



94TH GENERAL ASSEMBLY
State of Illinois
2005 and 2006
HB0203

Introduced 01/13/05, by Rep. Richard P. Myers

SYNOPSIS AS INTRODUCED:

10 ILCS 5/19-13

from Ch. 46, par. 19-13

Amends the Election Code. Provides that a person admitted to a hospital, nursing home, or rehabilitation center (now, hospital) 5 or fewer days before an election is entitled to personal delivery of an absentee ballot. Effective immediately.

LRB094 03670 JAM 33675 b

1 AN ACT concerning elections.

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

4 Section 5. The Election Code is amended by changing Section
5 19-13 as follows:

6 (10 ILCS 5/19-13) (from Ch. 46, par. 19-13)

7 Sec. 19-13. Any qualified voter who has been admitted to a
8 hospital, nursing home, or rehabilitation center due to an
9 illness or physical injury not more than 5 days before an
10 election shall be entitled to personal delivery of an absentee
11 ballot in the hospital, nursing home, or rehabilitation center
12 subject to the following conditions:

13 (1) The voter completes the Application for Physically
14 Incapacitated Elector as provided in Section 19-3, stating as
15 reasons therein that he is a patient in (name
16 of hospital/home/center), located at,
17 (address of hospital/home/center),
18 (county, city/village), was admitted
19 ~~hospitalized~~ for (nature of illness or
20 physical injury), on (date of admission), and
21 does not expect to be released from the hospital/home/center on
22 or before the day of election.

23 (2) The voter's physician completes a Certificate of
24 Attending Physician in a form substantially as follows:

25 CERTIFICATE OF ATTENDING PHYSICIAN

26 I state that I am a physician, duly licensed to practice in
27 the State of; that is a patient in
28 (name of hospital/home/center), located at
29 (address of hospital/home/center),
30 (county, city/village); that such individual
31 was admitted ~~hospitalized~~ for (nature of illness
32 or physical injury), on (date of admission); and

1 that I have examined such individual in the State in which I am
2 licensed to practice medicine and do not expect such individual
3 to be released from the hospital/home/center on or before the
4 day of election.

5 Under penalties as provided by law pursuant to Section
6 29-10 of The Election Code, the undersigned certifies that the
7 statements set forth in this certification are true and
8 correct.

9 (Signature)

10 (Date licensed)

11 (3) Any person who is registered to vote in the same
12 precinct as the admitted ~~hospitalized~~ voter or any legal
13 relative of the admitted ~~hospitalized~~ voter may present such
14 voter's absentee ballot application, completed as prescribed
15 in paragraph 1, accompanied by the physician's certificate,
16 completed as prescribed in paragraph 2, to the election
17 authority. Such precinct voter or relative shall execute and
18 sign an affidavit furnished by the election authority attesting
19 that he is a registered voter in the same precinct as the
20 admitted ~~hospitalized~~ voter or that he is a legal relative of
21 the admitted ~~hospitalized~~ voter and stating the nature of the
22 relationship. Such precinct voter or relative shall further
23 attest that he has been authorized by the admitted ~~hospitalized~~
24 voter to obtain his absentee ballot from the election authority
25 and deliver such ballot to him in the hospital, home, or
26 center.

27 Upon receipt of the admitted ~~hospitalized~~ voter's
28 application, physician's certificate, and the affidavit of the
29 precinct voter or the relative, the election authority shall
30 examine the registration records to determine if the applicant
31 is qualified to vote and, if found to be qualified, shall
32 provide the precinct voter or the relative the absentee ballot
33 for delivery to the applicant in the hospital, home, or center.

34 Upon receipt of the absentee ballot, the admitted
35 ~~hospitalized~~ voter shall mark the ballot in secret and
36 subscribe to the certifications on the absentee ballot return

1 envelope. After depositing the ballot in the return envelope
2 and securely sealing the envelope, such voter shall give the
3 envelope to the precinct voter or the relative who shall
4 deliver it to the election authority in sufficient time for the
5 ballot to be delivered by the election authority to the proper
6 precinct polling place before 7 p.m. on election day.

7 Upon receipt of the admitted ~~hospitalized~~ voter's absentee
8 ballot, the ballot shall be counted in the manner prescribed in
9 Section 19-9.

10 (Source: P.A. 84-808.)

11 Section 99. Effective date. This Act takes effect upon
12 becoming law.