



## 95TH GENERAL ASSEMBLY

### State of Illinois

2007 and 2008

SB0408

Introduced 2/7/2007, by Sen. William E. Peterson

#### SYNOPSIS AS INTRODUCED:

10 ILCS 5/24B-9.2 new  
10 ILCS 5/24B-16

Amends the Election Code. Requires that optical scan technology electronic voting systems be able to verify that a ballot has been initialed by an election judge. In polling places where the voter feeds or can view the feeding of his or her ballot into the optical scan technology automatic tabulating equipment, requires that a ballot rejected for non-verification of judge's initials be initialed and fed again into the equipment.

LRB095 07630 JAM 27781 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 Section  
5 24B-16 and by adding Section 24B-9.2 as follows:

6 (10 ILCS 5/24B-9.2 new)

7 Sec. 24B-9.2. Automatic verification of judge's initials.

8 In any polling place in which the voter feeds, or can view the  
9 feeding of, the voter's ballot into the automatic tabulating  
10 equipment, the equipment must verify the judge's initials on  
11 the ballot. If the equipment rejects the ballot because it  
12 cannot verify the judge's initials, the ballot shall be  
13 initialed and fed again into the equipment.

14 (10 ILCS 5/24B-16)

15 Sec. 24B-16. Approval of Precinct Tabulation Optical Scan  
16 Technology Voting Systems; Requisites. The State Board of  
17 Elections shall approve all Precinct Tabulation Optical Scan  
18 Technology voting systems provided by this Article.

19 No Precinct Tabulation Optical Scan Technology voting  
20 system shall be approved unless it fulfills the following  
21 requirements:

22 (a) It enables a voter to vote in absolute secrecy;

1 (b) (Blank);

2 (c) It enables a voter to vote a ticket selected in  
3 part from the nominees of one party, and in part from the  
4 nominees of any or all parties, and in part from  
5 independent candidates, and in part of candidates whose  
6 names are written in by the voter;

7 (d) It enables a voter to vote a written or printed  
8 ticket of his or her own selection for any person for any  
9 office for whom he or she may desire to vote;

10 (e) It will reject all votes for an office or upon a  
11 proposition when the voter has cast more votes for the  
12 office or upon the proposition than he or she is entitled  
13 to cast; ~~and~~

14 (f) It will accommodate all propositions to be  
15 submitted to the voters in the form provided by law or,  
16 where no form is provided, then in brief form, not to  
17 exceed 75 words; ~~and.~~

18 (g) It will reject a ballot that does not contain the  
19 initials of a judge of elections.

20 The State Board of Elections shall not approve any voting  
21 equipment or system that includes an external Infrared Data  
22 Association (IrDA) communications port.

23 The State Board of Elections is authorized to withdraw its  
24 approval of a Precinct Tabulation Optical Scan Technology  
25 voting system if the system fails to fulfill the above  
26 requirements.

1           The vendor, person, or other private entity shall be solely  
2 responsible for the production and cost of: all ballots;  
3 additional temporary workers; and other equipment or  
4 facilities needed and used in the testing of the vendor's,  
5 person's, or other private entity's respective equipment and  
6 software.

7           No vendor, person, or other entity may sell, lease, or  
8 loan, or have a written contract, including a contract  
9 contingent upon State Board approval of the voting system or  
10 voting system component, to sell, lease, or loan, a voting  
11 system or Precinct Tabulation Optical Scan Technology voting  
12 system component to any election jurisdiction unless the voting  
13 system or voting system component is first approved by the  
14 State Board of Elections pursuant to this Section.

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