

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 7-34 and 17-23 as follows:

6 (10 ILCS 5/7-34) (from Ch. 46, par. 7-34)

7 Sec. 7-34. Pollwatchers in a primary election shall be
8 authorized in the following manner:

9 (1) Each established political party shall be entitled to
10 appoint one pollwatcher per precinct. Such pollwatchers must be
11 affiliated with the political party for which they are
12 pollwatching and must be a registered voter in Illinois.

13 (2) Each candidate shall be entitled to appoint two
14 pollwatchers per precinct. For Federal, State, county,
15 township, and municipal primary elections, the pollwatchers
16 must be registered to vote in Illinois.

17 (3) Each organization of citizens within the county or
18 political subdivision, which has among its purposes or
19 interests the investigation or prosecution of election frauds,
20 and which shall have registered its name and address and the
21 names and addresses of its principal officers with the proper
22 election authority at least 40 days before the primary
23 election, shall be entitled to appoint one pollwatcher per
24 precinct. For all primary elections, the pollwatcher must be
25 registered to vote in Illinois.

26 (3.5) Each State nonpartisan civic organization within the
27 county or political subdivision shall be entitled to appoint
28 one pollwatcher per precinct, provided that no more than 2
29 pollwatchers appointed by State nonpartisan civic
30 organizations shall be present in a precinct polling place at
31 the same time. Each organization shall have registered the
32 names and addresses of its principal officers with the proper

1 election authority at least 40 days before the primary
2 election. The pollwatchers must be registered to vote in
3 Illinois. For the purpose of this paragraph, a "State
4 nonpartisan civic organization" means any corporation,
5 unincorporated association, or organization that:

6 (i) as part of its written articles of incorporation,
7 bylaws, or charter or by separate written declaration, has
8 among its stated purposes the provision of voter
9 information and education, the protection of individual
10 voters' rights, and the promotion of free and equal
11 elections;

12 (ii) is organized or primarily conducts its activities
13 within the State of Illinois; and

14 (iii) continuously maintains an office or business
15 location within the State of Illinois, together with a
16 current listed telephone number (a post office box number
17 without a current listed telephone number is not
18 sufficient).

19 (4) Each organized group of proponents or opponents of a
20 ballot proposition, which shall have registered the name and
21 address of its organization or committee and the name and
22 address of its chairman with the proper election authority at
23 least 40 days before the primary election, shall be entitled to
24 appoint one pollwatcher per precinct. The pollwatcher must be
25 registered to vote in Illinois.

26 (5) In any primary election held to nominate candidates for
27 the offices of a municipality of less than 3,000,000 population
28 that is situated in 2 or more counties, a pollwatcher who is a
29 resident of a county in which any part of the municipality is
30 situated shall be eligible to serve as a pollwatcher in any
31 polling place located within such municipality, provided that
32 such pollwatcher otherwise complies with the respective
33 requirements of subsections (1) through (4) of this Section and
34 is a registered voter whose residence is within Illinois.

35 All pollwatchers shall be required to have proper
36 credentials. Such credentials shall be printed in sufficient

1 quantities, shall be issued by and under the facsimile
 2 signature(s) of the election authority and shall be available
 3 for distribution at least 2 weeks prior to the election. Such
 4 credentials shall be authorized by the real or facsimile
 5 signature of the State or local party official or the candidate
 6 or the presiding officer of the civic organization or the
 7 chairman of the proponent or opponent group, as the case may
 8 be.

9 Pollwatcher credentials shall be in substantially the
 10 following form:

11 POLLWATCHER CREDENTIALS

12 TO THE JUDGES OF ELECTION:

13 In accordance with the provisions of the Election Code, the
 14 undersigned hereby appoints (name of pollwatcher)
 15 at (address) in the county of,
 16 (township or municipality) of (name),
 17 State of Illinois and who is duly registered to vote from this
 18 address, to act as a pollwatcher in the precinct of
 19 the ward (if applicable) of the
 20 (township or municipality) of at the
 21 election to be held on (insert date).

22 (Signature of Appointing Authority)
 23 TITLE (party official, candidate,
 24 civic organization president,
 25 proponent or opponent group chairman)

26 Under penalties provided by law pursuant to Section 29-10
 27 of the Election Code, the undersigned pollwatcher certifies
 28 that he or she resides at (address) in the
 29 county of, (township or municipality) of
 30 (name), State of Illinois, and is duly registered to
 31 vote in Illinois.

32
 33 (Precinct and/or Ward in (Signature of Pollwatcher)
 34 Which Pollwatcher Resides)

1 Pollwatchers must present their credentials to the Judges
2 of Election upon entering the polling place. Pollwatcher
3 credentials properly executed and signed shall be proof of the
4 qualifications of the pollwatcher authorized thereby. Such
5 credentials are retained by the Judges and returned to the
6 Election Authority at the end of the day of election with the
7 other election materials. Once a pollwatcher has surrendered a
8 valid credential, he may leave and reenter the polling place
9 provided that such continuing action does not disrupt the
10 conduct of the election. Pollwatchers may be substituted during
11 the course of the day, but established political parties,
12 candidates, qualified civic organizations and proponents and
13 opponents of a ballot proposition can have only as many
14 pollwatchers at any given time as are authorized in this
15 Article. A substitute must present his signed credential to the
16 judges of election upon entering the polling place. Election
17 authorities must provide a sufficient number of credentials to
18 allow for substitution of pollwatchers. After the polls have
19 closed, pollwatchers shall be allowed to remain until the
20 canvass of votes is completed; but may leave and reenter only
21 in cases of necessity, provided that such action is not so
22 continuous as to disrupt the canvass of votes.

23 Candidates seeking office in a district or municipality
24 encompassing 2 or more counties shall be admitted to any and
25 all polling places throughout such district or municipality
26 without regard to the counties in which such candidates are
27 registered to vote. Actions of such candidates shall be
28 governed in each polling place by the same privileges and
29 limitations that apply to pollwatchers as provided in this
30 Section. Any such candidate who engages in an activity in a
31 polling place which could reasonably be construed by a majority
32 of the judges of election as campaign activity shall be removed
33 forthwith from such polling place.

34 Candidates seeking office in a district or municipality
35 encompassing 2 or more counties who desire to be admitted to
36 polling places on election day in such district or municipality

1 shall be required to have proper credentials. Such credentials
 2 shall be printed in sufficient quantities, shall be issued by
 3 and under the facsimile signature of the election authority of
 4 the election jurisdiction where the polling place in which the
 5 candidate seeks admittance is located, and shall be available
 6 for distribution at least 2 weeks prior to the election. Such
 7 credentials shall be signed by the candidate.

8 Candidate credentials shall be in substantially the
 9 following form:

10 CANDIDATE CREDENTIALS

11 TO THE JUDGES OF ELECTION:

12 In accordance with the provisions of the Election Code, I
 13 (name of candidate) hereby certify that I am a candidate
 14 for (name of office) and seek admittance to
 15 precinct of the ward (if applicable) of the
 16 (township or municipality) of at the election
 17 to be held on (insert date).

18
19 (Signature of Candidate)	OFFICE FOR WHICH
	CANDIDATE SEEKS
	NOMINATION OR
	ELECTION

23 Pollwatchers shall be permitted to observe all proceedings
 24 and view all reasonably requested records relating to the
 25 conduct of the election, provided the secrecy of the ballot is
 26 not impinged, and to station themselves in a position in the
 27 voting room as will enable them to observe the judges making
 28 the signature comparison between the voter application and the
 29 voter registration record card; provided, however, that such
 30 pollwatchers shall not be permitted to station themselves in
 31 such close proximity to the judges of election so as to
 32 interfere with the orderly conduct of the election and shall
 33 not, in any event, be permitted to handle election materials.
 34 Pollwatchers may challenge for cause the voting qualifications

1 of a person offering to vote and may call to the attention of
2 the judges of election any incorrect procedure or apparent
3 violations of this Code.

4 If a majority of the judges of election determine that the
5 polling place has become too overcrowded with pollwatchers so
6 as to interfere with the orderly conduct of the election, the
7 judges shall, by lot, limit such pollwatchers to a reasonable
8 number, except that each candidate and each established or new
9 political party shall be permitted to have at least one
10 pollwatcher present.

11 Representatives of an election authority, with regard to an
12 election under its jurisdiction, the State Board of Elections,
13 and law enforcement agencies, including but not limited to a
14 United States Attorney, a State's attorney, the Attorney
15 General, and a State, county, or local police department, in
16 the performance of their official election duties, shall be
17 permitted at all times to enter and remain in the polling
18 place. Upon entering the polling place, such representatives
19 shall display their official credentials or other
20 identification to the judges of election.

21 Uniformed police officers assigned to polling place duty
22 shall follow all lawful instructions of the judges of election.

23 The provisions of this Section shall also apply to
24 supervised casting of absentee ballots as provided in Section
25 19-12.2 of this Act.

26 (Source: P.A. 93-574, eff. 8-21-03; 94-645, eff. 8-22-05.)

27 (10 ILCS 5/17-23) (from Ch. 46, par. 17-23)

28 Sec. 17-23. Pollwatchers in a general election shall be
29 authorized in the following manner:

30 (1) Each established political party shall be entitled to
31 appoint two pollwatchers per precinct. Such pollwatchers must
32 be affiliated with the political party for which they are
33 pollwatching. For all elections, the pollwatchers must be
34 registered to vote in Illinois.

35 (2) Each candidate shall be entitled to appoint two

1 pollwatchers per precinct. For all elections, the pollwatchers
2 must be registered to vote in Illinois.

3 (3) Each organization of citizens within the county or
4 political subdivision, which has among its purposes or
5 interests the investigation or prosecution of election frauds,
6 and which shall have registered its name and address and the
7 name and addresses of its principal officers with the proper
8 election authority at least 40 days before the election, shall
9 be entitled to appoint one pollwatcher per precinct. For all
10 elections, the pollwatcher must be registered to vote in
11 Illinois.

12 (3.5) Each State nonpartisan civic organization within the
13 county or political subdivision shall be entitled to appoint
14 one pollwatcher per precinct, provided that no more than 2
15 pollwatchers appointed by State nonpartisan civic
16 organizations shall be present in a precinct polling place at
17 the same time. Each organization shall have registered the
18 names and addresses of its principal officers with the proper
19 election authority at least 40 days before the election. The
20 pollwatchers must be registered to vote in Illinois. For the
21 purpose of this paragraph, a "State nonpartisan civic
22 organization" means any corporation, unincorporated
23 association, or organization that:

24 (i) as part of its written articles of incorporation,
25 bylaws, or charter or by separate written declaration, has
26 among its stated purposes the provision of voter
27 information and education, the protection of individual
28 voters' rights, and the promotion of free and equal
29 elections;

30 (ii) is organized or primarily conducts its activities
31 within the State of Illinois; and

32 (iii) continuously maintains an office or business
33 location within the State of Illinois, together with a
34 current listed telephone number (a post office box number
35 without a current listed telephone number is not
36 sufficient).

1 in the precinct of the ward (if
2 applicable) of the (township or municipality) of
3 at the election to be held on (insert
4 date).

5 (Signature of Appointing Authority)
6 TITLE (party official, candidate,
7 civic organization president,
8 proponent or opponent group chairman)

9 Under penalties provided by law pursuant to Section 29-10
10 of the Election Code, the undersigned pollwatcher certifies
11 that he or she resides at (address) in the
12 county of, (township or municipality)
13 of (name), State of Illinois, and is duly
14 registered to vote in Illinois.

15
16 (Precinct and/or Ward in (Signature of Pollwatcher)
17 Which Pollwatcher Resides)

18 Pollwatchers must present their credentials to the Judges
19 of Election upon entering the polling place. Pollwatcher
20 credentials properly executed and signed shall be proof of the
21 qualifications of the pollwatcher authorized thereby. Such
22 credentials are retained by the Judges and returned to the
23 Election Authority at the end of the day of election with the
24 other election materials. Once a pollwatcher has surrendered a
25 valid credential, he may leave and reenter the polling place
26 provided that such continuing action does not disrupt the
27 conduct of the election. Pollwatchers may be substituted during
28 the course of the day, but established political parties,
29 candidates and qualified civic organizations can have only as
30 many pollwatchers at any given time as are authorized in this
31 Article. A substitute must present his signed credential to the
32 judges of election upon entering the polling place. Election
33 authorities must provide a sufficient number of credentials to
34 allow for substitution of pollwatchers. After the polls have

1 closed pollwatchers shall be allowed to remain until the
2 canvass of votes is completed; but may leave and reenter only
3 in cases of necessity, provided that such action is not so
4 continuous as to disrupt the canvass of votes.

5 Candidates seeking office in a district or municipality
6 encompassing 2 or more counties shall be admitted to any and
7 all polling places throughout such district or municipality
8 without regard to the counties in which such candidates are
9 registered to vote. Actions of such candidates shall be
10 governed in each polling place by the same privileges and
11 limitations that apply to pollwatchers as provided in this
12 Section. Any such candidate who engages in an activity in a
13 polling place which could reasonably be construed by a majority
14 of the judges of election as campaign activity shall be removed
15 forthwith from such polling place.

16 Candidates seeking office in a district or municipality
17 encompassing 2 or more counties who desire to be admitted to
18 polling places on election day in such district or municipality
19 shall be required to have proper credentials. Such credentials
20 shall be printed in sufficient quantities, shall be issued by
21 and under the facsimile signature of the election authority of
22 the election jurisdiction where the polling place in which the
23 candidate seeks admittance is located, and shall be available
24 for distribution at least 2 weeks prior to the election. Such
25 credentials shall be signed by the candidate.

26 Candidate credentials shall be in substantially the
27 following form:

28 CANDIDATE CREDENTIALS

29 TO THE JUDGES OF ELECTION:

30 In accordance with the provisions of the Election Code, I
31 (name of candidate) hereby certify that I am a candidate
32 for (name of office) and seek admittance to
33 precinct of the ward (if applicable) of the
34 (township or municipality) of at the election
35 to be held on (insert date).

1
2	(Signature of Candidate)	OFFICE FOR WHICH
3		CANDIDATE SEEKS
4		NOMINATION OR
5		ELECTION

6 Pollwatchers shall be permitted to observe all proceedings
7 and view all reasonably requested records relating to the
8 conduct of the election, provided the secrecy of the ballot is
9 not impinged, and to station themselves in a position in the
10 voting room as will enable them to observe the judges making
11 the signature comparison between the voter application and the
12 voter registration record card; provided, however, that such
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14 such close proximity to the judges of election so as to
15 interfere with the orderly conduct of the election and shall
16 not, in any event, be permitted to handle election materials.
17 Pollwatchers may challenge for cause the voting qualifications
18 of a person offering to vote and may call to the attention of
19 the judges of election any incorrect procedure or apparent
20 violations of this Code.

21 If a majority of the judges of election determine that the
22 polling place has become too overcrowded with pollwatchers so
23 as to interfere with the orderly conduct of the election, the
24 judges shall, by lot, limit such pollwatchers to a reasonable
25 number, except that each established or new political party
26 shall be permitted to have at least one pollwatcher present.

27 Representatives of an election authority, with regard to an
28 election under its jurisdiction, the State Board of Elections,
29 and law enforcement agencies, including but not limited to a
30 United States Attorney, a State's attorney, the Attorney
31 General, and a State, county, or local police department, in
32 the performance of their official election duties, shall be
33 permitted at all times to enter and remain in the polling
34 place. Upon entering the polling place, such representatives
35 shall display their official credentials or other

1 identification to the judges of election.

2 Uniformed police officers assigned to polling place duty
3 shall follow all lawful instructions of the judges of election.

4 The provisions of this Section shall also apply to
5 supervised casting of absentee ballots as provided in Section
6 19-12.2 of this Act.

7 (Source: P.A. 93-574, eff. 8-21-03; 94-645, eff. 8-22-05.)

8 Section 99. Effective date. This Act takes effect upon
9 becoming law.