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09400SB2397sam002

LRB094 18555 JAM 55467 a

1 AMENDMENT TO SENATE BILL 2397

2 AMENDMENT NO. _____. Amend Senate Bill 2397, AS AMENDED,
3 by replacing everything after the enacting clause with the
4 following:

5 "Section 5. The Election Code is amended by changing
6 Sections 7-34 and 17-23 as follows:

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

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

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

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

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

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

3 (3.5) Each State nonpartisan civic organization within the
4 county or political subdivision shall be entitled to appoint
5 one pollwatcher per precinct, provided that no more than 2
6 pollwatchers appointed by State nonpartisan civic
7 organizations shall be present in a precinct polling place at
8 the same time. Each organization shall have registered the
9 names and addresses of its principal officers with the proper
10 election authority at least 40 days before the primary
11 election. The pollwatchers must be registered to vote in
12 Illinois. For the purpose of this paragraph, a "State
13 nonpartisan civic organization" means any corporation,
14 unincorporated association, or organization that:

15 (i) as part of its written articles of incorporation,
16 bylaws, or charter or by separate written declaration, has
17 among its stated purposes the provision of voter
18 information and education, the protection of individual
19 voters' rights, and the promotion of free and equal
20 elections;

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

23 (iii) continuously maintains an office or business
24 location within the State of Illinois, together with a
25 current listed telephone number (a post office box number
26 without a current listed telephone number is not
27 sufficient).

28 (4) Each organized group of proponents or opponents of a
29 ballot proposition, which shall have registered the name and
30 address of its organization or committee and the name and
31 address of its chairman with the proper election authority at
32 least 40 days before the primary election, shall be entitled to
33 appoint one pollwatcher per precinct. The pollwatcher must be
34 registered to vote in Illinois.

1 (5) In any primary election held to nominate candidates for
 2 the offices of a municipality of less than 3,000,000 population
 3 that is situated in 2 or more counties, a pollwatcher who is a
 4 resident of a county in which any part of the municipality is
 5 situated shall be eligible to serve as a pollwatcher in any
 6 polling place located within such municipality, provided that
 7 such pollwatcher otherwise complies with the respective
 8 requirements of subsections (1) through (4) of this Section and
 9 is a registered voter whose residence is within 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 at (address) in the county of,
 27 (township or municipality) of (name),
 28 State of Illinois and who is duly registered to vote from this
 29 address, to act as a pollwatcher in the precinct of
 30 the ward (if applicable) of the
 31 (township or municipality) of at the
 32 election to be held on (insert date).

33 (Signature of Appointing Authority)

1 TITLE (party official, candidate,
 2 civic organization president,
 3 proponent or opponent group chairman)

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

10
 11 (Precinct and/or Ward in (Signature of Pollwatcher)
 12 Which Pollwatcher Resides)

13 Pollwatchers must present their credentials to the Judges
 14 of Election upon entering the polling place. Pollwatcher
 15 credentials properly executed and signed shall be proof of the
 16 qualifications of the pollwatcher authorized thereby. Such
 17 credentials are retained by the Judges and returned to the
 18 Election Authority at the end of the day of election with the
 19 other election materials. Once a pollwatcher has surrendered a
 20 valid credential, he may leave and reenter the polling place
 21 provided that such continuing action does not disrupt the
 22 conduct of the election. Pollwatchers may be substituted during
 23 the course of the day, but established political parties,
 24 candidates, qualified civic organizations and proponents and
 25 opponents of a ballot proposition can have only as many
 26 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
 33 in cases of necessity, provided that such action is not so

1 continuous as to disrupt the canvass of votes.

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

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

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

25 CANDIDATE CREDENTIALS

26 TO THE JUDGES OF ELECTION:

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

33

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

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

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

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

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

13 (1) Each established political party shall be entitled to
14 appoint two pollwatchers per precinct. Such pollwatchers must
15 be affiliated with the political party for which they are
16 pollwatching. For all elections, the pollwatchers must be
17 registered to vote in Illinois.

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

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

30 (3.5) Each State nonpartisan civic organization within the
31 county or political subdivision shall be entitled to appoint
32 one pollwatcher per precinct, provided that no more than 2
33 pollwatchers appointed by State nonpartisan civic

1 organizations shall be present in a precinct polling place at
2 the same time. Each organization shall have registered the
3 names and addresses of its principal officers with the proper
4 election authority at least 40 days before the election. The
5 pollwatchers must be registered to vote in Illinois. For the
6 purpose of this paragraph, a "State nonpartisan civic
7 organization" means any corporation, unincorporated
8 association, or organization that:

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

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

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

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

30 (5) Each organized group of proponents or opponents of a
31 ballot proposition, which shall have registered the name and
32 address of its organization or committee and the name and
33 address of its chairman with the proper election authority at
34 least 40 days before the election, shall be entitled to appoint

1 one pollwatcher per precinct. The pollwatcher must be
2 registered to vote in Illinois.

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

13 Pollwatcher credentials shall be in substantially the
14 following form:

15 POLLWATCHER CREDENTIALS

16 TO THE JUDGES OF ELECTION:

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

27 (Signature of Appointing Authority)
28 TITLE (party official, candidate,
29 civic organization president,
30 proponent or opponent group chairman)

31 Under penalties provided by law pursuant to Section 29-10
32 of the Election Code, the undersigned pollwatcher certifies

1 that he or she resides at (address) in the
 2 county of, (township or municipality)
 3 of (name), State of Illinois, and is duly
 4 registered to vote in Illinois.
 5
 6 (Precinct and/or Ward in (Signature of Pollwatcher)
 7 Which Pollwatcher Resides)

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

29 Candidates seeking office in a district or municipality
 30 encompassing 2 or more counties shall be admitted to any and
 31 all polling places throughout such district or municipality
 32 without regard to the counties in which such candidates are
 33 registered to vote. Actions of such candidates shall be

1 governed in each polling place by the same privileges and
 2 limitations that apply to pollwatchers as provided in this
 3 Section. Any such candidate who engages in an activity in a
 4 polling place which could reasonably be construed by a majority
 5 of the judges of election as campaign activity shall be removed
 6 forthwith from such polling place.

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

17 Candidate credentials shall be in substantially the
 18 following form:

19 CANDIDATE CREDENTIALS

20 TO THE JUDGES OF ELECTION:

21 In accordance with the provisions of the Election Code, I
 22 (name of candidate) hereby certify that I am a candidate
 23 for (name of office) and seek admittance to
 24 precinct of the ward (if applicable) of the
 25 (township or municipality) of at the election
 26 to be held on (insert date).

27
28	(Signature of Candidate)	OFFICE FOR WHICH
29		CANDIDATE SEEKS
30		NOMINATION OR
31		ELECTION

32 Pollwatchers shall be permitted to observe all proceedings

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

15 If a majority of the judges of election determine that the
16 polling place has become too overcrowded with pollwatchers so
17 as to interfere with the orderly conduct of the election, the
18 judges shall, by lot, limit such pollwatchers to a reasonable
19 number, except that each established or new political party
20 shall be permitted to have at least one pollwatcher present.

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

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

33 The provisions of this Section shall also apply to
34 supervised casting of absentee ballots as provided in Section

1 19-12.2 of this Act.

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

3 Section 99. Effective date. This Act takes effect upon
4 becoming law.".