

1 AN ACT concerning elections.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

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

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

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

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

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

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

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

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

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

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

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

1 sufficient).

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

9 (5) In any primary election held to nominate candidates for
10 the offices of a municipality of less than 3,000,000 population
11 that is situated in 2 or more counties, a pollwatcher who is a
12 resident of a county in which any part of the municipality is
13 situated shall be eligible to serve as a pollwatcher in any
14 polling place located within such municipality, provided that
15 such pollwatcher otherwise complies with the respective
16 requirements of subsections (1) through (4) of this Section and
17 is a registered voter whose residence is within Illinois.

18 All pollwatchers shall be required to have proper
19 credentials. Such credentials shall be printed in sufficient
20 quantities, shall be issued by and under the facsimile
21 signature(s) of the election authority and shall be available
22 for distribution at least 2 weeks prior to the election. Such
23 credentials shall be authorized by the real or facsimile
24 signature of the State or local party official or the candidate
25 or the presiding officer of the civic organization or the
26 chairman of the proponent or opponent group, as the case may

1 be.

2 Pollwatcher credentials shall be in substantially the
3 following form:

4 POLLWATCHER CREDENTIALS

5 TO THE JUDGES OF ELECTION:

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

15 (Signature of Appointing Authority)
16 TITLE (party official, candidate,
17 civic organization president,
18 proponent or opponent group chairman)

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

25

1 (Precinct and/or Ward in (Signature of Pollwatcher)
2 Which Pollwatcher Resides)

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

25 Candidates seeking office in a district or municipality

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

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

21 Candidate credentials shall be in substantially the
22 following form:

23 CANDIDATE CREDENTIALS

24 TO THE JUDGES OF ELECTION:

25 In accordance with the provisions of the Election Code, I

1 (name of candidate) hereby certify that I am a candidate
 2 for (name of office) and seek admittance to
 3 precinct of the ward (if applicable) of the
 4 (township or municipality) of at the election
 5 to be held on (insert date).

| | |
|----------------------------|------------------|
| 6 | |
| 7 (Signature of Candidate) | OFFICE FOR WHICH |
| 8 | CANDIDATE SEEKS |
| 9 | NOMINATION OR |
| 10 | ELECTION |

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

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

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

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

20 The provisions of this Section shall also apply to
21 supervised casting of absentee ballots as provided in Section
22 19-12.2 of this Act.

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

24 (10 ILCS 5/17-23) (from Ch. 46, par. 17-23)

25 Sec. 17-23. Pollwatchers in a general election shall be

1 authorized in the following manner:

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

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

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

19 (3.5) Each State nonpartisan civic organization within the
20 county or political subdivision shall be entitled to appoint
21 one pollwatcher per precinct, provided that no more than 2
22 pollwatchers appointed by State nonpartisan civic
23 organizations shall be present in a precinct polling place at
24 the same time. Each organization shall have registered the
25 names and addresses of its principal officers with the proper
26 election authority at least 40 days before the election. The

1 pollwatchers must be registered to vote in Illinois. For the
2 purpose of this paragraph, a "State nonpartisan civic
3 organization" means any corporation, unincorporated
4 association, or organization that:

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

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

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

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

26 (5) Each organized group of proponents or opponents of a

1 ballot proposition, which shall have registered the name and
2 address of its organization or committee and the name and
3 address of its chairman with the proper election authority at
4 least 40 days before the election, shall be entitled to appoint
5 one pollwatcher per precinct. The pollwatcher must be
6 registered to vote in Illinois.

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

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

19 POLLWATCHER CREDENTIALS

20 TO THE JUDGES OF ELECTION:

21 In accordance with the provisions of the Election Code, the
22 undersigned hereby appoints (name of pollwatcher)
23 who resides at (address) in the county of
24, (township or municipality) of
25 (name), State of Illinois and who is duly

1 registered to vote from this address, to act as a pollwatcher
 2 in the precinct of the ward (if
 3 applicable) of the (township or municipality) of
 4 at the election to be held on (insert
 5 date).

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

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

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

19 Pollwatchers must present their credentials to the Judges
 20 of Election upon entering the polling place. Pollwatcher
 21 credentials properly executed and signed shall be proof of the
 22 qualifications of the pollwatcher authorized thereby. Such
 23 credentials are retained by the Judges and returned to the
 24 Election Authority at the end of the day of election with the

1 other election materials. Once a pollwatcher has surrendered a
2 valid credential, he may leave and reenter the polling place
3 provided that such continuing action does not disrupt the
4 conduct of the election. Pollwatchers may be substituted during
5 the course of the day, but established political parties,
6 candidates and qualified civic organizations can have only as
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8 Article. A substitute must present his signed credential to the
9 judges of election upon entering the polling place. Election
10 authorities must provide a sufficient number of credentials to
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12 closed pollwatchers shall be allowed to remain until the
13 canvass of votes is completed; but may leave and reenter only
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15 continuous as to disrupt the canvass of votes.

16 Candidates seeking office in a district or municipality
17 encompassing 2 or more counties shall be admitted to any and
18 all polling places throughout such district or municipality
19 without regard to the counties in which such candidates are
20 registered to vote. Actions of such candidates shall be
21 governed in each polling place by the same privileges and
22 limitations that apply to pollwatchers as provided in this
23 Section. Any such candidate who engages in an activity in a
24 polling place which could reasonably be construed by a majority
25 of the judges of election as campaign activity shall be removed
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 3 polling places on election day in such district or municipality
 4 shall be required to have proper credentials. Such credentials
 5 shall be printed in sufficient quantities, shall be issued by
 6 and under the facsimile signature of the election authority of
 7 the election jurisdiction where the polling place in which the
 8 candidate seeks admittance is located, and shall be available
 9 for distribution at least 2 weeks prior to the election. Such
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11 Candidate credentials shall be in substantially the
 12 following form:

13 CANDIDATE CREDENTIALS

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 16 (name of candidate) hereby certify that I am a candidate
 17 for (name of office) and seek admittance to
 18 precinct of the ward (if applicable) of the
 19 (township or municipality) of at the election
 20 to be held on (insert date).

21

22 (Signature of Candidate)

OFFICE FOR WHICH
 CANDIDATE SEEKS
 NOMINATION OR
 ELECTION

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1 Pollwatchers shall be permitted to observe all proceedings
2 and view all reasonably requested records relating to the
3 conduct of the election, provided the secrecy of the ballot is
4 not impinged, and to station themselves in a position in the
5 voting room as will enable them to observe the judges making
6 the signature comparison between the voter application and the
7 voter registration record card; provided, however, that such
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17 polling place has become too overcrowded with pollwatchers so
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20 number, except that each established or new political party
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22 Representatives of an election authority, with regard to an
23 election under its jurisdiction, the State Board of Elections,
24 and law enforcement agencies, including but not limited to a
25 United States Attorney, a State's attorney, the Attorney

1 General, and a State, county, or local police department, in
2 the performance of their official election duties, shall be
3 permitted at all times to enter and remain in the polling
4 place. Upon entering the polling place, such representatives
5 shall display their official credentials or other
6 identification to the judges of election.

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

9 The provisions of this Section shall also apply to
10 supervised casting of absentee ballots as provided in Section
11 19-12.2 of this Act.

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

13 Section 99. Effective date. This Act takes effect upon
14 becoming law.