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09400HB1125ham001

LRB094 08365 RCE 41930 a

1 AMENDMENT TO HOUSE BILL 1125

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 1125 by replacing  
3 the after the enacting clause with the following:

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

1 of voting as herein provided, shall be permitted within the  
2 proximity of the voting booths, (i) except by authority of the  
3 election officers to keep order and enforce the law and (ii)  
4 except that one or more children under the age of 18 may  
5 accompany their parent or guardian into the voting booth as  
6 long as a request to do so is made to the election officers  
7 and, in the sole discretion of the election officers, the child  
8 or children are not likely to disrupt or interfere with the  
9 voting process or influence the casting of a vote. The number  
10 of such voting booths shall not be less than one to every 75  
11 voters or fraction thereof who voted at the last preceding  
12 election in the precinct. The expense of providing booths and  
13 other things required in this Act shall be paid in the same  
14 manner as other election expenses.

15 Where electronic voting systems are used, a booth with a  
16 self-contained electronic voting device may be used. Each such  
17 booth shall have 3 sides enclosed and shall be equipped with a  
18 curtain for closing the front of the booth. The curtain must  
19 extend to within 2 feet of the floor. Each side shall be of  
20 such a height, in no event less than 5 feet, one inch, as to  
21 insure the secrecy of the voter. Each booth shall be at least  
22 32 inches square, provided, however, that where a booth is no  
23 more than 23 inches wide and the sides of such booth extend  
24 from a point below the device to a height of 5 feet, one inch,  
25 at the front of the booth, and such booth insures that voters  
26 may prepare their ballots in secrecy, such booth may be used.

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

28 (10 ILCS 5/17-11) (from Ch. 46, par. 17-11)

29 Sec. 17-11. On receipt of his ballot the voter shall  
30 forthwith, and without leaving the inclosed space, retire  
31 alone, or accompanied by children as provided in Section 17-8,  
32 to one of the voting booths so provided and shall prepare his  
33 ballot by making in the appropriate margin or place a cross (X)

1 opposite the name of the candidate of his choice for each  
2 office to be filled, or by writing in the name of the candidate  
3 of his choice in a blank space on said ticket, making a cross  
4 (X) opposite thereto; and in case of a question submitted to  
5 the vote of the people, by making in the appropriate margin or  
6 place a cross (X) against the answer he desires to give. A  
7 cross (X) in the square in front of the bracket enclosing the  
8 names of a team of candidates for Governor and Lieutenant  
9 Governor counts as one vote for each of such candidates. Before  
10 leaving the voting booth the voter shall fold his ballot in  
11 such manner as to conceal the marks thereon. He shall then vote  
12 forthwith in the manner herein provided, except that the number  
13 corresponding to the number of the voter on the poll books  
14 shall not be indorsed on the back of his ballot. He shall mark  
15 and deliver his ballot without undue delay, and shall quit said  
16 inclosed space as soon as he has voted. No voter shall be  
17 allowed to occupy a voting booth already occupied by another,  
18 nor remain within said inclosed space more than ten minutes,  
19 nor to occupy a voting booth more than five minutes in case all  
20 of said voting booths are in use and other voters waiting to  
21 occupy the same. No voter not an election officer, shall, after  
22 having voted, be allowed to re-enter said inclosed space during  
23 said election. No person shall take or remove any ballot from  
24 the polling place before the close of the poll. No voter shall  
25 vote or offer to vote any ballot except such as he has received  
26 from the judges of election in charge of the ballots. Any voter  
27 who shall, by accident or mistake, spoil his ballot, may, on  
28 returning said spoiled ballot, receive another in place thereof  
29 only after the word "spoiled" has been written in ink  
30 diagonally across the entire face of the ballot returned by the  
31 voter.

32 Where voting machines or electronic voting systems are  
33 used, the provisions of this section may be modified as  
34 required or authorized by Article 24 or Article 24A, whichever

1 is applicable.

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