HB0400

94TH GENERAL ASSEMBLY

State of Illinois

2005 and 2006

HB0400

Introduced 1/25/2005, by Rep. Chapin Rose

SYNOPSIS AS INTRODUCED:

10 ILCS 5/17-8	from Ch. 46, par. 17-8
10 ILCS 5/17-11	from Ch. 46, par. 17-11

   Amends the Election Code. Permits children under age 10 to accompany their parent or guardian into the voting booth if requested of the election officers and if the election officers determine that the children are not likely to disrupt or interfere with the voting process or influence the casting of a vote.

A BILL FOR

HB0400   LRB094 06919 JAM 37031 b

1   AN ACT concerning elections.

2   **Be it enacted by the People of the State of Illinois,**

3   **represented in the General Assembly:**

4   Section 5. The Election Code is amended by changing

5   Sections 17-8 and 17-11 as follows:

6   (10 ILCS 5/17-8) (from Ch. 46, par. 17-8)

7   Sec. 17-8. The county clerk shall provide in each polling

8   place, so designated or provided a sufficient number of booths,

9   which shall be provided with such supplies and conveniences,

10   including shelves, pens, penholders, ink, blotters and

11   pencils, as will enable the voter to prepare his ballot for

12   voting, and in which voters may prepare their ballots screened

13   from all observation as to the manner in which they do so. They

14   shall be within plain view of election officers, and both they

15   and the ballot boxes shall be within plain view of those within

16   the proximity of the voting booths. Each of said booths shall

17   have 3 sides enclosed, one side in front, to be closed with a

18   curtain. Each side of each booth shall be 6 feet 4 inches and

19   the curtain shall extend within 2 feet of the floor, which

20   shall be closed while the voter is preparing his ballot. Each

21   booth shall be at least 32 inches square and shall contain a

22   shelf at least one foot wide, at a convenient height for

23   writing. No person other than the election officers and the

24   challengers allowed by law, and those admitted for the purpose

25   of voting as herein provided, shall be permitted within the

26   proximity of the voting booths, (i) except by authority of the

27   election officers to keep order and enforce the law and (ii)

28   except that one or more children under the age of 10 may

29   accompany their parent or guardian into the voting booth as

30   long as a request to do so is made to the election officers

31   and, in the sole discretion of the election officers, the child

32   or children are not likely to disrupt or interfere with the

1   <u>voting process or influence the casting of a vote</u>. The number

2   of such voting booths shall not be less than one to every 75

3   voters or fraction thereof who voted at the last preceding

4   election in the precinct. The expense of providing booths and

5   other things required in this Act shall be paid in the same

6   manner as other election expenses.

7   Where electronic voting systems are used, a booth with a

8   self-contained electronic voting device may be used. Each such

9   booth shall have 3 sides enclosed and shall be equipped with a

10   curtain for closing the front of the booth. The curtain must

11   extend to within 2 feet of the floor. Each side shall be of

12   such a height, in no event less than 5 feet, one inch, as to

13   insure the secrecy of the voter. Each booth shall be at least

14   32 inches square, provided, however, that where a booth is no

15   more than 23 inches wide and the sides of such booth extend

16   from a point below the device to a height of 5 feet, one inch,

17   at the front of the booth, and such booth insures that voters

18   may prepare their ballots in secrecy, such booth may be used.

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

20   (10 ILCS 5/17-11) (from Ch. 46, par. 17-11)

21   Sec. 17-11. On receipt of his ballot the voter shall

22   forthwith, and without leaving the inclosed space, retire

23   alone<u>, or accompanied by children as provided in Section 17-8,</u>

24   to one of the voting booths so provided and shall prepare his

25   ballot by making in the appropriate margin or place a cross (X)

26   opposite the name of the candidate of his choice for each

27   office to be filled, or by writing in the name of the candidate

28   of his choice in a blank space on said ticket, making a cross

29   (X) opposite thereto; and in case of a question submitted to

30   the vote of the people, by making in the appropriate margin or

31   place a cross (X) against the answer he desires to give. A

32   cross (X) in the square in front of the bracket enclosing the

33   names of a team of candidates for Governor and Lieutenant

34   Governor counts as one vote for each of such candidates. Before

35   leaving the voting booth the voter shall fold his ballot in

1   such manner as to conceal the marks thereon. He shall then vote
2   forthwith in the manner herein provided, except that the number
3   corresponding to the number of the voter on the poll books
4   shall not be indorsed on the back of his ballot. He shall mark
5   and deliver his ballot without undue delay, and shall quit said
6   inclosed space as soon as he has voted. No voter shall be
7   allowed to occupy a voting booth already occupied by another,
8   nor remain within said inclosed space more than ten minutes,
9   nor to occupy a voting booth more than five minutes in case all
10 of said voting booths are in use and other voters waiting to
11 occupy the same. No voter not an election officer, shall, after
12 having voted, be allowed to re-enter said inclosed space during
13 said election. No person shall take or remove any ballot from
14 the polling place before the close of the poll. No voter shall
15 vote or offer to vote any ballot except such as he has received
16 from the judges of election in charge of the ballots. Any voter
17 who shall, by accident or mistake, spoil his ballot, may, on
18 returning said spoiled ballot, receive another in place thereof
19 only after the word "spoiled" has been written in ink
20 diagonally across the entire face of the ballot returned by the
21 voter.

22   Where voting machines or electronic voting systems are
23 used, the provisions of this section may be modified as
24 required or authorized by Article 24 or Article 24A, whichever
25 is applicable.
26 (Source: P.A. 89-700, eff. 1-17-97.)