



94TH GENERAL ASSEMBLY

State of Illinois

2005 and 2006

HB1125

Introduced 02/08/05, by Rep. Naomi D. Jakobsson - Lisa M. Dugan
- Careen M Gordon - Deborah L. Graham - Robin Kelly, et al.

SYNOPSIS AS INTRODUCED:

10 ILCS 5/17-8
10 ILCS 5/17-11

from Ch. 46, par. 17-8
from Ch. 46, par. 17-11

Amends the Election Code. Permits minor children to accompany their parent or guardian into the voting booth.

LRB094 08365 JAM 38558 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 18 may
29 accompany their parent or guardian into the voting booth. The
30 number of such voting booths shall not be less than one to
31 every 75 voters or fraction thereof who voted at the last
32 preceding election in the precinct. The expense of providing

1 booths and other things required in this Act shall be paid in
2 the same manner as other election expenses.

3 Where electronic voting systems are used, a booth with a
4 self-contained electronic voting device may be used. Each such
5 booth shall have 3 sides enclosed and shall be equipped with a
6 curtain for closing the front of the booth. The curtain must
7 extend to within 2 feet of the floor. Each side shall be of
8 such a height, in no event less than 5 feet, one inch, as to
9 insure the secrecy of the voter. Each booth shall be at least
10 32 inches square, provided, however, that where a booth is no
11 more than 23 inches wide and the sides of such booth extend
12 from a point below the device to a height of 5 feet, one inch,
13 at the front of the booth, and such booth insures that voters
14 may prepare their ballots in secrecy, such booth may be used.

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

16 (10 ILCS 5/17-11) (from Ch. 46, par. 17-11)

17 Sec. 17-11. On receipt of his ballot the voter shall
18 forthwith, and without leaving the inclosed space, retire
19 alone, or accompanied by children as provided in Section 17-8,
20 to one of the voting booths so provided and shall prepare his
21 ballot by making in the appropriate margin or place a cross (X)
22 opposite the name of the candidate of his choice for each
23 office to be filled, or by writing in the name of the candidate
24 of his choice in a blank space on said ticket, making a cross
25 (X) opposite thereto; and in case of a question submitted to
26 the vote of the people, by making in the appropriate margin or
27 place a cross (X) against the answer he desires to give. A
28 cross (X) in the square in front of the bracket enclosing the
29 names of a team of candidates for Governor and Lieutenant
30 Governor counts as one vote for each of such candidates. Before
31 leaving the voting booth the voter shall fold his ballot in
32 such manner as to conceal the marks thereon. He shall then vote
33 forthwith in the manner herein provided, except that the number
34 corresponding to the number of the voter on the poll books
35 shall not be indorsed on the back of his ballot. He shall mark

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

18 Where voting machines or electronic voting systems are
19 used, the provisions of this section may be modified as
20 required or authorized by Article 24 or Article 24A, whichever
21 is applicable.

22 (Source: P.A. 89-700, eff. 1-17-97.)