



**Filed: 1/27/2006**

09400SB2397sam001

LRB094 18555 JAM 54839 a

1 AMENDMENT TO SENATE BILL 2397

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 2397 by replacing  
3 everything after the enacting clause with the following:

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

1 registered to vote in Illinois.

2 (3.5) Each State non-partisan civic organization within  
3 the county or political subdivision, that has among its written  
4 purposes the provision of voter information and education, the  
5 protection of individual voters' rights, and the provision of  
6 free and equal elections, shall be entitled to appoint one  
7 pollwatcher per precinct, provided that no more than 2  
8 pollwatchers appointed by non-partisan civic organizations  
9 shall be present in a precinct polling place at the same time.  
10 Each organization shall have registered the names and addresses  
11 of its principal officers with the proper election authority at  
12 least 40 days before the primary election. The pollwatchers  
13 must be registered to vote in Illinois.

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

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

30 All pollwatchers shall be required to have proper  
31 credentials. Such credentials shall be printed in sufficient  
32 quantities, shall be issued by and under the facsimile  
33 signature(s) of the election authority and shall be available  
34 for distribution at least 2 weeks prior to the election. Such

1 credentials shall be authorized by the real or facsimile  
2 signature of the State or local party official or the candidate  
3 or the presiding officer of the civic organization or the  
4 chairman of the proponent or opponent group, as the case may  
5 be.

6 Pollwatcher credentials shall be in substantially the  
7 following form:

8 POLLWATCHER CREDENTIALS

9 TO THE JUDGES OF ELECTION:

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

19 ..... (Signature of Appointing Authority)  
20 ..... TITLE (party official, candidate,  
21 civic organization president,  
22 proponent or opponent group chairman)

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

29 .....  
30 (Precinct and/or Ward in ..... (Signature of Pollwatcher)  
31 Which Pollwatcher Resides)

32 Pollwatchers must present their credentials to the Judges

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

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

33 Candidates seeking office in a district or municipality  
34 encompassing 2 or more counties who desire to be admitted to

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

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

11 CANDIDATE CREDENTIALS

12 TO THE JUDGES OF ELECTION:

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

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

24 Pollwatchers shall be permitted to observe all proceedings  
 25 and view all reasonably requested records relating to the  
 26 conduct of the election, provided the secrecy of the ballot is  
 27 not impinged, and to station themselves in a position in the  
 28 voting room as will enable them to observe the judges making  
 29 the signature comparison between the voter application and the  
 30 voter registration record card; provided, however, that such  
 31 pollwatchers shall not be permitted to station themselves in  
 32 such close proximity to the judges of election so as to

1 interfere with the orderly conduct of the election and shall  
2 not, in any event, be permitted to handle election materials.  
3 Pollwatchers may challenge for cause the voting qualifications  
4 of a person offering to vote and may call to the attention of  
5 the judges of election any incorrect procedure or apparent  
6 violations of this Code.

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

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

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

26 The provisions of this Section shall also apply to  
27 supervised casting of absentee ballots as provided in Section  
28 19-12.2 of this Act.

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

30 (10 ILCS 5/17-23) (from Ch. 46, par. 17-23)

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

33 (1) Each established political party shall be entitled to

1 appoint two pollwatchers per precinct. Such pollwatchers must  
2 be affiliated with the political party for which they are  
3 pollwatching. For all elections, the pollwatchers must be  
4 registered to vote in Illinois.

5 (2) Each candidate shall be entitled to appoint two  
6 pollwatchers per precinct. For all elections, the pollwatchers  
7 must be registered to vote in Illinois.

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

17 (3.5) Each State non-partisan civic organization within  
18 the county or political subdivision, that has among its written  
19 purposes the provision of voter information and education, the  
20 protection of individual voters' rights, and the provision of  
21 free and equal elections, shall be entitled to appoint one  
22 pollwatcher per precinct, provided that no more than 2  
23 pollwatchers appointed by non-partisan civic organizations  
24 shall be present in a precinct polling place at the same time.  
25 Each organization shall have registered the names and addresses  
26 of its principal officers with the proper election authority at  
27 least 40 days before the election. The pollwatchers must be  
28 registered to vote in Illinois.

29 (4) In any general election held to elect candidates for  
30 the offices of a municipality of less than 3,000,000 population  
31 that is situated in 2 or more counties, a pollwatcher who is a  
32 resident of Illinois shall be eligible to serve as a  
33 pollwatcher in any poll located within such municipality,  
34 provided that such pollwatcher otherwise complies with the

1     respective requirements of subsections (1) through (3) of this  
2     Section and is a registered voter in Illinois.

3             (5) Each organized group of proponents or opponents of a  
4     ballot proposition, which shall have registered the name and  
5     address of its organization or committee and the name and  
6     address of its chairman with the proper election authority at  
7     least 40 days before the election, shall be entitled to appoint  
8     one pollwatcher per precinct. The pollwatcher must be  
9     registered to vote in Illinois.

10            All pollwatchers shall be required to have proper  
11     credentials. Such credentials shall be printed in sufficient  
12     quantities, shall be issued by and under the facsimile  
13     signature(s) of the election authority and shall be available  
14     for distribution at least 2 weeks prior to the election. Such  
15     credentials shall be authorized by the real or facsimile  
16     signature of the State or local party official or the candidate  
17     or the presiding officer of the civic organization or the  
18     chairman of the proponent or opponent group, as the case may  
19     be.

20            Pollwatcher credentials shall be in substantially the  
21     following form:

22   POLLWATCHER CREDENTIALS

23     TO THE JUDGES OF ELECTION:

24            In accordance with the provisions of the Election Code, the  
25     undersigned hereby appoints ..... (name of pollwatcher)  
26     who resides at ..... (address) in the county of  
27     ....., ..... (township or municipality) of  
28     ..... (name), State of Illinois and who is duly  
29     registered to vote from this address, to act as a pollwatcher  
30     in the ..... precinct of the ..... ward (if  
31     applicable) of the ..... (township or municipality) of  
32     ..... at the ..... election to be held on (insert  
33     date).



1 ..... (Signature of Appointing Authority)  
 2 ..... TITLE (party official, candidate,  
 3 civic organization president,  
 4 proponent or opponent group chairman)

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

11 .....  
 12 (Precinct and/or Ward in ..... (Signature of Pollwatcher)  
 13 Which Pollwatcher Resides)

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

1 in cases of necessity, provided that such action is not so  
2 continuous as to disrupt the canvass of votes.

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

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

24 Candidate credentials shall be in substantially the  
25 following form:

26 CANDIDATE CREDENTIALS

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28 In accordance with the provisions of the Election Code, I  
29 ..... (name of candidate) hereby certify that I am a candidate  
30 for ..... (name of office) and seek admittance to .....  
31 precinct of the ..... ward (if applicable) of the .....  
32 (township or municipality) of ..... at the ..... election  
33 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  
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9 not impinged, and to station themselves in a position in the  
10 voting room as will enable them to observe the judges making  
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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.

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22 polling place has become too overcrowded with pollwatchers so  
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25 number, except that each established or new political party  
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28 election under its jurisdiction, the State Board of Elections,  
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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

1 place. Upon entering the polling place, such representatives  
2 shall display their official credentials or other  
3 identification to the judges of election.

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

6 The provisions of this Section shall also apply to  
7 supervised casting of absentee ballots as provided in Section  
8 19-12.2 of this Act.

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

10 Section 99. Effective date. This Act takes effect upon  
11 becoming law."