



94TH GENERAL ASSEMBLY

State of Illinois

2005 and 2006

HB3636

Introduced 2/24/2005, by Rep. John D'Amico

SYNOPSIS AS INTRODUCED:

10 ILCS 5/7-56

from Ch. 46, par. 7-56

Amends the Election Code. Requires that an election authority certify the primary election results to the election officials of the appropriate political subdivisions within 48 hours after tabulation of provisional ballots, and when the general election tabulation is not completed until the last day allowed by law, the election authority must deliver the certification within 24 hours after the tabulation (now, within 48 hours of the delivery of completed returns to the election authority). Effective immediately.

LRB094 08479 JAM 38686 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 7-56 as follows:

6 (10 ILCS 5/7-56) (from Ch. 46, par. 7-56)

7 Sec. 7-56. As soon as complete returns are delivered to the
8 proper election authority, the returns shall be canvassed for
9 all primary elections as follows:

10 1. In the case of the nomination of candidates for city
11 offices, by the mayor, the city attorney and the city clerk.

12 2. In the case of nomination of candidates for village
13 offices, by the president of the board of trustees, one member
14 of the board of trustees, and the village clerk.

15 3. In the case of nomination of candidates for township
16 offices, by the town supervisor, the town assessor and the town
17 clerk; in the case of nomination of candidates for incorporated
18 town offices, by the corporate authorities of the incorporated
19 town.

20 3.5. For multi-township assessment districts, by the
21 chairman, clerk, and assessor of the multi-township assessment
22 district.

23 4. For road district offices, by the highway commissioner
24 and the road district clerk.

25 5. The officers who are charged by law with the duty of
26 canvassing returns of general elections made to the county
27 clerk, shall also open and canvass the returns of a primary
28 made to such county clerk. Upon the completion of the canvass
29 of the returns by the county canvassing board, said canvassing
30 board shall make a tabulated statement of the returns for each
31 political party separately, stating in appropriate columns and
32 under proper headings, the total number of votes cast in said

1 county for each candidate for nomination by said party,
2 including candidates for President of the United States and for
3 State central committeemen, and for delegates and alternate
4 delegates to National nominating conventions, and for precinct
5 committeemen, township committeemen, and for ward
6 committeemen. Within two (2) days after the completion of said
7 canvass by said canvassing board the county clerk shall mail to
8 the State Board of Elections a certified copy of such tabulated
9 statement of returns. Provided, however, that the number of
10 votes cast for the nomination for offices, the certificates of
11 election for which offices, under this Act or any other laws
12 are issued by the county clerk shall not be included in such
13 certified copy of said tabulated statement of returns, nor
14 shall the returns on the election of precinct, township or ward
15 committeemen be so certified to the State Board of Elections.
16 The said officers shall also determine and set down as to each
17 precinct the number of ballots voted by the primary electors of
18 each party at the primary.

19 6. In the case of the nomination of candidates for offices,
20 including President of the United States and the State central
21 committeemen, and delegates and alternate delegates to
22 National nominating conventions, certified tabulated statement
23 of returns for which are filed with the State Board of
24 Elections, said returns shall be canvassed by the board. And,
25 provided, further, that within 5 days after said returns shall
26 be canvassed by the said Board, the Board shall cause to be
27 published in one daily newspaper of general circulation at the
28 seat of the State government in Springfield a certified
29 statement of the returns filed in its office, showing the total
30 vote cast in the State for each candidate of each political
31 party for President of the United States, and showing the total
32 vote for each candidate of each political party for President
33 of the United States, cast in each of the several congressional
34 districts in the State.

35 7. Where in cities or villages which have a board of
36 election commissioners, the returns of a primary are made to

1 such board of election commissioners, said return shall be
2 canvassed by such board, and, excepting in the case of the
3 nomination for any municipal office, tabulated statements of
4 the returns of such primary shall be made to the county clerk.

5 8. Within 48 hours following tabulation of provisional
6 ballots ~~of the delivery of complete returns of the consolidated~~
7 ~~primary to the election authority~~, the election authority shall
8 deliver an original certificate of results to each local
9 election official, ~~with respect to whose political~~
10 ~~subdivisions nominations were made at such primary~~, for each
11 precinct in his jurisdiction in which such nominations were on
12 the ballot. However, in cases where an election authority does
13 not complete the tabulation of provisional ballots cast in its
14 jurisdiction at the general election until the last day
15 provided by law for such tabulation, the election authority
16 shall deliver the certificate within 24 hours following its
17 tabulation of provisional ballots. Such original certificate
18 of results need not include any offices or nominations for any
19 other political subdivisions. The local election official
20 shall immediately transmit the certificates to the canvassing
21 board for his political subdivisions, which shall open and
22 canvass the returns, make a tabulated statement of the returns
23 for each political party separately, and as nearly as possible,
24 follow the procedures required for the county canvassing board.
25 Such canvass of votes shall be conducted within 7 days after
26 the close of the consolidated primary.

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

28 Section 99. Effective date. This Act takes effect upon
29 becoming law.