



## 95TH GENERAL ASSEMBLY

### State of Illinois

2007 and 2008

HB1122

by Rep. Mike Boland

#### SYNOPSIS AS INTRODUCED:

See Index

Amends the Election Code. Provides for the use of mail-in ballots for the consolidated election held in 2009. Provides that the election authority shall mail ballots to each registered voter not more than 40 nor less than 5 days before the date of the election. Establishes procedures for the return of the ballots. Provides for the delivery of ballots to the judges of election. Provides for the casting of mail-in ballots. Provides that the State Board of Elections shall adopt rules and procedures for the implementation of the use of mail-in ballots within 270 days after the effective date of the bill. Requires the State Board to report to the General Assembly on the problems and successes of conducting elections with mail-in ballots. Contains other provisions. Amends the State Mandates Act to require implementation without reimbursement. Effective immediately.

LRB095 07977 JAM 28139 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  
5 Sections 4-11, 11-7, 12-1, 12-4, 13-1, 13-2, 14-1, 14-3.1,  
6 16-5, 17-1, 24A-6, and 24B-6 and adding the Article 19B heading  
7 and Sections 19B-5, 19B-10, 19B-15, 19B-20, 19B-25, 19B-30,  
8 19B-35, 19B-40, 19B-45, 19B-50, 19B-55, and 19B-60 as follows:

9 (10 ILCS 5/4-11) (from Ch. 46, par. 4-11)

10 Sec. 4-11. Subject to the provisions of Article 19B, at  
11 least 2 weeks prior to the general November election in each  
12 even numbered year and the consolidated election in each  
13 odd-numbered year the county clerk shall cause a list to be  
14 made for each precinct of all names upon the registration  
15 record cards not marked or erased, in alphabetical order, with  
16 the address, provided, that such list may be arranged  
17 geographically, by street and number, in numerical order, with  
18 respect to all precincts in which all, or substantially all  
19 residences of voters therein shall be located upon and numbered  
20 along streets, avenues, courts, or other highways which are  
21 either named or numbered, upon direction either of the county  
22 board or of the circuit court. On the list, the county clerk  
23 shall indicate, by italics, asterisk, or other means, the names

1 of all persons who have registered since the last regularly  
2 scheduled election in the consolidated schedule of elections  
3 established in Section 2A-1.1 of this Act. The county clerk  
4 shall cause such precinct lists to be printed or typed in  
5 sufficient numbers to meet all reasonable demands, and upon  
6 application a copy of the same shall be given to any person  
7 applying therefor. By such time, the county clerk shall give  
8 the precinct lists to the chairman of a county central  
9 committee of an established political party, as such party is  
10 defined in Section 10-2 of this Act, or to the chairman's duly  
11 authorized representative. Within 30 days of the effective date  
12 of this Amendatory Act of 1983, the county clerk shall give the  
13 precinct lists compiled prior to the general November election  
14 of 1982 to the chairman of county central committee of an  
15 established political party or to the chairman's duly  
16 authorized representative.

17 Prior to the opening of the polls for other elections, the  
18 county clerk shall transmit or deliver to the judges of  
19 election of each polling place a corrected list of registered  
20 voters in the precinct, or the names of persons added to and  
21 erased or withdrawn from the list for such precinct. At other  
22 times such list, currently corrected, shall be kept available  
23 for public inspection in the office of the county clerk.

24 Within 60 days after each general election the county clerk  
25 shall indicate by italics, asterisk, or other means, on the  
26 list of registered voters in each precinct, each registrant who

1 voted at that general election, and shall provide a copy of  
2 such list to the chairman of the county central committee of  
3 each established political party or to the chairman's duly  
4 authorized representative.

5 Within 60 days after the effective date of this amendatory  
6 Act of 1983, the county clerk shall indicate by italics,  
7 asterisk, or other means, on the list of registered voters in  
8 each precinct, each registrant who voted at the general  
9 election of 1982, and shall provide a copy of such coded list  
10 to the chairman of the county central committee of each  
11 established political party or to the chairman's duly  
12 authorized representative.

13 The county clerk may charge a fee to reimburse the actual  
14 cost of duplicating each copy of a list provided under either  
15 of the 2 preceding paragraphs.

16 (Source: P.A. 90-358, eff. 1-1-98.)

17 (10 ILCS 5/11-7) (from Ch. 46, par. 11-7)

18 Sec. 11-7. For the purpose of the conduct of any  
19 consolidated election, consolidated primary election, special  
20 municipal primary election or emergency referendum, an  
21 election authority may cluster up to four contiguous precincts  
22 as provided in this Section, which shall constitute a clustered  
23 voting zone. The common polling place for the clustered voting  
24 zone shall be located within the territory comprising the  
25 clustered precincts. Unless the election authority specifies a

1 larger number, only one election judge shall be appointed for  
2 each of the precincts in each clustered voting zone. The use of  
3 clustered voting zones in consolidated elections shall be  
4 subject to the provisions of Article 19B regarding mail-in  
5 ballots.

6 The judges so appointed may not all be affiliated with the  
7 same political party.

8 The conduct of an election in a clustered voting zone shall  
9 be under the general supervision of all the judges of election  
10 designated to serve in the clustered voting zone. The  
11 designated judges may perform the duties of election judges for  
12 the entire clustered voting zone. However, the requirements of  
13 Section 17-14 shall apply to voter assistance, the requirements  
14 of Section 24-10 shall apply to voter instruction, the  
15 requirement of Section 24A-10 shall apply to examination of  
16 absentee ballots, and any disputes as to entitlement to vote,  
17 challenges, counting of ballots or other matters pertaining  
18 directly to voting shall be decided by those designated judges  
19 appointed for the precinct in which the affected voter resides  
20 or the disputed vote is to be counted.

21 This Section does not apply to any elections in  
22 municipalities with more than 1,000,000 inhabitants.

23 (Source: P.A. 90-358, eff. 1-1-98.)

24 (10 ILCS 5/12-1) (from Ch. 46, par. 12-1)

25 Sec. 12-1. At least 60 days prior to each general and

1 consolidated election, the election authority shall provide  
2 public notice, calculated to reach elderly and handicapped  
3 voters, of the availability of registration and voting aids  
4 under the Federal Voting Accessibility for the Elderly and  
5 Handicapped Act, of the availability of assistance in marking  
6 the ballot, the procedures for using mail-in ballots in  
7 elections subject to Article 19B, procedures for voting by  
8 absentee ballot, and procedures for voting early by personal  
9 appearance.

10 At least 30 days before any general election, and at least  
11 20 days before any special congressional election, the county  
12 clerk shall publish a notice of the election in 2 or more  
13 newspapers published in the county, city, village,  
14 incorporated town or town, as the case may be, or if there is  
15 no such newspaper, then in any 2 or more newspapers published  
16 in the county and having a general circulation throughout the  
17 community. The notice may be substantially as follows:

18 Notice is hereby given that on (give date), at (give the  
19 place of holding the election and the name of the precinct or  
20 district) in the county of (name county), an election will be  
21 held for (give the title of the several offices to be filled),  
22 which election will be open at 6:00 a.m. and continued open  
23 until 7:00 p.m. of that day.

24 Dated at .... on (insert date).

25 (Source: P.A. 94-645, eff. 8-22-05.)

1 (10 ILCS 5/12-4) (from Ch. 46, par. 12-4)

2 Sec. 12-4. Not more than 30 nor less than 10 days prior to  
3 the date of the consolidated election ~~and nonpartisan~~  
4 ~~elections~~, each election authority shall publish notice of the  
5 election of officers of each political subdivision to be  
6 conducted in his or its jurisdiction on such election date. The  
7 notice of election shall be published once in one or more  
8 newspapers published in each political subdivision, and if  
9 there is no such newspaper, then published once in a local,  
10 community newspaper having general circulation in the  
11 subdivision, and also once in a newspaper published in the  
12 county wherein the political subdivisions or portions thereof,  
13 having such elections are situated.

14 The notice shall be substantially in the form prescribed in  
15 Section 12-1, and may include notice of the location of the  
16 precincts and polling places within or including part of the  
17 political subdivision in which the election is to be conducted,  
18 and the procedures for using mail-in ballots in consolidated  
19 elections subject to Article 19B.

20 Not less than 10 days before each such election, the  
21 election authority shall publish notice of the precincts and  
22 the location of the polling places where the election will be  
23 conducted for political subdivisions wholly or partially  
24 within its jurisdiction. The election authority shall cause  
25 publication in the manner heretofore prescribed for the notice  
26 of election.

1 (Source: P.A. 81-963.)

2 (10 ILCS 5/13-1) (from Ch. 46, par. 13-1)

3 Sec. 13-1. In counties not under township organization, the  
4 county board of commissioners shall at its meeting in July in  
5 each even-numbered year appoint in each election precinct 5  
6 capable and discreet persons meeting the qualifications of  
7 Section 13-4 to be judges of election. Where neither voting  
8 machines nor electronic, mechanical or electric voting systems  
9 are used, the county board may, for any precinct with respect  
10 to which the board considers such action necessary or desirable  
11 in view of the number of voters, and shall for general  
12 elections for any precinct containing more than 600 registered  
13 voters, appoint in addition to the 5 judges of election a team  
14 of 5 tally judges. In such precincts the judges of election  
15 shall preside over the election during the hours the polls are  
16 open, and the tally judges, with the assistance of the holdover  
17 judges designated pursuant to Section 13-6.2, shall count the  
18 vote after the closing of the polls. However, the County Board  
19 of Commissioners may appoint 3 judges of election to serve in  
20 lieu of the 5 judges of election otherwise required by this  
21 Section to serve in any emergency referendum, or in any  
22 odd-year regular election or in any special primary or special  
23 election called for the purpose of filling a vacancy in the  
24 office of representative in the United States Congress or to  
25 nominate candidates for such purpose. If a consolidated



1 election is conducted under Article 19B, the County Board of  
2 Commissioners shall appoint a team of 5 tally judges to serve  
3 in lieu of the 5 judges of election otherwise required by this  
4 Section. The tally judges shall possess the same qualifications  
5 and shall be appointed in the same manner and with the same  
6 division between political parties as is provided for judges of  
7 election.

8 In addition to such precinct judges, the county board of  
9 commissioners shall appoint special panels of 3 judges each,  
10 who shall possess the same qualifications and shall be  
11 appointed in the same manner and with the same division between  
12 political parties as is provided for other judges of election.  
13 The number of such panels of judges required shall be  
14 determined by regulations of the State Board of Elections which  
15 shall base the required numbers of special panels on the number  
16 of registered voters in the jurisdiction or the number of  
17 absentee ballots voted at recent elections, or any combination  
18 of such factors.

19 Such appointment shall be confirmed by the court as  
20 provided in Section 13-3 of this Article. No more than 3  
21 persons of the same political party shall be appointed judges  
22 of the same election precinct or election judge panel. The  
23 appointment shall be made in the following manner: The county  
24 board of commissioners shall select and approve 3 persons as  
25 judges of election in each election precinct from a certified  
26 list, furnished by the chairman of the County Central Committee

1 of the first leading political party in such precinct; and the  
2 county board of commissioners shall also select and approve 2  
3 persons as judges of election in each election precinct from a  
4 certified list, furnished by the chairman of the County Central  
5 Committee of the second leading political party. However, if  
6 only 3 judges of election serve in each election precinct, no  
7 more than 2 persons of the same political party shall be judges  
8 of election in the same election precinct; and which political  
9 party is entitled to 2 judges of election and which political  
10 party is entitled to one judge of election shall be determined  
11 in the same manner as set forth in the next two preceding  
12 sentences with regard to 5 election judges in each precinct.  
13 Such certified list shall be filed with the county clerk not  
14 less than 10 days before the annual meeting of the county board  
15 of commissioners. Such list shall be arranged according to  
16 precincts. The chairman of each county central committee shall,  
17 insofar as possible, list persons who reside within the  
18 precinct in which they are to serve as judges. However, he may,  
19 in his sole discretion, submit the names of persons who reside  
20 outside the precinct but within the county embracing the  
21 precinct in which they are to serve. He must, however, submit  
22 the names of at least 2 residents of the precinct for each  
23 precinct in which his party is to have 3 judges and must submit  
24 the name of at least one resident of the precinct for each  
25 precinct in which his party is to have 2 judges. The county  
26 board of commissioners shall acknowledge in writing to each

1 county chairman the names of all persons submitted on such  
2 certified list and the total number of persons listed thereon.  
3 If no such list is filed or such list is incomplete (that is,  
4 no names or an insufficient number of names are furnished for  
5 certain election precincts), the county board of commissioners  
6 shall make or complete such list from the names contained in  
7 the supplemental list provided for in Section 13-1.1. The  
8 election judges shall hold their office for 2 years from their  
9 appointment, and until their successors are duly appointed in  
10 the manner provided in this Act. The county board of  
11 commissioners shall fill all vacancies in the office of judge  
12 of election at any time in the manner provided in this Act.

13 (Source: P.A. 94-1000, eff. 7-3-06.)

14 (10 ILCS 5/13-2) (from Ch. 46, par. 13-2)

15 Sec. 13-2. In counties under the township organization the  
16 county board shall at its meeting in July in each even-numbered  
17 year except in counties containing a population of 3,000,000  
18 inhabitants or over and except when such judges are appointed  
19 by election commissioners, select in each election precinct in  
20 the county, 5 capable and discreet persons to be judges of  
21 election who shall possess the qualifications required by this  
22 Act for such judges. Where neither voting machines nor  
23 electronic, mechanical or electric voting systems are used, the  
24 county board may, for any precinct with respect to which the  
25 board considers such action necessary or desirable in view of

1 the number of voters, and shall for general elections for any  
2 precinct containing more than 600 registered voters, appoint in  
3 addition to the 5 judges of election a team of 5 tally judges.  
4 In such precincts the judges of election shall preside over the  
5 election during the hours the polls are open, and the tally  
6 judges, with the assistance of the holdover judges designated  
7 pursuant to Section 13-6.2, shall count the vote after the  
8 closing of the polls. The tally judges shall possess the same  
9 qualifications and shall be appointed in the same manner and  
10 with the same division between political parties as is provided  
11 for judges of election.

12 However, the county board may appoint 3 judges of election  
13 to serve in lieu of the 5 judges of election otherwise required  
14 by this Section to serve in any emergency referendum, or in any  
15 odd-year regular election or in any special primary or special  
16 election called for the purpose of filling a vacancy in the  
17 office of representative in the United States Congress or to  
18 nominate candidates for such purpose.

19 If a consolidated election is conducted under Article 19B,  
20 the county board shall appoint a team of 5 tally judges to  
21 serve in lieu of the 5 judges of election otherwise required by  
22 this Section.

23 In addition to such precinct judges, the county board shall  
24 appoint special panels of 3 judges each, who shall possess the  
25 same qualifications and shall be appointed in the same manner  
26 and with the same division between political parties as is

1 provided for other judges of election. The number of such  
2 panels of judges required shall be determined by regulations of  
3 the State Board of Elections, which shall base the required  
4 number of special panels on the number of registered voters in  
5 the jurisdiction or the number of absentee ballots voted at  
6 recent elections or any combination of such factors.

7 No more than 3 persons of the same political party shall be  
8 appointed judges in the same election district or undivided  
9 precinct. The election of the judges of election in the various  
10 election precincts shall be made in the following manner: The  
11 county board shall select and approve 3 of the election judges  
12 in each precinct from a certified list furnished by the  
13 chairman of the County Central Committee of the first leading  
14 political party in such election precinct and shall also select  
15 and approve 2 judges of election in each election precinct from  
16 a certified list furnished by the chairman of the County  
17 Central Committee of the second leading political party in such  
18 election precinct. However, if only 3 judges of election serve  
19 in each election precinct, no more than 2 persons of the same  
20 political party shall be judges of election in the same  
21 election precinct; and which political party is entitled to 2  
22 judges of election and which political party is entitled to one  
23 judge of election shall be determined in the same manner as set  
24 forth in the next two preceding sentences with regard to 5  
25 election judges in each precinct. The respective County Central  
26 Committee chairman shall notify the county board by June 1 of

1 each odd-numbered year immediately preceding the annual  
2 meeting of the county board whether or not such certified list  
3 will be filed by such chairman. Such list shall be arranged  
4 according to precincts. The chairman of each county central  
5 committee shall, insofar as possible, list persons who reside  
6 within the precinct in which they are to serve as judges.  
7 However, he may, in his sole discretion, submit the names of  
8 persons who reside outside the precinct but within the county  
9 embracing the precinct in which they are to serve. He must,  
10 however, submit the names of at least 2 residents of the  
11 precinct for each precinct in which his party is to have 3  
12 judges and must submit the name of at least one resident of the  
13 precinct for each precinct in which his party is to have 2  
14 judges. Such certified list, if filed, shall be filed with the  
15 county clerk not less than 20 days before the annual meeting of  
16 the county board. The county board shall acknowledge in writing  
17 to each county chairman the names of all persons submitted on  
18 such certified list and the total number of persons listed  
19 thereon. If no such list is filed or the list is incomplete  
20 (that is, no names or an insufficient number of names are  
21 furnished for certain election precincts), the county board  
22 shall make or complete such list from the names contained in  
23 the supplemental list provided for in Section 13-1.1. Provided,  
24 further, that in any case where a township has been or shall be  
25 redistricted, in whole or in part, subsequent to one general  
26 election for Governor, and prior to the next, the judges of

1 election to be selected for all new or altered precincts shall  
2 be selected in that one of the methods above detailed, which  
3 shall be applicable according to the facts and circumstances of  
4 the particular case, but the majority of such judges for each  
5 such precinct shall be selected from the first leading  
6 political party, and the minority judges from the second  
7 leading political party. Provided, further, that in counties  
8 having a population of 1,000,000 inhabitants or over the  
9 selection of judges of election shall be made in the same  
10 manner in all respects as in other counties, except that the  
11 provisions relating to tally judges are inapplicable to such  
12 counties and except that the county board shall meet during the  
13 month of January for the purpose of making such selection and  
14 the chairman of each county central committee shall notify the  
15 county board by the preceding October 1 whether or not the  
16 certified list will be filed. Such judges of election shall  
17 hold their office for 2 years from their appointment and until  
18 their successors are duly appointed in the manner provided in  
19 this Act. The county board shall fill all vacancies in the  
20 office of judges of elections at any time in the manner herein  
21 provided.

22 Such selections under this Section shall be confirmed by  
23 the circuit court as provided in Section 13-3 of this Article.

24 (Source: P.A. 94-1000, eff. 7-3-06.)

25 (10 ILCS 5/14-1) (from Ch. 46, par. 14-1)

1           Sec. 14-1. (a) The board of election commissioners  
2 established or existing under Article 6 shall, at the time and  
3 in the manner provided in Section 14-3.1, select and choose 5  
4 persons, men or women, as judges of election for each precinct  
5 in such city, village or incorporated town.

6           Where neither voting machines nor electronic, mechanical  
7 or electric voting systems are used, the board of election  
8 commissioners may, for any precinct with respect to which the  
9 board considers such action necessary or desirable in view of  
10 the number of voters, and shall for general elections for any  
11 precinct containing more than 600 registered voters, appoint in  
12 addition to the 5 judges of election a team of 5 tally judges.  
13 In such precincts the judges of election shall preside over the  
14 election during the hours the polls are open, and the tally  
15 judges, with the assistance of the holdover judges designated  
16 pursuant to Section 14-5.2, shall count the vote after the  
17 closing of the polls. The tally judges shall possess the same  
18 qualifications and shall be appointed in the same manner and  
19 with the same division between political parties as is provided  
20 for judges of election. The foregoing provisions relating to  
21 the appointment of tally judges are inapplicable in counties  
22 with a population of 1,000,000 or more.

23           If a consolidated election is conducted under Article 19B,  
24 the board of election commissioners shall appoint a team of 5  
25 tally judges to serve in lieu of the 5 judges of election  
26 otherwise required by this Section.



1 (b) To qualify as judges the persons must:

2 (1) be citizens of the United States;

3 (2) be of good repute and character;

4 (3) be able to speak, read and write the English  
5 language;

6 (4) be skilled in the 4 fundamental rules of  
7 arithmetic;

8 (5) be of good understanding and capable;

9 (6) not be candidates for any office at the election  
10 and not be elected committeemen;

11 (7) reside and be entitled to vote in the precinct in  
12 which they are selected to serve, except that in each  
13 precinct not more than one judge of each party may be  
14 appointed from outside such precinct. Any judge so  
15 appointed to serve in any precinct in which he is not  
16 entitled to vote must be entitled to vote elsewhere within  
17 the county which encompasses the precinct in which such  
18 judge is appointed and such judge must otherwise meet the  
19 qualifications of this Section.

20 (c) An election authority may establish a program to permit  
21 a person who is not entitled to vote to be appointed as an  
22 election judge if, as of the date of the election at which the  
23 person serves as a judge, he or she:

24 (1) is a U.S. citizen;

25 (2) is a senior in good standing enrolled in a public  
26 or private secondary school;

1           (3) has a cumulative grade point average equivalent to  
2           at least 3.0 on a 4.0 scale;

3           (4) has the written approval of the principal of the  
4           secondary school he or she attends at the time of  
5           appointment;

6           (5) has the written approval of his or her parent or  
7           legal guardian;

8           (6) has satisfactorily completed the training course  
9           for judges of election described in Sections 13-2.1,  
10          13-2.2, and 14-4.1; and

11          (7) meets all other qualifications for appointment and  
12          service as an election judge.

13          No more than one election judge qualifying under this  
14          subsection may serve per political party per precinct. Prior to  
15          appointment, a judge qualifying under this subsection must  
16          certify in writing to the election authority the political  
17          party the judge chooses to affiliate with.

18          Students appointed as election judges under this  
19          subsection shall not be counted as absent from school on the  
20          day they serve as judges.

21          (d) The board of election commissioners may select 2  
22          additional judges of election, one from each of the major  
23          political parties, for each 200 voters in excess of 600 in any  
24          precinct having more than 600 voters as authorized by Section  
25          11--3. These additional judges must meet the qualifications  
26          prescribed in this Section.

1 (Source: P.A. 91-352, eff. 1-1-00.)

2 (10 ILCS 5/14-3.1) (from Ch. 46, par. 14-3.1)

3 Sec. 14-3.1. The board of election commissioners shall,  
4 during the month of July of each even-numbered year, select for  
5 each election precinct within the jurisdiction of the board 5  
6 persons to be judges of election who shall possess the  
7 qualifications required by this Act for such judges. The  
8 selection shall be made by a county board of election  
9 commissioners in the following manner: the county board of  
10 election commissioners shall select and approve 3 persons as  
11 judges of election in each election precinct from a certified  
12 list furnished by the chairman of the county central committee  
13 of the first leading political party in that precinct; the  
14 county board of election commissioners also shall select and  
15 approve 2 persons as judges of election in each election  
16 precinct from a certified list furnished by the chairman of the  
17 county central committee of the second leading political party  
18 in that precinct. The selection by a municipal board of  
19 election commissioners shall be made in the following manner:  
20 for each precinct, 3 judges shall be selected from one of the 2  
21 leading political parties and the other 2 judges shall be  
22 selected from the other leading political party; the parties  
23 entitled to 3 and 2 judges, respectively, in the several  
24 precincts shall be determined as provided in Section 14-4.  
25 However, a Board of Election Commissioners may appoint three

1 judges of election to serve in lieu of the 5 judges of election  
2 otherwise required by this Section to serve in any emergency  
3 referendum, or in any odd-year regular election or in any  
4 special primary or special election called for the purpose of  
5 filling a vacancy in the office of representative in the United  
6 States Congress or to nominate candidates for such purpose.

7 If a consolidated election is conducted under Article 19B,  
8 a Board of Election Commissioners shall appoint a team of 5  
9 tally judges to serve in lieu of the 5 judges of election  
10 otherwise required by this Section.

11 If only 3 judges of election serve in each election  
12 precinct, no more than 2 persons of the same political party  
13 shall be judges of election in the same election precinct, and  
14 which political party is entitled to 2 judges of election and  
15 which political party is entitled to one judge of election  
16 shall be determined as set forth in this Section for a county  
17 board of election commissioners' selection of 5 election judges  
18 in each precinct or in Section 14-4 for a municipal board of  
19 election commissioners' selection of election judges in each  
20 precinct, whichever is appropriate. In addition to such  
21 precinct judges, the board of election commissioners shall  
22 appoint special panels of 3 judges each, who shall possess the  
23 same qualifications and shall be appointed in the same manner  
24 and with the same division between political parties as is  
25 provided for other judges of election. The number of such  
26 panels of judges required shall be determined by regulation of

1 the State Board of Elections, which shall base the required  
2 number of special panels on the number of registered voters in  
3 the jurisdiction or the number of absentee ballots voted at  
4 recent elections or any combination of such factors. A  
5 municipal board of election commissioners shall make the  
6 selections of persons qualified under Section 14-1 from  
7 certified lists furnished by the chairman of the respective  
8 county central committees of the 2 leading political parties.  
9 Lists furnished by chairmen of county central committees under  
10 this Section shall be arranged according to precincts. The  
11 chairman of each county central committee shall, insofar as  
12 possible, list persons who reside within the precinct in which  
13 they are to serve as judges. However, he may, in his sole  
14 discretion, submit the names of persons who reside outside the  
15 precinct but within the county embracing the precinct in which  
16 they are to serve. He must, however, submit the names of at  
17 least 2 residents of the precinct for each precinct in which  
18 his party is to have 3 judges and must submit the name of at  
19 least one resident of the precinct for each precinct in which  
20 his party is to have 2 judges. The board of election  
21 commissioners shall no later than March 1 of each even-numbered  
22 year notify the chairmen of the respective county central  
23 committees of their responsibility to furnish such lists, and  
24 each such chairman shall furnish the board of election  
25 commissioners with the list for his party on or before May 1 of  
26 each even-numbered year. The board of election commissioners

1 shall acknowledge in writing to each county chairman the names  
2 of all persons submitted on such certified list and the total  
3 number of persons listed thereon. If no such list is furnished  
4 or if no names or an insufficient number of names are furnished  
5 for certain precincts, the board of election commissioners  
6 shall make or complete such list from the names contained in  
7 the supplemental list provided for in Section 14-3.2. Judges of  
8 election shall hold their office for 2 years from their  
9 appointment and until their successors are duly appointed in  
10 the manner herein provided. The board of election commissioners  
11 shall, subject to the provisions of Section 14-3.2, fill all  
12 vacancies in the office of judges of election at any time in  
13 the manner herein provided.

14 Such selections under this Section shall be confirmed by  
15 the court as provided in Section 14-5.

16 (Source: P.A. 94-1000, eff. 7-3-06.)

17 (10 ILCS 5/16-5) (from Ch. 46, par. 16-5)

18 Sec. 16-5. For all elections to which this Article applies,  
19 the county clerks, in their respective counties, shall have  
20 charge of the printing of the ballots for all elections,  
21 including referenda, and shall furnish them to the judges of  
22 election. In municipalities and counties having a board of  
23 election commissioners, such board shall have charge of the  
24 printing of the ballots and furnish them to the judges of  
25 election within the territory under their jurisdiction.

1 Ballots shall be printed and in possession of the respective  
2 election authorities at least two days before each election and  
3 subject to the inspection of candidates and their agents; if  
4 any mistakes be discovered they shall be corrected without  
5 delay. If a consolidated election is subject to the provisions  
6 of Article 19B, however, the ballots shall be furnished to the  
7 election authority prior to the time the ballots are to be  
8 mailed to the voters. The election authority shall cause to be  
9 delivered to the judges of election at the polling place of  
10 each precinct or district, not less than twelve hours before  
11 the time fixed by law for the opening of the polls therein, at  
12 least 10% more ballots of the kind to be voted in such precinct  
13 or district than the number of voters registered therein for  
14 the purposes of such election, such ballots shall be put up in  
15 separate sealed packages, with marks on the outside clearly  
16 designating the polling place for which they are intended and  
17 the number of ballots enclosed, and receipt therefor shall be  
18 given by the judges of election to whom they are delivered,  
19 which receipt shall be preserved by the election authority. The  
20 election authority shall provide and retain at its office an  
21 ample supply of ballots, in addition to those distributed to  
22 the several voting precincts or districts, and if at any time  
23 on or before the day of election the ballots furnished to any  
24 precinct shall be lost, destroyed or exhausted before the polls  
25 are closed, on written application signed by a majority of the  
26 judges he or they shall immediately cause to be delivered to

1 such judges at the polling place, such additional supply of  
2 ballots as may be required and sufficient to comply with the  
3 provisions of this Act.

4 If a consolidated election is subject to the provisions of  
5 Article 19B, the election authority shall, not more than 40 nor  
6 less than 5 days before the date of the election, mail a ballot  
7 to each registered voter.

8 (Source: P.A. 80-1469.)

9 (10 ILCS 5/17-1) (from Ch. 46, par. 17-1)

10 Sec. 17-1. Except for the consolidated elections conducted  
11 under Article 19B, the polls shall be opened at the hour of  
12 6:00 a.m. and continued open until 7:00 p.m. of the same day,  
13 at which time the polls shall be closed; but if the judges  
14 shall not attend at the hour of six o'clock in the morning, or  
15 if it shall be necessary for the electors present to appoint  
16 judges to conduct the election, as herein prescribed, the polls  
17 may, in that case, be opened at any hour before the time for  
18 closing the same shall arrive, as the case may require. The  
19 State Board of Elections shall adopt rules for the conduct of  
20 elections under Article 19B.

21 (Source: P.A. 81-850; 81-1149.)

22 (10 ILCS 5/Art. 19B heading new)

23 Article 19B. MAIL-IN BALLOTS FOR CONSOLIDATED ELECTIONS



1 (10 ILCS 5/19B-5 new)

2 Sec. 19B-5. Voting in consolidated elections.In the year  
3 2009, any qualified elector of the State of Illinois having  
4 duly registered where registration is required may vote at the  
5 consolidated election for the offices listed in subsection (c)  
6 of Section 2A-1.2 through ballots mailed to the voter and  
7 returned to the proper election authority by mail.

8 Each election authority shall compile and keep current a  
9 list of voters who are eligible to vote under this Article. The  
10 list shall include the last mailing address of each voter.

11 (10 ILCS 5/19B-10 new)

12 Sec. 19B-10. Time for mailing ballots. Each election  
13 authority, not more than 40 nor less than 5 days before the  
14 consolidated election held in April of 2009, shall mail,  
15 postage prepaid, an official ballot, or ballots if more than  
16 one are to be voted at the election, to each registered voter  
17 eligible to vote under this Article. The ballot or ballots  
18 shall be mailed to each voter's last mailing address and shall  
19 be marked "DO NOT FORWARD - ADDRESS CORRECTION REQUESTED" or  
20 any other similar statement that is in accordance with United  
21 States postal service regulations.

22 The election authority shall maintain a list for each  
23 election of the voters to whom ballots have been issued. The  
24 list shall be maintained for each precinct within the  
25 jurisdiction of the election authority.

1 (10 ILCS 5/19B-15 new)

2 Sec. 19B-15. Enclosure of ballots in unsealed envelope;  
3 certification; instructions for marking and returning ballots.  
4 The election authority shall fold the ballot or ballots in the  
5 manner specified by the statute for folding ballots prior to  
6 their deposit in the ballot box, and shall enclose the ballot  
7 or ballots in an unsealed envelope to be furnished by the  
8 election authority. The envelope shall bear on its face the  
9 name, official title, and post office address of the election  
10 authority.

11 The printed certificate on the envelope shall be in  
12 substantially the following form:

13 "I state that I am a resident of the ..... precinct of  
14 the (1)\* township of ..... (2)\* city of ..... (3)\*  
15 ..... ward in the city of ..... residing at  
16 ..... in the city or town in the county of ..... and  
17 State of Illinois, that I have lived at the address for ...  
18 months last past; and that I am lawfully entitled to vote in  
19 the precinct at the election to be held on .....

20 \* fill in either (1), (2), or (3).

21 I further state that I personally marked the enclosed  
22 ballot in secret. If I received assistance in casting my  
23 ballot, I further attest that, due to physical incapacity, I  
24 marked the enclosed ballot in secret with the assistance of

25

1 .....

2 (Individual rendering assistance)

3

4 .....

5 (Residence address)

6 Under penalties of perjury provided by law under Section  
7 29-10 of the Election Code, the undersigned certifies that the  
8 statements set forth in this certification are true and  
9 correct.

10  
11 ....."

12 In addition, the election authority shall provide printed  
13 slips giving full instructions regarding the manner of marking  
14 and returning the ballot in order that the same may be counted,  
15 and shall furnish one of the printed slips to each voter at the  
16 same time the ballot is mailed to the voter. The instructions  
17 shall include the following statement: "In signing the  
18 certification on the ballot envelope, you are attesting that  
19 you personally marked this ballot in secret. If you are  
20 physically unable to mark the ballot, a friend or relative may  
21 assist you after completing the enclosed affidavit. Federal and  
22 State laws prohibit your employer, your employer's agent, or an  
23 officer or agent of your union from assisting physically  
24 disabled voters."

25 In addition, if a ballot to be provided to a voter under  
26 this Section contains a public question described in subsection

1 (b) of Section 28-6 and the territory concerning the question  
2 to be submitted is not described on the ballot due to that  
3 space limitations of the ballot, the election authority shall  
4 provide a printed copy of the notice of the public question,  
5 which shall included a description of the territory in the  
6 manner required by Section 16-7. The notice shall be furnished  
7 to the voter at the time the ballot is mailed to the voter.

8 (10 ILCS 5/19B-20 new)

9 Sec. 19B-20. Certification of voters; return of ballots.  
10 The voter shall make and subscribe to the certification  
11 provided for on the return envelope for the ballot, and the  
12 ballot or ballots shall be folded by the voter in the manner  
13 required to be folded before depositing the ballot in the  
14 ballot box, and shall be deposited in the envelope and the  
15 envelope securely sealed. The voter shall then endorse his or  
16 her certificate on the back of the envelope, and the envelope  
17 shall be mailed by the voter, postage prepaid, to the election  
18 authority issuing the ballot, or if more convenient, it may be  
19 delivered in person, by either the voter or by a spouse,  
20 parent, child, brother, or sister of the voter, or by a company  
21 licensed by the Illinois Commerce Commission under the Illinois  
22 Commercial Transportation Law that is engaged in the business  
23 of making deliveries. If a voter gives his or her ballot and  
24 ballot envelope to a spouse, parent, child, brother, or sister  
25 of the voter, or to a company that is engaged in the business

1 of making deliveries for delivery to the election authority,  
 2 the voter shall give an authorization form to the person making  
 3 the delivery. The person making the delivery shall present the  
 4 authorization to the election authority. The authorization  
 5 shall be in substantially the following form:

6 "I ..... (voter) authorize .....  
 7 to take my ballot to the office of the election authority.

8 ..... .....  
 9 Date Signature of voter

10 ..... .....  
 11 Town Address

12 ..... .....  
 13 Date Signature of authorized

14 Individual  
 15 ..... .....  
 16 Town Relationship (if any)"

17 (10 ILCS 5/19B-25 new)

18 Sec. 19B-25. Receipt of ballots. Upon receipt of the  
 19 voter's ballot, the election authority shall enclose the  
 20 unopened ballot in a large or carrier envelope that shall be  
 21 securely sealed and endorsed with the name and official title  
 22 of the officer and the words, "This envelope contains a ballot  
 23 and must be opened on election day", together with the number  
 24 and description of the precinct in which the ballot is to be  
 25 voted, and the officer shall safely keep the envelope in his or

1 her office until counted as provided in Section 19B-30.

2 (10 ILCS 5/19B-30 new)

3 Sec. 19B-30. Counting of ballots. The ballots received by  
4 the election authority before 7:00 p.m. of the day of the  
5 consolidated election shall be counted at the office of the  
6 election authority by the tally judges, appointed under this  
7 Code for that purpose. The counting shall commence no later  
8 than 8:00 p.m. The counting shall continue until all ballots  
9 received have been counted.

10 The procedures set forth in Section 19B-35 of this Act and  
11 Articles 17 and 18 of this Code shall apply to all ballots  
12 counted under this provision, including comparing the  
13 signature on the ballot envelope with the signature of the  
14 voter on the permanent voter registration record card taken  
15 from the master file; except the votes shall be recorded  
16 without regard to precinct designation, except for precinct  
17 offices.

18 (10 ILCS 5/19B-35 new)

19 Sec. 19B-35. Casting ballots; comparison of signatures;  
20 rejection of ballots.

21 The tally judges shall cast the voter's ballots separately, and  
22 as each ballot is taken shall open the outer or carrier  
23 envelope, announce the voter's name, and compare the signature  
24 on the permanent voter registration record card taken from the

1 master file with the signature upon the certification on the  
2 ballot envelope. In case the judges find the certification  
3 properly executed, that the signatures correspond, and that the  
4 applicant is a duly qualified elector, they shall open the  
5 envelope containing the ballot in such a manner as not to  
6 deface or destroy the certification, or mark or tear the  
7 ballots therein contained without unfolding or permitting the  
8 ballot to be unfolded or examined, and having endorsed the  
9 ballot in like manner as other ballots are required to be  
10 endorsed, shall deposit the same in the proper ballot box or  
11 boxes and enter the voter's name in the poll book the same as  
12 if the voter had been present and voted in person. The judges  
13 shall place the ballot certification envelopes in a separate  
14 envelope as per the direction of the election authority. The  
15 envelope containing the ballot certification envelopes shall  
16 be retained by the election authority and preserved in like  
17 manner as the official poll record.

18 In case the signatures do not correspond, or that the voter  
19 is not a duly qualified elector, or that the ballot envelope is  
20 open or has been opened and resealed, without opening the  
21 envelope the judge of election shall mark across the face  
22 thereof, "Rejected", giving the reason therefor.

23 In case the ballot envelope contains more than one ballot  
24 of any kind, the ballots shall not be counted, but shall be  
25 marked "Rejected", giving the reason therefor.

26 The voter's envelope, and the voter's envelope with its

1 contents unopened when the vote is rejected, shall be retained  
2 and preserved in the manner now provided for the retention and  
3 preservation of official ballots rejected at the election.

4 (10 ILCS 5/19B-40 new)

5 Sec. 19B-40. Pollwatchers. On election day, pollwatchers  
6 shall be permitted to be present during the casting of the mail  
7 ballots, and the vote of any voter may be challenged for cause  
8 the same as if he or she were present and voted in person, and  
9 the tally judges or a majority of them shall have power and  
10 authority to hear and determine the legality of the ballot;  
11 provided, however, that if a challenge to any voter's right to  
12 vote is sustained, notice of the same must be given by the  
13 tally judges by mail addressed to the voter's place of  
14 residence.

15 Where ballots are counted on the day of the election in the  
16 office of the election authority as provided in Section 19B-30  
17 of this Article, each political party, candidate, and qualified  
18 civic organization shall be entitled to have present one  
19 pollwatcher for each panel of election judges therein assigned.  
20 The pollwatchers shall be subject to the same provisions as are  
21 proscribed for pollwatchers in Section 7-34 and 17-23 of this  
22 Code, and shall be permitted to observe the signature  
23 comparison between that which is on the ballot envelope and  
24 that which is on the permanent voter registration record card  
25 taken from the master file.



1 (10 ILCS 5/19B-45 new)

2 Sec. 19B-45. Death of an elector before election day.  
3 Whenever it shall be made to appear by due proof to the tally  
4 judges that any elector who has marked and forwarded his or her  
5 ballot as provided in this Article has died before the date of  
6 the election, then the ballot of the deceased voter shall be  
7 retained by the tally judges in the same manner as provided for  
8 rejected ballots; but the casting of the ballot of a deceased  
9 voter shall not invalidate the election.

10 (10 ILCS 5/19B-50 new)

11 Sec. 19B-50. Application to jurisdiction using voting  
12 machines. In all jurisdictions in which voting machines are  
13 used, all the provisions of the Article relating to the  
14 furnishing of ballot boxes, printing, and furnishing official  
15 ballots and supplies in the number provided by law, the  
16 canvassing of the ballots and making the proper return of the  
17 result of the election shall, to the extent necessary to make  
18 this Article effective, apply with full force and effect.

19 (10 ILCS 5/19B-55 new)

20 Sec. 19B-55. Adoption of rules for mail-in ballots. The  
21 State Board of Elections shall conduct public hearings and  
22 adopt rules and procedures for the implementation of the use of  
23 mail-in ballots within 270 days after the effective date of

1 this amendatory Act of the 95th General Assembly.

2 (b) In addition to any other duties prescribed by law, the  
3 State Board of Elections shall:

4 (1) prescribe the form of materials to be used in the  
5 conduct of mail-in ballot elections;

6 (2) establish procedures consistent with this Article  
7 for the conduct of mail-in ballot elections; and

8 (3) supervise the conduct of mail-in ballot elections.

9 (10 ILCS 5/19B-60 new)

10 Sec. 19B-60. Report. After the consolidated election in  
11 2009, the State Board of Elections must report to the General  
12 Assembly on the problems and successes of conducting the  
13 election with mail-in ballots.

14 (10 ILCS 5/24A-6) (from Ch. 46, par. 24A-6)

15 Sec. 24A-6. The ballot information, whether placed on the  
16 ballot or on the marking device, shall, as far as practicable,  
17 be in the order of arrangement provided for paper ballots,  
18 except that such information may be in vertical or horizontal  
19 rows, or in a number of separate pages. Ballots for all  
20 questions or propositions to be voted on must be provided in  
21 the same manner and must be arranged on or in the marking  
22 device or on the ballot sheet in the places provided for such  
23 purposes.

24 When an electronic voting system utilizes a ballot label

1 booklet and ballot card, ballots for candidates, ballots  
2 calling for a constitutional convention, constitutional  
3 amendment ballots, judicial retention ballots, public  
4 measures, and all propositions to be voted upon may be placed  
5 on the electronic voting device by providing in the ballot  
6 booklet separate ballot label pages or series of pages  
7 distinguished by differing colors as provided below. When an  
8 electronic voting system utilizes a ballot sheet, ballots  
9 calling for a constitutional convention, constitutional  
10 amendment ballots and judicial retention ballots shall be  
11 placed on the ballot sheet by providing a separate portion of  
12 the ballot sheet for each such kind of ballot which shall be  
13 printed in ink of a color distinct from the color of ink used  
14 in printing any other portion of the ballot sheet. Ballots for  
15 candidates, public measures and all other propositions to be  
16 voted upon shall be placed on the ballot sheet by providing a  
17 separate portion of the ballot sheet for each such kind of  
18 ballot. Below the name of the last candidate listed for an  
19 office shall be printed a line on which the name of a candidate  
20 may be written by the voter, and immediately to the left of  
21 such line an area shall be provided for marking a vote for such  
22 write-in candidate. More than one amendment to the constitution  
23 may be placed on the same ballot page or series of pages or on  
24 the same portion of the ballot sheet, as the case may be.  
25 Ballot label pages for constitutional conventions or  
26 constitutional amendments shall be on paper of blue color and

1 shall precede all other ballot label pages in the ballot label  
2 booklet. More than one public measure or proposition may be  
3 placed on the same ballot label page or series of pages or on  
4 the same portion of the ballot sheet, as the case may be. More  
5 than one proposition for retention of judges in office may be  
6 placed on the same ballot label page or series of pages or on  
7 the same portion of the ballot sheet, as the case may be.  
8 Ballot label pages for candidates shall be on paper of white  
9 color, except that in primary elections the ballot label page  
10 or pages for the candidates of each respective political party  
11 shall be of the color designated by the election official in  
12 charge of the election for that political party's candidates;  
13 provided that the ballot label pages or pages for candidates  
14 for use at the nonpartisan and consolidated elections may be on  
15 paper of different colors, except blue, whenever necessary or  
16 desirable to facilitate distinguishing between the pages for  
17 different political subdivisions. On each page of the candidate  
18 booklet, where the election is made to list ballot information  
19 vertically, the party affiliation of each candidate or the word  
20 "independent" shall appear immediately to the left of the  
21 candidate's name, and the name of candidates for the same  
22 office shall be listed vertically under the title of that  
23 office. In the case of nonpartisan elections for officers of  
24 political subdivisions, unless the statute or an ordinance  
25 adopted pursuant to Article VII of the Constitution requires  
26 otherwise, the listing of such nonpartisan candidates shall not

1 include any party or "independent" designation. Ballot label  
2 pages for judicial retention ballots shall be on paper of green  
3 color, and ballot label pages for all public measures and other  
4 propositions shall be on paper of some other distinct and  
5 different color. In primary elections, a separate ballot label  
6 booklet, marking device and voting booth shall be used for each  
7 political party holding a primary, with the ballot label  
8 booklet arranged to include ballot label pages of the  
9 candidates of the party and public measures and other  
10 propositions to be voted upon on the day of the primary  
11 election. One ballot card may be used for recording the voter's  
12 vote or choice on all such ballots, proposals, public measures  
13 or propositions, and such ballot card shall be arranged so as  
14 to record the voter's vote or choice in a separate column or  
15 columns for each such kind of ballot, proposal, public measure  
16 or proposition.

17 If the ballot label booklet includes both candidates for  
18 office and public measures or propositions to be voted on, the  
19 election official in charge of the election shall divide the  
20 pages by protruding tabs identifying the division of the pages,  
21 and printing on such tabs "Candidates" and "Propositions".

22 The ballot card and all of its columns and the ballot card  
23 envelope shall be of the color prescribed for candidate's  
24 ballots at the general or primary election, whichever is being  
25 held. At an election where no candidates are being nominated or  
26 elected, the ballot card, its columns, and the ballot card

1 envelope shall be of a color designated by the election  
2 official in charge of the election.

3 The ballot cards, ballot card envelopes and ballot sheets  
4 may, at the discretion of the election authority, be printed on  
5 white paper and then striped with the appropriate colors.

6 When ballot sheets are used, the various portions thereof  
7 shall be arranged to conform to the foregoing format.

8 Absentee ballots may consist of ballot cards, envelopes,  
9 paper ballots or ballot sheets voted in person in the office of  
10 the election official in charge of the election or voted by  
11 mail. Where a ballot card is used for voting by mail it must be  
12 accompanied by a punching tool or other appropriate marking  
13 device, voter instructions and a specimen ballot showing the  
14 proper positions to vote on the ballot card or ballot sheet for  
15 each party, candidate, proposal, public measure or  
16 proposition, and in the case of a ballot card must be mounted  
17 on a suitable material to receive the punched out chip.

18 Ballots for use in the consolidated election conducted  
19 under Article 19B may consist of ballot cards, envelopes, paper  
20 ballots, or ballot sheets. Where a ballot card is used for  
21 voting by mail it must be accompanied by a punching tool or  
22 other appropriate marking device, voter instructions, and a  
23 specimen ballot showing the proper positions to vote on the  
24 ballot card or ballot sheet for each candidate, proposal,  
25 public measure, or proposition, and in the case of a ballot  
26 card must be mounted on a suitable material to receive the

1 punched out chip.

2 Any voter who spoils his ballot or makes an error may  
3 return the ballot to the judges of election and secure another.  
4 However, the protruding identifying tab for proposals for a  
5 constitutional convention or constitutional amendments shall  
6 have printed thereon "Constitutional Ballot", and the ballot  
7 label page or pages for such proposals shall precede the ballot  
8 label pages for candidates in the ballot label booklet.

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

10 (10 ILCS 5/24B-6)

11 Sec. 24B-6. Ballot Information; Arrangement; Electronic  
12 Precinct Tabulation Optical Scan Technology Voting System;  
13 Absentee Ballots; Spoiled Ballots. The ballot information,  
14 shall, as far as practicable, be in the order of arrangement  
15 provided for paper ballots, except that the information may be  
16 in vertical or horizontal rows, or on a number of separate  
17 pages or displays on the marking device. Ballots for all  
18 questions or propositions to be voted on should be provided in  
19 a similar manner and must be arranged on the ballot sheet or  
20 marking device in the places provided for such purposes.  
21 Ballots shall be of white paper unless provided otherwise by  
22 administrative rule of the State Board of Elections or  
23 otherwise specified.

24 All propositions, including but not limited to  
25 propositions calling for a constitutional convention,

1 constitutional amendment, judicial retention, and public  
2 measures to be voted upon shall be placed on separate portions  
3 of the ballot sheet or marking device by utilizing borders or  
4 grey screens. Candidates shall be listed on a separate portion  
5 of the ballot sheet or marking device by utilizing borders or  
6 grey screens. Below the name of the last candidate listed for  
7 an office shall be printed or displayed a line or lines on  
8 which the voter may select a write-in candidate. Such line or  
9 lines shall be proximate to an area provided for marking votes  
10 for the write-in candidate or candidates. The number of  
11 write-in lines for an office shall equal the number of  
12 candidates for which a voter may vote. More than one amendment  
13 to the constitution may be placed on the same portion of the  
14 ballot sheet or marking device. Constitutional convention or  
15 constitutional amendment propositions shall be printed or  
16 displayed on a separate portion of the ballot sheet or marking  
17 device and designated by borders or grey screens, unless  
18 otherwise provided by administrative rule of the State Board of  
19 Elections. More than one public measure or proposition may be  
20 placed on the same portion of the ballot sheet or marking  
21 device. More than one proposition for retention of judges in  
22 office may be placed on the same portion of the ballot sheet or  
23 marking device. Names of candidates shall be printed in black.  
24 The party affiliation of each candidate or the word  
25 "independent" shall appear near or under the candidate's name,  
26 and the names of candidates for the same office shall be listed



1 vertically under the title of that office, on separate pages of  
2 the marking device, or as otherwise approved by the State Board  
3 of Elections. In the case of nonpartisan elections for officers  
4 of political subdivisions, unless the statute or an ordinance  
5 adopted pursuant to Article VII of the Constitution requires  
6 otherwise, the listing of nonpartisan candidates shall not  
7 include any party or "independent" designation. Judicial  
8 retention questions and ballot questions for all public  
9 measures and other propositions shall be designated by borders  
10 or grey screens on the ballot or marking device. In primary  
11 elections, a separate ballot, or displays on the marking  
12 device, shall be used for each political party holding a  
13 primary, with the ballot or marking device arranged to include  
14 names of the candidates of the party and public measures and  
15 other propositions to be voted upon on the day of the primary  
16 election.

17 If the ballot includes both candidates for office and  
18 public measures or propositions to be voted on, the election  
19 official in charge of the election shall divide the ballot or  
20 displays on the marking device in sections for "Candidates" and  
21 "Propositions", or separate ballots may be used.

22 Absentee ballots may consist of envelopes, paper ballots or  
23 ballot sheets voted in person in the office of the election  
24 official in charge of the election or voted by mail. Where a  
25 Precinct Tabulation Optical Scan Technology ballot is used for  
26 voting by mail it must be accompanied by voter instructions.

1       Ballots for use in the consolidated election conducted  
2 under Article 19B may consist of envelopes, paper ballots, or  
3 ballot sheets. Where a Precinct Tabulation Optical Scan  
4 Technology ballot is used for voting by mail it must be  
5 accompanied by voter instructions.

6       Any voter who spoils his or her ballot, makes an error, or  
7 has a ballot returned by the automatic tabulating equipment may  
8 return the ballot to the judges of election and get another  
9 ballot.

10       (Source: P.A. 93-574, eff. 8-21-03.)

11       Section 90. The State Mandates Act is amended by adding  
12 Section 8.31 as follows:

13       (30 ILCS 805/8.31 new)

14       Sec. 8.31. Exempt mandate. Notwithstanding Sections 6 and 8  
15 of this Act, no reimbursement by the State is required for the  
16 implementation of any mandate created by this amendatory Act of  
17 the 95th General Assembly.

18       Section 99. Effective date. This Act takes effect upon  
19 becoming law.

1		INDEX
2		Statutes amended in order of appearance
3	10 ILCS 5/4-11	from Ch. 46, par. 4-11
4	10 ILCS 5/11-7	from Ch. 46, par. 11-7
5	10 ILCS 5/12-1	from Ch. 46, par. 12-1
6	10 ILCS 5/12-4	from Ch. 46, par. 12-4
7	10 ILCS 5/13-1	from Ch. 46, par. 13-1
8	10 ILCS 5/13-2	from Ch. 46, par. 13-2
9	10 ILCS 5/14-1	from Ch. 46, par. 14-1
10	10 ILCS 5/14-3.1	from Ch. 46, par. 14-3.1
11	10 ILCS 5/16-5	from Ch. 46, par. 16-5
12	10 ILCS 5/17-1	from Ch. 46, par. 17-1
13	10 ILCS 5/Art.19B heading	
14	new	
15	10 ILCS 5/19B-5 new	
16	10 ILCS 5/19B-10 new	
17	10 ILCS 5/19B-15 new	
18	10 ILCS 5/19B-20 new	
19	10 ILCS 5/19B-25 new	
20	10 ILCS 5/19B-30 new	
21	10 ILCS 5/19B-35 new	
22	10 ILCS 5/19B-40 new	
23	10 ILCS 5/19B-45 new	
24	10 ILCS 5/19B-50 new	
25	10 ILCS 5/19B-55 new	

1 10 ILCS 5/19B-60 new

2 10 ILCS 5/24A-6 from Ch. 46, par. 24A-6

3 10 ILCS 5/24B-6

4 30 ILCS 805/8.31 new