

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, 9-3, 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, 24B-18, 28-6, and 28-9 and by adding Articles 18A and  
12 24C and Sections 1-10, 1A-16, 1A-20, 9-1.14, 23-15.1, and  
13 24A-22 as 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 organizations of 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 or local political committee is  
30 specifically prohibited. Reasonable cost of the tapes, discs,  
31 et cetera for this purpose would be the cost of duplication  
32 plus 15% for administration. The individual representing a  
33 political committee requesting copies of such tapes shall  
34 make a sworn affidavit that the information shall be used

1 only for bona fide political purposes, including by or for  
2 candidates for office or incumbent office holders. Such  
3 tapes, discs or other electronic data shall not be used under  
4 any circumstances by any political committee or individuals  
5 for 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 or local political  
18 committee is specifically prohibited. Copies of the tapes,  
19 discs or other electronic data shall be furnished by the  
20 county clerk to local political committees at their request  
21 and at a reasonable cost. Reasonable cost of the tapes,  
22 discs, et cetera for this purpose would be the cost of  
23 duplication plus 15% for administration. The individual  
24 representing a political committee requesting copies of such  
25 tapes shall make a sworn affidavit that the information shall  
26 be used only for bona fide political purposes, including by  
27 or for candidates for office or incumbent office holders.  
28 Such tapes, discs or other electronic data shall not be used  
29 under any circumstances by any political committee or  
30 individuals for purposes of commercial solicitation or other  
31 business purposes. If such tapes contain information on  
32 county residents related to the operations of county  
33 government in addition to registration information, that  
34 information shall not be used under any circumstances for

1 commercial solicitation or other business purposes. The  
2 prohibition in this Section against using the computer tapes  
3 or computer discs or other electronic data processing  
4 information containing voter registration information for  
5 purposes of commercial solicitation or other business  
6 purposes shall be prospective only from the effective date of  
7 this amended Act of 1979. Any person who violates this  
8 provision shall be 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 or local  
27 political committee is specifically prohibited. Copies of the  
28 tapes, discs or other electronic data shall be furnished by  
29 the Board of Election Commissioners to local political  
30 committees at their request and at a reasonable cost.  
31 Reasonable cost of the tapes, discs, et cetera for this  
32 purpose would be the cost of duplication plus 15% for  
33 administration. The individual representing a political  
34 committee requesting copies of such tapes shall make a sworn



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

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

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

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

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

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

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

8 .....  
9 (Signature of Voter)

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

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

18 (Source: P.A. 91-357, eff. 7-29-99; 92-465, eff. 1-1-02;  
19 92-816, eff. 8-21-02.)

20 (10 ILCS 5/6-50.2) (from Ch. 46, par. 6-50.2)

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

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

1 Secretary of State as deputy registrars shall be made in the  
2 manner provided in Section 2-105 of the Illinois Vehicle  
3 Code.

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

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

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

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

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

1 election jurisdiction.

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

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

34 7. The Director of the Illinois Department of

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

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

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

34           Deputy registrars may accept registrations at any time

1 other than the 27 day period preceding an election. All  
2 persons appointed as deputy registrars shall be registered  
3 voters within the election jurisdiction and shall take and  
4 subscribe to the following oath or affirmation:

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

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

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

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

1 appointees.

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

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

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

33 (e) No deputy registrar shall engage in any  
34 electioneering or the promotion of any cause during the

1 performance of his or her duties.

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

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

7 (10 ILCS 5/6-79)

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

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

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



1 original registration cards are to be used, provided that a  
2 system for the storage of at least one copy of the original  
3 registration cards remains in effect. The electronic file  
4 shall be the master file.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

23 (10 ILCS 5/7-8) (from Ch. 46, par. 7-8)

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

27 State Central Committee

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

33 Alternative A. At the primary held on the third Tuesday

1 in March 1970, and at the primary held every 4 years  
2 thereafter, each primary elector may vote for one candidate  
3 of his party for member of the State central committee for  
4 the congressional district in which he resides. The  
5 candidate receiving the highest number of votes shall be  
6 declared elected State central committeeman from the  
7 district. A political party may, in lieu of the foregoing, by  
8 a majority vote of delegates at any State convention of such  
9 party, determine to thereafter elect the State central  
10 committeemen in the manner following:

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

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

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

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

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

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

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

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

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

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

5 Ward, Township and Precinct Committeemen

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



1 party for such precinct. The official returns of the primary  
2 shall show the name of the committeeman of each political  
3 party.

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

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

28 County Central Committee

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

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

14 Cook County Board of Review Election District Committee

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

32 Congressional Committee

33 (e) The congressional committee of each party in each  
34 congressional district shall be composed of the chairmen of

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

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

1 congressional committee.

2 Judicial District Committee

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

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

14 Circuit Court Committee

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

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

25 Judicial Subcircuit Committee

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

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

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

7                   Municipal Central Committee

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

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

32                   Powers

33           (i) Each committee and its officers shall have the  
34 powers usually exercised by such committees and by the

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

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

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

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

2 (10 ILCS 5/7-10) (from Ch. 46, par. 7-10)

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

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

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

23 Name..... Address.....

24 State of Illinois)

25 ) ss.

26 County of.....)

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

1 were at the time of signing the petitions qualified voters of  
2 the .... party, and that their respective residences are  
3 correctly stated, as above set forth.

4 .....

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

6 .....

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

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



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

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

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

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

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

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

1 of Elections shall be the original sheets which have been  
 2 signed by the voters and by the circulator thereof, and not  
 3 photocopies or duplicates of such sheets. Each petition must  
 4 include as a part thereof, a statement of candidacy for each  
 5 of the candidates filing, or in whose behalf the petition is  
 6 filed. This statement shall set out the address of such  
 7 candidate, the office for which he is a candidate, shall  
 8 state that the candidate is a qualified primary voter of the  
 9 party to which the petition relates and is qualified for the  
 10 office specified (in the case of a candidate for State's  
 11 Attorney it shall state that the candidate is at the time of  
 12 filing such statement a licensed attorney-at-law of this  
 13 State), shall state that he has filed (or will file before  
 14 the close of the petition filing period) a statement of  
 15 economic interests as required by the Illinois Governmental  
 16 Ethics Act, shall request that the candidate's name be placed  
 17 upon the official ballot, and shall be subscribed and sworn  
 18 to by such candidate before some officer authorized to take  
 19 acknowledgment of deeds in the State and shall be in  
 20 substantially the following form:

21 Statement of Candidacy

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

26 State of Illinois)  
 27 ) ss.  
 28 County of .....

29 I, ....., being first duly sworn, say that I reside at  
 30 .... Street in the city (or village) of ....., in the county  
 31 of ....., State of Illinois; that I am a qualified voter  
 32 therein and am a qualified primary voter of the .... party;  
 33 that I am a candidate for nomination (for election in the  
 34 case of committeeman and delegates and alternate delegates)

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

12 Signed .....

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

15 Signed .....

16 (Official Character)

17 (Seal, if officer has one.)

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

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

30 (a) Statewide office or delegate to a national  
31 nominating convention. If a candidate seeks to run for  
32 statewide office or as a delegate or alternate delegate to a  
33 national nominating convention elected from the State  
34 at-large, then the candidate's petition for nomination must

1 contain at least 5,000 but not more than 10,000 signatures.

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

15 (c) County office. If a candidate seeks to run for any  
16 countywide office, including but not limited to county board  
17 chairperson or county board member, elected on an at-large  
18 basis, in a county other than Cook County, then the  
19 candidate's petition for nomination must contain at least the  
20 number of signatures equal to 0.5% of the qualified electors  
21 of his or her party who cast votes at the last preceding  
22 general election in his or her county. If a candidate seeks  
23 to run for county board member elected from a county board  
24 district, then the candidate's petition for nomination must  
25 contain at least the number of signatures equal to 0.5% of  
26 the qualified primary electors of his or her party in the  
27 county board district. In the first primary election  
28 following a redistricting of county board districts or the  
29 initial establishment of county board districts, a  
30 candidate's petition for nomination must contain at least the  
31 number of signatures equal to 0.5% of the qualified electors  
32 of his or her party in the entire county who cast votes at  
33 the last preceding general election divided by the total  
34 number of county board districts comprising the county board;

1 provided that in no event shall the number of signatures be  
2 less than 25.

3 (d) County office; Cook County only.

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

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

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

1 countywide office in Cook County under subsection (d)(1)  
2 of this Section. In the first primary election following  
3 a redistricting of Cook County Board of Review districts,  
4 a candidate's petition for nomination must contain at  
5 least 4,000 signatures or at least the number of  
6 signatures required for a county-wide candidate in Cook  
7 County, whichever is less, of the qualified electors of  
8 his or her party in the district.

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

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

34 (g) Sanitary district trustee. If a candidate seeks to

1 run for trustee of a sanitary district in which trustees are  
2 not elected from wards, then the candidate's petition for  
3 nomination must contain at least the number of signatures  
4 equal to 0.5% of the primary electors of his or her party  
5 from the sanitary district. If a candidate seeks to run for  
6 trustee of a sanitary district in which trustees are elected  
7 from wards, then the candidate's petition for nomination must  
8 contain at least the number of signatures equal to 0.5% of  
9 the primary electors of his or her party in the ward of that  
10 sanitary district. In the first primary election following  
11 redistricting of sanitary districts elected from wards, a  
12 candidate's petition for nomination must contain at least the  
13 signatures of 150 qualified primary electors of his or her  
14 ward of that sanitary district.

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

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

1 run for township committeeperson, then the candidate's  
2 petition for nomination must contain no less than the number  
3 of signatures equal to 5% of the primary electors of his or  
4 her party of the township, but no more than 8% of those same  
5 electors; provided that the maximum number of signatures may  
6 be 50 more than the minimum number, whichever is greater.

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

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

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



1 votes in the ward or district at the last regular election at  
2 which an officer was regularly scheduled to be elected from  
3 that ward or district.

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

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

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

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

15 ~~(a) If for a State office, or for delegate or~~  
16 ~~alternate delegate to be elected from the State at large~~  
17 ~~to a National nominating convention by not less than~~  
18 ~~5,000 nor more than 10,000 primary electors of his party.~~

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

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

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

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

31 (e)--If--for-State-central-committeeman,-by-at-least  
32 100-of-the-primary-electors-of-his-or-her-party-of-his-or  
33 her-congressional-district.

34 (f)--If--for-a-candidate-for-trustee--of--a--sanitary

1 district-in-which-trustees-are-not-elected-from-wards, by  
2 at--least--.5%-of-the-primary-electors-of-his-party, from  
3 such-sanitary-district.

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

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

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

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

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

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

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

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

30          (10 ILCS 5/7-10.2) (from Ch. 46, par. 7-10.2)  
 31          Sec. 7-10.2. In the designation of the name of a  
 32          candidate on a petition for nomination or certificate of  
 33          nomination the candidate's given name or names, initial or

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

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

11 (10 ILCS 5/7-17) (from Ch. 46, par. 7-17)

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

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

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

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

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

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

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

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

27 (10 ILCS 5/7-34) (from Ch. 46, par. 7-34)

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

30 (1) Each established political party shall be entitled  
31 to appoint one pollwatcher per precinct. Such pollwatchers  
32 must be affiliated with the political party for which they  
33 are pollwatching and must be a registered voter in Illinois.

1 For--all--primary-elections,-except-as-provided-in-subsection  
 2 (5),-such-pollwatchers-must-be--registered--to--vote--from--a  
 3 residence-in-the-county-in-which-they-are-pollwatching.

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

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

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

1 ~~in-which-the-ballot-proposition-is-being-voted-upon.~~

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

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

22 Pollwatcher credentials shall be in substantially the  
23 following form:

24 POLLWATCHER CREDENTIALS

25 TO THE JUDGES OF ELECTION:

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



1 date).

2 ..... (Signature of Appointing Authority)

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

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

12 .....  
13 (Precinct and/or Ward in ..... (Signature of Pollwatcher)

14 Which Pollwatcher Resides)

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

1 but may leave and reenter only in cases of necessity,  
2 provided that such action is not so continuous as to disrupt  
3 the canvass of votes.

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

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

26 Candidate credentials shall be in substantially the  
27 following form:

28 CANDIDATE CREDENTIALS

29 TO THE JUDGES OF ELECTION:

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

1 election to be held on (insert date).

2 ..... ..

3 (Signature of Candidate)

OFFICE FOR WHICH

4 CANDIDATE SEEKS

5 NOMINATION OR

6 ELECTION

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

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

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

1 in the polling place. Upon entering the polling place, such  
2 representatives shall display their official credentials or  
3 other identification to the judges of election.

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

7 The provisions of this Section shall also apply to  
8 supervised casting of absentee ballots as provided in Section  
9 19-12.2 of this Act.

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

11 (10 ILCS 5/7-41) (from Ch. 46, par. 7-41)

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

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

33 (c) No person shall do any electioneering or soliciting

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

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

1 limited to, the placement of temporary signs. This subsection  
 2 shall be construed liberally in favor of persons engaging in  
 3 electioneering on all polling place property beyond the  
 4 campaign free zone for the time that the polls are open on an  
 5 election day.

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

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

15 (10 ILCS 5/8-8.1) (from Ch. 46, par. 8-8.1)

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

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

27 (10 ILCS 5/9-1.5) (from Ch. 46, par. 9-1.5)

28 Sec. 9-1.5. Expenditure defined.

29 "Expenditure" means-

- 30 (1) a payment, distribution, purchase, loan,
- 31 advance, deposit, or gift of money or anything of value,
- 32 in connection with the nomination for election, or

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

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

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

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

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

28 (10 ILCS 5/9-1.14 new)

29 Sec. 9-1.14. Electioneering communication defined.

30 (a) "Electioneering communication" means, for the  
31 purposes of this Article, any form of communication, in  
32 whatever medium, including but not limited to, Internet  
33 communications, that refers to a clearly identified

1 candidate, candidates, or political party and is made within  
2 (i) 60 days before a general election for the office sought  
3 by the candidate or (ii) 30 days before a general primary  
4 election for the office sought by the candidate.

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

6 (1) A communication other than advertisements  
7 appearing in a news story, commentary, or editorial  
8 distributed through the facilities of any legitimate  
9 news organization, unless the facilities are owned or  
10 controlled by any political party, political committee,  
11 or candidate.

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

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

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

21 (10 ILCS 5/9-3) (from Ch. 46, par. 9-3)

22 Sec. 9-3. Every state political committee and every  
23 local political committee shall file with the State Board of  
24 Elections, and every local political committee shall file  
25 with the county clerk, a statement of organization within 10  
26 business days of the creation of such committee, except any  
27 political committee created within the 30 days before an  
28 election shall file a statement of organization within 5  
29 business days. A political committee that acts as both a  
30 state political committee and a local political committee  
31 shall file a copy of each statement of organization with the  
32 State Board of Elections and the county clerk. The Board  
33 shall impose a civil penalty of \$25 per business day upon



1 political committees for failing to file or late filing of a  
2 statement of organization, except that for committees formed  
3 to support candidates for statewide office, the civil penalty  
4 shall be \$50 per business day. Such penalties shall not  
5 exceed \$5,000, and shall not exceed \$10,000 for statewide  
6 office political committees. There shall be no fine if the  
7 statement is mailed and postmarked at least 72 hours prior to  
8 the filing deadline.

9 In addition to the civil penalties authorized by this  
10 Section, the State Board of Elections or any other affected  
11 political committee may apply to the circuit court for a  
12 temporary restraining order or a preliminary or permanent  
13 injunction against the political committee to cease the  
14 expenditure of funds and to cease operations until the  
15 statement of organization is filed.

16 For the purpose of this Section, "statewide office" means  
17 the Governor, Lieutenant Governor, Secretary of State,  
18 Attorney General, State Treasurer, and State Comptroller.

19 The statement of organization shall include -

20 (a) the name and address of the political committee (the  
21 name of the political committee must include the name of any  
22 sponsoring entity);

23 (b) the scope, area of activity, party affiliation,  
24 candidate affiliation and his county of residence, and  
25 purposes of the political committee;

26 (c) the name, address, and position of each custodian of  
27 the committee's books and accounts;

28 (d) the name, address, and position of the committee's  
29 principal officers, including the chairman, treasurer, and  
30 officers and members of its finance committee, if any;

31 (e) (Blank);

32 (f) a statement of what specific disposition of residual  
33 fund will be made in the event of the dissolution or  
34 termination of the committee;

1 (g) a listing of all banks or other financial  
2 institutions, safety deposit boxes, and any other  
3 repositories or custodians of funds used by the committee;

4 (h) the amount of funds available for campaign  
5 expenditures as of the filing date of the committee's  
6 statement of organization.

7 For purposes of this Section, a "sponsoring entity" is  
8 (i) any person, political committee, organization,  
9 corporation, or association that contributes at least 33% of  
10 the total funding of the political committee or (ii) any  
11 person or other entity that is registered or is required to  
12 register under the Lobbyist Registration Act and contributes  
13 at least 33% of the total funding of the political committee.  
14 (Source: P.A. 90-495, eff. 1-1-98; 90-737, eff. 1-1-99.)

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

16 Sec. 9-10. Financial reports.

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

30 (b) Reports of campaign contributions shall be filed no  
31 later than the 15th day next preceding each election  
32 including a primary election in connection with which the

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

23 (b-5) Notwithstanding the provisions of subsection (b),  
24 any contribution of \$500 or more received in the interim  
25 between the last date of the period covered by the last  
26 report filed under subsection (b) prior to the election and  
27 the date of the election shall be reported within 2 business  
28 days after its receipt. The State Board shall allow filings  
29 under this subsection (b-5) to be made by facsimile  
30 transmission. For the purpose of this subsection, a  
31 contribution is considered received on the date the public  
32 official, candidate, or political committee (or equivalent  
33 person in the case of a reporting entity other than a  
34 political committee) actually receives it or, in the case of

1 goods or services, 2 days after the date the public official,  
2 candidate, committee, or other reporting entity receives the  
3 certification required under subsection (b) of Section 9-6.  
4 Failure to report each contribution is a separate violation  
5 of this subsection. The Board shall impose fines for  
6 violations of this subsection as follows:

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

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

21 (c) In addition to such reports the treasurer of every  
22 political committee shall file semi-annual reports of  
23 campaign contributions and expenditures no later than July  
24 31st, covering the period from January 1st through June 30th  
25 immediately preceding, and no later than January 31st,  
26 covering the period from July 1st through December 31st of  
27 the preceding calendar year. Reports of contributions and  
28 expenditures must be filed to cover the prescribed time  
29 periods even though no contributions or expenditures may have  
30 been received or made during the period. The Board shall  
31 assess a civil penalty not to exceed \$5,000 for a violation  
32 of this subsection, except that for State officers and  
33 candidates and political committees formed for statewide  
34 office, the civil penalty may not exceed \$10,000. The fine,

1 however, shall not exceed \$500 for a first filing violation  
 2 for filing less than 10 days after the deadline. There shall  
 3 be no fine if the report is mailed and postmarked at least 72  
 4 hours prior to the filing deadline. For the purpose of this  
 5 subsection, "statewide office" and "State officer" means the  
 6 Governor, Lieutenant Governor, Attorney General, Secretary of  
 7 State, Comptroller, and Treasurer.

8 (c-5) A political committee that acts as either (i) a  
 9 State and local political committee or (ii) a local political  
 10 committee and that files reports electronically under Section  
 11 9-28 is not required to file copies of the reports with the  
 12 appropriate county clerk if the county clerk has a system  
 13 that permits access to, and duplication of, reports that are  
 14 filed with the State Board of Elections. A State and local  
 15 political committee or a local political committee shall file  
 16 with the county clerk a copy of its statement of organization  
 17 pursuant to Section 9-3.

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

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

22 (10 ILCS 5/9-21) (from Ch. 46, par. 9-21)

23 Sec. 9-21. Upon receipt of such complaint, the Board  
 24 shall hold a closed preliminary hearing to determine whether  
 25 or not the complaint appears to have been filed on  
 26 justifiable grounds. Such closed preliminary hearing shall be  
 27 conducted as soon as practicable after affording reasonable  
 28 notice, a copy of the complaint, and an opportunity to  
 29 testify at such hearing to both the person making the  
 30 complaint and the person against whom the complaint is  
 31 directed. If the Board fails to determine determines that the  
 32 complaint has not been filed on justifiable grounds, it shall  
 33 dismiss the complaint without further hearing.

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

24          At any time prior to the issuance of the Board's final  
25          judgment, the parties may dispose of the complaint by a  
26          written stipulation, agreed settlement or consent order. Any  
27          such stipulation, settlement or order shall, however, be  
28          submitted in writing to the Board and shall become effective  
29          only if approved by the Board. If the act or practice  
30          complained of consists of the failure to file any required  
31          report within the time prescribed by this Article, such  
32          stipulation, settlement or order may provide that if, within  
33          the 12-month period following the approval of such  
34          stipulation, agreement or order, the person complained of

1 fails to file within the time prescribed by this Article any  
2 subsequent reports as may be required, such person may be  
3 subject to a civil penalty pursuant to Section 9-23.

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

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

9 (10 ILCS 5/10-5.1) (from Ch. 46, par. 10-5.1)

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

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

22 (10 ILCS 5/13-1.1) (from Ch. 46, par. 13-1.1)

23 Sec. 13-1.1. In addition to the list provided for in  
24 Section 13-1 or 13-2, the chairman of the county central  
25 committee of each of the two leading political parties shall  
26 submit to the county board a supplemental list, arranged  
27 according to precincts in which they are to serve, of persons  
28 available as judges of election, the names and number of all  
29 persons listed thereon to be acknowledged in writing to the  
30 county chairman submitting such list by the county board.  
31 Vacancies among the judges of election shall be filled by  
32 selection from this supplemental list of persons qualified

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

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

18 (10 ILCS 5/14-3.2) (from Ch. 46, par. 14-3.2)  
19 Sec. 14-3.2. In addition to the list provided for in  
20 Section 14-3.1, the chairman of the county central committee  
21 of each of the 2 leading political parties shall furnish to  
22 the board of election commissioners a supplemental list,  
23 arranged according to precinct in which they are to serve, of  
24 persons available as judges of election, the names and number  
25 of all persons listed thereon to be acknowledged in writing  
26 to the county chairman submitting such list by the board of  
27 election commissioners. The board of election commissioners  
28 shall select from this supplemental list persons qualified  
29 under Section 14-1, to fill vacancies among the judges of  
30 election. If the list provided for in Section 14-3.1 for any  
31 precinct is exhausted, then selection shall be made from the  
32 supplemental list furnished by the chairman of the county  
33 central committee of the party. If such supplemental list is



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

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

14 (10 ILCS 5/16-3) (from Ch. 46, par. 16-3)

15 Sec. 16-3. (a) The names of all candidates to be voted  
16 for in each election district or precinct shall be printed on  
17 one ballot, except as is provided in Sections 16-6.1 and  
18 21-1.01 of this Act and except as otherwise provided in this  
19 Act with respect to the odd year regular elections and the  
20 emergency referenda; all nominations of any political party  
21 being placed under the party appellation or title of such  
22 party as designated in the certificates of nomination or  
23 petitions. The names of all independent candidates shall be  
24 printed upon the ballot in a column or columns under the  
25 heading "independent" arranged under the names or titles of  
26 the respective offices for which such independent candidates  
27 shall have been nominated and so far as practicable, the name  
28 or names of any independent candidate or candidates for any  
29 office shall be printed upon the ballot opposite the name or  
30 names of any candidate or candidates for the same office  
31 contained in any party column or columns upon said ballot.  
32 The ballot shall contain no other names, except that in cases  
33 of electors for President and Vice-President of the United

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

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

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

34 WRITE-IN VOTES

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

3 \_\_\_\_\_

4 Title of Office

5 ( ) \_\_\_\_\_

6 Name of Candidate

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

13 (d) When such electronic system is used, there shall be  
14 printed on the back of each ballot card, each ballot card  
15 envelope, and the first page of the ballot label when a  
16 ballot label is used, the words "Official Ballot," followed  
17 by the number of the precinct or other precinct  
18 identification, which may be stamped, in lieu thereof and, as  
19 applicable, the number and name of the township, ward or  
20 other election district for which the ballot card, ballot  
21 card envelope, and ballot label are prepared, the date of the  
22 election and a facsimile of the signature of the election  
23 authority who has caused the ballots to be printed. The back  
24 of the ballot card shall also include a method of identifying  
25 the ballot configuration such as a listing of the political  
26 subdivisions and districts for which votes may be cast on  
27 that ballot, or a number code identifying the ballot  
28 configuration or color coded ballots, except that where there  
29 is only one ballot configuration in a precinct, the precinct  
30 identification, and any applicable ward identification, shall  
31 be sufficient. Ballot card envelopes used in punch card  
32 systems shall be of paper through which no writing or punches  
33 may be discerned and shall be of sufficient length to enclose  
34 all voting positions. However, the election authority may

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

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

32 (f) The State Board of Elections, a local election  
33 official, or an election authority shall remove any  
34 candidate's name designation from a ballot that is

1 inconsistent with subsection (e) of this Section. In  
2 addition, the State Board of Elections, a local election  
3 official, or an election authority shall not certify to any  
4 election authority any candidate name designation that is  
5 inconsistent with subsection (e) of this Section.

6 (g) If the State Board of Elections, a local election  
7 official, or an election authority removes a candidate's name  
8 designation from a ballot under subsection (f) of this  
9 Section, then the aggrieved candidate may seek appropriate  
10 relief in circuit court.

11 Where voting machines or electronic voting systems are  
12 used, the provisions of this Section may be modified as  
13 required or authorized by Article 24 or Article 24A,  
14 whichever is applicable.

15 Nothing in this Section shall prohibit election  
16 authorities from using or reusing ballot card envelopes which  
17 were printed before the effective date of this amendatory Act  
18 of 1985.

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

20 (10 ILCS 5/17-23) (from Ch. 46, par. 17-23)

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

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

32 (2) Each candidate shall be entitled to appoint two  
33 pollwatchers per precinct. For all elections, the

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

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

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

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

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

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

13 POLLWATCHER CREDENTIALS

14 TO THE JUDGES OF ELECTION:

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

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

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



1 registered to vote in Illinois ~~from-that-address~~.  
 2 .....  
 3 (Precinct and/or Ward in (Signature of Pollwatcher)  
 4 Which Pollwatcher Resides)

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

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

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

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

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

17 CANDIDATE CREDENTIALS

18 TO THE JUDGES OF ELECTION:

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

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

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

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

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

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

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

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

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

1 (10 ILCS 5/17-29) (from Ch. 46, par. 17-29)

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

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

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

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

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

23 (10 ILCS 5/Art. 18A heading new)

24 ARTICLE 18A

25 PROVISIONAL VOTING

26 (10 ILCS 5/18A-2 new)

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

30 (10 ILCS 5/18A-5 new)

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

2 (a) A person who claims to be a registered voter is  
3 entitled to cast a provisional ballot under the following  
4 circumstances:

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

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

13 (3) A federal or State court order extends the time  
14 for closing the polls beyond the time period established  
15 by State law and the person votes during the extended  
16 time period.

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

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

27 (2) The person shall execute a written form  
28 provided by the election judge that shall state or  
29 contain all of the following:

30 (i) an affidavit stating the following:

31 State of Illinois, County of .....,  
32 Township ....., Precinct ....., Ward  
33 ....., I, ....., do solemnly  
34 swear (or affirm) that: I am a citizen of the United

States; I am 18 years of age or older; I have  
resided in this State and in this precinct for 30  
days preceding this election; I have not voted in  
this election; I am a duly registered voter in every  
respect; and I am eligible to vote in this election.

Signature ..... Printed Name of Voter .....  
Printed Residence Address of Voter ..... City  
..... State .... Zip Code ..... Telephone Number  
..... Date of Birth ..... and Driver's License  
Number ..... Last 4 digits of Social Security  
Number ..... or State Identification Card Number.

(ii) Written instruction stating the following:

In order to expedite the verification of your  
voter registration status, the .... (insert name of  
county clerk of board of election commissioners  
here) requests that you include your phone number  
and both the last four digits of your social  
security number and your driver's license number or  
State Identification Card Number issued to you by  
the Secretary of State. At minimum, you are required  
to include either (A) your driver's license number  
or State Identification Card Number issued to you by  
the Secretary of State or (B) the last 4 digits of  
your social security number.

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

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

The written affidavit form described in this subsection  
(b)(2) must be printed on a multi-part form prescribed by the

1 county clerk or board of election commissioners, as the case  
2 may be.

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

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

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

34 (6) After the person has completed marking his or her



1 provisional ballot, he or she shall place the marked ballot  
2 inside of the provisional ballot envelope, close and seal the  
3 envelope, and return the envelope to an election judge, who  
4 shall then deposit the sealed provisional ballot envelope  
5 into a securable container separately identified and utilized  
6 for containing sealed provisional ballot envelopes. Upon the  
7 closing of the polls, the securable container shall be sealed  
8 with filament tape provided for that purpose, which shall be  
9 wrapped around the box lengthwise and crosswise, at least  
10 twice each way, and each of the election judges shall sign  
11 the seal.

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

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

1 commissioners, as the case may be, as a voter registration  
2 application.

3 (10 ILCS 5/18A-10 new)

4 Sec. 18A-10. Sealing and transporting provisional  
5 ballots.

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

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

22 (10 ILCS 5/18A-15 new)

23 Sec. 18A-15. Validating and counting provisional  
24 ballots.

25 (a) The county clerk or board of election commissioners  
26 shall complete the validation and counting of provisional  
27 ballots within 14 calendar days of the day of the election.  
28 The county clerk or board of election commissioners shall  
29 have 7 calendar days from the completion of the validation  
30 and counting of provisional ballots to conduct its final  
31 canvass. The State Board of Election shall complete within 31  
32 calendar days of the election or sooner if all the returns

1 are received, its final canvass of the vote for all public  
2 offices.

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

6 (1) The provisional voter cast the provisional  
7 ballot in the correct precinct based on the address  
8 provided by the provisional voter;

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

12 (3) the provisional voter is a registered voter  
13 based on information available to the county clerk or  
14 board of election commissioners provided by or obtained  
15 from any of the following:

16 i. the provisional voter;

17 ii. an election judge;

18 iii. the State-wide voter registration  
19 database maintained by the State Board of Elections;

20 iv. the records of the county clerk or board  
21 of election commissioners' database; or

22 v. the records of the Secretary of State.

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

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

30 (d) In validating the registration status of a person  
31 casting a provisional ballot, the county clerk or board of  
32 election commissioners shall not require a provisional voter  
33 to complete any form other than the affidavit executed by the  
34 provisional voter under subsection (b)(2) of Section 18A-5.

1 In addition, the county clerk or board of election  
2 commissioners shall not require all provisional voters or any  
3 particular class or group of provisional voters to appear  
4 personally before the county clerk or board of election  
5 commissioners or as a matter of policy require provisional  
6 voters to submit additional information to verify or  
7 otherwise support the information already submitted by the  
8 provisional voter. The provisional voter may, within 2  
9 calendar days after the election, submit additional  
10 information to the county clerk or board of election  
11 commissioners. This information must be received by the  
12 county clerk or board of election commissioners within the  
13 2-calendar-day period.

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

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

28 (g) The provisional ballots determined to be valid shall  
29 be added to the vote totals for the precincts from which they  
30 were cast in the order in which the ballots were opened. The  
31 county clerk or board of election commissioners may, in the  
32 alternative, create a separate provisional-voter precinct for  
33 the purpose of counting and recording provisional ballots and  
34 adding the recorded votes to its official canvass. The

1 validation and counting of provisional ballots shall be  
2 subject to the provisions of this Code that apply to  
3 pollwatchers. If the provisional ballots are a ballot of a  
4 punch card voting system, then the provisional ballot shall  
5 be counted in a manner consistent with Article 24A. If the  
6 provisional ballots are a ballot of optical scan or other  
7 type of approved electronic voting system, then the  
8 provisional ballots shall be counted in a manner consistent  
9 with Article 24B.

10 (h) As soon as the ballots have been counted, the  
11 election judges or election officials shall, in the presence  
12 of the county clerk or board of election commissioners, place  
13 each of the following items in a separate envelope or bag:  
14 (1) all provisional ballots, voted or spoiled; (2) all  
15 provisional ballot envelopes of provisional ballots voted or  
16 spoiled; and (3) all executed affidavits of the provisional  
17 ballots voted or spoiled. All provisional ballot envelopes  
18 for provisional voters who have been determined not to be  
19 registered to vote shall remain sealed. The county clerk or  
20 board of election commissioners shall treat the provisional  
21 ballot envelope containing the written affidavit as a voter  
22 registration application for that person for the next  
23 election and process that application. The election judges or  
24 election officials shall then securely seal each envelope or  
25 bag, initial the envelope or bag, and plainly mark on the  
26 outside of the envelope or bag in ink the precinct in which  
27 the provisional ballots were cast. The election judges or  
28 election officials shall then place each sealed envelope or  
29 bag into a box, secure and seal it in the same manner as  
30 described in item (6) of subsection (b) of Section 18A-5.  
31 Each election judge or election official shall take and  
32 subscribe an oath before the county clerk or board of  
33 election commissioners that the election judge or election  
34 official securely kept the ballots and papers in the box, did

1 not permit any person to open the box or otherwise touch or  
2 tamper with the ballots and papers in the box, and has no  
3 knowledge of any other person opening the box. For purposes  
4 of this Section, the term "election official" means the  
5 county clerk, a member of the board of election  
6 commissioners, as the case may be, and their respective  
7 employees.

8 (10 ILCS 5/18A-20 new)

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

21 (10 ILCS 5/19-2.1) (from Ch. 46, par. 19-2.1)

22 Sec. 19-2.1. At the consolidated primary, general  
23 primary, consolidated, and general elections, electors  
24 entitled to vote by absentee ballot under the provisions of  
25 Section 19-1 may vote in person at the office of the  
26 municipal clerk, if the elector is a resident of a  
27 municipality not having a board of election commissioners, or  
28 at the office of the township clerk or, in counties not under  
29 township organization, at the office of the road district  
30 clerk if the elector is not a resident of a municipality;  
31 provided, in each case that the municipal, township or road  
32 district clerk, as the case may be, is authorized to conduct

1 in-person absentee voting pursuant to this Section. Absentee  
2 voting in such municipal and township clerk's offices under  
3 this Section shall be conducted from the 22nd day through the  
4 day before the election.

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



1 provisions of Section 19-1 at the office of the election  
2 authority having jurisdiction over their residence.

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

17 Absentee voting procedures in the office of the  
18 municipal, township and road district clerks shall be subject  
19 to all of the applicable provisions of this Article 19.  
20 Pollwatchers may be appointed to observe in-person absentee  
21 voting procedures at the office of the municipal, township or  
22 road district clerks' offices where such absentee voting is  
23 conducted. Such pollwatchers shall qualify and be appointed  
24 in the same manner as provided in Sections 7-34 and 17-23,  
25 except each candidate, political party or organization of  
26 citizens may appoint only one pollwatcher for each location  
27 where in-person absentee voting is conducted. Pollwatchers  
28 ~~must~~ shall be registered to vote in Illinois residents-of-the  
29 ~~county~~ and possess valid pollwatcher credentials. All  
30 requirements in this Article applicable to election  
31 authorities shall apply to the respective local clerks,  
32 except where inconsistent with this Section.

33 The sealed absentee ballots in their carrier envelope  
34 shall be delivered by the respective clerks, or by the

1 election authority on behalf of a clerk if the clerk and the  
2 election authority agree, to the proper polling place before  
3 the close of the polls on the day of the general primary,  
4 consolidated primary, consolidated, or general election.

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

16 The ballots delivered to the respective clerks shall  
17 include absentee ballots for each precinct in the  
18 municipality, township or road district, or shall include  
19 such separate ballots for each political subdivision  
20 conducting an election of officers or a referendum on that  
21 election day as will permit any resident of the municipality,  
22 township or road district to vote absentee in the office of  
23 the proper clerk.

24 The clerks of all municipalities, townships and road  
25 districts may distribute applications for absentee ballot for  
26 the use of voters who wish to mail such applications to the  
27 appropriate election authority. Such applications for  
28 absentee ballots shall be made on forms provided by the  
29 election authority. Duplication of such forms by the  
30 municipal, township or road district clerk is prohibited.

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

32 (10 ILCS 5/19-2.2) (from Ch. 46, par. 19-2.2)

33 Sec. 19-2.2. (a) During the period beginning on the 40th

1 day preceding an election and continuing through the day  
2 preceding such election, no advertising pertaining to any  
3 candidate or proposition to be voted upon shall be displayed  
4 in or within 100 feet of any room used by voters pursuant to  
5 this Article; nor shall any person engage in electioneering  
6 in or within 100 feet of any such room. Any person who  
7 violates this Section may be punished as for contempt of  
8 court.

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

34 The area on polling place property beyond the campaign

1 free zone, whether publicly or privately owned, is a public  
2 forum for the time that the polls are open on an election  
3 day. At the request of election officers any publicly owned  
4 building must be made available for use as a polling place. A  
5 person shall have the right to congregate and engage in  
6 electioneering on any polling place property while the polls  
7 are open beyond the campaign free zone, including but not  
8 limited to, the placement of temporary signs. This subsection  
9 shall be 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 (c) The regulation of electioneering on polling place  
14 property on an election day, including but not limited to the  
15 placement of temporary signs, is an exclusive power and  
16 function of the State. A home rule unit may not regulate  
17 electioneering and any ordinance or local law contrary to  
18 subsection (b) is declared void. This is a denial and  
19 limitation of home rule powers and functions under subsection  
20 (h) of Section 6 of Article VII of the Illinois Constitution.

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

22 (10 ILCS 5/19-4) (from Ch. 46, par. 19-4)

23 Sec. 19-4. Mailing or delivery of ballots - Time.)  
24 Immediately upon the receipt of such application either by  
25 mail, not more than 40 days nor less than 5 days prior to  
26 such election, or by personal delivery not more than 40 days  
27 nor less than one day prior to such election, at the office  
28 of such election authority, it shall be the duty of such  
29 election authority to examine the records to ascertain  
30 whether or not such applicant is lawfully entitled to vote as  
31 requested, and if found so to be, to post within one business  
32 day thereafter the name, street address, ward and precinct  
33 number or township and district number, as the case may be,

1 of such applicant given on a list, the pages of which are to  
2 be numbered consecutively to be kept by such election  
3 authority for such purpose in a conspicuous, open and public  
4 place accessible to the public at the entrance of the office  
5 of such election authority, and in such a manner that such  
6 list may be viewed without necessity of requesting permission  
7 therefor, and within 2 business days thereafter to mail,  
8 postage prepaid, or deliver in person in such office an  
9 official ballot or ballots if more than one are to be voted  
10 at said election. Each election authority that has a website  
11 or establishes a website after the effective date of this  
12 amendatory Act of the 93rd General Assembly shall post on its  
13 website the list described above within one business day.  
14 Each election authority that does not have a website on or  
15 after the effective date of this amendatory Act of the 93rd  
16 General Assembly shall make available to members of the  
17 public on a daily basis a copy of the above list in  
18 electronic format. Mail delivery of Temporarily Absent  
19 Student ballot applications pursuant to Section 19-12.3 shall  
20 be by nonforwardable mail. However, for the consolidated  
21 election, absentee ballots for certain precincts may be  
22 delivered to applicants not less than 25 days before the  
23 election if so much time is required to have prepared and  
24 printed the ballots containing the names of persons nominated  
25 for offices at the consolidated primary. The election  
26 authority shall enclose with each absentee ballot or  
27 application written instructions on how voting assistance  
28 shall be provided pursuant to Section 17-14 and a document,  
29 written and approved by the State Board of Elections,  
30 enumerating the circumstances under which a person is  
31 authorized to vote by absentee ballot pursuant to this  
32 Article; such document shall also include a statement  
33 informing the applicant that if he or she falsifies or is  
34 solicited by another to falsify his or her eligibility to

1 cast an absentee ballot, such applicant or other is subject  
2 to penalties pursuant to Section 29-10 and Section 29-20 of  
3 the Election Code. Each election authority shall maintain a  
4 list of the name, street address, ward and precinct, or  
5 township and district number, as the case may be, of all  
6 applicants who have returned absentee ballots to such  
7 authority, and the name of such absent voter shall be added  
8 to such list within one business day from receipt of such  
9 ballot. If the absentee ballot envelope indicates that the  
10 voter was assisted in casting the ballot, the name of the  
11 person so assisting shall be included on the list. The list,  
12 the pages of which are to be numbered consecutively, shall be  
13 kept by each election authority in a conspicuous, open, and  
14 public place accessible to the public at the entrance of the  
15 office of the election authority and in a manner that the  
16 list may be viewed without necessity of requesting permission  
17 for viewing.

18 Each election authority shall maintain a list for each  
19 election of the voters to whom it has issued absentee  
20 ballots. The list shall be maintained for each precinct  
21 within the jurisdiction of the election authority. Prior to  
22 the opening of the polls on election day, the election  
23 authority shall deliver to the judges of election in each  
24 precinct the list of registered voters in that precinct to  
25 whom absentee ballots have been issued by mail.

26 Each election authority shall maintain a list for each  
27 election of voters to whom it has issued temporarily absent  
28 student ballots. The list shall be maintained for each  
29 election jurisdiction within which such voters temporarily  
30 abide. Immediately after the close of the period during  
31 which application may be made by mail for absentee ballots,  
32 each election authority shall mail to each other election  
33 authority within the State a certified list of all such  
34 voters temporarily abiding within the jurisdiction of the

1 other election authority.

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

17 All applications for absentee ballots shall be available  
18 at the office of the election authority for public inspection  
19 upon request from the time of receipt thereof by the election  
20 authority until 30 days after the election, except during the  
21 time such applications are kept in the office of the election  
22 authority pursuant to Section 19-7, and except during the  
23 time such applications are in the possession of the judges of  
24 election.

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

26 (10 ILCS 5/19-10) (from Ch. 46, par. 19-10)

27 Sec. 19-10. Pollwatchers may be appointed to observe  
28 in-person absentee voting procedures at the office of the  
29 election authority as well as at municipal, township or road  
30 district clerks' offices where such absentee voting is  
31 conducted. Such pollwatchers shall qualify and be appointed  
32 in the same manner as provided in Sections 7-34 and 17-23,  
33 except each candidate, political party or organization of

1 citizens may appoint only one pollwatcher for each location  
2 where in-person absentee voting is conducted. Pollwatchers  
3 must shall be registered to vote in Illinois residents-of-the  
4 county and possess valid pollwatcher credentials.

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

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

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

28 (10 ILCS 5/22-5) (from Ch. 46, par. 22-5)

29 Sec. 22-5. Immediately after the completion of the  
30 abstracts of votes, the county clerk shall make 2 correct  
31 copies of the abstracts of votes for Governor, Lieutenant  
32 Governor, Secretary of State, State Comptroller, Treasurer,  
33 Attorney General, both of which said copies he shall envelope



1 and seal up, and endorse upon the envelopes in substance,  
2 "Abstracts of votes for State Officers from .... County"; and  
3 shall seal up a copy of each of the abstracts of votes for  
4 other officers and amendments to the Constitution and other  
5 propositions voted on, and endorse the same so as to show the  
6 contents of the package, and address the same to the State  
7 Board of Elections. The several packages shall then be placed  
8 in one envelope and addressed to the State Board of  
9 Elections. The county clerk shall send the sealed envelope  
10 addressed to the State Board of Elections via overnight mail  
11 so it arrives at the address the following calendar day.

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

13 (10 ILCS 5/22-9) (from Ch. 46, par. 22-9)

14 Sec. 22-9. It shall be the duty of such Board of  
15 Canvassers to canvass, and add up and declare the result of  
16 every election hereafter held within the boundaries of such  
17 city, village or incorporated town, operating under Article 6  
18 of this Act, and the judge of the circuit court shall  
19 thereupon enter of record such abstract and result, and a  
20 certified copy of such record shall thereupon be filed with  
21 the County Clerk of the county; and such abstracts or results  
22 shall be treated, by the County Clerk in all respects, as if  
23 made by the Canvassing Board now provided by the foregoing  
24 sections of this law, and he shall transmit the same to the  
25 State Board of Elections, or other proper officer, as  
26 required hereinabove. The county clerk or board of election  
27 commissioners, as the case may be, shall send the abstract  
28 and result in a sealed envelope addressed to the State Board  
29 of Elections via overnight mail so it arrives at the address  
30 the following calendar day. And such abstracts or results so  
31 entered and declared by such judge, and a certified copy  
32 thereof, shall be treated everywhere within the state, and by  
33 all public officers, with the same binding force and effect

1 as the abstract of votes now authorized by the foregoing  
2 provisions of this Act.

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

4 (10 ILCS 5/22-15) (from Ch. 46, par. 22-15)

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

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

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

29 (10 ILCS 5/23-15.1 new)

30 Sec. 23-15.1. Production of ballot counting code and  
31 attendance of witnesses. All voting-system vendors shall,  
32 within 90 days after the adoption of rules or upon

1 application for voting-system approval, place in escrow all  
2 computer code for its voting system with State Board of  
3 Elections. The State Board of Elections shall promulgate  
4 rules to implement this Section. For purposes of this  
5 Section, the term "computer code" includes, but is not  
6 limited to, ballot counting source code, table structures,  
7 modules, program narratives, and other human readable  
8 computer instructions used to count ballots. Any computer  
9 code submitted by vendors to the State Board of Elections  
10 shall be considered strictly confidential and the  
11 intellectual property of the vendors and shall not be subject  
12 to public disclosure under the Freedom of Information Act.

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

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

29 The State Board of Elections shall promulgate rules to  
30 provide for the security, review, and verification of  
31 computer codes. Verification includes, but is not limited to,  
32 determining that the computer code corresponds to computer  
33 instructions actually in use to count ballots. Nothing in  
34 this Section shall impair the obligation of any contract

1 between a voting-systems vendor and an election authority  
2 that provides access to computer code that is equal to or  
3 greater than that provided by this Section.

4 (10 ILCS 5/24A-22 new)

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

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

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

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

14 (3) An indentation on the chad from the stylus or  
15 other object is present and indicates a 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 indentations on other  
19 ballot positions from the same ballot card.

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

22 (c) For purposes of this Section, a "chad" is that  
23 portion of a ballot card that a voter punches or perforates  
24 with a stylus or other designated marking device to manifest  
25 his or her vote for a particular ballot position on a ballot  
26 card as defined in subsection (a). Chads shall be removed  
27 from ballot cards prior to their processing and tabulation in  
28 election jurisdictions that utilize a ballot card as a means  
29 of recording votes at an election. Election jurisdictions  
30 that utilize a mechanical means or device for chad removal as  
31 a component of their tabulation shall use that means or  
32 device for chad removal.

1 (10 ILCS 5/24B-2)

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

3 "Computer", "automatic tabulating equipment" or  
4 "equipment" includes apparatus necessary to automatically  
5 examine and count votes as designated on ballots, and data  
6 processing machines which can be used for counting ballots  
7 and tabulating results.

8 "Ballot" means paper ballot sheets.

9 "Ballot configuration" means the particular combination  
10 of political subdivision ballots including, for each  
11 political subdivision, the particular combination of offices,  
12 candidate names and questions as it appears for each group of  
13 voters who may cast the same ballot.

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

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

29 "Computer operator" means any person or persons  
30 designated by the election authority to operate the automatic  
31 tabulating equipment during any portion of the vote tallying  
32 process in an election, but shall not include judges of  
33 election operating vote tabulating equipment in the precinct.

34 "Computer program" or "program" means the set of

1 operating instructions for the automatic tabulating equipment  
2 that examines, counts, tabulates, canvasses and prints votes  
3 recorded by a voter on a ballot.

4 "Edit listing" means a computer generated listing of the  
5 names of each candidate and proposition as they appear in the  
6 program for each precinct.

7 "Header sheet" means a data processing document which is  
8 coded to indicate to the computer the precinct identity of  
9 the ballots that will follow immediately and may indicate to  
10 the computer how such ballots are to be tabulated.

11 "In-precinct counting" means the counting of ballots on  
12 automatic tabulating equipment provided by the election  
13 authority in the same precinct polling place in which those  
14 ballots have been cast.

15 "Marking device" means a pen, computer, or other device  
16 or-similar-device approved by the State Board of Elections  
17 for marking, or causing to be marked, a paper ballot with ink  
18 or other substance which will enable the ballot to be  
19 tabulated by automatic tabulating equipment or by an  
20 electronic scanning process.

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

24 "Redundant count" means a verification of the original  
25 computer count by another count using compatible equipment or  
26 by hand as part of a discovery recount.

27 "Security designation" means a printed designation placed  
28 on a ballot to identify to the computer program the offices  
29 and propositions for which votes may be cast and to indicate  
30 the manner in which votes cast should be tabulated while  
31 negating any inadmissible votes.

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

1 "Specimen ballot" means a representation of names of  
2 offices and candidates and statements of measures to be voted  
3 on which will appear on the official ballot or marking device  
4 on election day. The specimen ballot also contains the party  
5 and position number where applicable.

6 "Voting defect identification" means the capability to  
7 detect overvoted ballots or ballots which cannot be read by  
8 the automatic tabulating equipment.

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

11 "Voting system" or "electronic voting system" means that  
12 combination of equipment and programs used in the casting,  
13 examination and tabulation of ballots and the cumulation and  
14 reporting of results by electronic means.

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

16 (10 ILCS 5/24B-6)

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

30 All propositions, including but not limited to  
31 propositions calling for a constitutional convention,  
32 constitutional amendment, judicial retention, and public  
33 measures to be voted upon shall be placed on separate

1 portions of the ballot sheet or marking device by utilizing  
2 borders or grey screens. Candidates shall be listed on a  
3 separate portion of the ballot sheet or marking device by  
4 utilizing borders or grey screens. Below the name of the  
5 last candidate listed for an office shall be printed or  
6 displayed a line or lines on which the voter may select a  
7 write-in candidate. Such line or lines shall be proximate to  
8 ~~the name of a candidate or candidates may be written by the~~  
9 ~~voter, and proximate to such lines~~ an area shall be provided  
10 for marking votes for the write-in candidate or candidates.  
11 The number of write-in lines for an office shall equal the  
12 number of candidates for which a voter may vote. More than  
13 one amendment to the constitution may be placed on the same  
14 portion of the ballot sheet or marking device. Constitutional  
15 convention or constitutional amendment propositions shall be  
16 printed or displayed on a separate portion of the ballot  
17 sheet or marking device and designated by borders or grey  
18 screens, unless otherwise provided by administrative rule of  
19 the State Board of Elections. More than one public measure  
20 or proposition may be placed on the same portion of the  
21 ballot sheet or marking device. More than one proposition  
22 for retention of judges in office may be placed on the same  
23 portion of the ballot sheet or marking device. Names of  
24 candidates shall be printed in black. The party affiliation  
25 of each candidate or the word "independent" shall appear near  
26 or under the candidate's name, and the names of candidates  
27 for the same office shall be listed vertically under the  
28 title of that office, on separate pages of the marking  
29 device, or as otherwise approved by the State Board of  
30 Elections. In the case of nonpartisan elections for officers  
31 of political subdivisions, unless the statute or an ordinance  
32 adopted pursuant to Article VII of the Constitution requires  
33 otherwise, the listing of nonpartisan candidates shall not  
34 include any party or "independent" designation. Judicial



1 retention questions and ballot questions for all public  
2 measures and other propositions shall be designated by  
3 borders or grey screens on the ballot or marking device.

4 ~~Judicial--retention-ballots-shall-be-designated-by-borders-or~~  
5 ~~grey-screens.--Ballots-for--all--public--measures--and--other~~  
6 ~~propositions--shall-be-designated-by-borders-or-grey-screens.~~

7 In primary elections, a separate ballot, or displays on the  
8 marking device, shall be used for each political party  
9 holding a primary, with the ballot or marking device arranged  
10 to include names of the candidates of the party and public  
11 measures and other propositions to be voted upon on the day  
12 of the primary election.

13 If the ballot includes both candidates for office and  
14 public measures or propositions to be voted on, the election  
15 official in charge of the election shall divide the ballot or  
16 displays on the marking device in sections for "Candidates"  
17 and "Propositions", or separate ballots may be used.

18 Absentee ballots may consist of envelopes, paper ballots  
19 or ballot sheets voted in person in the office of the  
20 election official in charge of the election or voted by mail.  
21 Where a Precinct Tabulation Optical Scan Technology ballot is  
22 used for voting by mail it must be accompanied by voter  
23 instructions.

24 Any voter who spoils his or her ballot, makes an error,  
25 or has a ballot returned by the automatic tabulating  
26 equipment may return the ballot to the judges of election and  
27 get another ballot.

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

29 (10 ILCS 5/24B-8)

30 Sec. 24B-8. Preparation for Use; Comparison of Ballots;  
31 Operational Checks of Automatic Precinct Tabulation Optical  
32 Scan Technology Tabulating Equipment; Pollwatchers. The  
33 county clerk or board of election commissioners shall cause

1 the approved marking devices to be delivered to the polling  
2 places. Before the opening of the polls the judges of  
3 election shall compare the ballots or displays on the marking  
4 device used with the specimen ballots furnished and see that  
5 the names, numbers and letters thereon agree and shall  
6 certify thereto on forms provided by the county clerk or  
7 board of election commissioners.

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

16 Pollwatchers as provided by law shall be permitted to  
17 closely observe the judges in these procedures and to  
18 periodically inspect the Precinct Tabulation Optical Scan  
19 Technology equipment when not in use by the voters.

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

21 (10 ILCS 5/24B-9)

22 Sec. 24B-9. Testing of Precinct Tabulation Optical Scan  
23 Technology Equipment and Program; Custody of Programs, Test  
24 Materials and Ballots. Prior to the public test, the  
25 election authority shall conduct an errorless pre-test of the  
26 automatic Precinct Tabulation Optical Scan Technology  
27 tabulating equipment and program and marking device to  
28 determine that they will correctly detect Voting Defects and  
29 count the votes cast for all offices and all measures. On any  
30 day not less than 5 days prior to the election day, the  
31 election authority shall publicly test the automatic Precinct  
32 Tabulation Optical Scan Technology tabulating equipment and  
33 program to determine that they will correctly detect Voting

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

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

1 60 days. At the expiration of that time the election  
2 authority shall destroy the voted ballots, together with all  
3 unused ballots returned from the precincts. Provided, if any  
4 contest of election is pending at the time in which the  
5 ballots may be required as evidence and the election  
6 authority has notice of the contest, the same shall not be  
7 destroyed until after the contest is finally determined. If  
8 the use of back-up equipment becomes necessary, the same  
9 testing required for the original equipment shall be  
10 conducted.

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

12 (10 ILCS 5/24B-9.1)

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

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

27 (b) For any ballot sheet that does not register a vote  
28 for one or more ballot positions on the ballot sheet on a  
29 Electronic Precinct Tabulation Optical Scan Technology  
30 Scanning Process, the following shall constitute a vote on  
31 the ballot sheet:

32 (1) The designated area for casting a vote for a  
33 particular ballot position on the ballot sheet is fully

1 darkened or shaded in;

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

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

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

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

24 (c) For other electronic voting systems that use a  
25 computer as the marking device to mark a ballot sheet, the  
26 bar code found on the ballot sheet shall constitute the votes  
27 found on the ballot. If, however, the county clerk or board  
28 of election commissioners determines that the votes  
29 represented by the tally on the bar code for one or more  
30 ballot positions is inconsistent with the votes represented  
31 by numerical ballot positions identified on the ballot sheet  
32 produced using a computer as the marking device, then the  
33 numerical ballot positions identified on the ballot sheet  
34 shall constitute the votes for purposes of any official

1 canvass or recount proceeding. An electronic voting system  
2 that uses a computer as the marking device to mark a ballot  
3 sheet shall be capable of producing a ballot sheet that  
4 contains all numerical ballot positions selected by the  
5 voter, and provides a place for the voter to cast a write-in  
6 vote for a candidate for a particular numerical ballot  
7 position.

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

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

14 (10 ILCS 5/24B-10)

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

17 (a) In an election jurisdiction which has adopted an  
18 electronic Precinct Tabulation Optical Scan Technology voting  
19 system, the election official in charge of the election shall  
20 select one of the 3 following procedures for receiving,  
21 counting, tallying, and return of the ballots:

22 (1) Two ballot boxes shall be provided for each  
23 polling place. The first ballot box is for the  
24 depositing of votes cast on the electronic voting system;  
25 and the second ballot box is for all votes cast on other  
26 ballots, including absentee paper ballots and any other  
27 paper ballots required to be voted other than on the  
28 Precinct Tabulation Optical Scan Technology electronic  
29 voting system. Ballots, except absentee ballots for  
30 candidates and propositions which are listed on the  
31 Precinct Tabulation Optical Scan Technology electronic  
32 voting system, deposited in the second ballot box shall  
33 be counted, tallied, and returned as is elsewhere

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



1 and write on its back the manner in which the ballot is  
2 counted and initial the same. An overvote for one office  
3 shall invalidate only the vote or count of that  
4 particular office. After counting, tallying and  
5 recording the write-in votes on absentee ballots, the  
6 judges of election, consisting in each case of at least  
7 one judge of election of each of the 2 major political  
8 parties, shall make a true duplicate ballot of the  
9 remaining valid votes on each paper absentee ballot which  
10 was in the ballot box and properly initialed, by using  
11 the electronic Precinct Tabulation Optical Scan  
12 Technology voting system used in the precinct and one of  
13 the marking devices, or equivalent marking device or  
14 equivalent ballot, of the precinct to transfer the  
15 remaining valid votes of the voter on the paper absentee  
16 ballot to an official ballot or a ballot card of that  
17 kind used in the precinct at that election. The original  
18 paper absentee ballot shall be clearly labeled "Absentee  
19 Ballot" and the ballot card so produced "Duplicate  
20 Absentee Ballot", and each shall bear the same serial  
21 number which shall be placed thereon by the judges of  
22 election, beginning with number 1 and continuing  
23 consecutively for the ballots of that kind in that  
24 precinct. The judges of election shall initial the  
25 "Duplicate Absentee Ballot" ballots and shall place them  
26 in the first ballot box provided for return of the  
27 ballots to be counted at the central counting location in  
28 lieu of the paper absentee ballots. The paper absentee  
29 ballots shall be placed in an envelope provided for that  
30 purpose labeled "Duplicate Ballots".

31 As soon as the absentee ballots have been deposited  
32 in the first ballot box, the judges of election shall  
33 make out a slip indicating the number of persons who  
34 voted in the precinct at the election. The slip shall be

1 signed by all the judges of election and shall be  
2 inserted by them in the first ballot box. The judges of  
3 election shall thereupon immediately lock the first  
4 ballot box; provided, that if the box is not of a type  
5 which may be securely locked, the box shall be sealed  
6 with filament tape provided for the purpose that shall be  
7 wrapped around the box lengthwise and crosswise, at least  
8 twice each way, and in a manner that the seal completely  
9 covers the slot in the ballot box, and each of the judges  
10 shall sign the seal. Two of the judges of election, of  
11 different political parties, shall by the most direct  
12 route transport both ballot boxes to the counting  
13 location designated by the county clerk or board of  
14 election commissioners.

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

33 The excess ballots shall be marked "Excess-Not  
34 Counted" and signed by the 2 precinct transport judges

1 and shall be placed in the "After 7:00 p.m. Defective  
2 Ballots Envelope". The number of excess ballots shall be  
3 noted in the remarks section of the Certificate of  
4 Results. "Excess" ballots shall not be counted in the  
5 total of "defective" ballots.

6 The precinct transport judges shall then examine the  
7 remaining ballots for write-in votes and shall count and  
8 tabulate the write-in vote.

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

14 All ballots to be processed and tabulated with the  
15 electronic Precinct Tabulation Optical Scan Technology  
16 voting system shall be processed as follows:

17 Immediately after the closing of the polls the  
18 absentee ballots delivered to the precinct judges of  
19 election by the election official in charge of the  
20 election shall be examined to determine that such ballots  
21 comply with Sections 19-9 and 20-9 of this Code and are  
22 entitled to be deposited in the ballot box; those  
23 entitled to be deposited in the ballot box shall be  
24 initialed by the precinct judges of election and  
25 deposited in the ballot box. Those not entitled to be  
26 deposited in the ballot box shall be marked "Rejected"  
27 and disposed of as provided in Sections 19-9 and 20-9.  
28 The precinct judges of election then shall open the  
29 ballot box and canvass the votes polled to determine that  
30 the number of ballots agree with the number of voters  
31 voting as shown by the applications for ballot, or if the  
32 same do not agree the judges of election shall make such  
33 ballots agree with the applications for ballot in the  
34 manner provided by Section 17-18 of this Code. The

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

1 ballot to an official ballot of that kind used in the  
2 precinct at that election. The original paper absentee  
3 ballot shall be clearly labeled "Absentee Ballot" and the  
4 ballot so produced "Duplicate Absentee Ballot", and each  
5 shall bear the same serial number which shall be placed  
6 thereon by the judges of election, commencing with number  
7 1 and continuing consecutively for the ballots of that  
8 kind in that precinct. The judges of election shall  
9 initial the "Duplicate Absentee Ballot" ballots and shall  
10 place them in the box for return of the ballots with all  
11 other ballots to be counted at the central counting  
12 location in lieu of the paper absentee ballots. The  
13 paper absentee ballots shall be placed in an envelope  
14 provided for that purpose labeled "Duplicate Ballots".

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

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

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

1 of 4 persons, 2 from each of the 2 major political  
2 parties, designated for the purpose by the election  
3 official in charge of elections from recommendations by  
4 the appropriate political party organizations.

5 The "Defective Ballots" envelope, and "Duplicated  
6 Ballots" envelope each shall be securely sealed and the  
7 flap or end of each envelope signed by the precinct  
8 judges of election and returned to the central counting  
9 location with the box for return of the ballots, enclosed  
10 ballots and returns.

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

23 (3) A single ballot box, for the deposit of all  
24 votes cast, shall be used. Immediately after the closing  
25 of the polls the judges of election shall examine the  
26 absentee ballots received by the precinct judges of  
27 election from the election authority of voters in that  
28 precinct to determine that they comply with the  
29 provisions of Sections 19-9, 20-8 and 20-9 of this Code  
30 and are entitled to be deposited in the ballot box; those  
31 entitled to be deposited in the ballot box shall be  
32 initialed by the precinct judges and deposited in the  
33 ballot box. Those not entitled to be deposited in the  
34 ballot box, in accordance with Sections 19-9, 20-8 and



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

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

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

1 precinct judge of election. If any ballot is not  
2 initialed, it shall be marked on the back "Defective",  
3 initialed as to that label by all tally judges  
4 immediately under the word "Defective", and not counted,  
5 but placed in the envelope provided for that purpose  
6 labeled "Defective Ballots Envelope". Write-in votes,  
7 not causing an overvote for an office otherwise voted for  
8 on the absentee ballot sheet, and otherwise properly  
9 voted, shall be counted, tallied, and recorded by the  
10 central counting location judges on the tally sheet  
11 provided for the record. A write-in vote causing an  
12 overvote for an office shall not be counted for that  
13 office, but the tally judges shall mark the absentee  
14 ballot sheet "Objected To" and write the manner in which  
15 the ballot is counted on its back and initial the sheet.  
16 An overvote for one office shall invalidate only the vote  
17 or count for that particular office.

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

26 (b) Regardless of which procedure described in  
27 subsection (a) of this Section is used, the judges of  
28 election designated to transport the ballots properly signed  
29 and sealed, shall ensure that the ballots are delivered to  
30 the central counting station no later than 12 hours after the  
31 polls close. At the central counting station, a team of  
32 tally judges designated by the election official in charge of  
33 the election shall examine the ballots so transported and  
34 shall not accept ballots for tabulating which are not signed

1 and sealed as provided in subsection (a) of this Section  
2 until the judges transporting the ballots make and sign the  
3 necessary corrections. Upon acceptance of the ballots by a  
4 team of tally judges at the central counting station, the  
5 election judges transporting the ballots shall take a receipt  
6 signed by the election official in charge of the election and  
7 stamped with the date and time of acceptance. The election  
8 judges whose duty it is to transport any ballots shall, in  
9 the event the ballots cannot be found when needed, on proper  
10 request, produce the receipt which they are to take as above  
11 provided.

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

13 (10 ILCS 5/24B-10.1)

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

19 Before the opening of the polls, and before the ballots  
20 are entered into the automatic tabulating equipment, the  
21 judges of election shall be sure that the totals are all  
22 zeros in the counting column. Ballots may then be counted by  
23 entering or scanning each ballot into the automatic  
24 tabulating equipment. Throughout the election day and before  
25 the closing of the polls, no person may check any vote totals  
26 for any candidate or proposition on the automatic tabulating  
27 equipment. Such automatic tabulating equipment shall be  
28 programmed so that no person may reset the equipment for  
29 refeeding of ballots unless provided a code from an  
30 authorized representative of the election authority. At the  
31 option of the election authority, the ballots may be fed into  
32 the Precinct Tabulation Optical Scan Technology equipment by  
33 the voters under the direct supervision of the judges of

1 elections.

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

14 The precinct judges of election shall open the ballot box  
15 and count the number of ballots to determine if the number  
16 agrees with the number of voters voting as shown on the  
17 Precinct Tabulation Optical Scan Technology equipment and by  
18 the applications for ballot or, if the same do not agree, the  
19 judges of election shall make the ballots agree with the  
20 applications for ballot in the manner provided by Section  
21 17-18 of this Code. The judges of election shall then  
22 examine all ballots which are in the ballot box to determine  
23 whether the ballots contain the initials of a precinct judge  
24 of election. If any ballot is not initialed, it shall be  
25 marked on the back "Defective", initialed as to such label by  
26 all judges immediately under the word "Defective" and not  
27 counted. The judges of election shall place an initialed  
28 blank official ballot in the place of the defective ballot,  
29 so that the count of the ballots to be counted on the  
30 automatic tabulating equipment will be the same, and each  
31 "Defective Ballot" and "Replacement" ballot shall contain the  
32 same serial number which shall be placed thereon by the  
33 judges of election, beginning with number 1 and continuing  
34 consecutively for the ballots of that kind in that precinct.

1 The original "Defective" ballot shall be placed in the  
2 "Defective Ballot Envelope" provided for that purpose.

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

18 When a Precinct Tabulation Optical Scan Technology  
19 electronic voting system is used which uses a paper ballot,  
20 the judges of election shall examine the ballot for write-in  
21 votes. When the voter has cast a write-in vote, the judges  
22 of election shall compare the write-in vote with the votes on  
23 the ballot to determine whether the write-in results in an  
24 overvote for any office, unless the Precinct Tabulation  
25 Optical Scan Technology equipment has already done so. In  
26 case of an overvote for any office, the judges of election,  
27 consisting in each case of at least one judge of election of  
28 each of the 2 major political parties, shall make a true  
29 duplicate ballot of all votes on such ballot except for the  
30 office which is overvoted, by using the ballot of the  
31 precinct and one of the marking devices, or equivalent  
32 ballot, of the precinct so as to transfer all votes of the  
33 voter, except for the office overvoted, to a duplicate  
34 ballot. The original ballot upon which there is an overvote

1 shall be clearly labeled "Overvoted Ballot", and each such  
2 "Overvoted Ballot" as well as its "Replacement" shall contain  
3 the 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 "Overvoted Ballot" shall be placed in an envelope  
7 provided for that purpose labeled "Duplicate Ballot"  
8 envelope, and the judges of election shall initial the  
9 "Replacement" ballots and shall place them with the other  
10 ballots to be counted on the automatic tabulating equipment.

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

1 listed on the "Statement of Ballots" form provided by the  
2 election authority.

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

16 The judges of election shall count all unused ballots and  
17 enter the number on the "Statement of Ballots". All  
18 "Spoiled", "Defective" and "Duplicated" ballots shall be  
19 counted and the number entered on the "Statement of Ballots".

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



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

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

20 (10 ILCS 5/24B-15)

21 Sec. 24B-15. Official Return of Precinct; Check of  
22 Totals; Retabulation. The precinct return printed by the  
23 automatic Precinct Tabulation Optical Scan Technology  
24 tabulating equipment shall include the number of ballots cast  
25 and votes cast for each candidate and proposition and shall  
26 constitute the official return of each precinct. In  
27 addition to the precinct return, the election authority shall  
28 provide the number of applications for ballots in each  
29 precinct, the write-in votes, the total number of ballots  
30 counted in each precinct for each political subdivision and  
31 district and the number of registered voters in each  
32 precinct. However, the election authority shall check the  
33 totals shown by the precinct return and, if there is an

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

1 notice of the time and place of the random selection  
2 procedure and may be represented at the procedure. The  
3 retabulation shall consist of counting the ballots which were  
4 originally counted and shall not involve any determination of  
5 which ballots were, in fact, properly counted. The ballots  
6 from the precincts selected for the retabulation shall remain  
7 at all times under the custody and control of the election  
8 authority and shall be transported and retabulated by the  
9 designated staff of the election authority.

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

22 The State Board of Elections, the State's Attorney and  
23 other appropriate law enforcement agencies, the county  
24 chairman of each established political party and qualified  
25 civic organizations shall be given prior written notice of  
26 the time and place of the retabulation and may be represented  
27 at the retabulation.

28 The results of this retabulation shall be treated in the  
29 same manner and have the same effect as the results of the  
30 discovery procedures set forth in Section 22-9.1 of this  
31 Code. Upon completion of the retabulation, the election  
32 authority shall print a comparison of the results of the  
33 retabulation with the original precinct return printed by the  
34 automatic tabulating equipment. The comparison shall be done

1 for each precinct and for each office voted upon within that  
2 precinct, and the comparisons shall be open to the public.  
3 Upon completion of the retabulation, the returns shall be  
4 open to the public.

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

6 (10 ILCS 5/24B-18)

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

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

28 (10 ILCS 5/Art. 24C heading new)

29 ARTICLE 24C. DIRECT RECORDING ELECTRONIC VOTING SYSTEMS

30 (10 ILCS 5/24C-1 new)

31 Sec. 24C-1. Purpose. The purpose of this Article is to

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

18 (10 ILCS 5/24C-2 new)

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

20 "Audit trail" or "audit capacity" means a continuous  
21 trail of evidence linking individual transactions related to  
22 the casting of a vote, the vote count and the summary record  
23 of vote totals, but which shall not allow for the  
24 identification of the voter. It shall permit verification of  
25 the accuracy of the count and detection and correction of  
26 problems and shall provide a record of each step taken in:  
27 defining and producing ballots and generating related  
28 software for specific elections; installing ballots and  
29 software; testing system readiness; casting and tabulating  
30 ballots; and producing images of votes cast and reports of  
31 vote totals. The record shall incorporate system status and  
32 error messages generated during election processing,  
33 including a log of machine activities and routine and unusual

1 intervention by authorized and unauthorized individuals.  
2 Also part of an audit trail is the documentation of such  
3 items as ballots delivered and collected, administrative  
4 procedures for system security, pre-election testing of  
5 voting systems, and maintenance performed on voting  
6 equipment. It also means that the voting system is capable  
7 of producing and shall produce immediately after a ballot is  
8 cast a permanent paper record of each ballot cast that shall  
9 be available as an official record for any recount, redundant  
10 count, or verification or retabulation of the vote count  
11 conducted with respect to any election in which the voting  
12 system is used.

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

17 "Ballot configuration" means the particular combination  
18 of political subdivision or district ballots including, for  
19 each political subdivision or district, the particular  
20 combination of offices, candidate names and public questions  
21 as it appears for each group of voters who may cast the same  
22 ballot.

23 "Ballot image" means a corresponding representation in  
24 electronic or paper form of the mark or vote position of a  
25 ballot.

26 "Ballot label" or "ballot screen" means the display of  
27 material containing the names of offices and candidates and  
28 public questions to be voted on.

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

1 jurisdiction. However, in any event a counting location  
2 shall be within this State.

3 "Computer", "automatic tabulating equipment" or  
4 "equipment" includes apparatus necessary to automatically  
5 examine and count votes as designated on ballots, and data  
6 processing machines which can be used for counting ballots  
7 and tabulating results.

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

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

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

29 "Edit listing" means a computer generated listing of the  
30 names of each candidate and public question as they appear in  
31 the program for each precinct.

32 "In-precinct counting" means the recording and counting  
33 of ballots on automatic tabulating equipment provided by the  
34 election authority in the same precinct polling place in

1 which those ballots have been cast.

2 "Marking device" means any device approved by the State  
3 Board of Elections for marking a ballot so as to enable the  
4 ballot to be recorded, counted and tabulated by automatic  
5 tabulating equipment.

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

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

23 "Separate ballot" means a separate page or display screen  
24 of the ballot that is clearly defined and distinguishable  
25 from other portions of the ballot.

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

29 (10 ILCS 5/24C-3 new)

30 Sec. 24C-3. Adoption, experimentation or abandonment of  
31 Direct Recording Electronic Voting System; Boundaries of  
32 precincts; Notice. Except as otherwise provided in this  
33 Section, any county board, board of county commissioners and



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

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

28 "Notice is hereby given that on ... (give date) ..., at  
29 ... (give place where election is held) ... in the county of  
30 ..., an election will be held for ... (give name of offices  
31 to be filled) ... at which a Direct Recording Electronic  
32 Voting System will be used."

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

34 This notice referred to shall be given only at the first

1 election at which the Direct Recording Electronic Voting  
2 System is used.

3 (10 ILCS 5/24C-3.1 new)

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

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

28 (10 ILCS 5/24C-4 new)

29 Sec. 24C-4. Use of Direct Recording Electronic Voting  
30 System; Requisites; Applicable procedure. Direct Recording  
31 Electronic Voting Systems may be used in elections provided  
32 that such Systems are approved for use by the State Board of

1 Elections. So far as applicable, the procedure provided for  
2 voting paper ballots shall apply when Direct Recording  
3 Electronic Voting Systems are used. However, the provisions  
4 of this Article 24C will govern when there are conflicts.

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

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

13 (10 ILCS 5/24C-5.1 new)

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

25 No precinct official or person assisting a voter may in  
26 any manner request, suggest, or seek to persuade or induce  
27 any voter to cast his or her vote for any particular ticket,  
28 candidate, amendment, question or proposition. All  
29 instructions shall be given by precinct officials in a manner  
30 that it may be observed by other persons in the polling  
31 place.

1 (10 ILCS 5/24C-5.2 new)

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

13 (10 ILCS 5/24C-6 new)

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

21 Ballots for all public questions to be voted on should be  
22 provided in a similar manner and must be arranged on the  
23 ballot in the places provided for such purposes. All public  
24 questions, including but not limited to public questions  
25 calling for a constitutional convention, constitutional  
26 amendment, or judicial retention, shall be placed on the  
27 ballot separate and apart from candidates. Ballots for all  
28 public questions shall be clearly designated by borders or  
29 different color screens. More than one amendment to the  
30 constitution may be placed on the same portion of the ballot  
31 sheet. Constitutional convention or constitutional amendment  
32 propositions shall be placed on a separate portion of the  
33 ballot and designated by borders or unique color screens,

1 unless otherwise provided by administrative rule of the State  
2 Board of Elections. More than one public question may be  
3 placed on the same portion of the ballot. More than one  
4 proposition for retention of judges in office may be placed  
5 on the same portion of the ballot.

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

20 If the ballot includes both candidates for office and  
21 public questions or propositions to be voted on, the election  
22 official in charge of the election shall divide the ballot in  
23 sections for "Candidates" and "Public Questions", or separate  
24 ballots may be used.

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

29 Any election authority using a Direct Recording  
30 Electronic Voting System may use voting systems approved for  
31 use under Articles 24A or 24B of this Code in conducting  
32 absentee voting in the office of the election authority or  
33 voted by mail.

1 (10 ILCS 5/24C-6.1 new)

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

26 (10 ILCS 5/24C-7 new)

27 Sec. 24C-7. Write-In Ballots. A Direct Recording  
28 Electronic Voting System shall provide an acceptable method  
29 for a voter to vote for a person whose name does not appear  
30 on the ballot using the same apparatus used to record votes  
31 for candidates whose name do appear on the ballot. Election  
32 authorities utilizing Direct Recording Electronic Voting  
33 Systems shall not use separate write-in ballots.

1 Below the name of the last candidate listed for an office  
2 shall be a space or spaces in which the name of a candidate  
3 or candidates may be written in or recorded by the voter. The  
4 number of write-in lines for an office shall equal the number  
5 of candidates for which a voter may vote.

6 (10 ILCS 5/24C-8 new)

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

24 The Direct Recording Electronic Voting System shall  
25 provide a means of opening the polling place and readying the  
26 equipment for the casting of ballots. Such means shall  
27 incorporate a security seal, a password, or a data code  
28 recognition capability to prevent inadvertent or unauthorized  
29 actuation of the poll-opening function. If more than one  
30 step is required, it shall enforce their execution in the  
31 proper sequence.

32 Pollwatchers as provided by law shall be permitted to  
33 closely observe the judges in these procedures and to

1 periodically inspect the Direct Recording Electronic Voting  
2 System equipment when not in use by the voters.

3 (10 ILCS 5/24C-9 new)

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



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

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

25 (10 ILCS 5/24C-10 new)

26 Sec. 24C-10. Recording of votes by Direct Recording  
27 Electronic Voting Systems.

28 Whenever a Direct Recording Electronic Voting System is  
29 used to automatically record and count the votes on ballots,  
30 the provisions of this Section shall apply. A voter shall  
31 cast a proper vote on a ballot by marking the designated area  
32 for the casting of a vote for any party or candidate or for  
33 or against any public question. For this purpose, a mark is

1 an intentional selection of the designated area on the ballot  
2 by appropriate means and which is not otherwise an  
3 identifying mark.

4 (10 ILCS 5/24C-11 new)

5 Sec. 24C-11. Functional requirements.

6 A Direct Recording Electronic Voting System shall, in  
7 addition to satisfying the other requirements of this  
8 Article, fulfill the following functional requirements:

9 (a) Provide a voter in a primary election with the means  
10 of casting a ballot containing votes for any and all  
11 candidates of the party or parties of his or her choice, and  
12 for any and all non-partisan candidates and public questions  
13 and preclude the voter from voting for any candidate of any  
14 other political party except when legally permitted. In a  
15 general election, the system shall provide the voter with  
16 means of selecting the appropriate number of candidates for  
17 any office, and of voting on any public question on the  
18 ballot to which he or she is entitled to vote.

19 (b) If a voter is not entitled to vote for particular  
20 candidates or public questions appearing on the ballot, the  
21 system shall prevent the selection of the prohibited votes.

22 (c) Once the proper ballot has been selected, the system  
23 devices shall provide a means of enabling the recording of  
24 votes and the casting of said ballot.

25 (d) System voting devices shall provide voting choices  
26 that are clear to the voter and labels indicating the names  
27 of every candidate and the text of every public question on  
28 the voter's ballot. Each label shall identify the selection  
29 button or switch, or the active area of the ballot associated  
30 with it. The system shall be able to incorporate minimal,  
31 easy-to-follow on-screen instruction for the voter on how to  
32 cast a ballot.

33 (e) Voting devices shall (i) enable the voter to vote

1 for any and all candidates and public questions appearing on  
2 the ballot for which the voter is lawfully entitled to vote,  
3 in any legal number and combination; (ii) detect and reject  
4 all votes for an office or upon a public question when the  
5 voter has cast more votes for the office or upon the public  
6 question than the voter is entitled to cast; (iii) notify the  
7 voter if the voter's choices as recorded on the ballot for an  
8 office or public question are fewer than or exceed the number  
9 that the voter is entitled to vote for on that office or  
10 public question and the effect of casting more votes than  
11 legally permitted; (iv) notify the voter if the voter has  
12 failed to completely cast a vote for an office or public  
13 question appearing the ballot; and (v) permit the voter, in a  
14 private and independent manner, to verify the votes selected  
15 by the voter, to change the ballot or to correct any error on  
16 the ballot before the ballot is completely cast and counted.  
17 A means shall be provided to indicate each selection after it  
18 has been made or canceled.

19 (f) System voting devices shall provide a means for the  
20 voter to signify that the selection of candidates and public  
21 questions has been completed. Upon activation, the system  
22 shall record an image of the completed ballot, increment the  
23 proper ballot position registers, and shall signify to the  
24 voter that the ballot has been cast. The system shall then  
25 prevent any further attempt to vote until it has been reset  
26 or re-enabled by a judge of election.

27 (g) Each system voting device shall be equipped with a  
28 public counter that can be set to zero prior to the opening  
29 of the polling place, and that records the number of ballots  
30 cast at a particular election. The counter shall be  
31 incremented only by the casting of a ballot. The counter  
32 shall be designed to prevent disabling or resetting by other  
33 than authorized persons after the polls close. The counter  
34 shall be visible to all judges of election so long as the

1 device is installed at the polling place.

2 (h) Each system voting device shall be equipped with a  
3 protective counter that records all of the testing and  
4 election ballots cast since the unit was built. This counter  
5 shall be designed so that its reading cannot be changed by  
6 any cause other than the casting of a ballot. The protective  
7 counter shall be incapable of ever being reset and it shall  
8 be visible at all times when the device is configured for  
9 testing, maintenance, or election use.

10 (i) All system devices shall provide a means of  
11 preventing further voting once the polling place has closed  
12 and after all eligible voters have voted. Such means of  
13 control shall incorporate a visible indication of system  
14 status. Each device shall prevent any unauthorized use,  
15 prevent tampering with ballot labels and preclude its  
16 re-opening once the poll closing has been completed for that  
17 election.

18 (j) The system shall produce a printed summary report of  
19 the votes cast upon each voting device. Until the proper  
20 sequence of events associated with closing the polling place  
21 has been completed, the system shall not allow the printing  
22 of a report or the extraction of data. The printed report  
23 shall also contain all system audit information to be  
24 required by the election authority. Data shall not be  
25 altered or otherwise destroyed by report generation and the  
26 system shall ensure the integrity and security of data for a  
27 period of at least 6 months after the polls close.

28 (k) If more than one voting device is used in a polling  
29 place, the system shall provide a means to manually or  
30 electronically consolidate the data from all such units into  
31 a single report even if different voting systems are used to  
32 record absentee ballots. The system shall also be capable of  
33 merging the vote tabulation results produced by other vote  
34 tabulation systems, if necessary.

1       (l) System functions shall be implemented such that  
2 unauthorized access to them is prevented and the execution of  
3 authorized functions in an improper sequence is precluded.  
4 System functions shall be executable only in the intended  
5 manner and order, and only under the intended conditions. If  
6 the preconditions to a system function have not been met, the  
7 function shall be precluded from executing by the system's  
8 control logic.

9       (m) All system voting devices shall incorporate at least  
10 3 memories in the machine itself and in its programmable  
11 memory devices.

12       (n) The system shall include capabilities of recording  
13 and reporting the date and time of normal and abnormal events  
14 and of maintaining a permanent record of audit information  
15 that cannot be turned off. Provisions shall be made to  
16 detect and record significant events (e.g., casting a ballot,  
17 error conditions that cannot be disposed of by the system  
18 itself, time-dependent or programmed events that occur  
19 without the intervention of the voter or a judge of  
20 election).

21       (o) The system and each system voting device must be  
22 capable of creating, printing and maintaining a permanent  
23 paper record and an electronic image of each ballot that is  
24 cast such that records of individual ballots are maintained  
25 by a subsystem independent and distinct from the main vote  
26 detection, interpretation, processing and reporting path.  
27 The electronic images of each ballot must protect the  
28 integrity of the data and the anonymity of each voter, for  
29 example, by means of storage location scrambling. The ballot  
30 image records may be either machine-readable or manually  
31 transcribed, or both, at the discretion of the election  
32 authority.

33       (p) The system shall include built-in test, measurement  
34 and diagnostic software and hardware for detecting and

1 reporting the system's status and degree of operability.

2 (g) The system shall contain provisions for maintaining  
3 the integrity of memory voting and audit data during an  
4 election and for a period of at least 6 months thereafter and  
5 shall provide the means for creating an audit trail.

6 (r) The system shall be fully accessible so as to permit  
7 blind or visually impaired voters as well as physically  
8 disabled voters to exercise their right to vote in private  
9 and without assistance.

10 (s) The system shall provide alternative language  
11 accessibility if required pursuant to Section 203 of the  
12 Voting Rights Act of 1965.

13 (t) Each voting device shall enable a voter to vote for  
14 a person whose name does not appear on the ballot.

15 (u) The system shall record and count accurately each  
16 vote properly cast for or against any candidate and for or  
17 against any public question, including the names of all  
18 candidates whose names are written in by the voters.

19 (v) The system shall allow for accepting provisional  
20 ballots and for separating such provisional ballots from  
21 precinct totals until authorized by the election authority.

22 (w) The system shall provide an effective audit trail as  
23 defined in Section 24C-2 in this Code.

24 (x) The system shall be suitably designed for the  
25 purpose used, be durably constructed, and be designed for  
26 safety, accuracy and efficiency.

27 (y) The system shall comply with all provisions of  
28 Federal, State and local election laws and regulations and  
29 any future modifications to those laws and regulations.

30 (10 ILCS 5/24C-12 new)

31 Sec. 24C-12. Procedures for Counting and Tallying of  
32 Ballots.

33 In an election jurisdiction where a Direct Recording

1 Electronic Voting System is used, the following procedures  
2 for counting and tallying the ballots shall apply:

3 Before the opening of the polls, the judges of elections  
4 shall assemble the voting equipment and devices and turn the  
5 equipment on. The judges shall, if necessary, take steps to  
6 activate the voting devices and counting equipment by  
7 inserting into the equipment and voting devices appropriate  
8 data cards containing passwords and data codes that will  
9 select the proper ballot formats selected for that polling  
10 place and that will prevent inadvertent or unauthorized  
11 activation of the poll-opening function. Before voting  
12 begins and before ballots are entered into the voting  
13 devices, the judges of election shall cause to be printed a  
14 record of the following: the election's identification data,  
15 the device's unit identification, the ballot's format  
16 identification, the contents of each active candidate  
17 register by office and of each active public question  
18 register showing that they contain all zero votes, all ballot  
19 fields that can be used to invoke special voting options, and  
20 other information needed to ensure the readiness of the  
21 equipment and to accommodate administrative reporting  
22 requirements. The judges must also check to be sure that the  
23 totals are all zeros in the counting columns and in the  
24 public counter affixed to the voting devices.

25 After the judges have determined that a person is  
26 qualified to vote, a voting device with the proper ballot to  
27 which the voter is entitled shall be enabled to be used by  
28 the voter. The ballot may then be cast by the voter by  
29 marking by appropriate means the designated area of the  
30 ballot for the casting of a vote for any candidate or for or  
31 against any public question. The voter shall be able to vote  
32 for any and all candidates and public measures appearing on  
33 the ballot in any legal number and combination and the voter  
34 shall be able to delete, change or correct his or her



1 selections before the ballot is cast. The voter shall be  
2 able to select candidates whose names do not appear upon the  
3 ballot for any office by entering electronically as many  
4 names of candidates as the voter is entitled to select for  
5 each office.

6 Upon completing his or her selection of candidates or  
7 public questions, the voter shall signify that voting has  
8 been completed by activating the appropriate button, switch  
9 or active area of the ballot screen associated with end of  
10 voting. Upon activation, the voting system shall record an  
11 image of the completed ballot, increment the proper ballot  
12 position registers, and shall signify to the voter that the  
13 ballot has been cast. Upon activation, the voting system  
14 shall also print a permanent paper record of each ballot cast  
15 as defined in Section 24C-2 of this Code. This permanent  
16 paper record shall either be self-contained within the voting  
17 device or shall be deposited by the voter into a secure  
18 ballot box. No permanent paper record shall be removed from  
19 the polling place except by election officials as authorized  
20 by this Article. All permanent paper records shall be  
21 preserved and secured by election officials in the same  
22 manner as paper ballots and shall be available as an official  
23 record for any recount, redundant count, or verification or  
24 retabulation of the vote count conducted with respect to any  
25 election in which the voting system is used. The voter  
26 shall exit the voting station and the voting system shall  
27 prevent any further attempt to vote until it has been  
28 properly re-activated. If a voting device has been enabled  
29 for voting but the voter leaves the polling place without  
30 casting a ballot, 2 judges of election, one from each of the  
31 2 major political parties, shall spoil the ballot.

32 Throughout the election day and before the closing of the  
33 polls, no person may check any vote totals for any candidate  
34 or public question on the voting or counting equipment. Such

1 equipment shall be programmed so that no person may reset the  
2 equipment for reentry of ballots unless provided the proper  
3 code from an authorized representative of the election  
4 authority.

5 The precinct judges of election shall check the public  
6 register to determine whether the number of ballots counted  
7 by the voting equipment agrees with the number of voters  
8 voting as shown by the applications for ballot. If the same  
9 do not agree, the judges of election shall immediately  
10 contact the offices of the election authority in charge of  
11 the election for further instructions. If the number of  
12 ballots counted by the voting equipment agrees with the  
13 number of voters voting as shown by the application for  
14 ballot, the number shall be listed on the "Statement of  
15 Ballots" form provided by the election authority.

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

29 If instructed by the election authority, the judges of  
30 election shall cause the tabulated returns to be transmitted  
31 electronically to the offices of the election authority via  
32 modem or other electronic medium.

33 The precinct judges of election shall select a  
34 bi-partisan team of 2 judges, who shall immediately return

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

29 (10 ILCS 5/24C-13 new)

30 Sec. 24C-13. Absentee ballots; Proceedings at Location  
31 for Central Counting; Employees; Approval of List.

32 (a) All jurisdictions using Direct Recording Electronic  
33 Voting Systems shall use paper ballots or paper ballot sheets

1 approved for use under Articles 16, 24A of 24B of this Code  
2 when conducting absentee voting except that Direct Recording  
3 Electronic Voting Systems may be used for in-person absentee  
4 voting conducted pursuant to Section 19-2.1 of this Code.  
5 All absentee ballots shall be counted at the office of the  
6 election authority. The provisions of Section 24A-9, 24B-9  
7 and 24C-9 of this Code shall apply to the testing and notice  
8 requirements for central count tabulation equipment,  
9 including comparing the signature on the ballot envelope with  
10 the signature of the voter on the permanent voter  
11 registration record card taken from the master file.  
12 Absentee ballots other than absentee ballots voted in person  
13 pursuant to Section 19-2.1 of this Code shall be examined and  
14 processed pursuant to Sections 19-9 and 20-9 of this Code.  
15 Vote results shall be recorded by precinct and shall be added  
16 to the vote results for the precinct in which the absent  
17 voter was eligible to vote prior to completion of the  
18 official canvass.

19 (b) All proceedings at the location for central counting  
20 shall be under the direction of the county clerk or board of  
21 election commissioners. Except for any specially trained  
22 technicians required for the operation of the Direct  
23 Recording Electronic Voting System, the employees at the  
24 counting station shall be equally divided between members of  
25 the 2 leading political parties and all duties performed by  
26 the employees shall be by teams consisting of an equal number  
27 of members of each political party. Thirty days before an  
28 election the county clerk or board of election commissioners  
29 shall submit to the chairman of each political party, for his  
30 or her approval or disapproval, a list of persons of his or  
31 her party proposed to be employed. If a chairman fails to  
32 notify the election authority of his or her disapproval of  
33 any proposed employee within a period of 10 days thereafter  
34 the list shall be deemed approved.

1 (10 ILCS 5/24C-14 new)

2 Sec. 24C-14. Tabulating Votes; Direction; Presence of  
3 Public; Computer Operator's Log and Canvass. The procedure  
4 for tabulating the votes by the Direct Recording Electronic  
5 Voting System shall be under the direction of the election  
6 authority and shall conform to the requirements of the Direct  
7 Recording Electronic Voting System. During any  
8 election-related activity using the automatic Direct  
9 Recording Electronic Voting System equipment, the election  
10 authority shall make a reasonable effort to dedicate the  
11 equipment to vote processing to ensure the security and  
12 integrity of the system.

13 A reasonable number of pollwatchers shall be admitted to  
14 the counting location. Such persons may observe the  
15 tabulating process at the discretion of the election  
16 authority; however, at least one representative of each  
17 established political party and authorized agents of the  
18 State Board of Elections shall be permitted to observe this  
19 process at all times. No persons except those employed and  
20 authorized for the purpose shall touch any ballot, ballot  
21 box, return, or equipment.

22 The computer operator shall be designated by the election  
23 authority and shall be sworn as a deputy of the election  
24 authority. In conducting the vote tabulation and canvass,  
25 the computer operator must maintain a log which shall include  
26 the following information:

27 (a) alterations made to programs associated with the  
28 vote counting process;

29 (b) if applicable, console messages relating to the  
30 program and the respective responses made by the  
31 operator;

32 (c) the starting time for each precinct counted, the  
33 number of ballots counted for each precinct, any  
34 equipment problems and, insofar as practicable, the

1 number of invalid security designations encountered  
2 during that count; and

3 (d) changes and repairs made to the equipment during  
4 the vote tabulation and canvass.

5 The computer operator's log and canvass shall be  
6 available for public inspection in the office of the election  
7 authority for a period of 60 days following the proclamation  
8 of election results. A copy of the computer operator's log  
9 and the canvass shall be transmitted to the State Board of  
10 Elections upon its request and at its expense.

11 (10 ILCS 5/24C-15 new)

12 Sec. 24C-15. Official Return of Precinct; Check of  
13 Totals; Audit. The precinct return printed by the Direct  
14 Recording Electronic Voting System tabulating equipment shall  
15 include the number of ballots cast and votes cast for each  
16 candidate and public question and shall constitute the  
17 official return of each precinct. In addition to the  
18 precinct return, the election authority shall provide the  
19 number of applications for ballots in each precinct, the  
20 total number of ballots and absentee ballots counted in each  
21 precinct for each political subdivision and district and the  
22 number of registered voters in each precinct. However, the  
23 election authority shall check the totals shown by the  
24 precinct return and, if there is an obvious discrepancy  
25 regarding the total number of votes cast in any precinct,  
26 shall have the ballots for that precinct audited to correct  
27 the return. The procedures for this audit shall apply prior  
28 to and after the proclamation is completed; however, after  
29 the proclamation of results, the election authority must  
30 obtain a court order to unseal voted ballots or voting  
31 devices except for election contests and discovery recounts.  
32 The certificate of results, which has been prepared and  
33 signed by the judges of election in the polling place after

1 the ballots have been tabulated, shall be the document used  
2 for the canvass of votes for such precinct. Whenever a  
3 discrepancy exists during the canvass of votes between the  
4 unofficial results and the certificate of results, or  
5 whenever a discrepancy exists during the canvass of votes  
6 between the certificate of results and the set of totals  
7 reflected on the certificate of results, the ballots for that  
8 precinct shall be audited to correct the return.

9 Prior to the proclamation, the election authority shall  
10 test the voting devices and equipment in 1% of the precincts  
11 within the election jurisdiction. The precincts to be tested  
12 shall be selected after election day on a random basis by the  
13 election authority, so that every precinct in the election  
14 jurisdiction has an equal mathematical chance of being  
15 selected. The State Board of Elections shall design a  
16 standard and scientific random method of selecting the  
17 precincts that are to be tested, and the election authority  
18 shall be required to use that method. The State Board of  
19 Elections, the State's Attorney and other appropriate law  
20 enforcement agencies, the county chairman of each established  
21 political party and qualified civic organizations shall be  
22 given prior written notice of the time and place of the  
23 random selection procedure and may be represented at the  
24 procedure.

25 The test shall be conducted by counting the votes marked  
26 on the permanent paper record of each ballot cast in the  
27 tested precinct printed by the voting system at the time that  
28 each ballot was cast and comparing the results of this count  
29 with the results shown by the certificate of results prepared  
30 by the Direct Recording Electronic voting system in the test  
31 precinct. The election authority shall test count these  
32 votes either by hand or by using an automatic tabulating  
33 device other than a Direct Recording Electronic voting device  
34 that has been approved by the State Board of Elections for

1 that purpose and tested before use to ensure accuracy. The  
2 election authority shall print the results of each test  
3 count. If any error is detected, the cause shall be  
4 determined and corrected, and an errorless count shall be  
5 made prior to the official canvass and proclamation of  
6 election results. If an errorless count cannot be conducted  
7 and there continues to be difference in vote results between  
8 the certificate of results produced by the Direct Recording  
9 Electronic voting system and the count of the permanent paper  
10 records or if an error was detected and corrected, the  
11 election authority shall immediately prepare and forward to  
12 the appropriate canvassing board a written report explaining  
13 the results of the test and any errors encountered and the  
14 report shall be made available for public inspection.

15 The State Board of Elections, the State's Attorney and  
16 other appropriate law enforcement agencies, the county  
17 chairman of each established political party and qualified  
18 civic organizations shall be given prior written notice of  
19 the time and place of the test and may be represented at the  
20 test.

21 The results of this post-election test shall be treated  
22 in the same manner and have the same effect as the results of  
23 the discovery procedures set forth in Section 22-9.1 of this  
24 Code.

25 (10 ILCS 5/24C-15.01 new)

26 Sec. 24C-15.01. Transporting Ballots to Central Counting  
27 Station; Container. Upon completion of the tabulation, audit  
28 or test of voting equipment pursuant to Sections 24C-11  
29 through 24C-15, the ballots and the medium containing the  
30 ballots from each precinct shall be replaced in the container  
31 in which they were transported to the central counting  
32 station. If the container is not a type which may be  
33 securely locked, then each container, before being



1 transferred from the counting station to storage, shall be  
2 securely sealed.

3 (10 ILCS 5/24C-15.1 new)

4 Sec. 24C-15.1. Discovery, Recounts and Election Contests.  
5 Except as provided, discovery recounts and election contests  
6 shall be conducted as otherwise provided for in this Code.  
7 The Direct Recording Electronic Voting System equipment shall  
8 be tested prior to the discovery recount or election contest  
9 as provided in Section 24C-9, and then the official ballots  
10 shall be audited.

11 Any person who has filed a petition for discovery recount  
12 may request that a redundant count be conducted in those  
13 precincts in which the discovery recount is being conducted.  
14 The additional costs of a redundant count shall be borne by  
15 the requesting party.

16 The log of the computer operator and all materials  
17 retained by the election authority in relation to vote  
18 tabulation and canvass shall be made available for any  
19 discovery recount or election contest.

20 (10 ILCS 5/24C-16 new)

21 Sec. 24C-16. Approval of Direct Recording Electronic  
22 Voting Systems; Requisites. The State Board of Elections  
23 shall approve all Direct Recording Electronic Voting Systems  
24 that fulfill the functional requirements provided by Section  
25 24C-11 of this Code, the mandatory requirements of the  
26 federal voting system standards pertaining to Direct  
27 Recording Electronic voting systems promulgated by the  
28 Federal Election Commission or the Election Assistance  
29 Commission, the testing requirements of an approved  
30 independent testing authority and the rules of the State  
31 Board of Elections.

32 The State Board of Elections is authorized to withdraw

1 its approval of a Direct Recording Electronic Voting System  
2 if the System, once approved, fails to fulfill the above  
3 requirements.

4 No vendor, person or other entity may sell, lease or loan  
5 a Direct Recording Electronic Voting System or system  
6 component to any election jurisdiction unless the system or  
7 system component is first approved by the State Board of  
8 Elections pursuant to this Section.

9 (10 ILCS 5/24C-17 new)

10 Sec. 24C-17. Rules; Number of Voting Stations. The State  
11 Board of Elections may make reasonable rules for the  
12 administration of this Article and may prescribe the number  
13 of voting stations required for the various types of voting  
14 systems.

15 (10 ILCS 5/24C-18 new)

16 Sec. 24C-18. Specimen Ballots; Publication. When a  
17 Direct Recording Electronic Voting System is used, the  
18 election authority shall cause to be published, at least 5  
19 days before the day of each general and general primary  
20 election, in 2 or more newspapers published in and having a  
21 general circulation in the county, a true and legible copy of  
22 the specimen ballot containing the names of offices and  
23 candidates and public questions to be voted on, as near as  
24 may be, in the form in which they will appear on the official  
25 ballot on election day. A true legible copy may be in the  
26 form of an actual size ballot and shall be published as  
27 required by this Section if distributed in 2 or more  
28 newspapers published and having a general circulation in the  
29 county as an insert. For each election prescribed in Article  
30 2A of this Code, specimen ballots shall be made available for  
31 public distribution and shall be supplied to the judges of  
32 election for posting in the polling place on the day of

1 election. Notice for the consolidated elections shall be  
2 given as provided in Article 12.

3 (10 ILCS 5/24C-19 new)

4 Sec. 24C-19. Additional Method of Voting. The foregoing  
5 Sections of this Article shall be deemed to provide a method  
6 of voting in addition to the methods otherwise provided in  
7 this Code.

8 Section 10. The State Finance Act is amended by adding  
9 Section 5.595 as follows:

10 (30 ILCS 105/5.595 new)

11 Sec. 5.595. The Help Illinois Vote Fund.

12 Section 15. The Property Tax Code is amended by changing  
13 Section 5-5 as follows:

14 (35 ILCS 200/5-5)

15 Sec. 5-5. Election of commissioners of board of review;  
16 counties of 3,000,000 or more.

17 (a) In counties with 3,000,000 or more inhabitants, on  
18 the first Tuesday after the first Monday in November 1994, 2  
19 commissioners of the board of appeals shall be elected to  
20 hold office from the first Monday in December following their  
21 election and until the first Monday in December 1998. In case  
22 of any vacancy, the chief judge of the circuit court or any  
23 judge of that circuit designated by the chief judge shall  
24 fill the vacancy by appointment. The commissioners shall be  
25 electors in the particular county at the time of their  
26 election or appointment and shall hold no other lucrative  
27 public office or public employment. Each commissioner shall  
28 receive compensation fixed by the county board, which shall  
29 be paid out of the county treasury and which shall not be

1 changed during the term for which any commissioner is elected  
2 or appointed. Effective the first Monday in December 1998,  
3 the board of appeals is abolished.

4 The board of appeals shall maintain sufficient  
5 evidentiary records to support all decisions made by the  
6 board of appeals. All records, data, sales/ratio studies,  
7 and other information necessary for the board of review  
8 elected under subsection (c) to perform its functions and  
9 duties shall be transferred by the board of appeals to the  
10 board of review on the first Monday in December 1998.

11 (b) (Blank).

12 (c) In each county with 3,000,000 or more inhabitants,  
13 there is created a board of review. The board of review shall  
14 consist of 3 commissioners, one elected from each election  
15 district in the county at the general election in 1998 to  
16 hold office for a term beginning on the first Monday in  
17 December following their election and until their respective  
18 successors are elected and qualified.

19 No later than June 1, 1996, the General Assembly shall  
20 establish the boundaries for the 3 election districts in each  
21 county with 3,000,000 or more inhabitants. The election  
22 districts shall be compact, contiguous, and have  
23 substantially the same population based on the 1990 federal  
24 decennial census. One district shall be designated as the  
25 first election district, one as the second election district,  
26 and one as the third election district. The commissioner from  
27 each district shall be elected to a term of 4 years.

28 In the year following each federal decennial census, the  
29 General Assembly shall reapportion the election districts to  
30 reflect the results of the census. The reapportioned  
31 districts shall be compact, contiguous, and contain  
32 substantially the same population. The commissioner from the  
33 first district shall be elected to terms of 4 years, 4 years,  
34 and 2 years. The commissioner from the second district shall

1 be elected to terms of 4 years, 2 years, and 4 years. The  
2 commissioner from the third district shall be elected to  
3 terms of 2 years, 4 years, and 4 years.

4 In case of vacancy, the chief judge of the circuit court  
5 or any judge of the circuit court designated by the chief  
6 judge shall fill the vacancy by appointment of a person from  
7 the same political party. If the vacancy is filled with more  
8 than 28 months remaining in the term, the appointed  
9 commissioner shall serve until the next general election, at  
10 which time a commissioner shall be elected to serve for the  
11 remainder of the term. If a vacancy is filled with 28 months  
12 or less remaining in the term, the appointment shall be for  
13 the remainder of the term. No commissioner may be elected or  
14 appointed to the board of review unless he or she has resided  
15 in the election district he or she seeks to represent for at  
16 least 2 years before the date of the election or appointment.  
17 In the election following each federal decennial census and  
18 board of review redistricting, a candidate for commissioner  
19 may be elected from any election district that contains a  
20 part of the election district in which he or she resided at  
21 the time of the redistricting and re-elected if a resident of  
22 the new district he or she represents for 18 months prior to  
23 re-election. The commissioners shall--be--electors--within  
24 their--respective--election--district--at--the--time--of--their  
25 election--or--appointment--and shall hold no other lucrative  
26 public office or public employment.

27 Each commissioner shall receive compensation fixed by the  
28 county board, which shall be paid from the county treasury.  
29 Compensation for each commissioner shall be equitable and  
30 shall not be changed during the term for which that  
31 commissioner is elected or appointed. The county shall  
32 provide suitable office space for the board of review.

33 For the year beginning on the first Monday in December  
34 1998 and ending the first Monday in December 1999, and every

1 fourth year thereafter, the chair of the board shall be the  
2 commissioner elected from the first district. For the year  
3 beginning the first Monday in December 1999 and ending the  
4 first Monday in December 2000, and every fourth year  
5 thereafter, the chair of the board shall be the commissioner  
6 elected from the second district. For the year beginning the  
7 first Monday in December 2000 and ending the first Monday in  
8 December 2001, and every fourth year thereafter, the chair  
9 shall be the commissioner elected from the third district.  
10 For the year beginning the first Monday in December 2001 and  
11 ending the first Monday in December 2002, and every fourth  
12 year thereafter, the chair of the board shall be determined  
13 by lot.

14 On and after the first Monday in December, 1998, any  
15 reference in this Code to a board of appeals shall mean the  
16 board of review created under this subsection, and any  
17 reference to a member of a board of review shall mean a  
18 commissioner of a board of review. Whenever it may be  
19 necessary for purposes of determining its jurisdiction, the  
20 board of review shall be deemed to succeed to the powers and  
21 duties of the former board of appeals; provided that the  
22 board of review shall also have all of the powers and duties  
23 granted to it under this Code. All action of the board of  
24 review shall be by a majority vote of its commissioners.

25 (Source: P.A. 91-393, eff. 7-30-99; 91-425, eff. 8-6-99.)

26 Section 20. The School Code is amended by changing  
27 Section 22-21 as follows:

28 (105 ILCS 5/22-21) (from Ch. 122, par. 22-21)

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

30 (a) Every school board shall offer to the appropriate  
31 officer or board having responsibility for providing polling  
32 places for elections the use of any and all buildings under

1 its jurisdiction for any and all elections to be held, if so  
2 requested by such appropriate officer or board.

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

27 Notwithstanding any other provision of this Code, the  
28 area on polling place property beyond the campaign free zone,  
29 whether publicly or privately owned, is a public forum for  
30 the time that the polls are open on an election day. At the  
31 request of election officers any publicly owned building must  
32 be made available for use as a polling place. A person shall  
33 have the right to congregate and engage in electioneering on  
34 any polling place property while the polls are open beyond

1 the campaign free zone, including but not limited to, the  
2 placement of temporary signs. This subsection shall be  
3 construed liberally in favor of persons engaging in  
4 electioneering on all polling place property beyond the  
5 campaign free zone for the time that the polls are open on an  
6 election day.

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

8 (10 ILCS 5/28-6) (from Ch. 46, par. 28-6)

9 Sec. 28-6. Petitions; filing.

10 (a) On a written petition signed by a number of voters  
11 equal to at least 8% of the votes cast for candidates for  
12 Governor in the preceding gubernatorial election by ~~10%~~  
13 the registered voters of the any municipality, township,  
14 county or school district it shall be the duty of the proper  
15 election officers to submit any question of public policy so  
16 petitioned for, to the electors of such political subdivision  
17 at any regular election named in the petition at which an  
18 election is scheduled to be held throughout such political  
19 subdivision under Article 2A. Such petitions shall be filed  
20 with the local election official of the political subdivision  
21 or election authority, as the case may be. Where such a  
22 question is to be submitted to the voters of a municipality  
23 which has adopted Article 6, or a township or school district  
24 located entirely within the jurisdiction of a municipal board  
25 of election commissioners, such petitions shall be filed with  
26 the board of election commissioners having jurisdiction over  
27 the political subdivision.

28 (b) In a municipality with more than 1,000,000  
29 inhabitants, when a question of public policy exclusively  
30 concerning a contiguous territory included entirely within  
31 but not coextensive with the municipality is initiated by  
32 resolution or ordinance of the corporate authorities of the  
33 municipality, or by a petition which may be signed by



1 registered voters who reside in any part of any precinct all  
2 or part of which includes all or part of the territory and  
3 who equal in number at least 8% of the total votes cast for  
4 candidates for Governor in the preceding gubernatorial  
5 election by 10% of the total number of registered voters of  
6 the precinct or precincts the registered voters of which are  
7 eligible to sign the petition, it shall be the duty of the  
8 election authority having jurisdiction over such municipality  
9 to submit such question to the electors throughout each  
10 precinct all or part of which includes all or part of the  
11 territory at the regular election specified in the  
12 resolution, ordinance or petition initiating the public  
13 question. A petition initiating a public question described  
14 in this subsection shall be filed with the election authority  
15 having jurisdiction over the municipality. A resolution,  
16 ordinance or petition initiating a public question described  
17 in this subsection shall specify the election at which the  
18 question is to be submitted.

19 (c) Local questions of public policy authorized by this  
20 Section and statewide questions of public policy authorized  
21 by Section 28-9 shall be advisory public questions, and no  
22 legal effects shall result from the adoption or rejection of  
23 such propositions.

24 (d) This Section does not apply to a petition filed  
25 pursuant to Article IX of the Liquor Control Act of 1934.

26 (Source: P.A. 84-1467.)

27 (10 ILCS 5/28-9) (from Ch. 46, par. 28-9)

28 Sec. 28-9. Petitions for proposed amendments to Article  
29 IV of the Constitution pursuant to Section 3, Article XIV of  
30 the Constitution shall be signed by a number of electors  
31 equal in number to at least 8% of the total votes cast for  
32 candidates for Governor in the preceding gubernatorial  
33 election. Such petition shall have been signed by the

1 petitioning electors not more than 24 months preceding the  
2 general election at which the proposed amendment is to be  
3 submitted and shall be filed with the Secretary of State at  
4 least 6 months before that general election.

5 Upon receipt of a petition for a proposed Constitutional  
6 amendment, the Secretary of State shall, as soon as is  
7 practicable, but no later than the close of the next business  
8 day, deliver such petition to the State Board of Elections.

9 Petitions for advisory questions of public policy to be  
10 submitted to the voters of the entire State shall be signed  
11 by a number of voters equal in number to 8% of the total  
12 votes cast for candidates for Governor in the preceding  
13 gubernatorial election ~~at least 10% of the registered voters~~  
14 ~~in the State.~~ Such petition shall have been signed by said  
15 petitioners not more than 24 months preceding the date of the  
16 general election at which the question is to be submitted and  
17 shall be filed with the State Board of Elections at least 6  
18 months before that general election.

19 The proponents of the proposed Constitutional amendment  
20 or statewide advisory public question shall file the original  
21 petition in bound election jurisdiction sections. Each  
22 section shall be composed of consecutively numbered petition  
23 sheets containing only the signatures of registered voters of  
24 a single election jurisdiction and, at the top of each  
25 petition sheet, the name of the election jurisdiction shall  
26 be typed or printed in block letters; provided that, if the  
27 name of the election jurisdiction is not so printed, the  
28 election jurisdiction of the circulator of that petition  
29 sheet shall be controlling with respect to the signatures on  
30 that sheet. Any petition sheets not consecutively numbered or  
31 which contain duplicate page numbers already used on other  
32 sheets, or are photocopies or duplicates of the original  
33 sheets, shall not be considered part of the petition for the  
34 purpose of the random sampling verification and shall not be

1 counted toward the minimum number of signatures required to  
2 qualify the proposed constitutional amendment or statewide  
3 advisory public question for the ballot.

4 Within 7 business days following the last day for filing  
5 the original petition, the proponents shall also file copies  
6 of the sectioned election jurisdiction petition sheets with  
7 each proper election authority and obtain a receipt therefor.

8 For purposes of this Act, the following terms shall be  
9 defined and construed as follows:

10 1. "Board" means the State Board of Elections.

11 2. "Election Authority" means a county clerk or city or  
12 county board of election commissioners.

13 3. "Election Jurisdiction" means (a) an entire county,  
14 in the case of a county in which no city board of election  
15 commissioners is located or which is under the jurisdiction  
16 of a county board of election commissioners; (b) the  
17 territorial jurisdiction of a city board of election  
18 commissioners; and (c) the territory in a county outside of  
19 the jurisdiction of a city board of election commissioners.  
20 In each instance election jurisdiction shall be determined  
21 according to which election authority maintains the permanent  
22 registration records of qualified electors.

23 4. "Proponents" means any person, association,  
24 committee, organization or other group, or their designated  
25 representatives, who advocate and cause the circulation and  
26 filing of petitions for a statewide advisory question of  
27 public policy or a proposed constitutional amendment for  
28 submission at a general election and who has registered with  
29 the Board as provided in this Act.

30 5. "Opponents" means any person, association, committee,  
31 organization or other group, or their designated  
32 representatives, who oppose a statewide advisory question of  
33 public policy or a proposed constitutional amendment for  
34 submission at a general election and who have registered with

1 the Board as provided in this Act.

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

3 Section 10. The Counties Code is amended by adding  
4 Section 5-1005.5 as follows:

5 (55 ILCS 5/5-1005.5 new)

6 Sec. 5-1005.5. Advisory referenda. By a vote of the  
7 majority of the members of the county board, the board may  
8 authorize an advisory question of public policy to be placed  
9 on the ballot at the next regularly scheduled election in the  
10 county. The county board shall certify the question to the  
11 proper election authority, which must submit the question at  
12 an election in accordance with the Election Code.

13 Section 15. The Illinois Municipal Code is amended by  
14 adding Section 3.1-40-60 as follows:

15 (65 ILCS 5/3.1-40-60 new)

16 Sec. 3.1-40-60. Advisory referenda. By a vote of the  
17 majority of the members of the city council, the council may  
18 authorize an advisory question of public policy to be placed  
19 on the ballot at the next regularly scheduled election in the  
20 municipality. The city council shall certify the question to  
21 the proper election authority, which must submit the question  
22 at an election in accordance with the Election Code.

23 Section 20. The Park District Code is amended by adding  
24 Section 8-30 as follows:

25 (70 ILCS 1205/8-30 new)

26 Sec. 8-30. Advisory referenda. By a vote of the majority  
27 of the members of the park district board, the board may  
28 authorize an advisory question of public policy to be placed

1 on the ballot at the next regularly scheduled election in the  
2 district. The board shall certify the question to the proper  
3 election authority, which must submit the question at an  
4 election in accordance with the Election Code.

5 Section 90. The State Mandates Act is amended by adding  
6 Section 8.27 as follows:

7 (30 ILCS 805/8.27 new)

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

12 Section 97. Severability. The provisions of this Act  
13 are severable under Section 1.31 of the Statute on Statutes.

14 Section 99. Effective date. This Act takes effect upon  
15 becoming law."