



Rep. Jay C. Hoffman

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1 AMENDMENT TO HOUSE BILL 2670

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 2670 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Election Code is amended by changing  
5 Sections 4-50, 5-50, 6-100, 19-8, 19A-35, 19A-75, and 20-8 as  
6 follows:

7 (10 ILCS 5/4-50)

8 Sec. 4-50. Grace period. Notwithstanding any other  
9 provision of this Code to the contrary, each election authority  
10 shall establish procedures for the registration of voters and  
11 for change of address during the period from the close of  
12 registration for a primary or election and until the 14th day  
13 before the primary or election. During this grace period, an  
14 unregistered qualified elector may register to vote, and a  
15 registered voter may submit a change of address form, in person  
16 in the office of the election authority or at a voter

1 registration location specifically designated for this purpose  
2 by the election authority. The election authority shall  
3 register that individual, or change a registered voter's  
4 address, in the same manner as otherwise provided by this  
5 Article for registration and change of address.

6 If a voter who registers or changes address during this  
7 grace period wishes to vote at the first election or primary  
8 occurring after the grace period, he or she must do so by grace  
9 period voting, either in person in the office of the election  
10 authority or at a location specifically designated for this  
11 purpose by the election authority, or by mail, at the  
12 discretion of the election authority. Grace period voting shall  
13 be in a manner substantially similar to voting under Article  
14 19.

15 Within one day after a voter casts a grace period ballot,  
16 the election authority shall transmit the voter's name, street  
17 address, and precinct, ward, township, and district numbers, as  
18 the case may be, to the State Board of Elections, which shall  
19 maintain those names and that information in an electronic  
20 format on its website, arranged by county and accessible to  
21 State and local political committees. The name of each person  
22 issued a grace period ballot shall also be placed on the  
23 appropriate precinct list of persons to whom absentee and early  
24 ballots have been issued, for use as provided in Sections 17-9  
25 and 18-5.

26 A person who casts a grace period ballot shall not be

1 permitted to revoke that ballot and vote another ballot with  
2 respect to that primary or election. Ballots cast by persons  
3 who register or change address during the grace period must be  
4 transmitted to and counted at the election authority's central  
5 ballot counting location, at the same time provided in  
6 subsections (b) and (f) of Section 19-8 for the counting of  
7 absentee ballots, and shall not be transmitted to and counted  
8 at precinct polling places. The grace period ballots determined  
9 to be valid shall be added to the vote totals for the precincts  
10 for which they were cast in the order in which the ballots were  
11 opened. At least one day before the election, the election  
12 authority shall provide the appropriate county central  
13 committee chairperson of each established political party with  
14 written notice of the time and location of the counting of  
15 grace period ballots.

16 If the election authority begins the counting of absentee  
17 ballots before the close of the polls on election day, then the  
18 election authority shall begin the counting of grace period  
19 ballots at the same time before the close of the polls on  
20 election day and the authorization of pollwatchers at the  
21 counting of absentee ballots before the close of the polls on  
22 election day under subsection (h) of Section 19-8 shall apply  
23 to the counting of grace period ballots before the close of the  
24 polls on election day (but shall not increase the number of  
25 pollwatchers authorized by subsection (h) of Section 19-8).  
26 Results of grace period voting may be made public in accordance

1 with the provisions of this Code but in no event earlier than  
2 the close of the polls on election day.

3 (Source: P.A. 93-1082, eff. 7-1-05; 94-1000, eff. 7-3-06.)

4 (10 ILCS 5/5-50)

5 Sec. 5-50. Grace period. Notwithstanding any other  
6 provision of this Code to the contrary, each election authority  
7 shall establish procedures for the registration of voters and  
8 for change of address during the period from the close of  
9 registration for a primary or election and until the 14th day  
10 before the primary or election. During this grace period, an  
11 unregistered qualified elector may register to vote, and a  
12 registered voter may submit a change of address form, in person  
13 in the office of the election authority or at a voter  
14 registration location specifically designated for this purpose  
15 by the election authority. The election authority shall  
16 register that individual, or change a registered voter's  
17 address, in the same manner as otherwise provided by this  
18 Article for registration and change of address.

19 If a voter who registers or changes address during this  
20 grace period wishes to vote at the first election or primary  
21 occurring after the grace period, he or she must do so by grace  
22 period voting, either in person in the office of the election  
23 authority or at a location specifically designated for this  
24 purpose by the election authority, or by mail, at the  
25 discretion of the election authority. Grace period voting shall

1 be in a manner substantially similar to voting under Article  
2 19.

3       Within one day after a voter casts a grace period ballot,  
4 the election authority shall transmit the voter's name, street  
5 address, and precinct, ward, township, and district numbers, as  
6 the case may be, to the State Board of Elections, which shall  
7 maintain those names and that information in an electronic  
8 format on its website, arranged by county and accessible to  
9 State and local political committees. The name of each person  
10 issued a grace period ballot shall also be placed on the  
11 appropriate precinct list of persons to whom absentee and early  
12 ballots have been issued, for use as provided in Sections 17-9  
13 and 18-5.

14       A person who casts a grace period ballot shall not be  
15 permitted to revoke that ballot and vote another ballot with  
16 respect to that primary or election. Ballots cast by persons  
17 who register or change address during the grace period must be  
18 transmitted to and counted at the election authority's central  
19 ballot counting location, at the same time provided in  
20 subsections (b) and (f) of Section 19-8 for the counting of  
21 absentee ballots, and shall not be transmitted to and counted  
22 at precinct polling places. The grace period ballots determined  
23 to be valid shall be added to the vote totals for the precincts  
24 for which they were cast in the order in which the ballots were  
25 opened. At least one day before the election, the election  
26 authority shall provide the appropriate county central

1 committee chairperson of each established political party with  
2 written notice of the time and location of the counting of  
3 grace period ballots.

4 If the election authority begins the counting of absentee  
5 ballots before the close of the polls on election day, then the  
6 election authority shall begin the counting of grace period  
7 ballots at the same time before the close of the polls on  
8 election day and the authorization of pollwatchers at the  
9 counting of absentee ballots before the close of the polls on  
10 election day under subsection (h) of Section 19-8 shall apply  
11 to the counting of grace period ballots before the close of the  
12 polls on election day (but shall not increase the number of  
13 pollwatchers authorized by subsection (h) of Section 19-8).  
14 Results of grace period voting may be made public in accordance  
15 with the provisions of this Code but in no event earlier than  
16 the close of the polls on election day.

17 (Source: P.A. 93-1082, eff. 7-1-05; 94-1000, eff. 7-3-06.)

18 (10 ILCS 5/6-100)

19 Sec. 6-100. Grace period. Notwithstanding any other  
20 provision of this Code to the contrary, each election authority  
21 shall establish procedures for the registration of voters and  
22 for change of address during the period from the close of  
23 registration for a primary or election and until the 14th day  
24 before the primary or election. During this grace period, an  
25 unregistered qualified elector may register to vote, and a

1 registered voter may submit a change of address form, in person  
2 in the office of the election authority or at a voter  
3 registration location specifically designated for this purpose  
4 by the election authority. The election authority shall  
5 register that individual, or change a registered voter's  
6 address, in the same manner as otherwise provided by this  
7 Article for registration and change of address.

8 If a voter who registers or changes address during this  
9 grace period wishes to vote at the first election or primary  
10 occurring after the grace period, he or she must do so by grace  
11 period voting, either in person in the office of the election  
12 authority or at a location specifically designated for this  
13 purpose by the election authority, or by mail, at the  
14 discretion of the election authority. Grace period voting shall  
15 be in a manner substantially similar to voting under Article  
16 19.

17 Within one day after a voter casts a grace period ballot,  
18 the election authority shall transmit the voter's name, street  
19 address, and precinct, ward, township, and district numbers, as  
20 the case may be, to the State Board of Elections, which shall  
21 maintain those names and that information in an electronic  
22 format on its website, arranged by county and accessible to  
23 State and local political committees. The name of each person  
24 issued a grace period ballot shall also be placed on the  
25 appropriate precinct list of persons to whom absentee and early  
26 ballots have been issued, for use as provided in Sections 17-9

1 and 18-5.

2 A person who casts a grace period ballot shall not be  
3 permitted to revoke that ballot and vote another ballot with  
4 respect to that primary or election. Ballots cast by persons  
5 who register or change address during the grace period must be  
6 transmitted to and counted at the election authority's central  
7 ballot counting location, at the same time provided in  
8 subsections (b) and (f) of Section 19-8 for the counting of  
9 absentee ballots, and shall not be transmitted to and counted  
10 at precinct polling places. The grace period ballots determined  
11 to be valid shall be added to the vote totals for the precincts  
12 for which they were cast in the order in which the ballots were  
13 opened. At least one day before the election, the election  
14 authority shall provide the appropriate county central  
15 committee chairperson of each established political party with  
16 written notice of the time and location of the counting of  
17 grace period ballots.

18 If the election authority begins the counting of absentee  
19 ballots before the close of the polls on election day, then the  
20 election authority shall begin the counting of grace period  
21 ballots at the same time before the close of the polls on  
22 election day and the authorization of pollwatchers at the  
23 counting of absentee ballots before the close of the polls on  
24 election day under subsection (h) of Section 19-8 shall apply  
25 to the counting of grace period ballots before the close of the  
26 polls on election day (but shall not increase the number of



1 pollwatchers authorized by subsection (h) of Section 19-8).  
2 Results of grace period voting may be made public in accordance  
3 with the provisions of this Code but in no event earlier than  
4 the close of the polls on election day.

5 (Source: P.A. 93-1082, eff. 7-1-05; 94-1000, eff. 7-3-06.)

6 (10 ILCS 5/19-8) (from Ch. 46, par. 19-8)

7 Sec. 19-8. Time and place of counting ballots.

8 (a) (Blank.)

9 (b) Each absent voter's ballot returned to an election  
10 authority, by any means authorized by this Article, and  
11 received by that election authority before the closing of the  
12 polls on election day shall be endorsed by the receiving  
13 election authority with the day and hour of receipt and shall  
14 be counted in the central ballot counting location of the  
15 election authority on the day of the election ~~after 7:00 p.m.~~,  
16 except as provided in subsections (g) and (g-5).

17 (c) Each absent voter's ballot that is mailed to an  
18 election authority and postmarked by the midnight preceding the  
19 opening of the polls on election day, but that is received by  
20 the election authority after the polls close on election day  
21 and before the close of the period for counting provisional  
22 ballots cast at that election, shall be endorsed by the  
23 receiving authority with the day and hour of receipt and shall  
24 be counted at the central ballot counting location of the  
25 election authority during the period for counting provisional

1 ballots.

2 (d) Special write-in absentee voter's blank ballots  
3 returned to an election authority, by any means authorized by  
4 this Article, and received by the election authority at any  
5 time before the closing of the polls on election day shall be  
6 endorsed by the receiving election authority with the day and  
7 hour of receipt and shall be counted at the central ballot  
8 counting location of the election authority during the same  
9 period provided for counting absent voters' ballots under  
10 subsections (b), (g), and (g-5). Special write-in absentee  
11 voter's blank ballots that are mailed to an election authority  
12 and postmarked by the midnight preceding the opening of the  
13 polls on election day, but that are received by the election  
14 authority after the polls close on election day and before the  
15 closing of the period for counting provisional ballots cast at  
16 that election, shall be endorsed by the receiving authority  
17 with the day and hour of receipt and shall be counted at the  
18 central ballot counting location of the election authority  
19 during the same periods provided for counting absent voters'  
20 ballots under subsection (c).

21 (e) Except as otherwise provided in this Section, absent  
22 voters' ballots and special write-in absentee voter's blank  
23 ballots received by the election authority after the closing of  
24 the polls on an election day shall be endorsed by the election  
25 authority receiving them with the day and hour of receipt and  
26 shall be safely kept unopened by the election authority for the

1 period of time required for the preservation of ballots used at  
2 the election, and shall then, without being opened, be  
3 destroyed in like manner as the used ballots of that election.

4 (f) Counting required under this Section to begin on  
5 election day ~~after the closing of the polls~~ shall commence no  
6 later than 8:00 p.m. and shall be conducted by a panel or  
7 panels of election judges appointed in the manner provided by  
8 law. The counting shall continue until all absent voters'  
9 ballots and special write-in absentee voter's blank ballots  
10 required to be counted on election day have been counted. At  
11 least one day before the election, the election authority shall  
12 provide the appropriate county central committee chairperson  
13 of each established political party with written notice of the  
14 time and location of the counting of absentee ballots.

15 (g) The procedures set forth in Articles 17 and 18 of this  
16 Code shall apply to all ballots counted under this Section. In  
17 addition, within 2 days after an absentee ballot, other than an  
18 in-person absentee ballot, is received, but in all cases before  
19 the close of the period for counting provisional ballots, the  
20 election judge or official shall compare the voter's signature  
21 on the certification envelope of that absentee ballot with the  
22 signature of the voter on file in the office of the election  
23 authority. If the election judge or official determines that  
24 the 2 signatures match, and that the absentee voter is  
25 otherwise qualified to cast an absentee ballot, the election  
26 authority shall cast and count the ballot on election day or

1 the day the ballot is determined to be valid, whichever is  
2 later, adding the results to the precinct in which the voter is  
3 registered. If the election judge or official determines that  
4 the signatures do not match, or that the absentee voter is not  
5 qualified to cast an absentee ballot, then without opening the  
6 certification envelope, the judge or official shall mark across  
7 the face of the certification envelope the word "Rejected" and  
8 shall not cast or count the ballot.

9 In addition to the voter's signatures not matching, an  
10 absentee ballot may be rejected by the election judge or  
11 official:

12 (1) if the ballot envelope is open or has been opened  
13 and resealed;

14 (2) if the voter has already cast an early or grace  
15 period ballot;

16 (3) if the voter voted in person on election day or the  
17 voter is not a duly registered voter in the precinct; or

18 (4) on any other basis set forth in this Code.

19 If the election judge or official determines that any of  
20 these reasons apply, the judge or official shall mark across  
21 the face of the certification envelope the word "Rejected" and  
22 shall not cast or count the ballot.

23 (g-5) If an absentee ballot, other than an in-person  
24 absentee ballot, is rejected by the election judge or official  
25 for any reason, the election authority shall, within 2 days  
26 after the rejection but in all cases before the close of the

1 period for counting provisional ballots, notify the absentee  
2 voter that his or her ballot was rejected. The notice shall  
3 inform the voter of the reason or reasons the ballot was  
4 rejected and shall state that the voter may appear before the  
5 election authority, on or before the 14th day after the  
6 election, to show cause as to why the ballot should not be  
7 rejected. The voter may present evidence to the election  
8 authority supporting his or her contention that the ballot  
9 should be counted. The election authority shall appoint a panel  
10 of 3 election judges to review the contested ballot,  
11 application, and certification envelope, as well as any  
12 evidence submitted by the absentee voter. No more than 2  
13 election judges on the reviewing panel shall be of the same  
14 political party. The reviewing panel of election judges shall  
15 make a final determination as to the validity of the contested  
16 absentee ballot. The judges' determination shall not be  
17 reviewable either administratively or judicially.

18 An absentee ballot subject to this subsection that is  
19 determined to be valid shall be counted before the close of the  
20 period for counting provisional ballots.

21 (g-10) All absentee ballots determined to be valid shall be  
22 added to the vote totals for the precincts for which they were  
23 cast in the order in which the ballots were opened. Results of  
24 absentee voting may be made public in accordance with the  
25 provisions of this Code but in no event earlier than the  
26 closing of the polls on election day.

1           (h) Each political party, candidate, and qualified civic  
2 organization shall be entitled to have present, including at  
3 any counting before the close of the polls on election day, one  
4 pollwatcher for each panel of election judges therein assigned.  
5 (Source: P.A. 94-557, eff. 8-12-05; 94-1000, eff. 7-3-06.)

6           (10 ILCS 5/19A-35)

7           Sec. 19A-35. Procedure for voting.

8           (a) Not more than 23 days before the start of the election,  
9 the county clerk shall make available to the election official  
10 conducting early voting by personal appearance a sufficient  
11 number of early ballots, envelopes, and printed voting  
12 instruction slips for the use of early voters. The election  
13 official shall receipt for all ballots received and shall  
14 return unused or spoiled ballots at the close of the early  
15 voting period to the county clerk and must strictly account for  
16 all ballots received. The ballots delivered to the election  
17 official must include early ballots for each precinct in the  
18 election authority's jurisdiction and must include separate  
19 ballots for each political subdivision conducting an election  
20 of officers or a referendum at that election.

21           (b) In conducting early voting under this Article, the  
22 election judge or official is required to verify the signature  
23 of the early voter by comparison with the signature on the  
24 official registration card, and the judge or official must  
25 verify (i) the identity of the applicant, (ii) that the

1 applicant is a registered voter, (iii) the precinct in which  
2 the applicant is registered, and (iv) the proper ballots of the  
3 political subdivision in which the applicant resides and is  
4 entitled to vote before providing an early ballot to the  
5 applicant. The applicant's identity must be verified by the  
6 applicant's presentation of an Illinois driver's license, a  
7 non-driver identification card issued by the Illinois  
8 Secretary of State, or another government-issued  
9 identification document containing the applicant's photograph.  
10 The election judge or official must verify the applicant's  
11 registration from the most recent poll list provided by the  
12 election authority, and if the applicant is not listed on that  
13 poll list, by telephoning the office of the election authority.

14 (b-5) A person requesting an early voting ballot to whom an  
15 absentee ballot was issued may vote early if the person submits  
16 that absentee ballot to the judges of election or official  
17 conducting early voting for cancellation. If the voter is  
18 unable to submit the absentee ballot, it shall be sufficient  
19 for the voter to submit to the judges or official (i) a portion  
20 of the absentee ballot if the absentee ballot was torn or  
21 mutilated or (ii) an affidavit executed before the judges or  
22 official specifying that (A) the voter never received an  
23 absentee ballot or (B) the voter completed and returned an  
24 absentee ballot and was informed that the election authority  
25 did not receive that absentee ballot.

26 (b-10) Within one day after a voter casts an early voting

1 ballot, the election authority shall transmit the voter's name,  
2 street address, and precinct, ward, township, and district  
3 numbers, as the case may be, to the State Board of Elections,  
4 which shall maintain those names and that information in an  
5 electronic format on its website, arranged by county and  
6 accessible to State and local political committees.

7 (b-15) This subsection applies to early voting polling  
8 places using optical scan technology voting equipment subject  
9 to Article 24B. Immediately after voting an early ballot, the  
10 voter shall be instructed whether the voting equipment accepted  
11 or rejected the ballot. A voter whose early voting ballot is  
12 not accepted by the voting equipment may, upon surrendering the  
13 ballot, request and vote another early voting ballot. The  
14 voter's ballot that was not accepted shall be initialed by the  
15 election judge or official conducting the early voting and  
16 handled as provided in Article 24B.

17 (c) The sealed early ballots in their carrier envelope  
18 shall be delivered by the election authority to the central  
19 ballot counting location before the close of the polls on the  
20 day of the election; except that if the election authority  
21 begins the counting of absentee ballots before the close of the  
22 polls on election day, then the election authority must begin  
23 counting early voting ballots at the same time before the close  
24 of the polls on election day and (i) the early voting ballots  
25 must be delivered to the central ballot counting location in  
26 sufficient time for the commencement of counting and (ii) the



1 authorization of pollwatchers at the counting of absentee  
2 ballots before the close of the polls on election day under  
3 subsection (h) of Section 19-8 shall apply to the counting of  
4 early voting ballots before the close of the polls on election  
5 day (but shall not increase the number of pollwatchers  
6 authorized by subsection (h) of Section 19-8). At least one day  
7 before the election, the election authority shall provide the  
8 appropriate county central committee chairperson of each  
9 established political party with written notice of the time and  
10 location of the counting of early voting ballots. Results of  
11 early voting may be made public in accordance with the  
12 provisions of this Code but in no event earlier than the close  
13 of the polls on election day.

14 (Source: P.A. 94-645, eff. 8-22-05; 94-1000, eff. 7-3-06.)

15 (10 ILCS 5/19A-75)

16 Sec. 19A-75. Early voting in jurisdictions using Direct  
17 Recording Electronic Voting Systems under Article 24C.  
18 Election authorities that have adopted for use Direct Recording  
19 Electronic Voting Systems under Article 24C may either use  
20 those voting systems to conduct early voting or, so long as at  
21 least one Direct Recording Electronic Voting System device is  
22 available at each early voting polling place, use whatever  
23 method the election authority uses for absentee balloting  
24 conducted by mail; provided that no early ballots are counted  
25 before ~~the polls close on~~ election day.

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

2 (10 ILCS 5/20-8) (from Ch. 46, par. 20-8)

3 Sec. 20-8. Time and place of counting ballots.

4 (a) (Blank.)

5 (b) Each absent voter's ballot returned to an election  
6 authority, by any means authorized by this Article, and  
7 received by that election authority before the closing of the  
8 polls on election day shall be endorsed by the receiving  
9 election authority with the day and hour of receipt and shall  
10 be counted in the central ballot counting location of the  
11 election authority on the day of the election ~~after 7:00 p.m.~~,  
12 except as provided in subsections (g) and (g-5).

13 (c) Each absent voter's ballot that is mailed to an  
14 election authority and postmarked by the midnight preceding the  
15 opening of the polls on election day, but that is received by  
16 the election authority after the polls close on election day  
17 and before the close of the period for counting provisional  
18 ballots cast at that election, shall be endorsed by the  
19 receiving authority with the day and hour of receipt and shall  
20 be counted at the central ballot counting location of the  
21 election authority during the period for counting provisional  
22 ballots.

23 (d) Special write-in absentee voter's blank ballots  
24 returned to an election authority, by any means authorized by  
25 this Article, and received by the election authority at any

1 time before the closing of the polls on election day shall be  
2 endorsed by the receiving election authority with the day and  
3 hour of receipt and shall be counted at the central ballot  
4 counting location of the election authority during the same  
5 period provided for counting absent voters' ballots under  
6 subsections (b), (g), and (g-5). Special write-in absentee  
7 voter's blank ballot that are mailed to an election authority  
8 and postmarked by midnight preceding the opening of the polls  
9 on election day, but that are received by the election  
10 authority after the polls close on election day and before the  
11 closing of the period for counting provisional ballots cast at  
12 that election, shall be endorsed by the receiving authority  
13 with the day and hour of receipt and shall be counted at the  
14 central ballot counting location of the election authority  
15 during the same periods provided for counting absent voters'  
16 ballots under subsection (c).

17 (e) Except as otherwise provided in this Section, absent  
18 voters' ballots and special write-in absentee voter's blank  
19 ballots received by the election authority after the closing of  
20 the polls on the day of election shall be endorsed by the  
21 person receiving the ballots with the day and hour of receipt  
22 and shall be safely kept unopened by the election authority for  
23 the period of time required for the preservation of ballots  
24 used at the election, and shall then, without being opened, be  
25 destroyed in like manner as the used ballots of that election.

26 (f) Counting required under this Section to begin on

1 election day ~~after the closing of the polls~~ shall commence no  
2 later than 8:00 p.m. and shall be conducted by a panel or  
3 panels of election judges appointed in the manner provided by  
4 law. The counting shall continue until all absent voters'  
5 ballots and special write-in absentee voter's blank ballots  
6 required to be counted on election day have been counted. At  
7 least one day before the election, the election authority shall  
8 provide the appropriate county central committee chairperson  
9 of each established political party with written notice of the  
10 time and location of the counting of absentee ballots.

11 (g) The procedures set forth in Articles 17 and 18 of this  
12 Code shall apply to all ballots counted under this Section. In  
13 addition, within 2 days after a ballot subject to this Article  
14 is received, but in all cases before the close of the period  
15 for counting provisional ballots, the election judge or  
16 official shall compare the voter's signature on the  
17 certification envelope of that ballot with the signature of the  
18 voter on file in the office of the election authority. If the  
19 election judge or official determines that the 2 signatures  
20 match, and that the voter is otherwise qualified to cast a  
21 ballot under this Article, the election authority shall cast  
22 and count the ballot on election day or the day the ballot is  
23 determined to be valid, whichever is later, adding the results  
24 to the precinct in which the voter is registered. If the  
25 election judge or official determines that the signatures do  
26 not match, or that the voter is not qualified to cast a ballot

1 under this Article, then without opening the certification  
2 envelope, the judge or official shall mark across the face of  
3 the certification envelope the word "Rejected" and shall not  
4 cast or count the ballot.

5 In addition to the voter's signatures not matching, a  
6 ballot subject to this Article may be rejected by the election  
7 judge or official:

8 (1) if the ballot envelope is open or has been opened  
9 and resealed;

10 (2) if the voter has already cast an early or grace  
11 period ballot;

12 (3) if the voter voted in person on election day or the  
13 voter is not a duly registered voter in the precinct; or

14 (4) on any other basis set forth in this Code.

15 If the election judge or official determines that any of  
16 these reasons apply, the judge or official shall mark across  
17 the face of the certification envelope the word "Rejected" and  
18 shall not cast or count the ballot.

19 (g-5) If a ballot subject to this Article is rejected by  
20 the election judge or official for any reason, the election  
21 authority shall, within 2 days after the rejection but in all  
22 cases before the close of the period for counting provisional  
23 ballots, notify the voter that his or her ballot was rejected.  
24 The notice shall inform the voter of the reason or reasons the  
25 ballot was rejected and shall state that the voter may appear  
26 before the election authority, on or before the 14th day after

1 the election, to show cause as to why the ballot should not be  
2 rejected. The voter may present evidence to the election  
3 authority supporting his or her contention that the ballot  
4 should be counted. The election authority shall appoint a panel  
5 of 3 election judges to review the contested ballot,  
6 application, and certification envelope, as well as any  
7 evidence submitted by the absentee voter. No more than 2  
8 election judges on the reviewing panel shall be of the same  
9 political party. The reviewing panel of election judges shall  
10 make a final determination as to the validity of the contested  
11 ballot. The judges' determination shall not be reviewable  
12 either administratively or judicially.

13 A ballot subject to this subsection that is determined to  
14 be valid shall be counted before the close of the period for  
15 counting provisional ballots.

16 (g-10) All ballots determined to be valid shall be added to  
17 the vote totals for the precincts for which they were cast in  
18 the order in which the ballots were opened. Results of absentee  
19 voting may be made public in accordance with the provisions of  
20 this Code but in no event earlier than the closing of the polls  
21 on election day.

22 (h) Each political party, candidate, and qualified civic  
23 organization shall be entitled to have present, including at  
24 any counting before the close of the polls on election day, one  
25 pollwatcher for each panel of election judges therein assigned.

26 (Source: P.A. 94-557, eff. 8-12-05; 94-1000, eff. 7-3-06.)

1           Section 99. Effective date. This Act takes effect upon  
2    becoming law.".