shall be programmed so that no person may reset the  
6 equipment for reentry of ballots unless provided the proper  
7 code from an authorized representative of the election  
8 authority.

9 The precinct judges of election shall check the public  
10 register to determine whether the number of ballots counted  
11 by the voting equipment agrees with the number of voters  
12 voting as shown by the applications for ballot. If the same  
13 do not agree, the judges of election shall immediately  
14 contact the offices of the election authority in charge of  
15 the election for further instructions. If the number of  
16 ballots counted by the voting equipment agrees with the  
17 number of voters voting as shown by the application for  
18 ballot, the number shall be listed on the "Statement of  
19 Ballots" form provided by the election authority.

20 The totals for all candidates and propositions shall be  
21 tabulated; and 4 copies of a "Certificate of Results" shall  
22 be printed by the automatic tabulating equipment; one copy  
23 shall be posted in a conspicuous place inside the polling  
24 place; and every effort shall be made by the judges of  
25 election to provide a copy for each authorized pollwatcher or  
26 other official authorized to be present in the polling place  
27 to observe the counting of ballots; but in no case shall the  
28 number of copies to be made available to pollwatchers be  
29 fewer than 4, chosen by lot by the judges of election. In  
30 addition, sufficient time shall be provided by the judges of  
31 election to the pollwatchers to allow them to copy  
32 information from the copy which has been posted.

33 If instructed by the election authority, the judges of  
34 election shall cause the tabulated returns to be transmitted



1 electronically to the offices of the election authority via  
2 modem or other electronic medium.

3 The precinct judges of election shall select a  
4 bi-partisan team of 2 judges, who shall immediately return  
5 the ballots in a sealed container, along with all other  
6 election materials and equipment as instructed by the  
7 election authority; provided, however, that such container  
8 must first be sealed by the election judges with filament  
9 tape or other approved sealing devices provided for the  
10 purpose in a manner that the ballots cannot be removed from  
11 the container without breaking the seal or filament tape and  
12 disturbing any signatures affixed by the election judges to  
13 the container. The election authority shall keep the office  
14 of the election authority or any receiving stations  
15 designated by the authority, open for at least 12 consecutive  
16 hours after the polls close or until the ballots and election  
17 material and equipment from all precincts within the  
18 jurisdiction of the election authority have been returned to  
19 the election authority. Ballots and election materials and  
20 equipment returned to the office of the election authority  
21 which are not signed and sealed as required by law shall not  
22 be accepted by the election authority until the judges  
23 returning the ballots make and sign the necessary  
24 corrections. Upon acceptance of the ballots and election  
25 materials and equipment by the election authority, the judges  
26 returning the ballots shall take a receipt signed by the  
27 election authority and stamped with the time and date of the  
28 return. The election judges whose duty it is to return any  
29 ballots and election materials and equipment as provided  
30 shall, in the event the ballots, materials or equipment  
31 cannot be found when needed, on proper request, produce the  
32 receipt which they are to take as above provided.

1 Sec. 24C-13. Absentee ballots; Proceedings at Location  
2 for Central Counting; Employees; Approval of List.

3 (a) All jurisdictions using Direct Recording Electronic  
4 Voting Systems shall use paper ballots or paper ballot sheets  
5 approved for use under Articles 16, 24A of 24B of this Code  
6 when conducting absentee voting except that Direct Recording  
7 Electronic Voting Systems may be used for in-person absentee  
8 voting conducted pursuant to Section 19-2.1 of this Code.  
9 All absentee ballots shall be counted at the office of the  
10 election authority. The provisions of Section 24A-9, 24B-9  
11 and 24C-9 of this Code shall apply to the testing and notice  
12 requirements for central count tabulation equipment,  
13 including comparing the signature on the ballot envelope with  
14 the signature of the voter on the permanent voter  
15 registration record card taken from the master file.  
16 Absentee ballots other than absentee ballots voted in person  
17 pursuant to Section 19-2.1 of this Code shall be examined and  
18 processed pursuant to Sections 19-9 and 20-9 of this Code.  
19 Vote results shall be recorded by precinct and shall be added  
20 to the vote results for the precinct in which the absent  
21 voter was eligible to vote prior to completion of the  
22 official canvass.

23 (b) All proceedings at the location for central counting  
24 shall be under the direction of the county clerk or board of  
25 election commissioners. Except for any specially trained  
26 technicians required for the operation of the Direct  
27 Recording Electronic Voting System, the employees at the  
28 counting station shall be equally divided between members of  
29 the 2 leading political parties and all duties performed by  
30 the employees shall be by teams consisting of an equal number  
31 of members of each political party. Thirty days before an  
32 election the county clerk or board of election commissioners  
33 shall submit to the chairman of each political party, for his  
34 or her approval or disapproval, a list of persons of his or

1 her party proposed to be employed. If a chairman fails to  
2 notify the election authority of his or her disapproval of  
3 any proposed employee within a period of 10 days thereafter  
4 the list shall be deemed approved.

5 (10 ILCS 5/24C-14 new)

6 Sec. 24C-14. Tabulating Votes; Direction; Presence of  
7 Public; Computer Operator's Log and Canvass. The procedure  
8 for tabulating the votes by the Direct Recording Electronic  
9 Voting System shall be under the direction of the election  
10 authority and shall conform to the requirements of the Direct  
11 Recording Electronic Voting System. During any  
12 election-related activity using the automatic Direct  
13 Recording Electronic Voting System equipment, the election  
14 authority shall make a reasonable effort to dedicate the  
15 equipment to vote processing to ensure the security and  
16 integrity of the system.

17 A reasonable number of pollwatchers shall be admitted to  
18 the counting location. Such persons may observe the  
19 tabulating process at the discretion of the election  
20 authority; however, at least one representative of each  
21 established political party and authorized agents of the  
22 State Board of Elections shall be permitted to observe this  
23 process at all times. No persons except those employed and  
24 authorized for the purpose shall touch any ballot, ballot  
25 box, return, or equipment.

26 The computer operator shall be designated by the election  
27 authority and shall be sworn as a deputy of the election  
28 authority. In conducting the vote tabulation and canvass,  
29 the computer operator must maintain a log which shall include  
30 the following information:

31 (a) alterations made to programs associated with the  
32 vote counting process;

33 (b) if applicable, console messages relating to the

1 program and the respective responses made by the  
2 operator;

3 (c) the starting time for each precinct counted, the  
4 number of ballots counted for each precinct, any  
5 equipment problems and, insofar as practicable, the  
6 number of invalid security designations encountered  
7 during that count; and

8 (d) changes and repairs made to the equipment during  
9 the vote tabulation and canvass.

10 The computer operator's log and canvass shall be  
11 available for public inspection in the office of the election  
12 authority for a period of 60 days following the proclamation  
13 of election results. A copy of the computer operator's log  
14 and the canvass shall be transmitted to the State Board of  
15 Elections upon its request and at its expense.

16 (10 ILCS 5/24C-15 new)

17 Sec. 24C-15. Official Return of Precinct; Check of  
18 Totals; Audit. The precinct return printed by the Direct  
19 Recording Electronic Voting System tabulating equipment shall  
20 include the number of ballots cast and votes cast for each  
21 candidate and public question and shall constitute the  
22 official return of each precinct. In addition to the  
23 precinct return, the election authority shall provide the  
24 number of applications for ballots in each precinct, the  
25 total number of ballots and absentee ballots counted in each  
26 precinct for each political subdivision and district and the  
27 number of registered voters in each precinct. However, the  
28 election authority shall check the totals shown by the  
29 precinct return and, if there is an obvious discrepancy  
30 regarding the total number of votes cast in any precinct,  
31 shall have the ballots for that precinct audited to correct  
32 the return. The procedures for this audit shall apply prior  
33 to and after the proclamation is completed; however, after

1 the proclamation of results, the election authority must  
2 obtain a court order to unseal voted ballots or voting  
3 devices except for election contests and discovery recounts.  
4 The certificate of results, which has been prepared and  
5 signed by the judges of election in the polling place after  
6 the ballots have been tabulated, shall be the document used  
7 for the canvass of votes for such precinct. Whenever a  
8 discrepancy exists during the canvass of votes between the  
9 unofficial results and the certificate of results, or  
10 whenever a discrepancy exists during the canvass of votes  
11 between the certificate of results and the set of totals  
12 reflected on the certificate of results, the ballots for that  
13 precinct shall be audited to correct the return.

14 Prior to the proclamation, the election authority shall  
15 test the voting devices and equipment in 1% of the precincts  
16 within the election jurisdiction. The precincts to be tested  
17 shall be selected after election day on a random basis by the  
18 election authority, so that every precinct in the election  
19 jurisdiction has an equal mathematical chance of being  
20 selected. The State Board of Elections shall design a  
21 standard and scientific random method of selecting the  
22 precincts that are to be tested, and the election authority  
23 shall be required to use that method. The State Board of  
24 Elections, the State's Attorney and other appropriate law  
25 enforcement agencies, the county chairman of each established  
26 political party and qualified civic organizations shall be  
27 given prior written notice of the time and place of the  
28 random selection procedure and may be represented at the  
29 procedure.

30 The test shall be conducted by counting the votes marked  
31 on the permanent paper record of each ballot cast in the  
32 tested precinct printed by the voting system at the time that  
33 each ballot was cast and comparing the results of this count  
34 with the results shown by the certificate of results prepared

1 by the Direct Recording Electronic voting system in the test  
2 precinct. The election authority shall test count these  
3 votes either by hand or by using an automatic tabulating  
4 device other than a Direct Recording Electronic voting device  
5 that has been approved by the State Board of Elections for  
6 that purpose and tested before use to ensure accuracy. The  
7 election authority shall print the results of each test  
8 count. If any error is detected, the cause shall be  
9 determined and corrected, and an errorless count shall be  
10 made prior to the official canvass and proclamation of  
11 election results. If an errorless count cannot be conducted  
12 and there continues to be difference in vote results between  
13 the certificate of results produced by the Direct Recording  
14 Electronic voting system and the count of the permanent paper  
15 records or if an error was detected and corrected, the  
16 election authority shall immediately prepare and forward to  
17 the appropriate canvassing board a written report explaining  
18 the results of the test and any errors encountered and the  
19 report shall be made available for public inspection.

20 The State Board of Elections, the State's Attorney and  
21 other appropriate law enforcement agencies, the county  
22 chairman of each established political party and qualified  
23 civic organizations shall be given prior written notice of  
24 the time and place of the test and may be represented at the  
25 test.

26 The results of this post-election test shall be treated  
27 in the same manner and have the same effect as the results of  
28 the discovery procedures set forth in Section 22-9.1 of this  
29 Code.

30 (10 ILCS 5/24C-15.01 new)

31 Sec. 24C-15.01. Transporting Ballots to Central Counting  
32 Station; Container. Upon completion of the tabulation, audit  
33 or test of voting equipment pursuant to Sections 24C-11

1 through 24C-15, the ballots and the medium containing the  
2 ballots from each precinct shall be replaced in the container  
3 in which they were transported to the central counting  
4 station. If the container is not a type which may be  
5 securely locked, then each container, before being  
6 transferred from the counting station to storage, shall be  
7 securely sealed.

8 (10 ILCS 5/24C-15.1 new)

9 Sec. 24C-15.1. Discovery, Recounts and Election Contests.  
10 Except as provided, discovery recounts and election contests  
11 shall be conducted as otherwise provided for in this Code.  
12 The Direct Recording Electronic Voting System equipment shall  
13 be tested prior to the discovery recount or election contest  
14 as provided in Section 24C-9, and then the official ballots  
15 shall be audited.

16 Any person who has filed a petition for discovery recount  
17 may request that a redundant count be conducted in those  
18 precincts in which the discovery recount is being conducted.  
19 The additional costs of a redundant count shall be borne by  
20 the requesting party.

21 The log of the computer operator and all materials  
22 retained by the election authority in relation to vote  
23 tabulation and canvass shall be made available for any  
24 discovery recount or election contest.

25 (10 ILCS 5/24C-16 new)

26 Sec. 24C-16. Approval of Direct Recording Electronic  
27 Voting Systems; Requisites. The State Board of Elections  
28 shall approve all Direct Recording Electronic Voting Systems  
29 that fulfill the functional requirements provided by Section  
30 24C-11 of this Code, the mandatory requirements of the  
31 federal voting system standards pertaining to Direct  
32 Recording Electronic voting systems promulgated by the

1 Federal Election Commission or the Election Assistance  
2 Commission, the testing requirements of an approved  
3 independent testing authority and the rules of the State  
4 Board of Elections.

5 The State Board of Elections is authorized to withdraw  
6 its approval of a Direct Recording Electronic Voting System  
7 if the System, once approved, fails to fulfill the above  
8 requirements.

9 No vendor, person or other entity may sell, lease or loan  
10 a Direct Recording Electronic Voting System or system  
11 component to any election jurisdiction unless the system or  
12 system component is first approved by the State Board of  
13 Elections pursuant to this Section.

14 (10 ILCS 5/24C-17 new)

15 Sec. 24C-17. Rules; Number of Voting Stations. The State  
16 Board of Elections may make reasonable rules for the  
17 administration of this Article and may prescribe the number  
18 of voting stations required for the various types of voting  
19 systems.

20 (10 ILCS 5/24C-18 new)

21 Sec. 24C-18. Specimen Ballots; Publication. When a  
22 Direct Recording Electronic Voting System is used, the  
23 election authority shall cause to be published, at least 5  
24 days before the day of each general and general primary  
25 election, in 2 or more newspapers published in and having a  
26 general circulation in the county, a true and legible copy of  
27 the specimen ballot containing the names of offices and  
28 candidates and public questions to be voted on, as near as  
29 may be, in the form in which they will appear on the official  
30 ballot on election day. A true legible copy may be in the  
31 form of an actual size ballot and shall be published as  
32 required by this Section if distributed in 2 or more



1 newspapers published and having a general circulation in the  
2 county as an insert. For each election prescribed in Article  
3 2A of this Code, specimen ballots shall be made available for  
4 public distribution and shall be supplied to the judges of  
5 election for posting in the polling place on the day of  
6 election. Notice for the consolidated elections shall be  
7 given as provided in Article 12.

8 (10 ILCS 5/24C-19 new)

9 Sec. 24C-19. Additional Method of Voting. The foregoing  
10 Sections of this Article shall be deemed to provide a method  
11 of voting in addition to the methods otherwise provided in  
12 this Code.

13 Section 10. The State Finance Act is amended by adding  
14 Section 5.595 as follows:

15 (30 ILCS 105/5.595 new)

16 Sec. 5.595. The Help Illinois Vote Fund.

17 Section 15. The Property Tax Code is amended by changing  
18 Section 5-5 as follows:

19 (35 ILCS 200/5-5)

20 Sec. 5-5. Election of commissioners of board of review;  
21 counties of 3,000,000 or more.

22 (a) In counties with 3,000,000 or more inhabitants, on  
23 the first Tuesday after the first Monday in November 1994, 2  
24 commissioners of the board of appeals shall be elected to  
25 hold office from the first Monday in December following their  
26 election and until the first Monday in December 1998. In case  
27 of any vacancy, the chief judge of the circuit court or any  
28 judge of that circuit designated by the chief judge shall  
29 fill the vacancy by appointment. The commissioners shall be

1 electors in the particular county at the time of their  
2 election or appointment and shall hold no other lucrative  
3 public office or public employment. Each commissioner shall  
4 receive compensation fixed by the county board, which shall  
5 be paid out of the county treasury and which shall not be  
6 changed during the term for which any commissioner is elected  
7 or appointed. Effective the first Monday in December 1998,  
8 the board of appeals is abolished.

9 The board of appeals shall maintain sufficient  
10 evidentiary records to support all decisions made by the  
11 board of appeals. All records, data, sales/ratio studies,  
12 and other information necessary for the board of review  
13 elected under subsection (c) to perform its functions and  
14 duties shall be transferred by the board of appeals to the  
15 board of review on the first Monday in December 1998.

16 (b) (Blank).

17 (c) In each county with 3,000,000 or more inhabitants,  
18 there is created a board of review. The board of review shall  
19 consist of 3 commissioners, one elected from each election  
20 district in the county at the general election in 1998 to  
21 hold office for a term beginning on the first Monday in  
22 December following their election and until their respective  
23 successors are elected and qualified.

24 No later than June 1, 1996, the General Assembly shall  
25 establish the boundaries for the 3 election districts in each  
26 county with 3,000,000 or more inhabitants. The election  
27 districts shall be compact, contiguous, and have  
28 substantially the same population based on the 1990 federal  
29 decennial census. One district shall be designated as the  
30 first election district, one as the second election district,  
31 and one as the third election district. The commissioner from  
32 each district shall be elected to a term of 4 years.

33 In the year following each federal decennial census, the  
34 General Assembly shall reapportion the election districts to

1 reflect the results of the census. The reapportioned  
2 districts shall be compact, contiguous, and contain  
3 substantially the same population. The commissioner from the  
4 first district shall be elected to terms of 4 years, 4 years,  
5 and 2 years. The commissioner from the second district shall  
6 be elected to terms of 4 years, 2 years, and 4 years. The  
7 commissioner from the third district shall be elected to  
8 terms of 2 years, 4 years, and 4 years.

9 In case of vacancy, the chief judge of the circuit court  
10 or any judge of the circuit court designated by the chief  
11 judge shall fill the vacancy by appointment of a person from  
12 the same political party. If the vacancy is filled with more  
13 than 28 months remaining in the term, the appointed  
14 commissioner shall serve until the next general election, at  
15 which time a commissioner shall be elected to serve for the  
16 remainder of the term. If a vacancy is filled with 28 months  
17 or less remaining in the term, the appointment shall be for  
18 the remainder of the term. No commissioner may be elected or  
19 appointed to the board of review unless he or she has resided  
20 in the election district he or she seeks to represent for at  
21 least 2 years before the date of the election or appointment.  
22 In the election following each federal decennial census and  
23 board of review redistricting, a candidate for commissioner  
24 may be elected from any election district that contains a  
25 part of the election district in which he or she resided at  
26 the time of the redistricting and re-elected if a resident of  
27 the new district he or she represents for 18 months prior to  
28 re-election. The commissioners shall--be--electors--within  
29 their--respective--election--district--at--the--time--of--their  
30 election--or--appointment--and shall hold no other lucrative  
31 public office or public employment.

32 Each commissioner shall receive compensation fixed by the  
33 county board, which shall be paid from the county treasury.  
34 Compensation for each commissioner shall be equitable and

1 shall not be changed during the term for which that  
2 commissioner is elected or appointed. The county shall  
3 provide suitable office space for the board of review.

4 For the year beginning on the first Monday in December  
5 1998 and ending the first Monday in December 1999, and every  
6 fourth year thereafter, the chair of the board shall be the  
7 commissioner elected from the first district. For the year  
8 beginning the first Monday in December 1999 and ending the  
9 first Monday in December 2000, and every fourth year  
10 thereafter, the chair of the board shall be the commissioner  
11 elected from the second district. For the year beginning the  
12 first Monday in December 2000 and ending the first Monday in  
13 December 2001, and every fourth year thereafter, the chair  
14 shall be the commissioner elected from the third district.  
15 For the year beginning the first Monday in December 2001 and  
16 ending the first Monday in December 2002, and every fourth  
17 year thereafter, the chair of the board shall be determined  
18 by lot.

19 On and after the first Monday in December, 1998, any  
20 reference in this Code to a board of appeals shall mean the  
21 board of review created under this subsection, and any  
22 reference to a member of a board of review shall mean a  
23 commissioner of a board of review. Whenever it may be  
24 necessary for purposes of determining its jurisdiction, the  
25 board of review shall be deemed to succeed to the powers and  
26 duties of the former board of appeals; provided that the  
27 board of review shall also have all of the powers and duties  
28 granted to it under this Code. All action of the board of  
29 review shall be by a majority vote of its commissioners.

30 (Source: P.A. 91-393, eff. 7-30-99; 91-425, eff. 8-6-99.)

31 Section 20. The School Code is amended by changing  
32 Section 22-21 as follows:

1 (105 ILCS 5/22-21) (from Ch. 122, par. 22-21)

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

3 (a) Every school board shall offer to the appropriate  
4 officer or board having responsibility for providing polling  
5 places for elections the use of any and all buildings under  
6 its jurisdiction for any and all elections to be held, if so  
7 requested by such appropriate officer or board.

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

33 Notwithstanding any other provision of this Code, the  
34 area on polling place property beyond the campaign free zone,

1 whether publicly or privately owned, is a public forum for  
2 the time that the polls are open on an election day. At the  
3 request of election officers any publicly owned building must  
4 be made available for use as a polling place. A person shall  
5 have the right to congregate and engage in electioneering on  
6 any polling place property while the polls are open beyond  
7 the campaign free zone, including but not limited to, the  
8 placement of temporary signs. This subsection shall be  
9 construed liberally in favor of persons engaging in  
10 electioneering on all polling place property beyond the  
11 campaign free zone for the time that the polls are open on an  
12 election day.

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

14 Section 90. The State Mandates Act is amended by adding  
15 Section 8.27 as follows:

16 (30 ILCS 805/8.27 new)

17 Sec. 8.27. Exempt mandate. Notwithstanding Sections 6  
18 and 8 of this Act, no reimbursement by the State is required  
19 for the implementation of any mandate created by this  
20 amendatory Act of the 93rd General Assembly.

21 Section 97. Severability. The provisions of this  
22 amendatory Act of the 93rd General Assembly are severable  
23 under Section 1.31 of the Statute on Statutes.

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