



Rep. Elaine Nekritz

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1 AMENDMENT TO SENATE BILL 662

2 AMENDMENT NO. _____. Amend Senate Bill 662, AS AMENDED, by
3 replacing everything after the enacting clause with the
4 following:

5 "Section 5. The Election Code is amended by changing
6 Sections 1A-8, 4-105, 5-105, 6-105, 7-8, 7-10, 7-13.1, 7-41,
7 7-43, 7-59, 9-9.5, 10-3, 10-6, 10-15, 12A-10, 12A-35, 13-4,
8 13-10, 14-1, 16-3, 16-10, 17-11, 17-16.1, 17-23, 17-29, 17-43,
9 18-5, 18-9.1, 18-40, 19-8, 19A-10, 19A-35, 20-8, 22-6, 24-1,
10 24A-6, 24A-10.1, 24A-15, 24A-16, 24B-6, 24B-10.1, 24B-15,
11 24B-16, 24B-20, 24C-11, 24C-12, 24C-15, 24C-16, 28-6, and 28-8
12 as follows:

13 (10 ILCS 5/1A-8) (from Ch. 46, par. 1A-8)

14 Sec. 1A-8. The State Board of Elections shall exercise the
15 following powers and perform the following duties in addition
16 to any powers or duties otherwise provided for by law:

1 (1) Assume all duties and responsibilities of the State
2 Electoral Board and the Secretary of State as heretofore
3 provided in this Act;

4 (2) Disseminate information to and consult with
5 election authorities concerning the conduct of elections
6 and registration in accordance with the laws of this State
7 and the laws of the United States;

8 (3) Furnish to each election authority prior to each
9 primary and general election and any other election it
10 deems necessary, a manual of uniform instructions
11 consistent with the provisions of this Act which shall be
12 used by election authorities in the preparation of the
13 official manual of instruction to be used by the judges of
14 election in any such election. In preparing such manual,
15 the State Board shall consult with representatives of the
16 election authorities throughout the State. The State Board
17 may provide separate portions of the uniform instructions
18 applicable to different election jurisdictions which
19 administer elections under different options provided by
20 law. The State Board may by regulation require particular
21 portions of the uniform instructions to be included in any
22 official manual of instructions published by election
23 authorities. Any manual of instructions published by any
24 election authority shall be identical with the manual of
25 uniform instructions issued by the Board, but may be
26 adapted by the election authority to accommodate special or

1 unusual local election problems, provided that all manuals
2 published by election authorities must be consistent with
3 the provisions of this Act in all respects and must receive
4 the approval of the State Board of Elections prior to
5 publication; provided further that if the State Board does
6 not approve or disapprove of a proposed manual within 60
7 days of its submission, the manual shall be deemed
8 approved.

9 (4) Prescribe and require the use of such uniform
10 forms, notices, and other supplies not inconsistent with
11 the provisions of this Act as it shall deem advisable which
12 shall be used by election authorities in the conduct of
13 elections and registrations;

14 (5) Prepare and certify the form of ballot for any
15 proposed amendment to the Constitution of the State of
16 Illinois, or any referendum to be submitted to the electors
17 throughout the State or, when required to do so by law, to
18 the voters of any area or unit of local government of the
19 State;

20 (6) Require such statistical reports regarding the
21 conduct of elections and registration from election
22 authorities as may be deemed necessary;

23 (7) Review and inspect procedures and records relating
24 to conduct of elections and registration as may be deemed
25 necessary, and to report violations of election laws to the
26 appropriate State's Attorney or the Attorney General;

1 (8) Recommend to the General Assembly legislation to
2 improve the administration of elections and registration;

3 (9) Adopt, amend or rescind rules and regulations in
4 the performance of its duties provided that all such rules
5 and regulations must be consistent with the provisions of
6 this Article 1A or issued pursuant to authority otherwise
7 provided by law;

8 (10) Determine the validity and sufficiency of
9 petitions filed under Article XIV, Section 3, of the
10 Constitution of the State of Illinois of 1970;

11 (11) Maintain in its principal office a research
12 library that includes, but is not limited to, abstracts of
13 votes by precinct for general primary elections and general
14 elections, current precinct maps and current precinct poll
15 lists from all election jurisdictions within the State. The
16 research library shall be open to the public during regular
17 business hours. Such abstracts, maps and lists shall be
18 preserved as permanent records and shall be available for
19 examination and copying at a reasonable cost;

20 (12) Supervise the administration of the registration
21 and election laws throughout the State;

22 (13) Obtain from the Department of Central Management
23 Services, under Section 405-250 of the Department of
24 Central Management Services Law (20 ILCS 405/405-250),
25 such use of electronic data processing equipment as may be
26 required to perform the duties of the State Board of

1 Elections and to provide election-related information to
2 candidates, public and party officials, interested civic
3 organizations and the general public in a timely and
4 efficient manner; and

5 (14) To take such action as may be necessary or
6 required to give effect to directions of the national
7 committee or State central committee of an established
8 political party under Sections 7-8, 7-11 and 7-14.1 or such
9 other provisions as may be applicable pertaining to the
10 selection of delegates and alternate delegates to an
11 established political party's national nominating
12 conventions or, notwithstanding any candidate
13 certification schedule contained within the Election Code,
14 the certification of the Presidential and Vice
15 Presidential candidate selected by the established
16 political party's national nominating convention.

17 The Board may by regulation delegate any of its duties or
18 functions under this Article, except that final determinations
19 and orders under this Article shall be issued only by the
20 Board.

21 The requirement for reporting to the General Assembly shall
22 be satisfied by filing copies of the report with the Speaker,
23 the Minority Leader and the Clerk of the House of
24 Representatives and the President, the Minority Leader and the
25 Secretary of the Senate and the Legislative Research Unit, as
26 required by Section 3.1 of "An Act to revise the law in

1 relation to the General Assembly", approved February 25, 1874,
2 as amended, and filing such additional copies with the State
3 Government Report Distribution Center for the General Assembly
4 as is required under paragraph (t) of Section 7 of the State
5 Library Act.

6 (Source: P.A. 95-6, eff. 6-20-07.)

7 (10 ILCS 5/4-105)

8 Sec. 4-105. First time voting. A person must vote for the
9 first time in person and not by a mailed absentee ballot if the
10 person registered to vote by mail, unless the person first
11 provides the appropriate election authority with sufficient
12 proof of identity and the election authority verifies the
13 person's proof of identity. Sufficient proof of identity shall
14 be demonstrated by submission of the person's driver's license
15 number or State identification card number or, if the person
16 does not have either of those, verification by the last 4
17 digits of the person's social security number, a copy of a
18 current and valid photo identification, or a copy of a current
19 utility bill, bank statement, paycheck, government check, or
20 other government document that shows the person's name and
21 address. Persons who apply to register to vote by mail but
22 provide inadequate proof of identity to the election authority
23 shall be notified by the election authority that the
24 registration has not been fully completed and that the person
25 remains ineligible to vote by mail or in person until such

1 proof is presented. ~~If a person registered to vote by mail, the~~
2 ~~person must vote for the first time in person and not by an~~
3 ~~absentee ballot, except that the person may vote by absentee~~
4 ~~ballot in person if the person first provides the appropriate~~
5 ~~election authority with sufficient proof of identity by the~~
6 ~~person's driver's license number or State identification card~~
7 ~~number or, if the person does not have either of those, by the~~
8 ~~last 4 digits of the person's social security number, a copy of~~
9 ~~a current and valid photo identification, or a copy of any of~~
10 ~~the following current documents that show the person's name and~~
11 ~~address: utility bill, bank statement, paycheck, government~~
12 ~~check, or other government document.~~

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

14 (10 ILCS 5/5-105)

15 Sec. 5-105. First time voting. A person must vote for the
16 first time in person and not by a mailed absentee ballot if the
17 person registered to vote by mail, unless the person first
18 provides the appropriate election authority with sufficient
19 proof of identity and the election authority verifies the
20 person's proof of identity. Sufficient proof of identity shall
21 be demonstrated by submission of the person's driver's license
22 number or State identification card number or, if the person
23 does not have either of those, verification by the last 4
24 digits of the person's social security number, a copy of a
25 current and valid photo identification, or a copy of a current

1 utility bill, bank statement, paycheck, government check, or
2 other government document that shows the person's name and
3 address. Persons who apply to register to vote by mail but
4 provide inadequate proof of identity to the election authority
5 shall be notified by the election authority that the
6 registration has not been fully completed and that the person
7 remains ineligible to vote by mail or in person until such
8 proof is presented. ~~If a person registered to vote by mail, the~~
9 ~~person must vote for the first time in person and not by an~~
10 ~~absentee ballot, except that the person may vote by absentee~~
11 ~~ballot in person if the person first provides the appropriate~~
12 ~~election authority with sufficient proof of identity by the~~
13 ~~person's driver's license number or State identification card~~
14 ~~number or, if the person does not have either of those, by the~~
15 ~~last 4 digits of the person's social security number, a copy of~~
16 ~~a current and valid photo identification, or a copy of any of~~
17 ~~the following current documents that show the person's name and~~
18 ~~address: utility bill, bank statement, paycheck, government~~
19 ~~check, or other government document.~~

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

21 (10 ILCS 5/6-105)

22 Sec. 6-105. First time voting. A person must vote for the
23 first time in person and not by a mailed absentee ballot if the
24 person registered to vote by mail, unless the person first
25 provides the appropriate election authority with sufficient

1 proof of identity and the election authority verifies the
2 person's proof of identity. Sufficient proof of identity shall
3 be demonstrated by submission of the person's driver's license
4 number or State identification card number or, if the person
5 does not have either of those, verification by the last 4
6 digits of the person's social security number, a copy of a
7 current and valid photo identification, or a copy of a current
8 utility bill, bank statement, paycheck, government check, or
9 other government document that shows the person's name and
10 address. Persons who apply to register to vote by mail but
11 provide inadequate proof of identity to the election authority
12 shall be notified by the election authority that the
13 registration has not been fully completed and that the person
14 remains ineligible to vote by mail or in person until such
15 proof is presented. ~~If a person registered to vote by mail, the~~
16 ~~person must vote for the first time in person and not by an~~
17 ~~absentee ballot, except that the person may vote by absentee~~
18 ~~ballot in person if the person first provides the appropriate~~
19 ~~election authority with sufficient proof of identity by the~~
20 ~~person's driver's license number or State identification card~~
21 ~~number or, if the person does not have either of those, by the~~
22 ~~last 4 digits of the person's social security number, a copy of~~
23 ~~a current and valid photo identification, or a copy of any of~~
24 ~~the following current documents that show the person's name and~~
25 ~~address: utility bill, bank statement, paycheck, government~~
26 ~~check, or other government document.~~

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

2 (10 ILCS 5/7-8) (from Ch. 46, par. 7-8)

3 Sec. 7-8. The State central committee shall be composed of
4 one or two members from each congressional district in the
5 State and shall be elected as follows:

6 State Central Committee

7 (a) Within 30 days after the effective date of this
8 amendatory Act of 1983 the State central committee of each
9 political party shall certify to the State Board of Elections
10 which of the following alternatives it wishes to apply to the
11 State central committee of that party.

12 Alternative A. At the primary in 1970 and at the general
13 primary election held every 4 years thereafter, each primary
14 elector may vote for one candidate of his party for member of
15 the State central committee for the congressional district in
16 which he resides. The candidate receiving the highest number of
17 votes shall be declared elected State central committeeman from
18 the district. A political party may, in lieu of the foregoing,
19 by a majority vote of delegates at any State convention of such
20 party, determine to thereafter elect the State central
21 committeemen in the manner following:

22 At the county convention held by such political party State
23 central committeemen shall be elected in the same manner as
24 provided in this Article for the election of officers of the
25 county central committee, and such election shall follow the

1 election of officers of the county central committee. Each
2 elected ward, township or precinct committeeman shall cast as
3 his vote one vote for each ballot voted in his ward, township,
4 part of a township or precinct in the last preceding primary
5 election of his political party. In the case of a county lying
6 partially within one congressional district and partially
7 within another congressional district, each ward, township or
8 precinct committeeman shall vote only with respect to the
9 congressional district in which his ward, township, part of a
10 township or precinct is located. In the case of a congressional
11 district which encompasses more than one county, each ward,
12 township or precinct committeeman residing within the
13 congressional district shall cast as his vote one vote for each
14 ballot voted in his ward, township, part of a township or
15 precinct in the last preceding primary election of his
16 political party for one candidate of his party for member of
17 the State central committee for the congressional district in
18 which he resides and the Chairman of the county central
19 committee shall report the results of the election to the State
20 Board of Elections. The State Board of Elections shall certify
21 the candidate receiving the highest number of votes elected
22 State central committeeman for that congressional district.

23 The State central committee shall adopt rules to provide
24 for and govern the procedures to be followed in the election of
25 members of the State central committee.

26 After the effective date of this amendatory Act of the 91st

1 General Assembly, whenever a vacancy occurs in the office of
2 Chairman of a State central committee, or at the end of the
3 term of office of Chairman, the State central committee of each
4 political party that has selected Alternative A shall elect a
5 Chairman who shall not be required to be a member of the State
6 Central Committee. The Chairman shall be a registered voter in
7 this State and of the same political party as the State central
8 committee.

9 Alternative B. Each congressional committee shall, within
10 30 days after the adoption of this alternative, appoint a
11 person of the sex opposite that of the incumbent member for
12 that congressional district to serve as an additional member of
13 the State central committee until his or her successor is
14 elected at the general primary election in 1986. Each
15 congressional committee shall make this appointment by voting
16 on the basis set forth in paragraph (e) of this Section. In
17 each congressional district at the general primary election
18 held in 1986 and every 4 years thereafter, the male candidate
19 receiving the highest number of votes of the party's male
20 candidates for State central committeeman, and the female
21 candidate receiving the highest number of votes of the party's
22 female candidates for State central committeewoman, shall be
23 declared elected State central committeeman and State central
24 committeewoman from the district. At the general primary
25 election held in 1986 and every 4 years thereafter, if all a
26 party's candidates for State central committeemen or State

1 central committeewomen from a congressional district are of the
2 same sex, the candidate receiving the highest number of votes
3 shall be declared elected a State central committeeman or State
4 central committeewoman from the district, and, because of a
5 failure to elect one male and one female to the committee, a
6 vacancy shall be declared to exist in the office of the second
7 member of the State central committee from the district. This
8 vacancy shall be filled by appointment by the congressional
9 committee of the political party, and the person appointed to
10 fill the vacancy shall be a resident of the congressional
11 district and of the sex opposite that of the committeeman or
12 committeewoman elected at the general primary election. Each
13 congressional committee shall make this appointment by voting
14 on the basis set forth in paragraph (e) of this Section.

15 The Chairman of a State central committee composed as
16 provided in this Alternative B must be selected from the
17 committee's members.

18 Except as provided for in Alternative A with respect to the
19 selection of the Chairman of the State central committee, under
20 both of the foregoing alternatives, the State central committee
21 of each political party shall be composed of members elected or
22 appointed from the several congressional districts of the
23 State, and of no other person or persons whomsoever. The
24 members of the State central committee shall, within 41 days
25 after each quadrennial election of the full committee, meet in
26 the city of Springfield and organize by electing a chairman,

1 and may at such time elect such officers from among their own
2 number (or otherwise), as they may deem necessary or expedient.
3 The outgoing chairman of the State central committee of the
4 party shall, 10 days before the meeting, notify each member of
5 the State central committee elected at the primary of the time
6 and place of such meeting. In the organization and proceedings
7 of the State central committee, each State central committeeman
8 and State central committeewoman shall have one vote for each
9 ballot voted in his or her congressional district by the
10 primary electors of his or her party at the primary election
11 immediately preceding the meeting of the State central
12 committee. Whenever a vacancy occurs in the State central
13 committee of any political party, the vacancy shall be filled
14 by appointment of the chairmen of the county central committees
15 of the political party of the counties located within the
16 congressional district in which the vacancy occurs and, if
17 applicable, the ward and township committeemen of the political
18 party in counties of 2,000,000 or more inhabitants located
19 within the congressional district. If the congressional
20 district in which the vacancy occurs lies wholly within a
21 county of 2,000,000 or more inhabitants, the ward and township
22 committeemen of the political party in that congressional
23 district shall vote to fill the vacancy. In voting to fill the
24 vacancy, each chairman of a county central committee and each
25 ward and township committeeman in counties of 2,000,000 or more
26 inhabitants shall have one vote for each ballot voted in each

1 precinct of the congressional district in which the vacancy
2 exists of his or her county, township, or ward cast by the
3 primary electors of his or her party at the primary election
4 immediately preceding the meeting to fill the vacancy in the
5 State central committee. The person appointed to fill the
6 vacancy shall be a resident of the congressional district in
7 which the vacancy occurs, shall be a qualified voter, and, in a
8 committee composed as provided in Alternative B, shall be of
9 the same sex as his or her predecessor. A political party may,
10 by a majority vote of the delegates of any State convention of
11 such party, determine to return to the election of State
12 central committeeman and State central committeewoman by the
13 vote of primary electors. Any action taken by a political party
14 at a State convention in accordance with this Section shall be
15 reported to the State Board of Elections by the chairman and
16 secretary of such convention within 10 days after such action.

17 Ward, Township and Precinct Committeemen

18 (b) At the primary in 1972 and at the general primary
19 election every 4 years thereafter, each primary elector in
20 cities having a population of 200,000 or over may vote for one
21 candidate of his party in his ward for ward committeeman. Each
22 candidate for ward committeeman must be a resident of and in
23 the ward where he seeks to be elected ward committeeman. The
24 one having the highest number of votes shall be such ward
25 committeeman of such party for such ward. At the primary
26 election in 1970 and at the general primary election every 4

1 years thereafter, each primary elector in counties containing a
2 population of 2,000,000 or more, outside of cities containing a
3 population of 200,000 or more, may vote for one candidate of
4 his party for township committeeman. Each candidate for
5 township committeeman must be a resident of and in the township
6 or part of a township (which lies outside of a city having a
7 population of 200,000 or more, in counties containing a
8 population of 2,000,000 or more), and in which township or part
9 of a township he seeks to be elected township committeeman. The
10 one having the highest number of votes shall be such township
11 committeeman of such party for such township or part of a
12 township. At the primary in 1970 and at the general primary
13 election every 2 years thereafter, each primary elector, except
14 in counties having a population of 2,000,000 or over, may vote
15 for one candidate of his party in his precinct for precinct
16 committeeman. Each candidate for precinct committeeman must be
17 a bona fide resident of the precinct where he seeks to be
18 elected precinct committeeman. The one having the highest
19 number of votes shall be such precinct committeeman of such
20 party for such precinct. The official returns of the primary
21 shall show the name of the committeeman of each political
22 party.

23 Terms of Committeemen. All precinct committeemen elected
24 under the provisions of this Article shall continue as such
25 committeemen until the date of the primary to be held in the
26 second year after their election. Except as otherwise provided

1 in this Section for certain State central committeemen who have
2 2 year terms, all State central committeemen, township
3 committeemen and ward committeemen shall continue as such
4 committeemen until the date of primary to be held in the fourth
5 year after their election. However, a vacancy exists in the
6 office of precinct committeeman when a precinct committeeman
7 ceases to reside in the precinct in which he was elected and
8 such precinct committeeman shall thereafter neither have nor
9 exercise any rights, powers or duties as committeeman in that
10 precinct, even if a successor has not been elected or
11 appointed.

12 (c) The Multi-Township Central Committee shall consist of
13 the precinct committeemen of such party, in the multi-township
14 assessing district formed pursuant to Section 2-10 of the
15 Property Tax Code and shall be organized for the purposes set
16 forth in Section 45-25 of the Township Code. In the
17 organization and proceedings of the Multi-Township Central
18 Committee each precinct committeeman shall have one vote for
19 each ballot voted in his precinct by the primary electors of
20 his party at the primary at which he was elected.

21 County Central Committee

22 (d) The county central committee of each political party in
23 each county shall consist of the various township committeemen,
24 precinct committeemen and ward committeemen, if any, of such
25 party in the county. In the organization and proceedings of the
26 county central committee, each precinct committeeman shall

1 have one vote for each ballot voted in his precinct by the
2 primary electors of his party at the primary at which he was
3 elected; each township committeeman shall have one vote for
4 each ballot voted in his township or part of a township as the
5 case may be by the primary electors of his party at the primary
6 election for the nomination of candidates for election to the
7 General Assembly immediately preceding the meeting of the
8 county central committee; and in the organization and
9 proceedings of the county central committee, each ward
10 committeeman shall have one vote for each ballot voted in his
11 ward by the primary electors of his party at the primary
12 election for the nomination of candidates for election to the
13 General Assembly immediately preceding the meeting of the
14 county central committee.

15 Cook County Board of Review Election District Committee

16 (d-1) Each board of review election district committee of
17 each political party in Cook County shall consist of the
18 various township committeemen and ward committeemen, if any, of
19 that party in the portions of the county composing the board of
20 review election district. In the organization and proceedings
21 of each of the 3 election district committees, each township
22 committeeman shall have one vote for each ballot voted in his
23 or her township or part of a township, as the case may be, by
24 the primary electors of his or her party at the primary
25 election immediately preceding the meeting of the board of
26 review election district committee; and in the organization and

1 proceedings of each of the 3 election district committees, each
2 ward committeeman shall have one vote for each ballot voted in
3 his or her ward or part of that ward, as the case may be, by the
4 primary electors of his or her party at the primary election
5 immediately preceding the meeting of the board of review
6 election district committee.

7 Congressional Committee

8 (e) The congressional committee of each party in each
9 congressional district shall be composed of the chairmen of the
10 county central committees of the counties composing the
11 congressional district, except that in congressional districts
12 wholly within the territorial limits of one county, ~~or partly~~
13 ~~within 2 or more counties, but not coterminous with the county~~
14 ~~lines of all of such counties,~~ the precinct committeemen,
15 township committeemen and ward committeemen, if any, of the
16 party representing the precincts within the limits of the
17 congressional district, shall compose the congressional
18 committee. A State central committeeman in each district shall
19 be a member and the chairman or, when a district has 2 State
20 central committeemen, a co-chairman of the congressional
21 committee, but shall not have the right to vote except in case
22 of a tie.

23 In the organization and proceedings of congressional
24 committees composed of precinct committeemen or township
25 committeemen or ward committeemen, or any combination thereof,
26 each precinct committeeman shall have one vote for each ballot

1 voted in his precinct by the primary electors of his party at
2 the primary at which he was elected, each township committeeman
3 shall have one vote for each ballot voted in his township or
4 part of a township as the case may be by the primary electors
5 of his party at the primary election immediately preceding the
6 meeting of the congressional committee, and each ward
7 committeeman shall have one vote for each ballot voted in each
8 precinct of his ward located in such congressional district by
9 the primary electors of his party at the primary election
10 immediately preceding the meeting of the congressional
11 committee; and in the organization and proceedings of
12 congressional committees composed of the chairmen of the county
13 central committees of the counties within such district, each
14 chairman of such county central committee shall have one vote
15 for each ballot voted in his county by the primary electors of
16 his party at the primary election immediately preceding the
17 meeting of the congressional committee.

18 Judicial District Committee

19 (f) The judicial district committee of each political party
20 in each judicial district shall be composed of the chairman of
21 the county central committees of the counties composing the
22 judicial district.

23 In the organization and proceedings of judicial district
24 committees composed of the chairmen of the county central
25 committees of the counties within such district, each chairman
26 of such county central committee shall have one vote for each

1 ballot voted in his county by the primary electors of his party
2 at the primary election immediately preceding the meeting of
3 the judicial district committee.

4 Circuit Court Committee

5 (g) The circuit court committee of each political party in
6 each judicial circuit outside Cook County shall be composed of
7 the chairmen of the county central committees of the counties
8 composing the judicial circuit.

9 In the organization and proceedings of circuit court
10 committees, each chairman of a county central committee shall
11 have one vote for each ballot voted in his county by the
12 primary electors of his party at the primary election
13 immediately preceding the meeting of the circuit court
14 committee.

15 Judicial Subcircuit Committee

16 (g-1) The judicial subcircuit committee of each political
17 party in each judicial subcircuit in a judicial circuit divided
18 into subcircuits shall be composed of (i) the ward and township
19 committeemen of the townships and wards composing the judicial
20 subcircuit in Cook County and (ii) the precinct committeemen of
21 the precincts composing the judicial subcircuit in any county
22 other than Cook County.

23 In the organization and proceedings of each judicial
24 subcircuit committee, each township committeeman shall have
25 one vote for each ballot voted in his township or part of a
26 township, as the case may be, in the judicial subcircuit by the

1 primary electors of his party at the primary election
2 immediately preceding the meeting of the judicial subcircuit
3 committee; each precinct committeeman shall have one vote for
4 each ballot voted in his precinct or part of a precinct, as the
5 case may be, in the judicial subcircuit by the primary electors
6 of his party at the primary election immediately preceding the
7 meeting of the judicial subcircuit committee; and each ward
8 committeeman shall have one vote for each ballot voted in his
9 ward or part of a ward, as the case may be, in the judicial
10 subcircuit by the primary electors of his party at the primary
11 election immediately preceding the meeting of the judicial
12 subcircuit committee.

13 Municipal Central Committee

14 (h) The municipal central committee of each political party
15 shall be composed of the precinct, township or ward
16 committeemen, as the case may be, of such party representing
17 the precincts or wards, embraced in such city, incorporated
18 town or village. The voting strength of each precinct, township
19 or ward committeeman on the municipal central committee shall
20 be the same as his voting strength on the county central
21 committee.

22 For political parties, other than a statewide political
23 party, established only within a municipality or township, the
24 municipal or township managing committee shall be composed of
25 the party officers of the local established party. The party
26 officers of a local established party shall be as follows: the

1 chairman and secretary of the caucus for those municipalities
2 and townships authorized by statute to nominate candidates by
3 caucus shall serve as party officers for the purpose of filling
4 vacancies in nomination under Section 7-61; for municipalities
5 and townships authorized by statute or ordinance to nominate
6 candidates by petition and primary election, the party officers
7 shall be the party's candidates who are nominated at the
8 primary. If no party primary was held because of the provisions
9 of Section 7-5, vacancies in nomination shall be filled by the
10 party's remaining candidates who shall serve as the party's
11 officers.

12 Powers

13 (i) Each committee and its officers shall have the powers
14 usually exercised by such committees and by the officers
15 thereof, not inconsistent with the provisions of this Article.
16 The several committees herein provided for shall not have power
17 to delegate any of their powers, or functions to any other
18 person, officer or committee, but this shall not be construed
19 to prevent a committee from appointing from its own membership
20 proper and necessary subcommittees.

21 (j) The State central committee of a political party which
22 elects its members by Alternative B under paragraph (a) of this
23 Section shall adopt a plan to give effect to the delegate
24 selection rules of the national political party and file a copy
25 of such plan with the State Board of Elections when approved by
26 a national political party.

1 (k) For the purpose of the designation of a proxy by a
2 Congressional Committee to vote in place of an absent State
3 central committeeman or committeewoman at meetings of the State
4 central committee of a political party which elects its members
5 by Alternative B under paragraph (a) of this Section, the proxy
6 shall be appointed by the vote of the ward and township
7 committeemen, if any, of the wards and townships which lie
8 entirely or partially within the Congressional District from
9 which the absent State central committeeman or committeewoman
10 was elected and the vote of the chairmen of the county central
11 committees of those counties which lie entirely or partially
12 within that Congressional District and in which there are no
13 ward or township committeemen. When voting for such proxy the
14 county chairman, ward committeeman or township committeeman,
15 as the case may be shall have one vote for each ballot voted in
16 his county, ward or township, or portion thereof within the
17 Congressional District, by the primary electors of his party at
18 the primary at which he was elected. However, the absent State
19 central committeeman or committeewoman may designate a proxy
20 when permitted by the rules of a political party which elects
21 its members by Alternative B under paragraph (a) of this
22 Section.

23 Notwithstanding any law to the contrary, a person is
24 ineligible to hold the position of committeeperson in any
25 committee established pursuant to this Section if he or she is
26 statutorily ineligible to vote in a general election because of

1 conviction of a felony. When a committeeperson is convicted of
2 a felony, the position occupied by that committeeperson shall
3 automatically become vacant.

4 (Source: P.A. 94-645, eff. 8-22-05; 95-6, eff. 6-20-07.)

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

6 Sec. 7-10. Form of petition for nomination. The name of no
7 candidate for nomination, or State central committeeman, or
8 township committeeman, or precinct committeeman, or ward
9 committeeman or candidate for delegate or alternate delegate to
10 national nominating conventions, shall be printed upon the
11 primary ballot unless a petition for nomination has been filed
12 in his behalf as provided in this Article in substantially the
13 following form:

14 We, the undersigned, members of and affiliated with the
15 party and qualified primary electors of the party, in
16 the of, in the county of and State of Illinois,
17 do hereby petition that the following named person or persons
18 shall be a candidate or candidates of the party for the
19 nomination for (or in case of committeemen for election to) the
20 office or offices hereinafter specified, to be voted for at the
21 primary election to be held on (insert date).

22	Name	Office	Address
23	John Jones	Governor	Belvidere, Ill.
24	Thomas Smith	Attorney General	Oakland, Ill.

1 Name..... Address.....

2 State of Illinois)

3) ss.

4 County of.....)

5 I,, do hereby certify that I reside at No.
6 street, in the of, county of, and State of
7, that I am 18 years of age or older, that I am a citizen
8 of the United States, and that the signatures on this sheet
9 were signed in my presence, and are genuine, and that to the
10 best of my knowledge and belief the persons so signing were at
11 the time of signing the petitions qualified voters of the
12 party, and that their respective residences are correctly
13 stated, as above set forth.

14

15 Subscribed and sworn to before me on (insert date).

16

17

18 Each sheet of the petition other than the statement of
19 candidacy and candidate's statement shall be of uniform size
20 and shall contain above the space for signatures an appropriate
21 heading giving the information as to name of candidate or
22 candidates, in whose behalf such petition is signed; the
23 office, the political party represented and place of residence;
24 and the heading of each sheet shall be the same.

1 Such petition shall be signed by qualified primary electors
2 residing in the political division for which the nomination is
3 sought in their own proper persons only and opposite the
4 signature of each signer, his residence address shall be
5 written or printed. The residence address required to be
6 written or printed opposite each qualified primary elector's
7 name shall include the street address or rural route number of
8 the signer, as the case may be, as well as the signer's county,
9 and city, village or town, and state. However the county or
10 city, village or town, and state of residence of the electors
11 may be printed on the petition forms where all of the electors
12 signing the petition reside in the same county or city, village
13 or town, and state. Standard abbreviations may be used in
14 writing the residence address, including street number, if any.
15 At the bottom of each sheet of such petition shall be added a
16 circulator statement signed by a person 18 years of age or
17 older who is a citizen of the United States, stating the street
18 address or rural route number, as the case may be, as well as
19 the county, city, village or town, and state; and certifying
20 that the signatures on that sheet of the petition were signed
21 in his or her presence and certifying that the signatures are
22 genuine; and either (1) indicating the dates on which that
23 sheet was circulated, or (2) indicating the first and last
24 dates on which the sheet was circulated, or (3) certifying that
25 none of the signatures on the sheet were signed more than 90
26 days preceding the last day for the filing of the petition and

1 certifying that to the best of his or her knowledge and belief
2 the persons so signing were at the time of signing the
3 petitions qualified voters of the political party for which a
4 nomination is sought. Such statement shall be sworn to before
5 some officer authorized to administer oaths in this State.

6 No petition sheet shall be circulated more than 90 days
7 preceding the last day provided in Section 7-12 for the filing
8 of such petition.

9 The person circulating the petition, or the candidate on
10 whose behalf the petition is circulated, may strike any
11 signature from the petition, provided that:

12 (1) the person striking the signature shall initial the
13 petition at the place where the signature is struck; and

14 (2) the person striking the signature shall sign a
15 certification listing the page number and line number of
16 each signature struck from the petition. Such
17 certification shall be filed as a part of the petition.

18 Such sheets before being filed shall be neatly fastened
19 together in book form, by placing the sheets in a pile and
20 fastening them together at one edge in a secure and suitable
21 manner, and the sheets shall then be numbered consecutively.
22 The sheets shall not be fastened by pasting them together end
23 to end, so as to form a continuous strip or roll. All petition
24 sheets which are filed with the proper local election
25 officials, election authorities or the State Board of Elections
26 shall be the original sheets which have been signed by the

1 voters and by the circulator thereof, and not photocopies or
 2 duplicates of such sheets. Each petition must include as a part
 3 thereof, a statement of candidacy for each of the candidates
 4 filing, or in whose behalf the petition is filed. This
 5 statement shall set out the address of such candidate, the
 6 office for which he is a candidate, shall state that the
 7 candidate is a qualified primary voter of the party to which
 8 the petition relates and is qualified for the office specified
 9 (in the case of a candidate for State's Attorney it shall state
 10 that the candidate is at the time of filing such statement a
 11 licensed attorney-at-law of this State), shall state that he
 12 has filed (or will file before the close of the petition filing
 13 period) a statement of economic interests as required by the
 14 Illinois Governmental Ethics Act, shall request that the
 15 candidate's name be placed upon the official ballot, and shall
 16 be subscribed and sworn to by such candidate before some
 17 officer authorized to take acknowledgment of deeds in the State
 18 and shall be in substantially the following form:

19 Statement of Candidacy

20	Name	Address	Office	District	Party
21	John Jones	102 Main St.	Governor	Statewide	Republican
22		Belvidere,			
23		Illinois			

24 State of Illinois)

25) ss.

1 County of)

2 I,, being first duly sworn, say that I reside at
3 Street in the city (or village) of, in the county of,
4 State of Illinois; that I am a qualified voter therein and am a
5 qualified primary voter of the party; that I am a
6 candidate for nomination (for election in the case of
7 committeeman and delegates and alternate delegates) to the
8 office of to be voted upon at the primary election to be
9 held on (insert date); that I am legally qualified (including
10 being the holder of any license that may be an eligibility
11 requirement for the office I seek the nomination for) to hold
12 such office and that I have filed (or I will file before the
13 close of the petition filing period) a statement of economic
14 interests as required by the Illinois Governmental Ethics Act
15 and I hereby request that my name be printed upon the official
16 primary ballot for nomination for (or election to in the case
17 of committeemen and delegates and alternate delegates) such
18 office.

19 Signed

20 Subscribed and sworn to (or affirmed) before me by,
21 who is to me personally known, on (insert date).

22 Signed

23 (Official Character)

24 (Seal, if officer has one.)

25 The petitions, when filed, shall not be withdrawn or added

1 to, and no signatures shall be revoked except by revocation
2 filed in writing with the State Board of Elections, election
3 authority or local election official with whom the petition is
4 required to be filed, and before the filing of such petition.
5 Whoever forges the name of a signer upon any petition required
6 by this Article is deemed guilty of a forgery and on conviction
7 thereof shall be punished accordingly.

8 A candidate for the offices listed in this Section must
9 obtain the number of signatures specified in this Section on
10 his or her petition for nomination.

11 (a) Statewide office or delegate to a national nominating
12 convention. If a candidate seeks to run for statewide office or
13 as a delegate or alternate delegate to a national nominating
14 convention elected from the State at-large, then the
15 candidate's petition for nomination must contain at least 5,000
16 but not more than 10,000 signatures.

17 (b) Congressional office or congressional delegate to a
18 national nominating convention. If a candidate seeks to run for
19 United States Congress or as a congressional delegate or
20 alternate congressional delegate to a national nominating
21 convention elected from a congressional district, then the
22 candidate's petition for nomination must contain at least the
23 number of signatures equal to 0.5% of the qualified primary
24 electors of his or her party in his or her congressional
25 district. In the first primary election following a
26 redistricting of congressional districts, a candidate's

1 petition for nomination must contain at least 600 signatures of
2 qualified primary electors of the candidate's political party
3 in his or her congressional district.

4 (c) County office. If a candidate seeks to run for any
5 countywide office, including but not limited to county board
6 chairperson or county board member, elected on an at-large
7 basis, in a county other than Cook County, then the candidate's
8 petition for nomination must contain at least the number of
9 signatures equal to 0.5% of the qualified electors of his or
10 her party who cast votes at the last preceding general election
11 in his or her county (or 1.5% if the county is DuPage County).

12 If a candidate seeks to run for county board member elected
13 from a county board district, then the candidate's petition for
14 nomination must contain at least the number of signatures equal
15 to 0.5% of the qualified primary electors of his or her party
16 in the county board district (or 1.5% if the county is DuPage
17 County). In the first primary election following a
18 redistricting of county board districts or the initial
19 establishment of county board districts, a candidate's
20 petition for nomination must contain at least the number of
21 signatures equal to 0.5% of the qualified electors of his or
22 her party in the entire county who cast votes at the last
23 preceding general election divided by the total number of
24 county board districts comprising the county board (or 1.5% if
25 the county is DuPage County); provided that in no event shall
26 the number of signatures be less than 25.

1 (d) County office; Cook County only.

2 (1) If a candidate seeks to run for countywide office
3 in Cook County, then the candidate's petition for
4 nomination must contain at least the number of signatures
5 equal to 0.5% of the qualified electors of his or her party
6 who cast votes at the last preceding general election in
7 Cook County.

8 (2) If a candidate seeks to run for Cook County Board
9 Commissioner, then the candidate's petition for nomination
10 must contain at least the number of signatures equal to
11 0.5% of the qualified primary electors of his or her party
12 in his or her county board district. In the first primary
13 election following a redistricting of Cook County Board of
14 Commissioners districts, a candidate's petition for
15 nomination must contain at least the number of signatures
16 equal to 0.5% of the qualified electors of his or her party
17 in the entire county who cast votes at the last preceding
18 general election divided by the total number of county
19 board districts comprising the county board; provided that
20 in no event shall the number of signatures be less than 25.

21 (3) If a candidate seeks to run for Cook County Board
22 of Review Commissioner, which is elected from a district
23 pursuant to subsection (c) of Section 5-5 of the Property
24 Tax Code, then the candidate's petition for nomination must
25 contain at least the number of signatures equal to 0.5% of
26 the total number of registered voters in his or her board

1 of review district in the last general election at which a
2 commissioner was regularly scheduled to be elected from
3 that board of review district. In no event shall the number
4 of signatures required be greater than the requisite number
5 for a candidate who seeks countywide office in Cook County
6 under subsection (d)(1) of this Section. In the first
7 primary election following a redistricting of Cook County
8 Board of Review districts, a candidate's petition for
9 nomination must contain at least 4,000 signatures or at
10 least the number of signatures required for a countywide
11 candidate in Cook County, whichever is less, of the
12 qualified electors of his or her party in the district.

13 (e) Municipal or township office. If a candidate seeks to
14 run for municipal or township office, then the candidate's
15 petition for nomination must contain at least the number of
16 signatures equal to 0.5% of the qualified primary electors of
17 his or her party in the municipality or township. If a
18 candidate seeks to run for alderman of a municipality, then the
19 candidate's petition for nomination must contain at least the
20 number of signatures equal to 0.5% of the qualified primary
21 electors of his or her party of the ward. In the first primary
22 election following redistricting of aldermanic wards or
23 trustee districts of a municipality or the initial
24 establishment of wards or districts, a candidate's petition for
25 nomination must contain the number of signatures equal to at
26 least 0.5% of the total number of votes cast for the candidate

1 of that political party who received the highest number of
2 votes in the entire municipality at the last regular election
3 at which an officer was regularly scheduled to be elected from
4 the entire municipality, divided by the number of wards or
5 districts. In no event shall the number of signatures be less
6 than 25.

7 (f) State central committeeperson. If a candidate seeks to
8 run for State central committeeperson, then the candidate's
9 petition for nomination must contain at least 100 signatures of
10 the primary electors of his or her party of his or her
11 congressional district.

12 (g) Sanitary district trustee. If a candidate seeks to run
13 for trustee of a sanitary district in which trustees are not
14 elected from wards, then the candidate's petition for
15 nomination must contain at least the number of signatures equal
16 to 0.5% of the primary electors of his or her party from the
17 sanitary district. If a candidate seeks to run for trustee of a
18 sanitary district in which trustees are elected from wards,
19 then the candidate's petition for nomination must contain at
20 least the number of signatures equal to 0.5% of the primary
21 electors of his or her party in the ward of that sanitary
22 district. In the first primary election following
23 redistricting of sanitary districts elected from wards, a
24 candidate's petition for nomination must contain at least the
25 signatures of 150 qualified primary electors of his or her ward
26 of that sanitary district.

1 (h) Judicial office. If a candidate seeks to run for
2 judicial office in a district, then the candidate's petition
3 for nomination must contain the number of signatures equal to
4 0.4% of the number of votes cast in that district for the
5 candidate for his or her political party for the office of
6 Governor at the last general election at which a Governor was
7 elected, but in no event less than 500 signatures. If a
8 candidate seeks to run for judicial office in a circuit or
9 subcircuit, then the candidate's petition for nomination must
10 contain the number of signatures equal to 0.25% of the number
11 of votes cast for the judicial candidate of his or her
12 political party who received the highest number of votes at the
13 last general election at which a judicial officer from the same
14 circuit or subcircuit was regularly scheduled to be elected,
15 but in no event less than 500 signatures.

16 (i) Precinct, ward, and township committeeperson. If a
17 candidate seeks to run for precinct committeeperson, then the
18 candidate's petition for nomination must contain at least 10
19 signatures of the primary electors of his or her party for the
20 precinct. If a candidate seeks to run for ward committeeperson,
21 then the candidate's petition for nomination must contain no
22 less than the number of signatures equal to 10% of the primary
23 electors of his or her party of the ward, but no more than 16%
24 of those same electors; provided that the maximum number of
25 signatures may be 50 more than the minimum number, whichever is
26 greater. If a candidate seeks to run for township

1 committeeperson, then the candidate's petition for nomination
2 must contain no less than the number of signatures equal to 5%
3 of the primary electors of his or her party of the township,
4 but no more than 8% of those same electors; provided that the
5 maximum number of signatures may be 50 more than the minimum
6 number, whichever is greater.

7 (j) State's attorney or regional superintendent of schools
8 for multiple counties. If a candidate seeks to run for State's
9 attorney or regional Superintendent of Schools who serves more
10 than one county, then the candidate's petition for nomination
11 must contain at least the number of signatures equal to 0.5% of
12 the primary electors of his or her party in the territory
13 comprising the counties.

14 (k) Any other office. If a candidate seeks any other
15 office, then the candidate's petition for nomination must
16 contain at least the number of signatures equal to 0.5% of the
17 registered voters of the political subdivision, district, or
18 division for which the nomination is made or 25 signatures,
19 whichever is greater.

20 For purposes of this Section the number of primary electors
21 shall be determined by taking the total vote cast, in the
22 applicable district, for the candidate for that political party
23 who received the highest number of votes, statewide, at the
24 last general election in the State at which electors for
25 President of the United States were elected. For political
26 subdivisions, the number of primary electors shall be

1 determined by taking the total vote cast for the candidate for
2 that political party who received the highest number of votes
3 in the political subdivision at the last regular election at
4 which an officer was regularly scheduled to be elected from
5 that subdivision. For wards or districts of political
6 subdivisions, the number of primary electors shall be
7 determined by taking the total vote cast for the candidate for
8 that political party who received the highest number of votes
9 in the ward or district at the last regular election at which
10 an officer was regularly scheduled to be elected from that ward
11 or district.

12 A "qualified primary elector" of a party may not sign
13 petitions for or be a candidate in the primary of more than one
14 party.

15 The changes made to this Section of this amendatory Act of
16 the 93rd General Assembly are declarative of existing law,
17 except for item (3) of subsection (d).

18 Petitions of candidates for nomination for offices herein
19 specified, to be filed with the same officer, may contain the
20 names of 2 or more candidates of the same political party for
21 the same or different offices.

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

23 (10 ILCS 5/7-13.1) (from Ch. 46, par. 7-13.1)

24 Sec. 7-13.1. Certification of Candidates-Consolidated
25 primary. Not less than 61 days before the date of the

1 consolidated primary, each local election official of each
2 political subdivision required to nominate candidates for the
3 respective offices by primary shall certify to each election
4 authority whose duty it is to prepare the official ballot for
5 the consolidated primary in such political subdivision the
6 names of all candidates in whose behalf nomination papers have
7 been filed in the office of such local election official and
8 direct the election authority to place upon the official ballot
9 for the consolidated primary election the names of such
10 candidates in the same manner and in the same order as shown
11 upon the certification. However, subject to appeal, the names
12 of candidates whose nomination papers have been held invalid by
13 the appropriate electoral board provided in Section 10-9 of
14 this Code shall not be so certified. The certification shall be
15 modified as necessary to comply with the requirements of any
16 other statute or any ordinance adopted pursuant to Article VII
17 of the Constitution prescribing specific provisions for
18 nonpartisan elections, including without limitation Articles
19 3, 4 and 5 of "The Municipal Code".

20 The names of candidates shall be listed on the
21 certification for the respective offices in the order in which
22 the candidates have filed their nomination papers, or as
23 determined by lot, or as otherwise specified by statute.

24 In every instance where applicable, the following shall
25 also be indicated in the certification:

26 (1) Where there is to be more than one candidate elected to

1 an office from a political subdivision or district;

2 (2) Where a voter has the right to vote for more than one
3 candidate for an office;

4 (3) The terms of the office to be on the ballot, when a
5 vacancy is to be filled for less than a full term, or when
6 offices of a particular subdivision to be on the ballot at the
7 same election are to be filled for different terms; ~~and~~

8 (4) The territory in which a candidate is required by law
9 to reside, when such residency requirement is not identical to
10 the territory of the political subdivision from which the
11 candidate is to be elected or nominated; ~~-~~

12 (5) Where a candidate's nominating papers or petitions have
13 been objected to and the objection has been sustained by the
14 electoral board established in Section 10-10, the words
15 "OBJECTION SUSTAINED" shall be placed under the title of the
16 office being sought by the candidate and the name of the
17 aggrieved candidate shall not appear; and

18 (6) Where a candidate's nominating papers or petitions have
19 been objected to and the decision of the electoral board
20 established in Section 10-10 is either unknown or known to be
21 in judicial review, the words "OBJECTION PENDING" shall be
22 placed under the title of the office being sought by the
23 candidate and next to the name of the candidate.

24 The local election official shall issue an amended
25 certification whenever it is discovered that the original
26 certification is in error.

1 (Source: P.A. 84-757.)

2 (10 ILCS 5/7-41) (from Ch. 46, par. 7-41)

3 Sec. 7-41. (a) All officers upon whom is imposed by law the
4 duty of designating and providing polling places for general
5 elections, shall provide in each such polling place so
6 designated and provided, a sufficient number of booths for such
7 primary election, which booths shall be provided with shelves,
8 such supplies and pencils as will enable the voter to prepare
9 his ballot for voting and in which voters may prepare their
10 ballots screened from all observation as to the manner in which
11 they do so. Such booths shall be within plain view of the
12 election officers and both they and the ballot boxes shall be
13 within plain view of those within the proximity of the voting
14 booths. No person other than election officers and the
15 challengers allowed by law and those admitted for the purpose
16 of voting, as hereinafter provided, shall be permitted within
17 the proximity of the voting booths, except by authority of the
18 primary officers to keep order and enforce the law.

19 (b) The number of such voting booths shall not be less than
20 one to every seventy-five voters or fraction thereof, who voted
21 at the last preceding election in the precinct or election
22 district.

23 (c) No person shall do any electioneering or soliciting of
24 votes on primary day within any polling place or within one
25 hundred feet of any polling place, or, at the option of a

1 church or private school, on any of the property of that church
2 or private school that is a polling place. Election officers
3 shall place 2 or more cones, small United States national
4 flags, or some other marker a distance of 100 horizontal feet
5 from each entrance to the room used by voters to engage in
6 voting, which shall be known as the polling room. If the
7 polling room is located within a building that is a private
8 business, a public or private school, or a church or other
9 organization founded for the purpose of religious worship and
10 the distance of 100 horizontal feet ends within the interior of
11 the building, then the markers shall be placed outside of the
12 building at each entrance used by voters to enter that building
13 on the grounds adjacent to the thoroughfare or walkway. If the
14 polling room is located within a public or private building
15 with 2 or more floors and the polling room is located on the
16 ground floor, then the markers shall be placed 100 horizontal
17 feet from each entrance to the polling room used by voters to
18 engage in voting. If the polling room is located in a public or
19 private building with 2 or more floors and the polling room is
20 located on a floor above or below the ground floor, then the
21 markers shall be placed a distance of 100 feet from the nearest
22 elevator or staircase used by voters on the ground floor to
23 access the floor where the polling room is located. The area
24 within where the markers are placed shall be known as a
25 campaign free zone, and electioneering is prohibited pursuant
26 to this subsection. Notwithstanding any other provision of this

1 Section, a church or private school may choose to apply the
2 campaign free zone to its entire property, and, if so, the
3 markers shall be placed near the boundaries on the grounds
4 adjacent to the thoroughfares or walkways leading to the
5 entrances used by the voters. At or near the door of each
6 polling place, the election judges shall place signage
7 indicating the proper entrance to the polling place. In
8 addition, the election judges shall ensure that a sign
9 identifying the location of the polling place is placed on a
10 nearby public roadway. The State Board of Elections shall
11 establish guidelines for the placement of polling place
12 signage.

13 The area on polling place property beyond the campaign free
14 zone, whether publicly or privately owned, is a public forum
15 for the time that the polls are open on an election day. At the
16 request of election officers any publicly owned building must
17 be made available for use as a polling place. A person shall
18 have the right to congregate and engage in electioneering on
19 any polling place property while the polls are open beyond the
20 campaign free zone, including but not limited to, the placement
21 of temporary signs. This subsection shall be construed
22 liberally in favor of persons engaging in electioneering on all
23 polling place property beyond the campaign free zone for the
24 time that the polls are open on an election day.

25 (d) The regulation of electioneering on polling place
26 property on an election day, including but not limited to the

1 placement of temporary signs, is an exclusive power and
2 function of the State. A home rule unit may not regulate
3 electioneering and any ordinance or local law contrary to
4 subsection (c) is declared void. This is a denial and
5 limitation of home rule powers and functions under subsection
6 (h) of Section 6 of Article VII of the Illinois Constitution.
7 (Source: P.A. 93-574, eff. 8-21-03; 93-847, eff. 7-30-04.)

8 (10 ILCS 5/7-43) (from Ch. 46, par. 7-43)

9 Sec. 7-43. Every person having resided in this State 6
10 months and in the precinct 30 days next preceding any primary
11 therein who shall be a citizen of the United States of the age
12 of 18 or more years, shall be entitled to vote at such primary.

13 The following regulations shall be applicable to
14 primaries:

15 No person shall be entitled to vote at a primary:

16 (a) Unless he declares his party affiliations as required
17 by this Article.

18 (b) (Blank.) ~~Who shall have signed the petition for~~
19 ~~nomination of a candidate of any party with which he does not~~
20 ~~affiliate, when such candidate is to be voted for at the~~
21 ~~primary.~~

22 (c) (Blank.) ~~Who shall have signed the nominating papers of~~
23 ~~an independent candidate for any office for which office~~
24 ~~candidates for nomination are to be voted for at such primary.~~

25 (c.5) If that person has participated in the town political

1 party caucus, under Section 45-50 of the Township Code, of
2 another political party by signing an affidavit of voters
3 attending the caucus within 45 days before the first day of the
4 calendar month in which the primary is held.

5 (d) (Blank.) ~~If he has voted at a primary held under this~~
6 ~~Article 7 of another political party within a period of 23~~
7 ~~calendar months next preceding the calendar month in which such~~
8 ~~primary is held: Provided, participation by a primary elector~~
9 ~~in a primary of a political party which, under the provisions~~
10 ~~of Section 7-2 of this Article, is a political party within a~~
11 ~~city, village or incorporated town or town only and entitled~~
12 ~~hereunder to make nominations of candidates for city, village~~
13 ~~or incorporated town or town offices only, and for no other~~
14 ~~office or offices, shall not disqualify such primary elector~~
15 ~~from participating in other primaries of his party: And,~~
16 ~~provided, that no qualified voter shall be precluded from~~
17 ~~participating in the primary of any purely city, village or~~
18 ~~incorporated town or town political party under the provisions~~
19 ~~of Section 7-2 of this Article by reason of such voter having~~
20 ~~voted at the primary of another political party within a period~~
21 ~~of 23 calendar months next preceding the calendar month in~~
22 ~~which he seeks to participate is held.~~

23 (e) In cities, villages and incorporated towns having a
24 board of election commissioners only voters registered as
25 provided by Article 6 of this Act shall be entitled to vote at
26 such primary.

1 (f) No person shall be entitled to vote at a primary unless
2 he is registered under the provisions of Articles 4, 5 or 6 of
3 this Act, when his registration is required by any of said
4 Articles to entitle him to vote at the election with reference
5 to which the primary is held.

6 (Source: P.A. 89-331, eff. 8-17-95.)

7 (10 ILCS 5/7-59) (from Ch. 46, par. 7-59)

8 Sec. 7-59. (a) The person receiving the highest number of
9 votes at a primary as a candidate of a party for the nomination
10 for an office shall be the candidate of that party for such
11 office, and his name as such candidate shall be placed on the
12 official ballot at the election then next ensuing; provided,
13 that where there are two or more persons to be nominated for
14 the same office or board, the requisite number of persons
15 receiving the highest number of votes shall be nominated and
16 their names shall be placed on the official ballot at the
17 following election.

18 Except as otherwise provided by Section 7-8 of this Act,
19 the person receiving the highest number of votes of his party
20 for State central committeeman of his congressional district
21 shall be declared elected State central committeeman from said
22 congressional district.

23 Unless a national political party specifies that delegates
24 and alternate delegates to a National nominating convention be
25 allocated by proportional selection representation according

1 to the results of a Presidential preference primary, the
2 requisite number of persons receiving the highest number of
3 votes of their party for delegates and alternate delegates to
4 National nominating conventions from the State at large, and
5 the requisite number of persons receiving the highest number of
6 votes of their party for delegates and alternate delegates to
7 National nominating conventions in their respective
8 congressional districts shall be declared elected delegates
9 and alternate delegates to the National nominating conventions
10 of their party.

11 A political party which elects the members to its State
12 Central Committee by Alternative B under paragraph (a) of
13 Section 7-8 shall select its congressional district delegates
14 and alternate delegates to its national nominating convention
15 by proportional selection representation according to the
16 results of a Presidential preference primary in each
17 congressional district in the manner provided by the rules of
18 the national political party and the State Central Committee,
19 when the rules and policies of the national political party so
20 require.

21 A political party which elects the members to its State
22 Central Committee by Alternative B under paragraph (a) of
23 Section 7-8 shall select its at large delegates and alternate
24 delegates to its national nominating convention by
25 proportional selection representation according to the results
26 of a Presidential preference primary in the whole State in the

1 manner provided by the rules of the national political party
2 and the State Central Committee, when the rules and policies of
3 the national political party so require.

4 The person receiving the highest number of votes of his
5 party for precinct committeeman of his precinct shall be
6 declared elected precinct committeeman from said precinct.

7 The person receiving the highest number of votes of his
8 party for township committeeman of his township or part of a
9 township as the case may be, shall be declared elected township
10 committeeman from said township or part of a township as the
11 case may be. In cities where ward committeemen are elected, the
12 person receiving the highest number of votes of his party for
13 ward committeeman of his ward shall be declared elected ward
14 committeeman from said ward.

15 When two or more persons receive an equal and the highest
16 number of votes for the nomination for the same office or for
17 committeeman of the same political party, or where more than
18 one person of the same political party is to be nominated as a
19 candidate for office or committeeman, if it appears that more
20 than the number of persons to be nominated for an office or
21 elected committeeman have the highest and an equal number of
22 votes for the nomination for the same office or for election as
23 committeeman, the election authority by which the returns of
24 the primary are canvassed shall decide by lot which of said
25 persons shall be nominated or elected, as the case may be. In
26 such case the election authority shall issue notice in writing

1 to such persons of such tie vote stating therein the place, the
2 day (which shall not be more than 5 days thereafter) and the
3 hour when such nomination or election shall be so determined.

4 (b) Write-in votes shall be counted only for persons who
5 have filed notarized declarations of intent to be write-in
6 candidates with the proper election authority or authorities
7 not later than 61 days prior to 5:00 p.m. on the Tuesday
8 immediately preceding the primary. However, whenever an
9 objection to a candidate's nominating papers or petitions for
10 any office is sustained under Section 10-10 after the 61st day
11 before the election, then write-in votes shall be counted for
12 that candidate if he or she has filed a notarized declaration
13 of intent to be a write-in candidate for that office with the
14 proper election authority or authorities not later than 7 days
15 prior to the election.

16 Forms for the declaration of intent to be a write-in
17 candidate shall be supplied by the election authorities. Such
18 declaration shall specify the office for which the person seeks
19 nomination or election as a write-in candidate.

20 The election authority or authorities shall deliver a list
21 of all persons who have filed such declarations to the election
22 judges in the appropriate precincts prior to the primary.

23 (c) (1) Notwithstanding any other provisions of this
24 Section, where the number of candidates whose names have been
25 printed on a party's ballot for nomination for or election to
26 an office at a primary is less than the number of persons the

1 party is entitled to nominate for or elect to the office at the
2 primary, a person whose name was not printed on the party's
3 primary ballot as a candidate for nomination for or election to
4 the office, is not nominated for or elected to that office as a
5 result of a write-in vote at the primary unless the number of
6 votes he received equals or exceeds the number of signatures
7 required on a petition for nomination for that office; or
8 unless the number of votes he receives exceeds the number of
9 votes received by at least one of the candidates whose names
10 were printed on the primary ballot for nomination for or
11 election to the same office.

12 (2) Paragraph (1) of this subsection does not apply where
13 the number of candidates whose names have been printed on the
14 party's ballot for nomination for or election to the office at
15 the primary equals or exceeds the number of persons the party
16 is entitled to nominate for or elect to the office at the
17 primary.

18 (Source: P.A. 94-647, eff. 1-1-06.)

19 (10 ILCS 5/9-9.5)

20 Sec. 9-9.5. Disclosures in political communications.

21 (a) Any political committee, organized under the Election
22 Code, that makes an expenditure for a pamphlet, circular,
23 handbill, Internet or telephone communication, radio,
24 television, or print advertisement, or other communication
25 directed at voters and mentioning the name of a candidate in

1 the next upcoming election shall ensure that the name of the
2 political committee paying for any part of the communication,
3 including, but not limited to, its preparation and
4 distribution, is identified clearly within the communication
5 as the payor. This subsection does not apply to items that are
6 too small to contain the required disclosure. Nothing in this
7 subsection shall require disclosure on any telephone
8 communication using random sampling or other scientific survey
9 methods to gauge public opinion for or against any candidate or
10 question of public policy.

11 Whenever any vendor or other person provides any of the
12 services listed in this subsection, other than any telephone
13 communication using random sampling or other scientific survey
14 methods to gauge public opinion for or against any candidate or
15 question of public policy, the vendor or person shall keep and
16 maintain records showing the name and address of the person who
17 purchased or requested the services and the amount paid for the
18 services. The records required by this subsection shall be kept
19 for a period of one year after the date upon which payment was
20 received for the services.

21 (b) Any political committee, organized under this Code,
22 that makes an expenditure for a pamphlet, circular, handbill,
23 Internet or telephone communication, radio, television, or
24 print advertisement, or other communication directed at voters
25 and (i) mentioning the name of a candidate in the next upcoming
26 election, without that candidate's permission, or ~~and~~ (ii)

1 advocating for or against a public policy position shall ensure
2 that the name of the political committee paying for any part of
3 the communication, including, but not limited to, its
4 preparation and distribution, is identified clearly within the
5 communication. Nothing in this subsection shall require
6 disclosure on any telephone communication using random
7 sampling or other scientific survey methods to gauge public
8 opinion for or against any candidate or question of public
9 policy.

10 (c) A political committee organized under this Code shall
11 not make an expenditure for any unsolicited telephone call to
12 the line of a residential telephone customer in this State
13 using any method to block or otherwise circumvent that
14 customer's use of a caller identification service.

15 (Source: P.A. 93-615, eff. 11-19-03; 93-847, eff. 7-30-04;
16 94-645, eff. 8-22-05; 94-1000, eff. 7-3-06.)

17 (10 ILCS 5/10-3) (from Ch. 46, par. 10-3)

18 Sec. 10-3. Nomination of independent candidates (not
19 candidates of any political party), for any office to be filled
20 by the voters of the State at large may also be made by
21 nomination papers signed in the aggregate for each candidate by
22 1% of the number of voters who voted in the next preceding
23 Statewide general election or 25,000 qualified voters of the
24 State, whichever is less. Nominations of independent
25 candidates for public office within any district or political

1 subdivision less than the State, may be made by nomination
2 papers signed in the aggregate for each candidate by qualified
3 voters of such district, or political subdivision, equaling not
4 less than 5%, nor more than 8% (or 50 more than the minimum,
5 whichever is greater) of the number of persons, who voted at
6 the next preceding regular election in such district or
7 political subdivision in which such district or political
8 subdivision voted as a unit for the election of officers to
9 serve its respective territorial area, ~~except that independent~~
10 ~~candidates for the General Assembly shall require not less than~~
11 ~~10%, nor more than 16% of the number of persons who voted at~~
12 ~~the next preceding general election in such district or~~
13 ~~political subdivision in which such district or political~~
14 ~~subdivision voted as a unit for the election of officers to~~
15 ~~serve its respective territorial area.~~ However, whenever the
16 minimum signature requirement for an independent candidate
17 petition for a district or political subdivision office shall
18 exceed the minimum number of signatures for an independent
19 candidate petition for an office to be filled by the voters of
20 the State at large at the next preceding State-wide general
21 election, such State-wide petition signature requirement shall
22 be the minimum for an independent candidate petition for such
23 district or political subdivision office. For the first
24 election following a redistricting of congressional districts,
25 nomination papers for an independent candidate for congressman
26 shall be signed by at least 5,000 qualified voters of the

1 congressional district. For the first election following a
2 redistricting of legislative districts, nomination papers for
3 an independent candidate for State Senator in the General
4 Assembly shall be signed by at least 3,000 qualified voters of
5 the legislative district. For the first election following a
6 redistricting of representative districts, nomination papers
7 for an independent candidate for State Representative in the
8 General Assembly shall be signed by at least 1,500 qualified
9 voters of the representative district. For the first election
10 following redistricting of county board districts, or of
11 municipal wards or districts, or for the first election
12 following the initial establishment of such districts or wards
13 in a county or municipality, nomination papers for an
14 independent candidate for county board member, or for alderman
15 or trustee of such municipality, shall be signed by qualified
16 voters of the district or ward equal to not less than 5% nor
17 more than 8% (or 50 more than the minimum, whichever is
18 greater) of the total number of votes cast at the preceding
19 general or general municipal election, as the case may be, for
20 the county or municipal office voted on throughout such county
21 or municipality for which the greatest total number of votes
22 were cast for all candidates, divided by the number of
23 districts or wards, but in any event not less than 25 qualified
24 voters of the district or ward. Each voter signing a nomination
25 paper shall add to his signature his place of residence, and
26 each voter may subscribe to one nomination for such office to

1 be filled, and no more: Provided that the name of any candidate
2 whose name may appear in any other place upon the ballot shall
3 not be so added by petition for the same office.

4 The person circulating the petition, or the candidate on
5 whose behalf the petition is circulated, may strike any
6 signature from the petition, provided that;

7 (1) the person striking the signature shall initial the
8 petition at the place where the signature is struck; and

9 (2) the person striking the signature shall sign a
10 certification listing the page number and line number of
11 each signature struck from the petition. Such
12 certification shall be filed as a part of the petition.

13 (3) the persons striking signatures from the petition
14 shall each sign an additional certificate specifying the
15 number of certification pages listing stricken signatures
16 which are attached to the petition and the page numbers
17 indicated on such certifications. The certificate shall be
18 filed as a part of the petition, shall be numbered, and
19 shall be attached immediately following the last page of
20 voters' signatures and before the certifications of
21 stricken signatures.

22 (4) all of the foregoing requirements shall be
23 necessary to effect a valid striking of any signature. The
24 provisions of this Section authorizing the striking of
25 signatures shall not impose any criminal liability on any
26 person so authorized for signatures which may be

1 fraudulent.

2 In the case of the offices of Governor and Lieutenant
3 Governor a joint petition including one candidate for each of
4 those offices must be filed.

5 ~~Every petition for nomination of an independent candidate~~
6 ~~for any office for which candidates of established political~~
7 ~~parties are nominated at the general primary shall be filed~~
8 ~~within the time designated in Section 7-12 of this Act in~~
9 ~~regard to nomination at the general primary of any other~~
10 ~~candidate for such office.~~

11 A candidate for whom a nomination paper has been filed as a
12 partisan candidate at a primary election, and who is defeated
13 for his or her nomination at the primary election, is
14 ineligible to be placed on the ballot as an independent
15 candidate for election in that general or consolidated
16 election.

17 A candidate seeking election to an office for which
18 candidates of political parties are nominated by caucus who is
19 a participant in the caucus and who is defeated for his or her
20 nomination at such caucus, is ineligible to be listed on the
21 ballot at that general or consolidated election as an
22 independent candidate.

23 (Source: P.A. 86-867; 86-875; 86-1028; 86-1348.)

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

25 Sec. 10-6. Time and manner of filing. Certificates ~~Except~~

1 ~~as provided in Section 10-3, certificates~~ of nomination and
2 nomination papers for the nomination of candidates for offices
3 to be filled by electors of the entire State, or any district
4 not entirely within a county, or for congressional, state
5 legislative or judicial offices, shall be presented to the
6 principal office of the State Board of Elections not more than
7 141 nor less than 134 days previous to the day of election for
8 which the candidates are nominated. The State Board of
9 Elections shall endorse the certificates of nomination or
10 nomination papers, as the case may be, and the date and hour of
11 presentment to it. Except as otherwise provided in this
12 section, all other certificates for the nomination of
13 candidates shall be filed with the county clerk of the
14 respective counties not more than 141 but at least 134 days
15 previous to the day of such election. Certificates of
16 nomination and nomination papers for the nomination of
17 candidates for the offices of political subdivisions to be
18 filled at regular elections other than the general election
19 shall be filed with the local election official of such
20 subdivision:

21 (1) (Blank);

22 (2) not more than 78 nor less than 71 days prior to the
23 consolidated election; or

24 (3) not more than 78 nor less than 71 days prior to the
25 general primary in the case of municipal offices to be
26 filled at the general primary election; or

1 (4) not more than 78 nor less than 71 days before the
2 consolidated primary in the case of municipal offices to be
3 elected on a nonpartisan basis pursuant to law (including
4 without limitation, those municipal offices subject to
5 Articles 4 and 5 of the Municipal Code); or

6 (5) not more than 78 nor less than 71 days before the
7 municipal primary in even numbered years for such
8 nonpartisan municipal offices where annual elections are
9 provided; or

10 (6) in the case of petitions for the office of
11 multi-township assessor, such petitions shall be filed
12 with the election authority not more than 78 nor less than
13 71 days before the consolidated election.

14 However, where a political subdivision's boundaries are
15 co-extensive with or are entirely within the jurisdiction of a
16 municipal board of election commissioners, the certificates of
17 nomination and nomination papers for candidates for such
18 political subdivision offices shall be filed in the office of
19 such Board.

20 (Source: P.A. 90-358, eff. 1-1-98; 91-317, eff. 7-29-99.)

21 (10 ILCS 5/10-15) (from Ch. 46, par. 10-15)

22 Sec. 10-15. Not less than 61 days before the date of the
23 consolidated and nonpartisan elections, each local election
24 official with whom certificates of nomination or nominating
25 petitions have been filed shall certify to each election

1 authority having jurisdiction over any of the territory of his
2 political subdivision the names of all candidates entitled to
3 be printed on the ballot for offices of that political
4 subdivision to be voted upon at such election and direct the
5 election authority to place upon the official ballot for such
6 election the names of such candidates in the same manner and in
7 the same order as shown upon the certification.

8 The local election officials shall certify such candidates
9 for each office in the order in which such candidates'
10 certificates of nomination or nominating petitions were filed
11 in his office. However, subject to appeal, the names of
12 candidates whose petitions have been held invalid by the
13 appropriate electoral board provided in Section 10-9 of this
14 Act shall not be so certified. The certification shall be
15 modified as necessary to comply with the requirements of any
16 other statute or any ordinance adopted pursuant to Article VII
17 of the Constitution prescribing specific provisions for
18 nonpartisan elections, including without limitation Articles 4
19 and 5 of "The Municipal Code" or Article 9 of The School Code.

20 In every instance where applicable, the following shall
21 also be indicated in the certification:

22 (1) The political party affiliation, if any, of the
23 candidates for the respective offices;

24 (2) Where there is to be more than one candidate elected to
25 an office from a political subdivision or district;

26 (3) Where a voter has the right to vote for more than one

1 candidate for an office;

2 (4) The terms of the office to be on the ballot, when a
3 vacancy is to be filled for less than a full term, or when
4 offices of a particular subdivision to be on the ballot at the
5 same election are to be filled for different terms; ~~and~~

6 (5) The territory in which a candidate is required by law
7 to reside, when such residency requirement is not identical to
8 the territory of the political subdivision from which the
9 candidate is to be elected or nominated; ~~-~~

10 (6) Where a candidate's nominating papers or petitions have
11 been objected to and the objection has been sustained by the
12 electoral board established in Section 10-10, the words
13 "OBJECTION SUSTAINED" shall be placed under the title of the
14 office being sought by the candidate and the name of the
15 aggrieved candidate shall not appear; and

16 (7) Where a candidate's nominating papers or petitions have
17 been objected to and the decision of the electoral board
18 established in Section 10-10 is either unknown or known to be
19 in judicial review, the words "OBJECTION PENDING" shall be
20 placed under the title of the office being sought by the
21 candidate and next to the name of the candidate.

22 For the consolidated election, and for the general primary
23 in the case of certain municipalities having annual elections,
24 the candidates of new political parties shall be placed on the
25 ballot for such elections after the established political party
26 candidates and in the order of new political party petition

1 filings.

2 The local election official shall issue an amended
3 certification whenever it is discovered that the original
4 certification is in error.

5 (Source: P.A. 86-874.)

6 (10 ILCS 5/12A-10)

7 Sec. 12A-10. Candidate statements and photographs in the
8 Internet Guide.

9 (a) Any candidate whose name appears in the Internet Guide
10 may submit a written statement and a photograph to appear in
11 the Internet Guide, provided that:

12 (1) No personal statement may exceed a brief biography
13 (name, age, education, and current employment) and an
14 additional 400 words.

15 (2) Personal statements may include contact
16 information for the candidate, including the address and
17 phone number of the campaign headquarters, and the
18 candidate's website.

19 (3) Personal statements may not mention a candidate's
20 opponents by name.

21 (4) No personal statement may include language that may
22 not be legally sent through the mail.

23 (5) The photograph shall be a conventional photograph
24 with a plain background and show only the face, or the
25 head, neck, and shoulders, of the candidate.

1 (6) The photograph shall not (i) show the candidate's
2 hands, anything in the candidate's hands, or the candidate
3 wearing a judicial robe, a hat, or a military, police, or
4 fraternal uniform or (ii) include the uniform or insignia
5 of any organization.

6 (b) The Board must note in the text of the Internet Guide
7 that personal statements were submitted by the candidate or his
8 or her designee and were not edited by the Board.

9 (c) Where a candidate declines to submit a statement, the
10 Board may note that the candidate declined to submit a
11 statement.

12 (d) (Blank.) ~~The candidate must pay \$600 for inclusion of~~
13 ~~his or her personal statement and photograph, and the Board~~
14 ~~shall not include photographs or statements from candidates who~~
15 ~~do not pay the fee. The Board may adopt rules for refunding~~
16 ~~that fee at the candidate's request, provided that the Board~~
17 ~~may not include a statement or photograph from a candidate who~~
18 ~~has requested a refund of a fee. Fees collected pursuant to~~
19 ~~this subsection shall be deposited into the Voters' Guide Fund,~~
20 ~~a special fund created in the State treasury. Moneys in the~~
21 ~~Voters' Guide Fund shall be appropriated solely to the State~~
22 ~~Board of Elections for use in the implementation and~~
23 ~~administration of this Article 12A.~~

24 (e) Anyone other than the candidate submitting a statement
25 or photograph from a candidate must attest that he or she is
26 doing so on behalf and at the direction of the candidate. The

1 Board may assess a civil fine of no more than \$1,000 against a
2 person or entity who falsely submits a statement or photograph
3 not authorized by the candidate.

4 (f) Nothing in this Article makes the author of any
5 statement exempt from any civil or criminal action because of
6 any defamatory statements offered for posting or contained in
7 the Internet Guide. The persons writing, signing, or offering a
8 statement for inclusion in the Internet Guide are deemed to be
9 its authors and publishers, and the Board shall not be liable
10 in any case or action relating to the content of any material
11 submitted by any candidate.

12 (g) The Board may set reasonable deadlines for the
13 submission of personal statements and photographs, ~~provided~~
14 ~~that a deadline may not be less than 5 business days after the~~
15 ~~last day for filing new party petitions.~~

16 (h) The Board may set formats for the submission of
17 statements and photographs. The Board may require that
18 statements and photographs are submitted in an electronic
19 format.

20 (i) Fines ~~Fees and fines~~ collected pursuant to subsection
21 ~~subsections (d) and (e), respectively,~~ of this Section shall be
22 deposited into the Voters' Guide Fund, a special fund created
23 in the State treasury. Moneys in the Voters' Guide Fund shall
24 be appropriated solely to the State Board of Elections for use
25 in the implementation and administration of this Article 12A.

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

1 (10 ILCS 5/12A-35)

2 Sec. 12A-35. Board's review of candidate photograph and
3 statement; procedure for revision.

4 (a) If a candidate files a photograph and statement under
5 item (8) of Section 12A-5 in a voters' guide, the Board shall
6 review the photograph and statement to ensure that they comply
7 with the requirements of Section 12A-10. Review by the Board
8 under this Section shall be limited to determining whether the
9 photograph and statement comply with the requirements of
10 Section 12A-10 and may not include any determination relating
11 to the accuracy or truthfulness of the substance or contents of
12 the materials filed.

13 (b) The Board shall review each photograph and statement
14 ~~not later than 3 business days following the deadline for~~
15 ~~filing a photograph and statement.~~ If the Board determines that
16 the photograph or statement of a candidate must be revised in
17 order to comply with the requirements of Section 12A-10, the
18 Board shall attempt to contact the candidate ~~not later than the~~
19 ~~5th day after the deadline for filing a photograph and~~
20 ~~statement.~~ A candidate contacted by the Board under this
21 Section may file a revised photograph or statement no later
22 than the 5th ~~7th~~ business day following notification ~~the~~
23 ~~deadline for filing a photograph and statement.~~

24 (c) If the Board is required to attempt to contact a
25 candidate under subsection (b) of this Section, the Board shall

1 attempt to contact the candidate by telephone or by using an
2 electronic transmission facsimile machine, if such contact
3 information is provided by the candidate.

4 (d) If the Board is unable to contact a candidate, if the
5 candidate does not file a revised photograph or statement, or
6 if the revised filing under subsection (b) again fails to meet
7 the standards of review set by the Board:

8 (1) If a photograph does not comply with Section
9 12A-10, the Board may modify the photograph. The candidate
10 shall pay the expense of any modification before
11 publication of the photograph in the voters' guide. If the
12 photograph cannot be modified to comply with Section
13 12A-10, the photograph shall not be printed in the guide.

14 (2) If a statement does not comply with Section 12A-10,
15 the statement shall not be published in the voters' guide.

16 (e) If the photograph or statement of a candidate filed
17 under item (8) of Section 12A-5 does not comply with a
18 requirement of Section 12A-10 and the Board does not attempt to
19 contact the candidate by the deadline specified in subsection
20 (b) of this Section, then, for purposes of this Section only,
21 the photograph or statement shall be published as filed.

22 (f) A candidate revising a photograph or statement under
23 this Section shall make only those revisions necessary to
24 comply with Section 12A-10.

25 (g) The Board may by rule define the term "contact" as used
26 in this Section.

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

2 (10 ILCS 5/13-4) (from Ch. 46, par. 13-4)

3 Sec. 13-4. Qualifications.

4 (a) All persons elected or chosen judge of election must:

5 (1) be citizens of the United States and entitled to vote at
6 the next election, except as provided in subsection (b) or (c);
7 (2) be of good repute and character; (3) be able to speak, read
8 and write the English language; (4) be skilled in the four
9 fundamental rules of arithmetic; (5) be of good understanding
10 and capable; (6) not be candidates for any office at the
11 election and not be elected committeemen; and (7) reside in the
12 precinct in which they are selected to act, except that in each
13 precinct, not more than one judge of each party may be
14 appointed from outside such precinct. Any judge selected to
15 serve in any precinct in which he is not entitled to vote must
16 reside within and be entitled to vote elsewhere within the
17 county which encompasses the precinct in which such judge is
18 appointed, except as provided in subsection (b) or (c). Such
19 judge must meet the other qualifications of this Section.

20 (b) 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 junior or senior in good standing enrolled in

1 a public or private secondary school;

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

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

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

9 (6) has satisfactorily completed the training course
10 for judges of election described in Sections 13-2.1 and
11 13-2.2; and

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

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

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

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

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

1 (2) is currently enrolled in a community college, as
2 defined in the Public Community College Act, or a public or
3 private Illinois university or college;

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

6 (4) has satisfactorily completed the training course
7 for judges of election described in Sections 13-2.1 and
8 13-2.2; and

9 (5) meets all other qualifications for appointment and
10 service as an election judge.

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

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

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

20 (10 ILCS 5/13-10) (from Ch. 46, par. 13-10)

21 Sec. 13-10. The compensation of the judges of all primaries
22 and all elections, except judges supervising absentee ballots
23 as provided in Section 19-12.2 of this Act, in counties of less
24 than 600,000 inhabitants shall be fixed by the respective
25 county boards or boards of election commissioners in all

1 counties and municipalities, but in no case shall such
2 compensation be less than \$35 per day. The compensation of
3 judges of all primaries and all elections not under the
4 jurisdiction of the county clerk, except judges supervising
5 absentee balloting as provided in Section 19-12.2 of this Act,
6 in counties having a population of 2,000,000 or more shall be
7 not less than \$60 per day. The compensation of judges of all
8 primaries and all elections under the jurisdiction of the
9 county clerk, except judges supervising absentee balloting as
10 provided in Section 19-12.2 of this Act, in counties having a
11 population of 2,000,000 or more shall be not less than \$60 per
12 day. The compensation of judges of all primaries and all
13 elections, except judges supervising absentee ballots as
14 provided in Section 19-12.2 of this Act, in counties having a
15 population of at least 600,000 but less than 2,000,000
16 inhabitants shall be not less than \$45 per day as fixed by the
17 county board of election commissioners of each such county. In
18 addition to their per day compensation and notwithstanding the
19 limitations thereon stated herein, the judges of election, in
20 all counties with a population of less than 600,000, shall be
21 paid \$3 each for each 100 voters or portion thereof, in excess
22 of 200 voters voting for candidates in the election district or
23 precinct wherein the judge is serving, whether a primary or an
24 election is being held. However, no such extra compensation
25 shall be paid to the judges of election in any precinct in
26 which no paper ballots are counted by such judges of election.

1 The 2 judges of election in counties having a population of
2 less than 600,000 who deliver the returns to the county clerk
3 shall each be allowed and paid a sum to be determined by the
4 election authority for such services and an additional sum per
5 mile to be determined by the election authority for every mile
6 necessarily travelled in going to and returning from the office
7 or place to which they deliver the returns. The compensation
8 for mileage shall be consistent with current rates paid for
9 mileage to employees of the county.

10 However, all judges who have been certified by the County
11 Clerk or Board of Election Commissioners as having
12 satisfactorily completed, within the 2 years preceding the day
13 of election, the training course for judges of election, as
14 provided in Sections 13-2.1, 13-2.2 and 14-4.1 of this Act,
15 shall receive additional compensation of not less than \$10 per
16 day in counties of less than 600,000 inhabitants, the
17 additional compensation of not less than \$10 per day in
18 counties having a population of at least 600,000 but less than
19 2,000,000 inhabitants as fixed by the county board of election
20 commissioners of each such county, and additional compensation
21 of not less than \$20 per day in counties having a population of
22 2,000,000 or more for primaries and elections not under the
23 jurisdiction of the county clerk, and additional compensation
24 of not less than \$20 per day in counties having a population of
25 2,000,000 or more for primaries and elections under the
26 jurisdiction of the county clerk.

1 In precincts in which there are tally judges, the
2 compensation of the tally judges shall be 2/3 of that of the
3 judges of election and each holdover judge shall be paid the
4 compensation of a judge of election plus that of a tally judge.

5 Beginning on the effective date of this amendatory Act of
6 1998, the portion of an election judge's daily compensation
7 reimbursed by the State Board of Elections is increased by \$15.
8 The increase provided by this amendatory Act of 1998 must be
9 used to increase each judge's compensation and may not be used
10 by the county to reduce its portion of a judge's compensation.

11 Beginning on the effective date of this amendatory Act of
12 the 95th General Assembly, the portion of an election judge's
13 daily compensation reimbursement by the State Board of
14 Elections is increased by an additional \$20. The increase
15 provided by this amendatory Act of the 95th General Assembly
16 must be used to increase each judge's compensation and may not
17 be used by the election authority or election jurisdiction to
18 reduce its portion of a judge's compensation.

19 (Source: P.A. 90-672, eff. 7-31-98.)

20 (10 ILCS 5/14-1) (from Ch. 46, par. 14-1)

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

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

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

19 (1) be citizens of the United States;

20 (2) be of good repute and character;

21 (3) be able to speak, read and write the English
22 language;

23 (4) be skilled in the 4 fundamental rules of
24 arithmetic;

25 (5) be of good understanding and capable;

26 (6) not be candidates for any office at the election

1 and not be elected committeemen;

2 (7) reside and be entitled to vote in the precinct in
3 which they are selected to serve, except that in each
4 precinct not more than one judge of each party may be
5 appointed from outside such precinct. Any judge so
6 appointed to serve in any precinct in which he is not
7 entitled to vote must be entitled to vote elsewhere within
8 the county which encompasses the precinct in which such
9 judge is appointed and such judge must otherwise meet the
10 qualifications of this Section, except as provided in
11 subsection (c) or (c-5).

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

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

17 (2) is a junior or senior in good standing enrolled in
18 a public or private secondary school;

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

21 (4) has the written approval of the principal of the
22 secondary school he or she attends at the time of
23 appointment;

24 (5) has the written approval of his or her parent or
25 legal guardian;

26 (6) has satisfactorily completed the training course

1 for judges of election described in Sections 13-2.1,
2 13-2.2, and 14-4.1; and

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

5 No more than one election judge qualifying under this
6 subsection may serve per political party per precinct. Prior to
7 appointment, a judge qualifying under this subsection must
8 certify in writing to the election authority the political
9 party the judge chooses to affiliate with.

10 Students appointed as election judges under this
11 subsection shall not be counted as absent from school on the
12 day they serve as judges.

13 (c-5) An election authority may establish a program to
14 permit a person who is not entitled to vote in that precinct or
15 county to be appointed as an election judge if, as of the date
16 of the election at which the person serves as a judge, he or
17 she:

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

19 (2) is currently enrolled in a community college, as
20 defined in the Public Community College Act, or a public or
21 private Illinois university or college;

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

24 (4) has satisfactorily completed the training course
25 for judges of election described in Sections 13-2.1,
26 13-2.2, and 14-4.1; and

1 (5) meets all other qualifications for appointment and
2 service as an election judge.

3 No more than one election judge qualifying under this
4 subsection may serve per political party per precinct. Prior to
5 appointment, a judge qualifying under this subsection must
6 certify in writing to the election authority the political
7 party the judge chooses to affiliate with.

8 Students appointed as election judges under this
9 subsection shall not be counted as absent from school on the
10 day they serve as judges.

11 (d) The board of election commissioners may select 2
12 additional judges of election, one from each of the major
13 political parties, for each 200 voters in excess of 600 in any
14 precinct having more than 600 voters as authorized by Section
15 11--3. These additional judges must meet the qualifications
16 prescribed in this Section.

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

18 (10 ILCS 5/16-3) (from Ch. 46, par. 16-3)

19 (Text of Section before amendment by P.A. 94-1090)

20 Sec. 16-3. (a) The names of all candidates to be voted for
21 in each election district or precinct shall be printed on one
22 ballot, except as is provided in Sections 16-6.1 and 21-1.01 of
23 this Act and except as otherwise provided in this Act with
24 respect to the odd year regular elections and the emergency
25 referenda; all nominations of any political party being placed

1 under the party appellation or title of such party as
2 designated in the certificates of nomination or petitions. The
3 names of all independent candidates shall be printed upon the
4 ballot in a column or columns under the heading "independent"
5 arranged under the names or titles of the respective offices
6 for which such independent candidates shall have been nominated
7 and so far as practicable, the name or names of any independent
8 candidate or candidates for any office shall be printed upon
9 the ballot opposite the name or names of any candidate or
10 candidates for the same office contained in any party column or
11 columns upon said ballot. The ballot shall contain no other
12 names, except that in cases of electors for President and
13 Vice-President of the United States, the names of the
14 candidates for President and Vice-President may be added to the
15 party designation and words calculated to aid the voter in his
16 choice of candidates may be added, such as "Vote for one,"
17 "Vote for three." When an electronic voting system is used
18 which utilizes a ballot label booklet, the candidates and
19 questions shall appear on the pages of such booklet in the
20 order provided by this Code; and, in any case where candidates
21 for an office appear on a page which does not contain the name
22 of any candidate for another office, and where less than 50% of
23 the page is utilized, the name of no candidate shall be printed
24 on the lowest 25% of such page. On the back or outside of the
25 ballot, so as to appear when folded, shall be printed the words
26 "Official Ballot", followed by the designation of the polling

1 place for which the ballot is prepared, the date of the
2 election and a facsimile of the signature of the election
3 authority who has caused the ballots to be printed. The ballots
4 shall be of plain white paper, through which the printing or
5 writing cannot be read. However, ballots for use at the
6 nonpartisan and consolidated elections may be printed on
7 different color paper, except blue paper, whenever necessary or
8 desirable to facilitate distinguishing between ballots for
9 different political subdivisions. In the case of nonpartisan
10 elections for officers of a political subdivision, unless the
11 statute or an ordinance adopted pursuant to Article VII of the
12 Constitution providing the form of government therefor
13 requires otherwise, the column listing such nonpartisan
14 candidates shall be printed with no appellation or circle at
15 its head. The party appellation or title, or the word
16 "independent" at the head of any column provided for
17 independent candidates, shall be printed in letters not less
18 than one-fourth of an inch in height and a circle one-half inch
19 in diameter shall be printed at the beginning of the line in
20 which such appellation or title is printed, provided, however,
21 that no such circle shall be printed at the head of any column
22 or columns provided for such independent candidates. The names
23 of candidates shall be printed in letters not less than
24 one-eighth nor more than one-fourth of an inch in height, and
25 at the beginning of each line in which a name of a candidate is
26 printed a square shall be printed, the sides of which shall be

1 not less than one-fourth of an inch in length. However, the
2 names of the candidates for Governor and Lieutenant Governor on
3 the same ticket shall be printed within a bracket and a single
4 square shall be printed in front of the bracket. The list of
5 candidates of the several parties and any such list of
6 independent candidates shall be placed in separate columns on
7 the ballot in such order as the election authorities charged
8 with the printing of the ballots shall decide; provided, that
9 the names of the candidates of the several political parties,
10 certified by the State Board of Elections to the several county
11 clerks shall be printed by the county clerk of the proper
12 county on the official ballot in the order certified by the
13 State Board of Elections. Any county clerk refusing, neglecting
14 or failing to print on the official ballot the names of
15 candidates of the several political parties in the order
16 certified by the State Board of Elections, and any county clerk
17 who prints or causes to be printed upon the official ballot the
18 name of a candidate, for an office to be filled by the Electors
19 of the entire State, whose name has not been duly certified to
20 him upon a certificate signed by the State Board of Elections
21 shall be guilty of a Class C misdemeanor.

22 (b) When an electronic voting system is used which utilizes
23 a ballot card, on the inside flap of each ballot card envelope
24 there shall be printed a form for write-in voting which shall
25 be substantially as follows:

26 WRITE-IN VOTES

1 (See card of instructions for specific information.
 2 Duplicate form below by hand for additional write-in votes.)

3 _____

4 Title of Office

5 () _____

6 Name of Candidate

7 Write-in lines equal to the number of candidates for which
 8 a voter may vote shall be printed for an office only if one or
 9 more persons filed declarations of intent to be write-in
 10 candidates or qualify to file declarations to be write-in
 11 candidates under Sections 17-16.1 and 18-9.1 when the
 12 certification of ballot contains the words "OBJECTION
 13 PENDING".

14 (c) When an electronic voting system is used which uses a
 15 ballot sheet, the instructions to voters on the ballot sheet
 16 shall refer the voter to the card of instructions for specific
 17 information on write-in voting. Below each office appearing on
 18 such ballot sheet there shall be a provision for the casting of
 19 a write-in vote. Write-in lines equal to the number of
 20 candidates for which a voter may vote shall be printed for an
 21 office only if one or more persons filed declarations of intent
 22 to be write-in candidates or qualify to file declarations to be
 23 write-in candidates under Sections 17-16.1 and 18-9.1 when the
 24 certification of ballot contains the words "OBJECTION
 25 PENDING".

26 (d) When such electronic system is used, there shall be

1 printed on the back of each ballot card, each ballot card
2 envelope, and the first page of the ballot label when a ballot
3 label is used, the words "Official Ballot," followed by the
4 number of the precinct or other precinct identification, which
5 may be stamped, in lieu thereof and, as applicable, the number
6 and name of the township, ward or other election district for
7 which the ballot card, ballot card envelope, and ballot label
8 are prepared, the date of the election and a facsimile of the
9 signature of the election authority who has caused the ballots
10 to be printed. The back of the ballot card shall also include a
11 method of identifying the ballot configuration such as a
12 listing of the political subdivisions and districts for which
13 votes may be cast on that ballot, or a number code identifying
14 the ballot configuration or color coded ballots, except that
15 where there is only one ballot configuration in a precinct, the
16 precinct identification, and any applicable ward
17 identification, shall be sufficient. Ballot card envelopes
18 used in punch card systems shall be of paper through which no
19 writing or punches may be discerned and shall be of sufficient
20 length to enclose all voting positions. However, the election
21 authority may provide ballot card envelopes on which no
22 precinct number or township, ward or other election district
23 designation, or election date are preprinted, if space and a
24 preprinted form are provided below the space provided for the
25 names of write-in candidates where such information may be
26 entered by the judges of election. Whenever an election

1 authority utilizes ballot card envelopes on which the election
2 date and precinct is not preprinted, a judge of election shall
3 mark such information for the particular precinct and election
4 on the envelope in ink before tallying and counting any
5 write-in vote written thereon. If some method of insuring
6 ballot secrecy other than an envelope is used, such information
7 must be provided on the ballot itself.

8 (e) In the designation of the name of a candidate on the
9 ballot, the candidate's given name or names, initial or
10 initials, a nickname by which the candidate is commonly known,
11 or a combination thereof, may be used in addition to the
12 candidate's surname. No other designation such as a political
13 slogan, title, or degree or nickname suggesting or implying
14 possession of a title, degree or professional status, or
15 similar information may be used in connection with the
16 candidate's surname, except that the title "Mrs." may be used
17 in the case of a married woman. For purposes of this Section, a
18 "political slogan" is defined as any word or words expressing
19 or connoting a position, opinion, or belief that the candidate
20 may espouse, including but not limited to, any word or words
21 conveying any meaning other than that of the personal identity
22 of the candidate. A candidate may not use a political slogan as
23 part of his or her name on the ballot, notwithstanding that the
24 political slogan may be part of the candidate's name.

25 (f) The State Board of Elections, a local election
26 official, or an election authority shall remove any candidate's

1 name designation from a ballot that is inconsistent with
2 subsection (e) of this Section. In addition, the State Board of
3 Elections, a local election official, or an election authority
4 shall not certify to any election authority any candidate name
5 designation that is inconsistent with subsection (e) of this
6 Section.

7 (g) If the State Board of Elections, a local election
8 official, or an election authority removes a candidate's name
9 designation from a ballot under subsection (f) of this Section,
10 then the aggrieved candidate may seek appropriate relief in
11 circuit court.

12 Where voting machines or electronic voting systems are
13 used, the provisions of this Section may be modified as
14 required or authorized by Article 24 or Article 24A, whichever
15 is applicable.

16 Nothing in this Section shall prohibit election
17 authorities from using or reusing ballot card envelopes which
18 were printed before the effective date of this amendatory Act
19 of 1985.

20 (Source: P.A. 92-178, eff. 1-1-02; 93-574, eff. 8-21-03.)

21 (Text of Section after amendment by P.A. 94-1090)

22 Sec. 16-3. (a) The names of all candidates to be voted for
23 in each election district or precinct shall be printed on one
24 ballot, except as is provided in Sections 16-6.1 and 21-1.01 of
25 this Act and except as otherwise provided in this Act with

1 respect to the odd year regular elections and the emergency
2 referenda; all nominations of any political party being placed
3 under the party appellation or title of such party as
4 designated in the certificates of nomination or petitions. The
5 names of all independent candidates shall be printed upon the
6 ballot in a column or columns under the heading "independent"
7 arranged under the names or titles of the respective offices
8 for which such independent candidates shall have been nominated
9 and so far as practicable, the name or names of any independent
10 candidate or candidates for any office shall be printed upon
11 the ballot opposite the name or names of any candidate or
12 candidates for the same office contained in any party column or
13 columns upon said ballot. The ballot shall contain no other
14 names, except that in cases of electors for President and
15 Vice-President of the United States, the names of the
16 candidates for President and Vice-President may be added to the
17 party designation and words calculated to aid the voter in his
18 choice of candidates may be added, such as "Vote for one,"
19 "Vote for three." When an electronic voting system is used
20 which utilizes a ballot label booklet, the candidates and
21 questions shall appear on the pages of such booklet in the
22 order provided by this Code; and, in any case where candidates
23 for an office appear on a page which does not contain the name
24 of any candidate for another office, and where less than 50% of
25 the page is utilized, the name of no candidate shall be printed
26 on the lowest 25% of such page. On the back or outside of the

1 ballot, so as to appear when folded, shall be printed the words
2 "Official Ballot", followed by the designation of the polling
3 place for which the ballot is prepared, the date of the
4 election and a facsimile of the signature of the election
5 authority who has caused the ballots to be printed. The ballots
6 shall be of plain white paper, through which the printing or
7 writing cannot be read. However, ballots for use at the
8 nonpartisan and consolidated elections may be printed on
9 different color paper, except blue paper, whenever necessary or
10 desirable to facilitate distinguishing between ballots for
11 different political subdivisions. In the case of nonpartisan
12 elections for officers of a political subdivision, unless the
13 statute or an ordinance adopted pursuant to Article VII of the
14 Constitution providing the form of government therefor
15 requires otherwise, the column listing such nonpartisan
16 candidates shall be printed with no appellation or circle at
17 its head. The party appellation or title, or the word
18 "independent" at the head of any column provided for
19 independent candidates, shall be printed in letters not less
20 than one-fourth of an inch in height and a circle one-half inch
21 in diameter shall be printed at the beginning of the line in
22 which such appellation or title is printed, provided, however,
23 that no such circle shall be printed at the head of any column
24 or columns provided for such independent candidates. The names
25 of candidates shall be printed in letters not less than
26 one-eighth nor more than one-fourth of an inch in height, and

1 at the beginning of each line in which a name of a candidate is
2 printed a square shall be printed, the sides of which shall be
3 not less than one-fourth of an inch in length. However, the
4 names of the candidates for Governor and Lieutenant Governor on
5 the same ticket shall be printed within a bracket and a single
6 square shall be printed in front of the bracket. The list of
7 candidates of the several parties and any such list of
8 independent candidates shall be placed in separate columns on
9 the ballot in such order as the election authorities charged
10 with the printing of the ballots shall decide; provided, that
11 the names of the candidates of the several political parties,
12 certified by the State Board of Elections to the several county
13 clerks shall be printed by the county clerk of the proper
14 county on the official ballot in the order certified by the
15 State Board of Elections. Any county clerk refusing, neglecting
16 or failing to print on the official ballot the names of
17 candidates of the several political parties in the order
18 certified by the State Board of Elections, and any county clerk
19 who prints or causes to be printed upon the official ballot the
20 name of a candidate, for an office to be filled by the Electors
21 of the entire State, whose name has not been duly certified to
22 him upon a certificate signed by the State Board of Elections
23 shall be guilty of a Class C misdemeanor.

24 (b) When an electronic voting system is used which utilizes
25 a ballot card, on the inside flap of each ballot card envelope
26 there shall be printed a form for write-in voting which shall

1 be substantially as follows:

2 WRITE-IN VOTES

3 (See card of instructions for specific information.
4 Duplicate form below by hand for additional write-in votes.)

5 _____

6 Title of Office

7 () _____

8 Name of Candidate

9 Write-in lines equal to the number of candidates for which
10 a voter may vote shall be printed for an office only if one or
11 more persons filed declarations of intent to be write-in
12 candidates or qualify to file declarations to be write-in
13 candidates under Sections 17-16.1 and 18-9.1 when the
14 certification of ballot contains the words "OBJECTION
15 PENDING".

16 (c) When an electronic voting system is used which uses a
17 ballot sheet, the instructions to voters on the ballot sheet
18 shall refer the voter to the card of instructions for specific
19 information on write-in voting. Below each office appearing on
20 such ballot sheet there shall be a provision for the casting of
21 a write-in vote. Write-in lines equal to the number of
22 candidates for which a voter may vote shall be printed for an
23 office only if one or more persons filed declarations of intent
24 to be write-in candidates or qualify to file declarations to be
25 write-in candidates under Sections 17-16.1 and 18-9.1 when the
26 certification of ballot contains the words "OBJECTION

1 PENDING".

2 (d) When such electronic system is used, there shall be
3 printed on the back of each ballot card, each ballot card
4 envelope, and the first page of the ballot label when a ballot
5 label is used, the words "Official Ballot," followed by the
6 number of the precinct or other precinct identification, which
7 may be stamped, in lieu thereof and, as applicable, the number
8 and name of the township, ward or other election district for
9 which the ballot card, ballot card envelope, and ballot label
10 are prepared, the date of the election and a facsimile of the
11 signature of the election authority who has caused the ballots
12 to be printed. The back of the ballot card shall also include a
13 method of identifying the ballot configuration such as a
14 listing of the political subdivisions and districts for which
15 votes may be cast on that ballot, or a number code identifying
16 the ballot configuration or color coded ballots, except that
17 where there is only one ballot configuration in a precinct, the
18 precinct identification, and any applicable ward
19 identification, shall be sufficient. Ballot card envelopes
20 used in punch card systems shall be of paper through which no
21 writing or punches may be discerned and shall be of sufficient
22 length to enclose all voting positions. However, the election
23 authority may provide ballot card envelopes on which no
24 precinct number or township, ward or other election district
25 designation, or election date are preprinted, if space and a
26 preprinted form are provided below the space provided for the

1 names of write-in candidates where such information may be
2 entered by the judges of election. Whenever an election
3 authority utilizes ballot card envelopes on which the election
4 date and precinct is not preprinted, a judge of election shall
5 mark such information for the particular precinct and election
6 on the envelope in ink before tallying and counting any
7 write-in vote written thereon. If some method of insuring
8 ballot secrecy other than an envelope is used, such information
9 must be provided on the ballot itself.

10 (e) In the designation of the name of a candidate on the
11 ballot, the candidate's given name or names, initial or
12 initials, a nickname by which the candidate is commonly known,
13 or a combination thereof, may be used in addition to the
14 candidate's surname. If a candidate has changed his or her
15 name, whether by a statutory or common law procedure in
16 Illinois or any other jurisdiction, within 3 years before the
17 last day for filing the petition for nomination, nomination
18 papers, or certificate of nomination for that office, whichever
19 is applicable, then (i) the candidate's name on the ballot must
20 be followed by "formerly known as (list all prior names during
21 the 3-year period) until name changed on (list date of each
22 such name change)" and (ii) the petition, papers, or
23 certificate must be accompanied by the candidate's affidavit
24 stating the candidate's previous names during the period
25 specified in (i) and the date or dates each of those names was
26 changed; failure to meet these requirements shall be grounds

1 for denying certification of the candidate's name for the
2 ballot or removing the candidate's name from the ballot, as
3 appropriate, but these requirements do not apply to name
4 changes resulting from adoption to assume an adoptive parent's
5 or parents' surname, marriage to assume a spouse's surname, or
6 dissolution of marriage or declaration of invalidity of
7 marriage to assume a former surname. No other designation such
8 as a political slogan, title, or degree or nickname suggesting
9 or implying possession of a title, degree or professional
10 status, or similar information may be used in connection with
11 the candidate's surname. For purposes of this Section, a
12 "political slogan" is defined as any word or words expressing
13 or connoting a position, opinion, or belief that the candidate
14 may espouse, including but not limited to, any word or words
15 conveying any meaning other than that of the personal identity
16 of the candidate. A candidate may not use a political slogan as
17 part of his or her name on the ballot, notwithstanding that the
18 political slogan may be part of the candidate's name.

19 (f) The State Board of Elections, a local election
20 official, or an election authority shall remove any candidate's
21 name designation from a ballot that is inconsistent with
22 subsection (e) of this Section. In addition, the State Board of
23 Elections, a local election official, or an election authority
24 shall not certify to any election authority any candidate name
25 designation that is inconsistent with subsection (e) of this
26 Section.

1 (g) If the State Board of Elections, a local election
2 official, or an election authority removes a candidate's name
3 designation from a ballot under subsection (f) of this Section,
4 then the aggrieved candidate may seek appropriate relief in
5 circuit court.

6 Where voting machines or electronic voting systems are
7 used, the provisions of this Section may be modified as
8 required or authorized by Article 24 or Article 24A, whichever
9 is applicable.

10 Nothing in this Section shall prohibit election
11 authorities from using or reusing ballot card envelopes which
12 were printed before the effective date of this amendatory Act
13 of 1985.

14 (Source: P.A. 93-574, eff. 8-21-03; 94-1090, eff. 6-1-07.)

15 (10 ILCS 5/16-10) (from Ch. 46, par. 16-10)

16 Sec. 16-10. The judges of election shall cause not less
17 than one of such cards to be posted in each voting booth
18 provided for the preparation of ballots, and not less than four
19 of such cards to be posted in and about the polling places upon
20 the day of election. In every county of not more than 500,000
21 inhabitants, each election authority shall cause to be
22 published, prior to the day of any election, in at least two
23 newspapers, if there be so many published in such county, a
24 list of all the nominations made as in this Act provided and to
25 be voted for at such election, as near as may be, in the form in

1 which they shall appear upon the general ballot; provided that
2 this requirement shall not apply with respect to any
3 consolidated primary for which the local election official is
4 required to make the publication under Section 7-21.

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

6 (10 ILCS 5/17-11) (from Ch. 46, par. 17-11)

7 Sec. 17-11. On receipt of his ballot the voter shall
8 forthwith, and without leaving the inclosed space, retire
9 alone, or accompanied by children as provided in Section 17-8,
10 to one of the voting booths so provided and shall prepare his
11 ballot by making in the appropriate margin or place a cross (X)
12 opposite the name of the candidate of his choice for each
13 office to be filled, or by writing in the name of the candidate
14 of his choice in a blank space on said ticket, making a cross
15 (X) opposite thereto; and in case of a question submitted to
16 the vote of the people, by making in the appropriate margin or
17 place a cross (X) against the answer he desires to give. A
18 cross (X) in the square in front of the bracket enclosing the
19 names of a team of candidates for Governor and Lieutenant
20 Governor counts as one vote for each of such candidates. Before
21 leaving the voting booth the voter shall fold his ballot in
22 such manner as to conceal the marks thereon. He shall then vote
23 forthwith in the manner herein provided, except that the number
24 corresponding to the number of the voter on the poll books
25 shall not be indorsed on the back of his ballot. He shall mark

1 and deliver his ballot without undue delay, and shall quit said
2 inclosed space as soon as he has voted; except that immediately
3 after voting, the voter shall be instructed whether the voting
4 equipment, if used, accepted or rejected the ballot or
5 identified the ballot as under-voted for a statewide
6 constitutional office. A voter whose ballot is identified as
7 under-voted may return to the voting booth and complete the
8 voting of that ballot. A voter whose ballot is not accepted by
9 the voting equipment may, upon surrendering the ballot, request
10 and vote another ballot. The voter's surrendered ballot shall
11 be initialed by the election judge and handled as provided in
12 the appropriate Article governing that voting equipment.

13 No voter shall be allowed to occupy a voting booth already
14 occupied by another, nor remain within said inclosed space more
15 than ten minutes, nor to occupy a voting booth more than five
16 minutes in case all of said voting booths are in use and other
17 voters waiting to occupy the same. No voter not an election
18 officer, shall, after having voted, be allowed to re-enter said
19 inclosed space during said election. No person shall take or
20 remove any ballot from the polling place before the close of
21 the poll. No voter shall vote or offer to vote any ballot
22 except such as he has received from the judges of election in
23 charge of the ballots. Any voter who shall, by accident or
24 mistake, spoil his ballot, may, on returning said spoiled
25 ballot, receive another in place thereof only after the word
26 "spoiled" has been written in ink diagonally across the entire

1 face of the ballot returned by the voter.

2 Where voting machines or electronic voting systems are
3 used, the provisions of this section may be modified as
4 required or authorized by Article 24, ~~or Article 24A, 24B, or~~
5 24C, whichever is applicable, except that the requirements of
6 this Section that (i) the voter must be notified of the voting
7 equipment's acceptance or rejection of the voter's ballot or
8 identification of an under-vote for a statewide constitutional
9 office and (ii) the voter shall have the opportunity to correct
10 an under-vote or surrender the ballot that was not accepted and
11 vote another ballot shall not be modified.

12 (Source: P.A. 94-288, eff. 1-1-06.)

13 (10 ILCS 5/17-16.1) (from Ch. 46, par. 17-16.1)

14 Sec. 17-16.1. Write-in votes shall be counted only for
15 persons who have filed notarized declarations of intent to be
16 write-in candidates with the proper election authority or
17 authorities not later than 61 days prior to 5:00 p.m. on the
18 Tuesday immediately preceding the election. However, whenever
19 an objection to a candidate's nominating papers or petitions
20 for any office is sustained under Section 10-10 after the 61st
21 day before the election, then write-in votes shall be counted
22 for that candidate if he or she has filed a notarized
23 declaration of intent to be a write-in candidate for that
24 office with the proper election authority or authorities not
25 later than 7 days prior to the election.

1 Forms for the declaration of intent to be a write-in
2 candidate shall be supplied by the election authorities. Such
3 declaration shall specify the office for which the person seeks
4 election as a write-in candidate.

5 The election authority or authorities shall deliver a list
6 of all persons who have filed such declarations to the election
7 judges in the appropriate precincts prior to the election.

8 A candidate for whom a nomination paper has been filed as a
9 partisan candidate at a primary election, and who is defeated
10 for his or her nomination at the primary election is ineligible
11 to file a declaration of intent to be a write-in candidate for
12 election in that general or consolidated election.

13 A candidate seeking election to an office for which
14 candidates of political parties are nominated by caucus who is
15 a participant in the caucus and who is defeated for his or her
16 nomination at such caucus is ineligible to file a declaration
17 of intent to be a write-in candidate for election in that
18 general or consolidated election.

19 A candidate seeking election to an office for which
20 candidates are nominated at a primary election on a nonpartisan
21 basis and who is defeated for his or her nomination at the
22 primary election is ineligible to file a declaration of intent
23 to be a write-in candidate for election in that general or
24 consolidated election.

25 Nothing in this Section shall be construed to apply to
26 votes cast under the provisions of subsection (b) of Section

1 16-5.01.

2 (Source: P.A. 89-653, eff. 8-14-96.)

3 (10 ILCS 5/17-23) (from Ch. 46, par. 17-23)

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

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

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

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

23 (4) In any general election held to elect candidates for
24 the offices of a municipality of less than 3,000,000 population
25 that is situated in 2 or more counties, a pollwatcher who is a

1 resident of Illinois shall be eligible to serve as a
2 pollwatcher in any poll located within such municipality,
3 provided that such pollwatcher otherwise complies with the
4 respective requirements of subsections (1) through (3) of this
5 Section and is a registered voter in Illinois.

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

13 All pollwatchers shall be required to have proper
14 credentials. Such credentials shall be printed in sufficient
15 quantities, shall be issued by and under the facsimile
16 signature(s) of the election authority and shall be available
17 for distribution at least 2 weeks prior to the election. Such
18 credentials shall be authorized by the real or facsimile
19 signature of the State or local party official or the candidate
20 or the presiding officer of the civic organization or the
21 chairman of the proponent or opponent group, as the case may
22 be. The election authority may not require any such party
23 official or the candidate or the presiding officer of the civic
24 organization or the chairman of the proponent or opponent group
25 to submit the names or other information concerning
26 pollwatchers before making credentials available to such

1 persons or organizations.

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 who resides at (address) in the county of
9, (township or municipality) of
10 (name), State of Illinois and who is duly
11 registered to vote from this address, to act as a pollwatcher
12 in the precinct of the ward (if
13 applicable) of the (township or municipality) of
14 at the election to be held on (insert
15 date).

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

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

1 registered to vote in Illinois.
 2
 3 (Precinct and/or Ward in (Signature of Pollwatcher)
 4 Which Pollwatcher Resides)

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

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

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

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

24 CANDIDATE CREDENTIALS

25 TO THE JUDGES OF ELECTION:

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

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

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

1 violations of this Code.

2 If a majority of the judges of election determine that the
3 polling place has become too overcrowded with pollwatchers so
4 as to interfere with the orderly conduct of the election, the
5 judges shall, by lot, limit such pollwatchers to a reasonable
6 number, except that each established or new political party
7 shall be permitted to have at least one 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 5/17-29) (from Ch. 46, par. 17-29)

25 Sec. 17-29. (a) No judge of election, pollwatcher, or other

1 person shall, at any primary or election, do any electioneering
2 or soliciting of votes or engage in any political discussion
3 within any polling place, within 100 feet of any polling place,
4 or, at the option of a church or private school, on any of the
5 property of that church or private school that is a polling
6 place; no person shall interrupt, hinder or oppose any voter
7 while approaching within those areas for the purpose of voting.
8 Judges of election shall enforce the provisions of this
9 Section.

10 (b) Election officers shall place 2 or more cones, small
11 United States national flags, or some other marker a distance
12 of 100 horizontal feet from each entrance to the room used by
13 voters to engage in voting, which shall be known as the polling
14 room. If the polling room is located within a building that is
15 a private business, a public or private school, or a church or
16 other organization founded for the purpose of religious worship
17 and the distance of 100 horizontal feet ends within the
18 interior of the building, then the markers shall be placed
19 outside of the building at each entrance used by voters to
20 enter that building on the grounds adjacent to the thoroughfare
21 or walkway. If the polling room is located within a public or
22 private building with 2 or more floors and the polling room is
23 located on the ground floor, then the markers shall be placed
24 100 horizontal feet from each entrance to the polling room used
25 by voters to engage in voting. If the polling room is located
26 in a public or private building with 2 or more floors and the

1 polling room is located on a floor above or below the ground
2 floor, then the markers shall be placed a distance of 100 feet
3 from the nearest elevator or staircase used by voters on the
4 ground floor to access the floor where the polling room is
5 located. The area within where the markers are placed shall be
6 known as a campaign free zone, and electioneering is prohibited
7 pursuant to this subsection. Notwithstanding any other
8 provision of this Section, a church or private school may
9 choose to apply the campaign free zone to its entire property,
10 and, if so, the markers shall be placed near the boundaries on
11 the grounds adjacent to the thoroughfares or walkways leading
12 to the entrances used by the voters.

13 The area on polling place property beyond the campaign free
14 zone, whether publicly or privately owned, is a public forum
15 for the time that the polls are open on an election day. At the
16 request of election officers any publicly owned building must
17 be made available for use as a polling place. A person shall
18 have the right to congregate and engage in electioneering on
19 any polling place property while the polls are open beyond the
20 campaign free zone, including but not limited to, the placement
21 of temporary signs. This subsection shall be construed
22 liberally in favor of persons engaging in electioneering on all
23 polling place property beyond the campaign free zone for the
24 time that the polls are open on an election day. At or near the
25 door of each polling place, the election judges shall place
26 signage indicating the proper entrance to the polling place. In

1 addition, the election judges shall ensure that a sign
2 identifying the location of the polling place is placed on a
3 nearby public roadway. The State Board of Elections shall
4 establish guidelines for the placement of polling place
5 signage.

6 (c) The regulation of electioneering on polling place
7 property on an election day, including but not limited to the
8 placement of temporary signs, is an exclusive power and
9 function of the State. A home rule unit may not regulate
10 electioneering and any ordinance or local law contrary to
11 subsection (c) is declared void. This is a denial and
12 limitation of home rule powers and functions under subsection
13 (h) of Section 6 of Article VII of the Illinois Constitution.

14 (Source: P.A. 93-574, eff. 8-21-03; 93-847, eff. 7-30-04.)

15 (10 ILCS 5/17-43)

16 Sec. 17-43. Voting. ~~Precinct tabulation optical scan~~
17 ~~technology voting equipment.~~

18 (a) If the election authority has adopted the use of
19 Precinct Tabulation Optical Scan Technology voting equipment
20 pursuant to Article 24B of this Code, and the provisions of the
21 Article are in conflict with the provisions of this Article 17,
22 the provisions of Article 24B shall govern the procedures
23 followed by the election authority, its judges of elections,
24 and all employees and agents. In following the provisions of
25 Article 24B, the election authority is authorized to develop

1 and implement procedures to fully utilize Precinct Tabulation
2 Optical Scan Technology voting equipment authorized by the
3 State Board of Elections as long as the procedure is not in
4 conflict with either Article 24B or the administrative rules of
5 the State Board of Elections.

6 (b) Notwithstanding subsection (a), when voting equipment
7 governed by any Article of this Code is used, the requirements
8 of Section 7-11 that (i) the voter must be notified of the
9 voting equipment's acceptance or rejection of the ballot or
10 identification of an under-vote for a statewide constitutional
11 office and (ii) the voter shall have the opportunity to correct
12 an under-vote for a statewide constitutional office or
13 surrender the ballot that was not accepted and vote another
14 ballot shall not be modified.

15 (Source: P.A. 89-394, eff. 1-1-97.)

16 (10 ILCS 5/18-5) (from Ch. 46, par. 18-5)

17 Sec. 18-5. Any person desiring to vote and whose name is
18 found upon the register of voters by the person having charge
19 thereof, shall then be questioned by one of the judges as to
20 his nativity, his term of residence at present address,
21 precinct, State and United States, his age, whether naturalized
22 and if so the date of naturalization papers and court from
23 which secured, and he shall be asked to state his residence
24 when last previously registered and the date of the election
25 for which he then registered. The judges of elections shall

1 check each application for ballot against the list of voters
2 registered in that precinct to whom grace period, absentee, and
3 early ballots have been issued for that election, which shall
4 be provided by the election authority and which list shall be
5 available for inspection by pollwatchers. A voter applying to
6 vote in the precinct on election day whose name appears on the
7 list as having been issued a grace period, absentee, or early
8 ballot shall not be permitted to vote in the precinct, except
9 that a voter to whom an absentee ballot was issued may vote in
10 the precinct if the voter submits to the election judges that
11 absentee ballot for cancellation. If the voter is unable to
12 submit the absentee ballot, it shall be sufficient for the
13 voter to submit to the election judges (i) a portion of the
14 absentee ballot if the absentee ballot was torn or mutilated or
15 (ii) an affidavit executed before the election judges
16 specifying that (A) the voter never received an absentee ballot
17 or (B) the voter completed and returned an absentee ballot and
18 was informed that the election authority did not receive that
19 absentee ballot. If such person so registered shall be
20 challenged as disqualified, the party challenging shall assign
21 his reasons therefor, and thereupon one of the judges shall
22 administer to him an oath to answer questions, and if he shall
23 take the oath he shall then be questioned by the judge or
24 judges touching such cause of challenge, and touching any other
25 cause of disqualification. And he may also be questioned by the
26 person challenging him in regard to his qualifications and

1 identity. But if a majority of the judges are of the opinion
2 that he is the person so registered and a qualified voter, his
3 vote shall then be received accordingly. But if his vote be
4 rejected by such judges, such person may afterward produce and
5 deliver an affidavit to such judges, subscribed and sworn to by
6 him before one of the judges, in which it shall be stated how
7 long he has resided in such precinct, and state; that he is a
8 citizen of the United States, and is a duly qualified voter in
9 such precinct, and that he is the identical person so
10 registered. In addition to such an affidavit, the person so
11 challenged shall provide to the judges of election proof of
12 residence by producing 2 forms of identification showing the
13 person's current residence address, provided that such
14 identification to the person at his current residence address
15 and postmarked not earlier than 30 days prior to the date of
16 the election, or the person shall procure a witness personally
17 known to the judges of election, and resident in the precinct
18 (or district), or who shall be proved by some legal voter of
19 such precinct or district, known to the judges to be such, who
20 shall take the oath following, viz:

21 I do solemnly swear (or affirm) that I am a resident of
22 this election precinct (or district), and entitled to vote at
23 this election, and that I have been a resident of this State
24 for 30 days last past, and am well acquainted with the person
25 whose vote is now offered; that he is an actual and bona fide
26 resident of this election precinct (or district), and has

1 resided herein 30 days, and as I verily believe, in this State,
2 30 days next preceding this election.

3 The oath in each case may be administered by one of the
4 judges of election, or by any officer, resident in the precinct
5 or district, authorized by law to administer oaths. Also
6 supported by an affidavit by a registered voter residing in
7 such precinct, stating his own residence, and that he knows
8 such person; and that he does reside at the place mentioned and
9 has resided in such precinct and state for the length of time
10 as stated by such person, which shall be subscribed and sworn
11 to in the same way. Whereupon the vote of such person shall be
12 received, and entered as other votes. But such judges, having
13 charge of such registers, shall state in their respective books
14 the facts in such case, and the affidavits, so delivered to the
15 judges, shall be preserved and returned to the office of the
16 commissioners of election. Blank affidavits of the character
17 aforesaid shall be sent out to the judges of all the precincts,
18 and the judges of election shall furnish the same on demand and
19 administer the oaths without criticism. Such oaths, if
20 administered by any other officer than such judge of election,
21 shall not be received. Whenever a proposal for a constitutional
22 amendment or for the calling of a constitutional convention is
23 to be voted upon at the election, the separate blue ballot or
24 ballots pertaining thereto shall be placed on top of the other
25 ballots to be voted at the election in such manner that the
26 legend appearing on the back thereof, as prescribed in Section

1 16-6 of this Act, shall be plainly visible to the voter, and in
2 this fashion the ballots shall be handed to the voter by the
3 judge.

4 Immediately after voting, the voter shall be instructed
5 whether the voting equipment, if used, accepted or rejected the
6 ballot or identified the ballot as under-voted. A voter whose
7 ballot is identified as under-voted for a statewide
8 constitutional office may return to the voting booth and
9 complete the voting of that ballot. A voter whose ballot is not
10 accepted by the voting equipment may, upon surrendering the
11 ballot, request and vote another ballot. The voter's
12 surrendered ballot shall be initialed by the election judge and
13 handled as provided in the appropriate Article governing that
14 voting equipment.

15 The voter shall, upon quitting the voting booth, deliver to
16 one of the judges of election all of the ballots, properly
17 folded, which he received. The judge of election to whom the
18 voter delivers his ballots shall not accept the same unless all
19 of the ballots given to the voter are returned by him. If a
20 voter delivers less than all of the ballots given to him, the
21 judge to whom the same are offered shall advise him in a voice
22 clearly audible to the other judges of election that the voter
23 must return the remainder of the ballots. The statement of the
24 judge to the voter shall clearly express the fact that the
25 voter is not required to vote such remaining ballots but that
26 whether or not he votes them he must fold and deliver them to

1 the judge. In making such statement the judge of election shall
2 not indicate by word, gesture or intonation of voice that the
3 unreturned ballots shall be voted in any particular manner. No
4 new voter shall be permitted to enter the voting booth of a
5 voter who has failed to deliver the total number of ballots
6 received by him until such voter has returned to the voting
7 booth pursuant to the judge's request and again quit the booth
8 with all of the ballots required to be returned by him. Upon
9 receipt of all such ballots the judges of election shall enter
10 the name of the voter, and his number, as above provided in
11 this Section, and the judge to whom the ballots are delivered
12 shall immediately put the ballots into the ballot box. If any
13 voter who has failed to deliver all the ballots received by him
14 refuses to return to the voting booth after being advised by
15 the judge of election as herein provided, the judge shall
16 inform the other judges of such refusal, and thereupon the
17 ballot or ballots returned to the judge shall be deposited in
18 the ballot box, the voter shall be permitted to depart from the
19 polling place, and a new voter shall be permitted to enter the
20 voting booth.

21 The judge of election who receives the ballot or ballots
22 from the voter shall announce the residence and name of such
23 voter in a loud voice. The judge shall put the ballot or
24 ballots received from the voter into the ballot box in the
25 presence of the voter and the judges of election, and in plain
26 view of the public. The judges having charge of such registers

1 shall then, in a column prepared thereon, in the same line of,
2 the name of the voter, mark "Voted" or the letter "V".

3 No judge of election shall accept from any voter less than
4 the full number of ballots received by such voter without first
5 advising the voter in the manner above provided of the
6 necessity of returning all of the ballots, nor shall any such
7 judge advise such voter in a manner contrary to that which is
8 herein permitted, or in any other manner violate the provisions
9 of this Section; provided, that the acceptance by a judge of
10 election of less than the full number of ballots delivered to a
11 voter who refuses to return to the voting booth after being
12 properly advised by such judge shall not be a violation of this
13 Section.

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

15 (10 ILCS 5/18-9.1) (from Ch. 46, par. 18-9.1)

16 Sec. 18-9.1. Write-in votes shall be counted only for
17 persons who have filed notarized declarations of intent to be
18 write-in candidates with the proper election authority or
19 authorities not later than 61 days prior to 5:00 p.m. on the
20 Tuesday immediately preceding the election. However, whenever
21 an objection to a candidate's nominating papers or petitions is
22 sustained under Section 10-10 after the 61st day before the
23 election, then write-in votes shall be counted for that
24 candidate if he or she has filed a notarized declaration of
25 intent to be a write-in candidate for that office with the

1 proper election authority or authorities not later than 7 days
2 prior to the election.

3 Forms for the declaration of intent to be a write-in
4 candidate shall be supplied by the election authorities. Such
5 declaration shall specify the office for which the person seeks
6 election as a write-in candidate.

7 The election authority or authorities shall deliver a list
8 of all persons who have filed such declarations to the election
9 judges in the appropriate precincts prior to the election.

10 A candidate for whom a nomination paper has been filed as a
11 partisan candidate at a primary election, and who is defeated
12 for his or her nomination at the primary election, is
13 ineligible to file a declaration of intent to be a write-in
14 candidate for election in that general or consolidated
15 election.

16 A candidate seeking election to an office for which
17 candidates of political parties are nominated by caucus who is
18 a participant in the caucus and who is defeated for his or her
19 nomination at such caucus is ineligible to file a declaration
20 of intent to be a write-in candidate for election in that
21 general or consolidated election.

22 A candidate seeking election to an office for which
23 candidates are nominated at a primary election on a nonpartisan
24 basis and who is defeated for his or her nomination at the
25 primary election is ineligible to file a declaration of intent
26 to be a write-in candidate for election in that general or

1 consolidated election.

2 Nothing in this Section shall be construed to apply to
3 votes cast under the provisions of subsection (b) of Section
4 16-5.01.

5 (Source: P.A. 89-653, eff. 8-14-96.)

6 (10 ILCS 5/18-40)

7 Sec. 18-40. Voting Precinct ~~tabulation optical scan~~
8 ~~technology voting~~ equipment.

9 (a) If the election authority has adopted the use of
10 Precinct Tabulation Optical Scan Technology voting equipment
11 pursuant to Article 24B of this Code, and the provisions of the
12 Article are in conflict with the provisions of this Article 18,
13 the provisions of Article 24B shall govern the procedures
14 followed by the election authority, its judges of elections,
15 and all employees and agents. In following the provisions of
16 Article 24B, the election authority is authorized to develop
17 and implement procedures to fully utilize Precinct Tabulation
18 Optical Scan Technology voting equipment authorized by the
19 State Board of Elections as long as the procedure is not in
20 conflict with either Article 24B or the administrative rules of
21 the State Board of Elections.

22 (b) Notwithstanding subsection (a), when voting equipment
23 governed by any Article of this Code is used, the requirements
24 of Section 18-5 that (i) the voter must be notified of the
25 voting equipment's acceptance or rejection of the ballot or

1 identification of an under-vote for a statewide constitutional
2 office and (ii) the voter shall have the opportunity to correct
3 an under-vote for a statewide constitutional office or
4 surrender the ballot that was not accepted and vote another
5 ballot shall not be modified.

6 (Source: P.A. 89-394, eff. 1-1-97.)

7 (10 ILCS 5/19-8) (from Ch. 46, par. 19-8)

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

9 (a) (Blank.)

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

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

1 election authority during the period for counting provisional
2 ballots.

3 Each absent voter's ballot that is mailed to an election
4 authority absent a postmark, but that is received by the
5 election authority after the polls close on election day and
6 before the close of the period for counting provisional ballots
7 cast at that election, shall be endorsed by the receiving
8 authority with the day and hour of receipt, opened to inspect
9 the date inserted on the certification, and, if the
10 certification date is a date preceding the election day and the
11 ballot is otherwise found to be valid under the requirements of
12 this Section, counted at the central ballot counting location
13 of the election authority during the period for counting
14 provisional ballots. Absent a date on the certification, the
15 ballot shall not be counted.

16 (d) Special write-in absentee voter's blank ballots
17 returned to an election authority, by any means authorized by
18 this Article, and received by the election authority at any
19 time before the closing of the polls on election day shall be
20 endorsed by the receiving election authority with the day and
21 hour of receipt and shall be counted at the central ballot
22 counting location of the election authority during the same
23 period provided for counting absent voters' ballots under
24 subsections (b), (g), and (g-5). Special write-in absentee
25 voter's blank ballots that are mailed to an election authority
26 and postmarked by the midnight preceding the opening of the

1 polls on election day, but that are received by the election
2 authority after the polls close on election day and before the
3 closing of the period for counting provisional ballots cast at
4 that election, shall be endorsed by the receiving authority
5 with the day and hour of receipt and shall be counted at the
6 central ballot counting location of the election authority
7 during the same periods provided for counting absent voters'
8 ballots under subsection (c).

9 (e) Except as otherwise provided in this Section, absent
10 voters' ballots and special write-in absentee voter's blank
11 ballots received by the election authority after the closing of
12 the polls on an election day shall be endorsed by the election
13 authority receiving them with the day and hour of receipt and
14 shall be safely kept unopened by the election authority for the
15 period of time required for the preservation of ballots used at
16 the election, and shall then, without being opened, be
17 destroyed in like manner as the used ballots of that election.

18 (f) Counting required under this Section to begin on
19 election day after the closing of the polls shall commence no
20 later than 8:00 p.m. and shall be conducted by a panel or
21 panels of election judges appointed in the manner provided by
22 law. The counting shall continue until all absent voters'
23 ballots and special write-in absentee voter's blank ballots
24 required to be counted on election day have been counted.

25 (g) The procedures set forth in Articles 17 and 18 of this
26 Code shall apply to all ballots counted under this Section. In

1 addition, within 2 days after an absentee ballot, other than an
2 in-person absentee ballot, is received, but in all cases before
3 the close of the period for counting provisional ballots, the
4 election judge or official shall compare the voter's signature
5 on the certification envelope of that absentee ballot with the
6 signature of the voter on file in the office of the election
7 authority. If the election judge or official determines that
8 the 2 signatures match, and that the absentee voter is
9 otherwise qualified to cast an absentee ballot, the election
10 authority shall cast and count the ballot on election day or
11 the day the ballot is determined to be valid, whichever is
12 later, adding the results to the precinct in which the voter is
13 registered. If the election judge or official determines that
14 the signatures do not match, or that the absentee voter is not
15 qualified to cast an absentee ballot, then without opening the
16 certification envelope, 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 In addition to the voter's signatures not matching, an
20 absentee ballot may be rejected by the election judge or
21 official:

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

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

26 (3) if the voter voted in person on election day or the

1 voter is not a duly registered voter in the precinct; or

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

3 If the election judge or official determines that any of
4 these reasons apply, the judge or official shall mark across
5 the face of the certification envelope the word "Rejected" and
6 shall not cast or count the ballot.

7 (g-5) If an absentee ballot, other than an in-person
8 absentee ballot, is rejected by the election judge or official
9 for any reason, the election authority shall, within 2 days
10 after the rejection but in all cases before the close of the
11 period for counting provisional ballots, notify the absentee
12 voter that his or her ballot was rejected. The notice shall
13 inform the voter of the reason or reasons the ballot was
14 rejected and shall state that the voter may appear before the
15 election authority, on or before the 14th day after the
16 election, to show cause as to why the ballot should not be
17 rejected. The voter may present evidence to the election
18 authority supporting his or her contention that the ballot
19 should be counted. The election authority shall appoint a panel
20 of 3 election judges to review the contested ballot,
21 application, and certification envelope, as well as any
22 evidence submitted by the absentee voter. No more than 2
23 election judges on the reviewing panel shall be of the same
24 political party. The reviewing panel of election judges shall
25 make a final determination as to the validity of the contested
26 absentee ballot. The judges' determination shall not be

1 reviewable either administratively or judicially.

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

5 (g-10) All absentee ballots determined to be valid shall be
6 added to the vote totals for the precincts for which they were
7 cast in the order in which the ballots were opened.

8 (h) Each political party, candidate, and qualified civic
9 organization shall be entitled to have present one pollwatcher
10 for each panel of election judges therein assigned.

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

12 (10 ILCS 5/19A-10)

13 Sec. 19A-10. Permanent polling places for early voting.

14 (a) An election authority may establish permanent polling
15 places for early voting by personal appearance at locations
16 throughout the election authority's jurisdiction, including
17 but not limited to a municipal clerk's office, a township
18 clerk's office, a road district clerk's office, or a county or
19 local public agency office. Except as otherwise provided in
20 subsection (b), any person entitled to vote early by personal
21 appearance may do so at any polling place established for early
22 voting.

23 (b) If it is impractical for the election authority to
24 provide at each polling place for early voting a ballot in
25 every form required in the election authority's jurisdiction,

1 the election authority may:

2 (1) provide appropriate forms of ballots to the office
3 of the municipal clerk in a municipality not having a board
4 of election commissioners; the township clerk; or in
5 counties not under township organization, the road
6 district clerk; and

7 (2) limit voting at that polling place to registered
8 voters in that municipality, ward or group of wards,
9 township, or road district.

10 If the early voting polling place does not have the correct
11 ballot form for a person seeking to vote early, the election
12 judge or election official conducting early voting at that
13 polling place shall inform the person of that fact, give the
14 person the appropriate telephone number of the election
15 authority in order to locate an early voting polling place with
16 the correct ballot form for use in that person's assigned
17 precinct, and instruct the person to go to the proper early
18 voting polling place to vote early.

19 (c) During each general primary and general election, each
20 election authority in a county with a population over 250,000
21 shall establish at least one polling place for early voting by
22 personal appearance at a location within each of the 3 largest
23 municipalities within its jurisdiction. If any of the 3 largest
24 municipalities is over 80,000, the election authority shall
25 establish at least 2 polling places within the municipality.
26 All population figures shall be determined by the federal

1 census.

2 During each general primary and general election, each
3 board of election commissioners established under Article 6 of
4 this Code in any city, village, or incorporated town with a
5 population over 100,000 shall establish at least 2 polling
6 places for early voting by personal appearance. All population
7 figures shall be determined by the federal census.

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

9 (10 ILCS 5/19A-35)

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

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

24 (b) In conducting early voting under this Article, the
25 election judge or official is required to verify the signature

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

17 (b-5) A person requesting an early voting ballot to whom an
18 absentee ballot was issued may vote early if the person submits
19 that absentee ballot to the judges of election or official
20 conducting early voting for cancellation. If the voter is
21 unable to submit the absentee ballot, it shall be sufficient
22 for the voter to submit to the judges or official (i) a portion
23 of the absentee ballot if the absentee ballot was torn or
24 mutilated or (ii) an affidavit executed before the judges or
25 official specifying that (A) the voter never received an
26 absentee ballot or (B) the voter completed and returned an

1 absentee ballot and was informed that the election authority
2 did not receive that absentee ballot.

3 (b-10) Within one day after a voter casts an early voting
4 ballot, the election authority shall transmit the voter's name,
5 street address, and precinct, ward, township, and district
6 numbers, as the case may be, to the State Board of Elections,
7 which shall maintain those names and that information in an
8 electronic format on its website, arranged by county and
9 accessible to State and local political committees.

10 (b-15) ~~This subsection applies to early voting polling~~
11 ~~places using optical scan technology voting equipment subject~~
12 ~~to Article 24B.~~ Immediately after voting an early ballot, the
13 voter shall be instructed whether the voting equipment accepted
14 or rejected the ballot or identified that ballot as under-voted
15 for a statewide constitutional office. A voter whose ballot is
16 identified as under-voted may return to the voting booth and
17 complete the voting of that ballot. A voter whose early voting
18 ballot is not accepted by the voting equipment may, upon
19 surrendering the ballot, request and vote another early voting
20 ballot. The voter's surrendered ballot ~~that was not accepted~~
21 shall be initialed by the election judge or official conducting
22 the early voting and handled as provided in the appropriate
23 Article governing the voting equipment used ~~24B.~~

24 (c) The sealed early ballots in their carrier envelope
25 shall be delivered by the election authority to the central
26 ballot counting location before the close of the polls on the

1 day of the election.

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

3 (10 ILCS 5/20-8) (from Ch. 46, par. 20-8)

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

5 (a) (Blank.)

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

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

24 Each absent voter's ballot that is mailed to an election
25 authority absent a postmark, but that is received by the

1 election authority after the polls close on election day and
2 before the close of the period for counting provisional ballots
3 cast at that election, shall be endorsed by the receiving
4 authority with the day and hour of receipt, opened to inspect
5 the date inserted on the certification, and, if the
6 certification date is a date preceding the election day and the
7 ballot is otherwise found to be valid under the requirements of
8 this Section, counted at the central ballot counting location
9 of the election authority during the period for counting
10 provisional ballots. Absent a date on the certification, the
11 ballot shall not be counted.

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

1 with the day and hour of receipt and shall be counted at the
2 central ballot counting location of the election authority
3 during the same periods provided for counting absent voters'
4 ballots under subsection (c).

5 (e) Except as otherwise provided in this Section, absent
6 voters' ballots and special write-in absentee voter's blank
7 ballots received by the election authority after the closing of
8 the polls on the day of election shall be endorsed by the
9 person receiving the ballots with the day and hour of receipt
10 and shall be safely kept unopened by the election authority for
11 the period of time required for the preservation of ballots
12 used at the election, and shall then, without being opened, be
13 destroyed in like manner as the used ballots of that election.

14 (f) Counting required under this Section to begin on
15 election day after the closing of the polls shall commence no
16 later than 8:00 p.m. and shall be conducted by a panel or
17 panels of election judges appointed in the manner provided by
18 law. The counting shall continue until all absent voters'
19 ballots and special write-in absentee voter's blank ballots
20 required to be counted on election day have been counted.

21 (g) The procedures set forth in Articles 17 and 18 of this
22 Code shall apply to all ballots counted under this Section. In
23 addition, within 2 days after a ballot subject to this Article
24 is received, but in all cases before the close of the period
25 for counting provisional ballots, the election judge or
26 official shall compare the voter's signature on the

1 certification envelope of that ballot with the signature of the
2 voter on file in the office of the election authority. If the
3 election judge or official determines that the 2 signatures
4 match, and that the voter is otherwise qualified to cast a
5 ballot under this Article, the election authority shall cast
6 and count the ballot on election day or the day the ballot is
7 determined to be valid, whichever is later, adding the results
8 to the precinct in which the voter is registered. If the
9 election judge or official determines that the signatures do
10 not match, or that the voter is not qualified to cast a ballot
11 under this Article, then without opening the certification
12 envelope, the judge or official shall mark across the face of
13 the certification envelope the word "Rejected" and shall not
14 cast or count the ballot.

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

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

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

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

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

25 If the election judge or official determines that any of
26 these reasons apply, the judge or official shall mark across

1 the face of the certification envelope the word "Rejected" and
2 shall not cast or count the ballot.

3 (g-5) If a ballot subject to this Article is rejected by
4 the election judge or official for any reason, the election
5 authority shall, within 2 days after the rejection but in all
6 cases before the close of the period for counting provisional
7 ballots, notify the voter that his or her ballot was rejected.
8 The notice shall inform the voter of the reason or reasons the
9 ballot was rejected and shall state that the voter may appear
10 before the election authority, on or before the 14th day after
11 the election, to show cause as to why the ballot should not be
12 rejected. The voter may present evidence to the election
13 authority supporting his or her contention that the ballot
14 should be counted. The election authority shall appoint a panel
15 of 3 election judges to review the contested ballot,
16 application, and certification envelope, as well as any
17 evidence submitted by the absentee voter. No more than 2
18 election judges on the reviewing panel shall be of the same
19 political party. The reviewing panel of election judges shall
20 make a final determination as to the validity of the contested
21 ballot. The judges' determination shall not be reviewable
22 either administratively or judicially.

23 A ballot subject to this subsection that is determined to
24 be valid shall be counted before the close of the period for
25 counting provisional ballots.

26 (g-10) All ballots determined to be valid shall be added to

1 the vote totals for the precincts for which they were cast in
2 the order in which the ballots were opened.

3 (h) Each political party, candidate, and qualified civic
4 organization shall be entitled to have present one pollwatcher
5 for each panel of election judges therein assigned.

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

7 (10 ILCS 5/22-6) (from Ch. 46, par. 22-6)

8 Sec. 22-6. Within 22 days after each election, each
9 Election Authority shall provide unit-by-unit vote totals to
10 the State Board of Elections in an electronic format to be
11 prescribed by the State Board of Elections. The State Board of
12 Elections shall promulgate rules necessary for the
13 implementation of this Section. ~~Such abstracts shall be~~
14 ~~transmitted to the State Board of Elections by mail, or, in~~
15 ~~case it shall be necessary, by special messenger.~~

16 (Source: P.A. 78-918.)

17 (10 ILCS 5/24-1) (from Ch. 46, par. 24-1)

18 Sec. 24-1. The election authority in all jurisdictions when
19 voting machines are used shall, except as otherwise provided in
20 this Code, provide a voting machine or voting machines for any
21 or all of the election precincts or election districts, as the
22 case may be, for which the election authority is by law charged
23 with the duty of conducting an election or elections. A voting
24 machine or machines sufficient in number to provide a machine

1 for each 400 voters or fraction thereof shall be supplied for
2 use at all elections. However, no such voting machine shall be
3 used, purchased, or adopted, and no person or entity may have a
4 written contract, including a contract contingent upon
5 certification of the voting machines, to sell, lease, or loan
6 voting machines to an election authority, until the board of
7 voting machine commissioners hereinafter provided for, or a
8 majority thereof, shall have made and filed a report certifying
9 that they have examined such machine; that it affords each
10 elector an opportunity to vote in absolute secrecy; that it
11 enables each elector to vote a ticket selected in part from the
12 nominees of one party, and in part from the nominees of any or
13 all other parties, and in part from independent nominees
14 printed in the columns of candidates for public office, and in
15 part of persons not in nomination by any party or upon any
16 independent ticket; that it enables each elector to vote a
17 written or printed ballot of his own selection, for any person
18 for any office for whom he may desire to vote; that it enables
19 each elector to vote for all candidates for whom he is entitled
20 to vote, and prevents him from voting for any candidate for any
21 office more than once, unless he is lawfully entitled to cast
22 more than one vote for one candidate, and in that event permits
23 him to cast only as many votes for that candidate as he is by
24 law entitled, and no more; that it prevents the elector from
25 voting for more than one person for the same office, unless he
26 is lawfully entitled to vote for more than one person therefor,

1 and in that event permits him to vote for as many persons for
2 that office as he is by law entitled, and no more; that it
3 identifies when an elector has not voted for all statewide
4 constitutional offices; and that such machine will register
5 correctly by means of exact counters every vote cast for the
6 regular tickets thereon; and has the capacity to contain the
7 tickets of at least 5 political parties with the names of all
8 the candidates thereon, together with all propositions in the
9 form provided by law, where such form is prescribed, and where
10 no such provision is made for the form thereof, then in brief
11 form, not to exceed 75 words; that all votes cast on the
12 machine on a regular ballot or ballots shall be registered;
13 that voters may, by means of irregular ballots or otherwise
14 vote for any person for any office, although such person may
15 not have been nominated by any party and his name may not
16 appear on such machine; that when a vote is cast for any person
17 for any such office, when his name does not appear on the
18 machine, the elector cannot vote for any other name on the
19 machine for the same office; that each elector can,
20 understandingly and within the period of 4 minutes cast his
21 vote for all candidates of his choice; that the machine is so
22 constructed that the candidates for presidential electors of
23 any party can be voted for only by voting for the ballot label
24 containing a bracket within which are the names of the
25 candidates for President and Vice-President of the party or
26 group; that the machine is provided with a lock or locks by the

1 use of which any movement of the voting or registering
2 mechanism is absolutely prevented so that it cannot be tampered
3 with or manipulated for any purpose; that the machine is
4 susceptible of being closed during the progress of the voting
5 so that no person can see or know the number of votes
6 registered for any candidate; that each elector is permitted to
7 vote for or against any question, proposition or amendment upon
8 which he is entitled to vote, and is prevented from voting for
9 or against any question, proposition or amendment upon which he
10 is not entitled to vote; that the machine is capable of
11 adjustment by the election authority, so as to permit the
12 elector, at a party primary election, to vote only for the
13 candidates seeking nomination by the political party in which
14 primary he is entitled to vote: Provided, also that no such
15 machine or machines shall be purchased, unless the party or
16 parties making the sale shall guarantee in writing to keep the
17 machine or machines in good working order for 5 years without
18 additional cost and shall give a sufficient bond conditioned to
19 that effect.

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

21 (10 ILCS 5/24A-6) (from Ch. 46, par. 24A-6)

22 Sec. 24A-6. The ballot information, whether placed on the
23 ballot or on the marking device, shall, as far as practicable,
24 be in the order of arrangement provided for paper ballots,
25 except that such information may be in vertical or horizontal

1 rows, or in a number of separate pages. Ballots for all
2 questions or propositions to be voted on must be provided in
3 the same manner and must be arranged on or in the marking
4 device or on the ballot sheet in the places provided for such
5 purposes.

6 When an electronic voting system utilizes a ballot label
7 booklet and ballot card, ballots for candidates, ballots
8 calling for a constitutional convention, constitutional
9 amendment ballots, judicial retention ballots, public
10 measures, and all propositions to be voted upon may be placed
11 on the electronic voting device by providing in the ballot
12 booklet separate ballot label pages or series of pages
13 distinguished by differing colors as provided below. When an
14 electronic voting system utilizes a ballot sheet, ballots
15 calling for a constitutional convention, constitutional
16 amendment ballots and judicial retention ballots shall be
17 placed on the ballot sheet by providing a separate portion of
18 the ballot sheet for each such kind of ballot which shall be
19 printed in ink of a color distinct from the color of ink used
20 in printing any other portion of the ballot sheet. Ballots for
21 candidates, public measures and all other propositions to be
22 voted upon shall be placed on the ballot sheet by providing a
23 separate portion of the ballot sheet for each such kind of
24 ballot. Whenever a person has submitted a declaration of intent
25 to be a write-in candidate as required in Sections 17-16. 1 and
26 18-9.1, Below the name of the last candidate listed for an

1 ~~office shall be printed~~ a line on which the name of a candidate
2 may be written by the voter shall be printed below the name of
3 the last candidate nominated for such office, and immediately
4 to the left of such line an area shall be provided for marking
5 a vote for such write-in candidate. The number of write-in
6 lines for an office shall equal the number of persons who have
7 filed declarations of intent to be write-in candidates plus an
8 additional line or lines for write-in candidates who qualify to
9 file declarations to be write-in candidates under Sections
10 17-16.1 and 18-9.1 when the certification of ballot contains
11 the words "OBJECTION PENDING" next to the name of the
12 candidate, up to the number of candidates for which a voter may
13 vote. More than one amendment to the constitution may be placed
14 on the same ballot page or series of pages or on the same
15 portion of the ballot sheet, as the case may be. Ballot label
16 pages for constitutional conventions or constitutional
17 amendments shall be on paper of blue color and shall precede
18 all other ballot label pages in the ballot label booklet. More
19 than one public measure or proposition may be placed on the
20 same ballot label page or series of pages or on the same
21 portion of the ballot sheet, as the case may be. More than one
22 proposition for retention of judges in office may be placed on
23 the same ballot label page or series of pages or on the same
24 portion of the ballot sheet, as the case may be. Ballot label
25 pages for candidates shall be on paper of white color, except
26 that in primary elections the ballot label page or pages for

1 the candidates of each respective political party shall be of
2 the color designated by the election official in charge of the
3 election for that political party's candidates; provided that
4 the ballot label pages or pages for candidates for use at the
5 nonpartisan and consolidated elections may be on paper of
6 different colors, except blue, whenever necessary or desirable
7 to facilitate distinguishing between the pages for different
8 political subdivisions. On each page of the candidate booklet,
9 where the election is made to list ballot information
10 vertically, the party affiliation of each candidate or the word
11 "independent" shall appear immediately to the left of the
12 candidate's name, and the name of candidates for the same
13 office shall be listed vertically under the title of that
14 office. In the case of nonpartisan elections for officers of
15 political subdivisions, unless the statute or an ordinance
16 adopted pursuant to Article VII of the Constitution requires
17 otherwise, the listing of such nonpartisan candidates shall not
18 include any party or "independent" designation. Ballot label
19 pages for judicial retention ballots shall be on paper of green
20 color, and ballot label pages for all public measures and other
21 propositions shall be on paper of some other distinct and
22 different color. In primary elections, a separate ballot label
23 booklet, marking device and voting booth shall be used for each
24 political party holding a primary, with the ballot label
25 booklet arranged to include ballot label pages of the
26 candidates of the party and public measures and other

1 propositions to be voted upon on the day of the primary
2 election. One ballot card may be used for recording the voter's
3 vote or choice on all such ballots, proposals, public measures
4 or propositions, and such ballot card shall be arranged so as
5 to record the voter's vote or choice in a separate column or
6 columns for each such kind of ballot, proposal, public measure
7 or proposition.

8 If the ballot label booklet includes both candidates for
9 office and public measures or propositions to be voted on, the
10 election official in charge of the election shall divide the
11 pages by protruding tabs identifying the division of the pages,
12 and printing on such tabs "Candidates" and "Propositions".

13 The ballot card and all of its columns and the ballot card
14 envelope shall be of the color prescribed for candidate's
15 ballots at the general or primary election, whichever is being
16 held. At an election where no candidates are being nominated or
17 elected, the ballot card, its columns, and the ballot card
18 envelope shall be of a color designated by the election
19 official in charge of the election.

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

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

25 Absentee ballots may consist of ballot cards, envelopes,
26 paper ballots or ballot sheets voted in person in the office of

1 the election official in charge of the election or voted by
2 mail. Where a ballot card is used for voting by mail it must be
3 accompanied by a punching tool or other appropriate marking
4 device, voter instructions and a specimen ballot showing the
5 proper positions to vote on the ballot card or ballot sheet for
6 each party, candidate, proposal, public measure or
7 proposition, and in the case of a ballot card must be mounted
8 on a suitable material to receive the punched out chip.

9 Any voter who spoils his ballot or makes an error may
10 return the ballot to the judges of election and secure another.
11 However, the protruding identifying tab for proposals for a
12 constitutional convention or constitutional amendments shall
13 have printed thereon "Constitutional Ballot", and the ballot
14 label page or pages for such proposals shall precede the ballot
15 label pages for candidates in the ballot label booklet.

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

17 (10 ILCS 5/24A-10.1) (from Ch. 46, par. 24A-10.1)

18 Sec. 24A-10.1. In an election jurisdiction where
19 in-precinct counting equipment is utilized, the following
20 procedures for counting and tallying the ballots shall apply:

21 Immediately after the closing of the polls, the precinct
22 judges of election shall open the ballot box and count the
23 number of ballots therein to determine if such number agrees
24 with the number of voters voting as shown by the applications
25 for ballot or, if the same do not agree, the judges of election

1 shall make such ballots agree with the applications for ballot
2 in the manner provided by Section 17-18 of this Act. The judges
3 of election shall then examine all ballot cards and ballot card
4 envelopes which are in the ballot box to determine whether the
5 ballot cards and ballot card envelopes contain the initials of
6 a precinct judge of election. If any ballot card or ballot card
7 envelope is not initialed, it shall be marked on the back
8 "Defective", initialed as to such label by all judges
9 immediately under the word "Defective" and not counted. The
10 judges of election shall place an initialed blank official
11 ballot card in the place of the defective ballot card, so that
12 the count of the ballot cards to be counted on the automatic
13 tabulating equipment will be the same, and each "Defective
14 Ballot" card and "Replacement" card shall contain the same
15 serial number which shall be placed thereon by the judges of
16 election, commencing with number 1 and continuing
17 consecutively for the ballots of that kind in that precinct.
18 The original "Defective" card shall be placed in the "Defective
19 Ballot Envelope" provided for that purpose.

20 When an electronic voting system is used which utilizes a
21 ballot card, before separating the remaining ballot cards from
22 their respective covering envelopes, the judges of election
23 shall examine the ballot card envelopes for write-in votes.
24 When the voter has cast a write-in vote, the judges of election
25 shall compare the write-in vote with the votes on the ballot
26 card to determine whether such write-in results in an overvote

1 for any office. In case of an overvote for any office, the
2 judges of election, consisting in each case of at least one
3 judge of election of each of the 2 major political parties,
4 shall make a true duplicate ballot of all votes on such ballot
5 card except for the office which is overvoted, by using the
6 ballot label booklet of the precinct and one of the marking
7 devices of the precinct so as to transfer all votes of the
8 voter, except for the office overvoted, to a duplicate card.
9 The original ballot card and envelope upon which there is an
10 overvote shall be clearly labeled "Overvoted Ballot", and each
11 such "Overvoted Ballot" as well as its "Replacement" shall
12 contain the same serial number which shall be placed thereon by
13 the judges of election, commencing with number 1 and continuing
14 consecutively for the ballots of that kind in that precinct.
15 The "Overvoted Ballot" card and ballot envelope shall be placed
16 in an envelope provided for that purpose labeled "Duplicate
17 Ballot" envelope, and the judges of election shall initial the
18 "Replacement" ballot cards and shall place them with the other
19 ballot cards to be counted on the automatic tabulating
20 equipment. Envelopes containing write-in votes marked in the
21 place designated therefor and containing the initials of a
22 precinct judge of election and not resulting in an overvote and
23 otherwise complying with the election laws as to marking shall
24 be counted and tallied and their votes recorded on a tally
25 sheet provided by the election authority.

26 The ballot cards and ballot card envelopes shall be

1 separated in preparation for counting by the automatic
2 tabulating equipment provided for that purpose by the election
3 authority.

4 Before the ballots are entered into the automatic
5 tabulating equipment, a precinct identification card provided
6 by the election authority shall be entered into the device to
7 ensure that the totals are all zeroes in the count column on
8 the printing unit. A precinct judge of election shall then
9 count the ballots by entering each ballot card into the
10 automatic tabulating equipment, and if any ballot or ballot
11 card is damaged or defective so that it cannot properly be
12 counted by the automatic tabulating equipment, the judges of
13 election, consisting in each case of at least one judge of
14 election of each of the 2 major political parties, shall make a
15 true duplicate ballot of all votes on such ballot card by using
16 the ballot label booklet of the precinct and one of the marking
17 devices of the precinct. The original ballot or ballot card and
18 envelope shall be clearly labeled "Damaged Ballot" and the
19 ballot or ballot card so produced shall be clearly labeled
20 "Duplicate Damaged Ballot", and each shall contain the same
21 serial number which shall be placed thereon by the judges of
22 election, commencing with number 1 and continuing
23 consecutively for the ballots of that kind in the precinct. The
24 judges of election shall initial the "Duplicate Damaged Ballot"
25 ballot or ballot cards and shall enter the duplicate damaged
26 cards into the automatic tabulating equipment. The "Damaged

1 Ballot" cards shall be placed in the "Duplicated Ballots"
2 envelope; after all ballot cards have been successfully read,
3 the judges of election shall check to make certain that the
4 last number printed by the printing unit is the same as the
5 number of voters making application for ballot in that
6 precinct. The number shall be listed on the "Statement of
7 Ballots" form provided by the election authority.

8 The totals for all candidates and propositions shall be
9 tabulated. One copy of an "In-Precinct Totals Report" shall be
10 generated by the automatic tabulating equipment for return to
11 the election authority. One copy of an "In-Precinct Totals
12 Report" shall be generated and posted in a conspicuous place
13 inside the polling place, provided that any authorized
14 pollwatcher or other official authorized to be present in the
15 polling place to observe the counting of ballots is present.

16 ~~The totals for all candidates and propositions shall be~~
17 ~~tabulated; 4 sets shall be attached to the 4 sets of~~
18 ~~"Certificate of Results" provided by the election authority;~~
19 ~~one set shall be posted in a conspicuous place inside the~~
20 ~~polling place; and every effort shall be made by the judges of~~
21 ~~election shall ~~to~~ provide, if requested, a set for each~~
22 ~~authorized pollwatcher or other official authorized to be~~
23 ~~present in the polling place to observe the counting of~~
24 ~~ballots; but in no case shall the number of sets to be made~~
25 ~~available to pollwatchers be fewer than 4, chosen by lot by the~~
26 ~~judges of election.~~ In addition, sufficient time shall be

1 provided by the judges of election to the pollwatchers to allow
2 them to copy information from the copy set which has been
3 posted.

4 The judges of election shall count all unused ballot cards
5 and enter the number on the "Statement of Ballots". All
6 "Spoiled", "Defective" and "Duplicated" ballot cards shall be
7 counted and the number entered on the "Statement of Ballots".

8 The precinct judges of election shall select a bi-partisan
9 team of 2 judges, who shall immediately return the ballots in a
10 sealed container, along with all other election materials as
11 instructed by the election authority; provided, however, that
12 such container must first be sealed by the election judges with
13 filament tape provided for such purpose which shall be wrapped
14 around the container lengthwise and crosswise, at least twice
15 each way, in such manner that the ballots cannot be removed
16 from such container without breaking the seal and filament tape
17 and disturbing any signatures affixed by the election judges to
18 the container. The election authority shall keep the office of
19 the election authority, or any receiving stations designated by
20 such authority, open for at least 12 consecutive hours after
21 the polls close or until the ballots from all precincts with
22 in-precinct counting equipment within the jurisdiction of the
23 election authority have been returned to the election
24 authority. Ballots returned to the office of the election
25 authority which are not signed and sealed as required by law
26 shall not be accepted by the election authority until the

1 judges returning the same make and sign the necessary
2 corrections. Upon acceptance of the ballots by the election
3 authority, the judges returning the same shall take a receipt
4 signed by the election authority and stamped with the time and
5 date of such return. The election judges whose duty it is to
6 return any ballots as herein provided shall, in the event such
7 ballots cannot be found when needed, on proper request, produce
8 the receipt which they are to take as above provided.

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

10 (10 ILCS 5/24A-15) (from Ch. 46, par. 24A-15)

11 Sec. 24A-15. The precinct return printed by the automatic
12 tabulating equipment shall include the number of ballots cast
13 and votes cast for each candidate and proposition and shall
14 constitute the official return of each precinct. In addition to
15 the precinct return, the election authority shall provide the
16 number of applications for ballots in each precinct, the
17 write-in votes, the total number of ballots counted in each
18 precinct for each political subdivision and district and the
19 number of registered voters in each precinct. However, the
20 election authority shall check the totals shown by the precinct
21 return and, if there is an obvious discrepancy with respect to
22 the total number of votes cast in any precinct, shall have the
23 ballots for such precinct retabulated to correct the return.
24 The procedures for retabulation shall apply prior to and after
25 the proclamation is completed; however, after the proclamation

1 of results, the election authority must obtain a court order to
2 unseal voted ballots except for election contests and discovery
3 recounts. In those election jurisdictions that utilize
4 in-precinct counting equipment, the certificate of results,
5 which has been prepared by the judges of election ~~in the~~
6 ~~polling place~~ after the ballots have been tabulated, shall be
7 the document used for the canvass of votes for such precinct.
8 Whenever a discrepancy exists during the canvass of votes
9 between the unofficial results and the certificate of results,
10 or whenever a discrepancy exists during the canvass of votes
11 between the certificate of results and the set of totals which
12 has been affixed to such certificate of results, the ballots
13 for such precinct shall be retabulated to correct the return.
14 As an additional part of this check prior to the proclamation,
15 in those jurisdictions where in-precinct counting equipment is
16 utilized, the election authority shall retabulate the total
17 number of votes cast in 5% of the precincts within the election
18 jurisdiction. The precincts to be retabulated shall be selected
19 after election day on a random basis by the State Board of
20 Elections, so that every precinct in the election jurisdiction
21 has an equal mathematical chance of being selected. The State
22 Board of Elections shall design a standard and scientific
23 random method of selecting the precincts which are to be
24 retabulated. The State central committee chairman of each
25 established political party shall be given prior written notice
26 of the time and place of such random selection procedure and

1 may be represented at such procedure. Such retabulation shall
2 consist of counting the ballot cards which were originally
3 counted and shall not involve any determination as to which
4 ballot cards were, in fact, properly counted. The ballots from
5 the precincts selected for such retabulation shall remain at
6 all times under the custody and control of the election
7 authority and shall be transported and retabulated by the
8 designated staff of the election authority.

9 As part of such retabulation, the election authority shall
10 test the computer program in the selected precincts. Such test
11 shall be conducted by processing a preaudited group of ballots
12 so punched so as to record a predetermined number of valid
13 votes for each candidate and on each public question, and shall
14 include for each office one or more ballots which have votes in
15 excess of the number allowed by law in order to test the
16 ability of the equipment to reject such votes. If any error is
17 detected, the cause therefor shall be ascertained and corrected
18 and an errorless count shall be made prior to the official
19 canvass and proclamation of election results.

20 The State Board of Elections, the State's Attorney and
21 other appropriate law enforcement agencies, the county
22 chairman of each established political party and qualified
23 civic organizations shall be given prior written notice of the
24 time and place of such retabulation and may be represented at
25 such retabulation.

26 The results of this retabulation shall be treated in the

1 same manner and have the same effect as the results of the
2 discovery procedures set forth in Section 22-9.1 of this Act.
3 Upon completion of the retabulation, the election authority
4 shall print a comparison of the results of the retabulation
5 with the original precinct return printed by the automatic
6 tabulating equipment. Such comparison shall be done for each
7 precinct and for each office voted upon within that precinct,
8 and the comparisons shall be open to the public.

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

10 (10 ILCS 5/24A-16) (from Ch. 46, par. 24A-16)

11 Sec. 24A-16. The State Board of Elections shall approve all
12 voting systems provided by this Article.

13 No voting system shall be approved unless it fulfills the
14 following requirements:

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

16 (2) (Blank);

17 (3) It enables a voter to vote a ticket selected in
18 part from the nominees of one party, and in part from the
19 nominees of any or all parties, and in part from
20 independent candidates and in part of candidates whose
21 names are written in by the voter;

22 (4) It enables a voter to vote a written or printed
23 ticket of his own selection for any person for any office
24 for whom he may desire to vote;

25 (5) It will reject all votes for an office or upon a

1 proposition when the voter has cast more votes for such
2 office or upon such proposition than he is entitled to
3 cast;

4 (5.5) It will identify when a voter has not voted for
5 all statewide constitutional offices;

6 (6) It will accommodate all propositions to be
7 submitted to the voters in the form provided by law or,
8 where no such form is provided, then in brief form, not to
9 exceed 75 words.

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

13 The State Board of Elections is authorized to withdraw its
14 approval of a voting system if the system fails to fulfill the
15 above requirements.

16 The vendor, person, or other private entity shall be solely
17 responsible for the production and cost of: all application
18 fees; all ballots; additional temporary workers; and other
19 equipment or facilities needed and used in the testing of the
20 vendor's, person's, or other private entity's respective
21 equipment and software.

22 Any voting system vendor, person, or other private entity
23 seeking the State Board of Elections' approval of a voting
24 system shall, as part of the approval application, submit to
25 the State Board a non-refundable fee. The State Board of
26 Elections by rule shall establish an appropriate fee structure,

1 taking into account the type of voting system approval that is
2 requested (such as approval of a new system, a modification of
3 an existing system, the size of the modification, etc.). No
4 voting system or modification of a voting system shall be
5 approved unless the fee is paid.

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

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

15 (10 ILCS 5/24B-6)

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

1 Ballots shall be of white paper unless provided otherwise by
2 administrative rule of the State Board of Elections or
3 otherwise specified.

4 All propositions, including but not limited to
5 propositions calling for a constitutional convention,
6 constitutional amendment, judicial retention, and public
7 measures to be voted upon shall be placed on separate portions
8 of the ballot sheet or marking device by utilizing borders or
9 grey screens. Candidates shall be listed on a separate portion
10 of the ballot sheet or marking device by utilizing borders or
11 grey screens. Whenever a person has submitted a declaration of
12 intent to be a write-in candidate as required in Sections
13 17-16.1 and 18-9.1, ~~Below the name of the last candidate listed~~
14 for an office shall be printed or displayed a line or lines on
15 which the voter may select a write-in candidate shall be
16 printed below the name of the last candidate nominated for such
17 office. Such line or lines shall be proximate to an area
18 provided for marking votes for the write-in candidate or
19 candidates. The number of write-in lines for an office shall
20 equal the number of persons who have filed declarations of
21 intent to be write-in candidates plus an additional line or
22 lines for write-in candidates who qualify to file declarations
23 to be write-in candidates under Sections 17-16.1 and 18-9.1
24 when the certification of ballot contains the words "OBJECTION
25 PENDING" next to the name of that candidate, up to the number
26 of candidates for which a voter may vote. More than one

1 amendment to the constitution may be placed on the same portion
2 of the ballot sheet or marking device. Constitutional
3 convention or constitutional amendment propositions shall be
4 printed or displayed on a separate portion of the ballot sheet
5 or marking device and designated by borders or grey screens,
6 unless otherwise provided by administrative rule of the State
7 Board of Elections. More than one public measure or proposition
8 may be placed on the same portion of the ballot sheet or
9 marking device. More than one proposition for retention of
10 judges in office may be placed on the same portion of the
11 ballot sheet or marking device. Names of candidates shall be
12 printed in black. The party affiliation of each candidate or
13 the word "independent" shall appear near or under the
14 candidate's name, and the names of candidates for the same
15 office shall be listed vertically under the title of that
16 office, on separate pages of the marking device, or as
17 otherwise approved by the State Board of Elections. In the case
18 of nonpartisan elections for officers of political
19 subdivisions, unless the statute or an ordinance adopted
20 pursuant to Article VII of the Constitution requires otherwise,
21 the listing of nonpartisan candidates shall not include any
22 party or "independent" designation. Judicial retention
23 questions and ballot questions for all public measures and
24 other propositions shall be designated by borders or grey
25 screens on the ballot or marking device. In primary elections,
26 a separate ballot, or displays on the marking device, shall be

1 used for each political party holding a primary, with the
2 ballot or marking device arranged to include names of the
3 candidates of the party and public measures and other
4 propositions to be voted upon on the day of the primary
5 election.

6 If the ballot includes both candidates for office and
7 public measures or propositions to be voted on, the election
8 official in charge of the election shall divide the ballot or
9 displays on the marking device in sections for "Candidates" and
10 "Propositions", or separate ballots may be used.

11 Absentee ballots may consist of envelopes, paper ballots or
12 ballot sheets voted in person in the office of the election
13 official in charge of the election or voted by mail. Where a
14 Precinct Tabulation Optical Scan Technology ballot is used for
15 voting by mail it must be accompanied by voter instructions.

16 Any voter who spoils his or her ballot, makes an error, or
17 has a ballot returned by the automatic tabulating equipment may
18 return the ballot to the judges of election and get another
19 ballot.

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

21 (10 ILCS 5/24B-10.1)

22 Sec. 24B-10.1. In-Precinct Counting Equipment; Procedures
23 for Counting and Tallying Ballots. In an election jurisdiction
24 where Precinct Tabulation Optical Scan Technology counting
25 equipment is used, the following procedures for counting and

1 tallying the ballots shall apply:

2 Before the opening of the polls, and before the ballots are
3 entered into the automatic tabulating equipment, the judges of
4 election shall be sure that the totals are all zeros in the
5 counting column. Ballots may then be counted by entering or
6 scanning each ballot into the automatic tabulating equipment.
7 Throughout the election day and before the closing of the
8 polls, no person may check any vote totals for any candidate or
9 proposition on the automatic tabulating equipment. Such
10 automatic tabulating equipment shall be programmed so that no
11 person may reset the equipment for refeeding of ballots unless
12 provided a code from an authorized representative of the
13 election authority. At the option of the election authority,
14 the ballots may be fed into the Precinct Tabulation Optical
15 Scan Technology equipment by the voters under the direct
16 supervision of the judges of elections.

17 Immediately after the closing of the polls, the precinct
18 judges of election shall open the ballot box and count the
19 number of ballots to determine if the number agrees with the
20 number of voters voting as shown on the Precinct Tabulation
21 Optical Scan Technology equipment and by the applications for
22 ballot or, if the same do not agree, the judges of election
23 shall make the ballots agree with the applications for ballot
24 in the manner provided by Section 17-18 of this Code. The
25 judges of election shall then examine all ballots which are in
26 the ballot box to determine whether the ballots contain the

1 initials of a precinct judge of election. If any ballot is not
2 initialed, it shall be marked on the back "Defective",
3 initialed as to such label by all judges immediately under the
4 word "Defective" and not counted. The judges of election shall
5 place an initialed blank official ballot in the place of the
6 defective ballot, so that the count of the ballots to be
7 counted on the automatic tabulating equipment will be the same,
8 and each "Defective Ballot" and "Replacement" ballot shall
9 contain the same serial number which shall be placed thereon by
10 the judges of election, beginning with number 1 and continuing
11 consecutively for the ballots of that kind in that precinct.
12 The original "Defective" ballot shall be placed in the
13 "Defective Ballot Envelope" provided for that purpose.

14 If the judges of election have removed a ballot pursuant to
15 Section 17-18, have labeled "Defective" a ballot which is not
16 initialed, or have otherwise determined under this Code to not
17 count a ballot originally deposited into a ballot box, the
18 judges of election shall be sure that the totals on the
19 automatic tabulating equipment are reset to all zeros in the
20 counting column. Thereafter the judges of election shall enter
21 or otherwise scan each ballot to be counted in the automatic
22 tabulating equipment. Resetting the automatic tabulating
23 equipment to all zeros and re-entering of ballots to be counted
24 may occur at the precinct polling place, the office of the
25 election authority, or any receiving station designated by the
26 election authority. The election authority shall designate the

1 place for resetting and re-entering or re-scanning.

2 When a Precinct Tabulation Optical Scan Technology
3 electronic voting system is used which uses a paper ballot, the
4 judges of election shall examine the ballot for write-in votes.
5 When the voter has cast a write-in vote, the judges of election
6 shall compare the write-in vote with the votes on the ballot to
7 determine whether the write-in results in an overvote for any
8 office, unless the Precinct Tabulation Optical Scan Technology
9 equipment has already done so. In case of an overvote for any
10 office, the judges of election, consisting in each case of at
11 least one judge of election of each of the 2 major political
12 parties, shall make a true duplicate ballot of all votes on
13 such ballot except for the office which is overvoted, by using
14 the ballot of the precinct and one of the marking devices, or
15 equivalent ballot, of the precinct so as to transfer all votes
16 of the voter, except for the office overvoted, to a duplicate
17 ballot. The original ballot upon which there is an overvote
18 shall be clearly labeled "Overvoted Ballot", and each such
19 "Overvoted Ballot" as well as its "Replacement" shall contain
20 the same serial number which shall be placed thereon by the
21 judges of election, beginning with number 1 and continuing
22 consecutively for the ballots of that kind in that precinct.
23 The "Overvoted Ballot" shall be placed in an envelope provided
24 for that purpose labeled "Duplicate Ballot" envelope, and the
25 judges of election shall initial the "Replacement" ballots and
26 shall place them with the other ballots to be counted on the

1 automatic tabulating equipment.

2 If any ballot is damaged or defective, or if any ballot
3 contains a Voting Defect, so that it cannot properly be counted
4 by the automatic tabulating equipment, the voter or the judges
5 of election, consisting in each case of at least one judge of
6 election of each of the 2 major political parties, shall make a
7 true duplicate ballot of all votes on such ballot by using the
8 ballot of the precinct and one of the marking devices of the
9 precinct, or equivalent. If a damaged ballot, the original
10 ballot shall be clearly labeled "Damaged Ballot" and the ballot
11 so produced shall be clearly labeled "Damaged Ballot" and the
12 ballot so produced shall be clearly labeled "Duplicate Damaged
13 Ballot", and each shall contain the same serial number which
14 shall be placed by the judges of election, beginning with
15 number 1 and continuing consecutively for the ballots of that
16 kind in the precinct. The judges of election shall initial the
17 "Duplicate Damaged Ballot" ballot and shall enter or otherwise
18 scan the duplicate damaged ballot into the automatic tabulating
19 equipment. The "Damaged Ballots" shall be placed in the
20 "Duplicated Ballots" envelope; after all ballots have been
21 successfully read, the judges of election shall check to make
22 certain that the Precinct Tabulation Optical Scan Technology
23 equipment readout agrees with the number of voters making
24 application for ballot in that precinct. The number shall be
25 listed on the "Statement of Ballots" form provided by the
26 election authority.

1 The totals for all candidates and propositions shall be
2 tabulated. One copy of an "In-Precinct Totals Report" shall be
3 generated by the automatic tabulating equipment for return to
4 the election authority. One copy of an "In-Precinct Totals
5 Report" shall be generated and posted in a conspicuous place
6 inside the polling place, provided that any authorized
7 pollwatcher or other official authorized to be present in the
8 polling place to observe the counting of ballots is present.
9 ~~The totals for all candidates and propositions shall be~~
10 ~~tabulated; and 4 copies of a "Certificate of Results" shall be~~
11 ~~generated by the automatic tabulating equipment; one copy shall~~
12 ~~be posted in a conspicuous place inside the polling place; and~~
13 ~~every effort shall be made by the judges of election shall to~~
14 ~~provide, if requested, a copy for each authorized pollwatcher~~
15 ~~or other official authorized to be present in the polling place~~
16 ~~to observe the counting of ballots; but in no case shall the~~
17 ~~number of copies to be made available to pollwatchers be fewer~~
18 ~~than 4, chosen by lot by the judges of election.~~ In addition,
19 sufficient time shall be provided by the judges of election to
20 the pollwatchers to allow them to copy information from the
21 copy which has been posted.

22 The judges of election shall count all unused ballots and
23 enter the number on the "Statement of Ballots". All "Spoiled",
24 "Defective" and "Duplicated" ballots shall be counted and the
25 number entered on the "Statement of Ballots".

26 The precinct judges of election shall select a bi-partisan

1 team of 2 judges, who shall immediately return the ballots in a
2 sealed container, along with all other election materials as
3 instructed by the election authority; provided, however, that
4 such container must first be sealed by the election judges with
5 filament tape or other approved sealing devices provided for
6 the purpose which shall be wrapped around the container
7 lengthwise and crosswise, at least twice each way, in a manner
8 that the ballots cannot be removed from the container without
9 breaking the seal and filament tape and disturbing any
10 signatures affixed by the election judges to the container, or
11 which other approved sealing devices are affixed in a manner
12 approved by the election authority. The election authority
13 shall keep the office of the election authority or any
14 receiving stations designated by the authority, open for at
15 least 12 consecutive hours after the polls close or until the
16 ballots from all precincts with in-precinct counting equipment
17 within the jurisdiction of the election authority have been
18 returned to the election authority. Ballots returned to the
19 office of the election authority which are not signed and
20 sealed as required by law shall not be accepted by the election
21 authority until the judges returning the ballots make and sign
22 the necessary corrections. Upon acceptance of the ballots by
23 the election authority, the judges returning the ballots shall
24 take a receipt signed by the election authority and stamped
25 with the time and date of the return. The election judges whose
26 duty it is to return any ballots as provided shall, in the

1 event the ballots cannot be found when needed, on proper
2 request, produce the receipt which they are to take as above
3 provided. The precinct judges of election shall also deliver
4 the Precinct Tabulation Optical Scan Technology equipment to
5 the election authority.

6 (Source: P.A. 93-574, eff. 8-21-03; 94-645, eff. 8-22-05;
7 94-1000, eff. 7-3-06.)

8 (10 ILCS 5/24B-15)

9 Sec. 24B-15. Official Return of Precinct; Check of Totals;
10 Retabulation. The precinct return printed by the automatic
11 Precinct Tabulation Optical Scan Technology tabulating
12 equipment shall include the number of ballots cast and votes
13 cast for each candidate and proposition and shall constitute
14 the official return of each precinct. In addition to the
15 precinct return, the election authority shall provide the
16 number of applications for ballots in each precinct, the
17 write-in votes, the total number of ballots counted in each
18 precinct for each political subdivision and district and the
19 number of registered voters in each precinct. However, the
20 election authority shall check the totals shown by the precinct
21 return and, if there is an obvious discrepancy regarding the
22 total number of votes cast in any precinct, shall have the
23 ballots for that precinct retabulated to correct the return.
24 The procedures for retabulation shall apply prior to and after
25 the proclamation is completed; however, after the proclamation

1 of results, the election authority must obtain a court order to
2 unseal voted ballots except for election contests and discovery
3 recounts. In those election jurisdictions that use in-precinct
4 counting equipment, the certificate of results, which has been
5 prepared by the judges of election ~~in the polling place~~ after
6 the ballots have been tabulated, shall be the document used for
7 the canvass of votes for such precinct. Whenever a discrepancy
8 exists during the canvass of votes between the unofficial
9 results and the certificate of results, or whenever a
10 discrepancy exists during the canvass of votes between the
11 certificate of results and the set of totals which has been
12 affixed to the certificate of results, the ballots for that
13 precinct shall be retabulated to correct the return. As an
14 additional part of this check prior to the proclamation, in
15 those jurisdictions where in-precinct counting equipment is
16 used, the election authority shall retabulate the total number
17 of votes cast in 5% of the precincts within the election
18 jurisdiction. The precincts to be retabulated shall be selected
19 after election day on a random basis by the State Board of
20 Elections, so that every precinct in the election jurisdiction
21 has an equal mathematical chance of being selected. The State
22 Board of Elections shall design a standard and scientific
23 random method of selecting the precincts which are to be
24 retabulated. The State central committee chairman of each
25 established political party shall be given prior written notice
26 of the time and place of the random selection procedure and may

1 be represented at the procedure. The retabulation shall consist
2 of counting the ballots which were originally counted and shall
3 not involve any determination of which ballots were, in fact,
4 properly counted. The ballots from the precincts selected for
5 the retabulation shall remain at all times under the custody
6 and control of the election authority and shall be transported
7 and retabulated by the designated staff of the election
8 authority.

9 As part of the retabulation, the election authority shall
10 test the computer program in the selected precincts. The test
11 shall be conducted by processing a preaudited group of ballots
12 marked to record a predetermined number of valid votes for each
13 candidate and on each public question, and shall include for
14 each office one or more ballots which have votes in excess of
15 the number allowed by law to test the ability of the equipment
16 and the marking device to reject such votes. If any error is
17 detected, the cause shall be determined and corrected, and an
18 errorless count shall be made prior to the official canvass and
19 proclamation of election results.

20 The State Board of Elections, the State's Attorney and
21 other appropriate law enforcement agencies, the county
22 chairman of each established political party and qualified
23 civic organizations shall be given prior written notice of the
24 time and place of the retabulation and may be represented at
25 the retabulation.

26 The results of this retabulation shall be treated in the

1 same manner and have the same effect as the results of the
2 discovery procedures set forth in Section 22-9.1 of this Code.
3 Upon completion of the retabulation, the election authority
4 shall print a comparison of the results of the retabulation
5 with the original precinct return printed by the automatic
6 tabulating equipment. The comparison shall be done for each
7 precinct and for each office voted upon within that precinct,
8 and the comparisons shall be open to the public. Upon
9 completion of the retabulation, the returns shall be open to
10 the public.

11 (Source: P.A. 93-574, eff. 8-21-03; 94-1000, eff. 7-3-06.)

12 (10 ILCS 5/24B-16)

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

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

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

21 (b) (Blank);

22 (c) It enables a voter to vote a ticket selected in
23 part from the nominees of one party, and in part from the
24 nominees of any or all parties, and in part from
25 independent candidates, and in part of candidates whose

1 names are written in by the voter;

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

5 (e) It will reject all votes for an office or upon a
6 proposition when the voter has cast more votes for the
7 office or upon the proposition than he or she is entitled
8 to cast; ~~and~~

9 (e-5) It will identify when a voter has not voted for
10 all statewide constitutional offices; and

11 (f) It will accommodate all propositions to be
12 submitted to the voters in the form provided by law or,
13 where no form is provided, then in brief form, not to
14 exceed 75 words.

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

18 The State Board of Elections is authorized to withdraw its
19 approval of a Precinct Tabulation Optical Scan Technology
20 voting system if the system fails to fulfill the above
21 requirements.

22 The vendor, person, or other private entity shall be solely
23 responsible for the production and cost of: all application
24 fees; all ballots; additional temporary workers; and other
25 equipment or facilities needed and used in the testing of the
26 vendor's, person's, or other private entity's respective

1 equipment and software.

2 Any voting system vendor, person, or other private entity
3 seeking the State Board of Elections' approval of a voting
4 system shall, as part of the approval application, submit to
5 the State Board a non-refundable fee. The State Board of
6 Elections by rule shall establish an appropriate fee structure,
7 taking into account the type of voting system approval that is
8 requested (such as approval of a new system, a modification of
9 an existing system, the size of the modification, etc.). No
10 voting system or modification of a voting system shall be
11 approved unless the fee is paid.

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

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

21 (10 ILCS 5/24B-20)

22 Sec. 24B-20. Voting Defect Identification Capabilities. An
23 election authority is required to use the Voting Defect
24 Identification capabilities of the automatic tabulating
25 equipment when used in-precinct, including both the capability

1 of identifying an under-vote and the capability of identifying
2 an over-vote.

3 (Source: P.A. 89-394, eff. 1-1-97.)

4 (10 ILCS 5/24C-11)

5 Sec. 24C-11. Functional requirements.

6 A Direct Recording Electronic Voting System shall, in
7 addition to satisfying the other requirements of this Article,
8 fulfill the following functional requirements:

9 (a) Provide a voter in a primary election with the means of
10 casting a ballot containing votes for any and all candidates of
11 the party or parties of his or her choice, and for any and all
12 non-partisan candidates and public questions and preclude the
13 voter from voting for any candidate of any other political
14 party except when legally permitted. In a general election, the
15 system shall provide the voter with means of selecting the
16 appropriate number of candidates for any office, and of voting
17 on any public question on the ballot to which he or she is
18 entitled to vote.

19 (b) If a voter is not entitled to vote for particular
20 candidates or public questions appearing on the ballot, the
21 system shall prevent the selection of the prohibited votes.

22 (c) Once the proper ballot has been selected, the system
23 devices shall provide a means of enabling the recording of
24 votes and the casting of said ballot.

25 (d) System voting devices shall provide voting choices that

1 are clear to the voter and labels indicating the names of every
2 candidate and the text of every public question on the voter's
3 ballot. Each label shall identify the selection button or
4 switch, or the active area of the ballot associated with it.
5 The system shall be able to incorporate minimal, easy-to-follow
6 on-screen instruction for the voter on how to cast a ballot.

7 (e) Voting devices shall (i) enable the voter to vote for
8 any and all candidates and public questions appearing on the
9 ballot for which the voter is lawfully entitled to vote, in any
10 legal number and combination; (ii) detect and reject all votes
11 for an office or upon a public question when the voter has cast
12 more votes for the office or upon the public question than the
13 voter is entitled to cast; (iii) notify the voter if the
14 voter's choices as recorded on the ballot for an office or
15 public question are fewer than or exceed the number that the
16 voter is entitled to vote for on that office or public question
17 and the effect of casting more or fewer votes than legally
18 permitted; (iv) notify the voter if the voter has failed to
19 completely cast a vote for an office or public question
20 appearing on the ballot; and (v) permit the voter, in a private
21 and independent manner, to verify the votes selected by the
22 voter, to change the ballot or to correct any error on the
23 ballot before the ballot is completely cast and counted. A
24 means shall be provided to indicate each selection after it has
25 been made or canceled.

26 (f) System voting devices shall provide a means for the

1 voter to signify that the selection of candidates and public
2 questions has been completed. Upon activation, the system shall
3 record an image of the completed ballot, increment the proper
4 ballot position registers, and shall signify to the voter that
5 the ballot has been cast. The system shall then prevent any
6 further attempt to vote until it has been reset or re-enabled
7 by a judge of election.

8 (g) Each system voting device shall be equipped with a
9 public counter that can be set to zero prior to the opening of
10 the polling place, and that records the number of ballots cast
11 at a particular election. The counter shall be incremented only
12 by the casting of a ballot. The counter shall be designed to
13 prevent disabling or resetting by other than authorized persons
14 after the polls close. The counter shall be visible to all
15 judges of election so long as the device is installed at the
16 polling place.

17 (h) Each system voting device shall be equipped with a
18 protective counter that records all of the testing and election
19 ballots cast since the unit was built. This counter shall be
20 designed so that its reading cannot be changed by any cause
21 other than the casting of a ballot. The protective counter
22 shall be incapable of ever being reset and it shall be visible
23 at all times when the device is configured for testing,
24 maintenance, or election use.

25 (i) All system devices shall provide a means of preventing
26 further voting once the polling place has closed and after all

1 eligible voters have voted. Such means of control shall
2 incorporate a visible indication of system status. Each device
3 shall prevent any unauthorized use, prevent tampering with
4 ballot labels and preclude its re-opening once the poll closing
5 has been completed for that election.

6 (j) The system shall produce a printed summary report of
7 the votes cast upon each voting device. Until the proper
8 sequence of events associated with closing the polling place
9 has been completed, the system shall not allow the printing of
10 a report or the extraction of data. The printed report shall
11 also contain all system audit information to be required by the
12 election authority. Data shall not be altered or otherwise
13 destroyed by report generation and the system shall ensure the
14 integrity and security of data for a period of at least 6
15 months after the polls close.

16 (k) If more than one voting device is used in a polling
17 place, the system shall provide a means to manually or
18 electronically consolidate the data from all such units into a
19 single report even if different voting systems are used to
20 record absentee ballots. The system shall also be capable of
21 merging the vote tabulation results produced by other vote
22 tabulation systems, if necessary.

23 (l) System functions shall be implemented such that
24 unauthorized access to them is prevented and the execution of
25 authorized functions in an improper sequence is precluded.
26 System functions shall be executable only in the intended

1 manner and order, and only under the intended conditions. If
2 the preconditions to a system function have not been met, the
3 function shall be precluded from executing by the system's
4 control logic.

5 (m) All system voting devices shall incorporate at least 3
6 memories in the machine itself and in its programmable memory
7 devices.

8 (n) The system shall include capabilities of recording and
9 reporting the date and time of normal and abnormal events and
10 of maintaining a permanent record of audit information that
11 cannot be turned off. Provisions shall be made to detect and
12 record significant events (e.g., casting a ballot, error
13 conditions that cannot be disposed of by the system itself,
14 time-dependent or programmed events that occur without the
15 intervention of the voter or a judge of election).

16 (o) The system and each system voting device must be
17 capable of creating, printing and maintaining a permanent paper
18 record and an electronic image of each ballot that is cast such
19 that records of individual ballots are maintained by a
20 subsystem independent and distinct from the main vote
21 detection, interpretation, processing and reporting path. The
22 electronic images of each ballot must protect the integrity of
23 the data and the anonymity of each voter, for example, by means
24 of storage location scrambling. The ballot image records may be
25 either machine-readable or manually transcribed, or both, at
26 the discretion of the election authority.

1 (p) The system shall include built-in test, measurement and
2 diagnostic software and hardware for detecting and reporting
3 the system's status and degree of operability.

4 (q) The system shall contain provisions for maintaining the
5 integrity of memory voting and audit data during an election
6 and for a period of at least 6 months thereafter and shall
7 provide the means for creating an audit trail.

8 (r) The system shall be fully accessible so as to permit
9 blind or visually impaired voters as well as physically
10 disabled voters to exercise their right to vote in private and
11 without assistance.

12 (s) The system shall provide alternative language
13 accessibility if required pursuant to Section 203 of the Voting
14 Rights Act of 1965.

15 (t) Each voting device shall enable a voter to vote for a
16 person whose name does not appear on the ballot.

17 (u) The system shall record and count accurately each vote
18 properly cast for or against any candidate and for or against
19 any public question, including the names of all candidates
20 whose names are written in by the voters.

21 (v) The system shall allow for accepting provisional
22 ballots and for separating such provisional ballots from
23 precinct totals until authorized by the election authority.

24 (w) The system shall provide an effective audit trail as
25 defined in Section 24C-2 in this Code.

26 (x) The system shall be suitably designed for the purpose

1 used, be durably constructed, and be designed for safety,
2 accuracy and efficiency.

3 (y) The system shall comply with all provisions of federal,
4 State and local election laws and regulations and any future
5 modifications to those laws and regulations.

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

7 (10 ILCS 5/24C-12)

8 Sec. 24C-12. Procedures for Counting and Tallying of
9 Ballots. In an election jurisdiction where a Direct Recording
10 Electronic Voting System is used, the following procedures for
11 counting and tallying the ballots shall apply:

12 Before the opening of the polls, the judges of elections
13 shall assemble the voting equipment and devices and turn the
14 equipment on. The judges shall, if necessary, take steps to
15 activate the voting devices and counting equipment by inserting
16 into the equipment and voting devices appropriate data cards
17 containing passwords and data codes that will select the proper
18 ballot formats selected for that polling place and that will
19 prevent inadvertent or unauthorized activation of the
20 poll-opening function. Before voting begins and before ballots
21 are entered into the voting devices, the judges of election
22 shall cause to be printed a record of the following: the
23 election's identification data, the device's unit
24 identification, the ballot's format identification, the
25 contents of each active candidate register by office and of

1 each active public question register showing that they contain
2 all zero votes, all ballot fields that can be used to invoke
3 special voting options, and other information needed to ensure
4 the readiness of the equipment and to accommodate
5 administrative reporting requirements. The judges must also
6 check to be sure that the totals are all zeros in the counting
7 columns and in the public counter affixed to the voting
8 devices.

9 After the judges have determined that a person is qualified
10 to vote, a voting device with the proper ballot to which the
11 voter is entitled shall be enabled to be used by the voter. The
12 ballot may then be cast by the voter by marking by appropriate
13 means the designated area of the ballot for the casting of a
14 vote for any candidate or for or against any public question.
15 The voter shall be able to vote for any and all candidates and
16 public measures appearing on the ballot in any legal number and
17 combination and the voter shall be able to delete, change or
18 correct his or her selections before the ballot is cast. The
19 voter shall be able to select candidates whose names do not
20 appear upon the ballot for any office by entering
21 electronically as many names of candidates as the voter is
22 entitled to select for each office.

23 Upon completing his or her selection of candidates or
24 public questions, the voter shall signify that voting has been
25 completed by activating the appropriate button, switch or
26 active area of the ballot screen associated with end of voting.

1 Upon activation, the voting system shall record an image of the
2 completed ballot, increment the proper ballot position
3 registers, and shall signify to the voter that the ballot has
4 been cast. Upon activation, the voting system shall also print
5 a permanent paper record of each ballot cast as defined in
6 Section 24C-2 of this Code. This permanent paper record shall
7 (i) be printed in a clear, readily readable format that can be
8 easily reviewed by the voter for completeness and accuracy and
9 (ii) either be self-contained within the voting device or be
10 deposited by the voter into a secure ballot box. No permanent
11 paper record shall be removed from the polling place except by
12 election officials as authorized by this Article. All permanent
13 paper records shall be preserved and secured by election
14 officials in the same manner as paper ballots and shall be
15 available as an official record for any recount, redundant
16 count, or verification or retabulation of the vote count
17 conducted with respect to any election in which the voting
18 system is used. The voter shall exit the voting station and the
19 voting system shall prevent any further attempt to vote until
20 it has been properly re-activated. If a voting device has been
21 enabled for voting but the voter leaves the polling place
22 without casting a ballot, 2 judges of election, one from each
23 of the 2 major political parties, shall spoil the ballot.

24 Throughout the election day and before the closing of the
25 polls, no person may check any vote totals for any candidate or
26 public question on the voting or counting equipment. Such

1 equipment shall be programmed so that no person may reset the
2 equipment for reentry of ballots unless provided the proper
3 code from an authorized representative of the election
4 authority.

5 The precinct judges of election shall check the public
6 register to determine whether the number of ballots counted by
7 the voting equipment agrees with the number of voters voting as
8 shown by the applications for ballot. If the same do not agree,
9 the judges of election shall immediately contact the offices of
10 the election authority in charge of the election for further
11 instructions. If the number of ballots counted by the voting
12 equipment agrees with the number of voters voting as shown by
13 the application for ballot, the number shall be listed on the
14 "Statement of Ballots" form provided by the election authority.

15 The totals for all candidates and propositions shall be
16 tabulated. One copy of an "In-Precinct Totals Report" shall be
17 generated by the automatic tabulating equipment for return to
18 the election authority. One copy of an "In-Precinct Totals
19 Report" shall be generated and posted in a conspicuous place
20 inside the polling place, provided that any authorized
21 pollwatcher or other official authorized to be present in the
22 polling place to observe the counting of ballots is present.
23 The judges of election shall provide, if requested, a set for
24 each authorized pollwatcher or other official authorized to be
25 present in the polling place to observe the counting of
26 ballots. ~~Except as otherwise provided in this Section, the~~

1 ~~totals for all candidates and propositions shall be tabulated;~~
2 ~~and 4 copies of a "Certificate of Results" shall be printed by~~
3 ~~the automatic tabulating equipment; one copy shall be posted in~~
4 ~~a conspicuous place inside the polling place; and every effort~~
5 ~~shall be made by the judges of election to provide a copy for~~
6 ~~each authorized pollwatcher or other official authorized to be~~
7 ~~present in the polling place to observe the counting of~~
8 ~~ballots; but in no case shall the number of copies to be made~~
9 ~~available to pollwatchers be fewer than 4, chosen by lot by the~~
10 ~~judges of election.~~ In addition, sufficient time shall be
11 provided by the judges of election to the pollwatchers to allow
12 them to copy information from the copy which has been posted.

13 Until December 31, 2007, in elections at which fractional
14 cumulative votes are cast for candidates, the tabulation of
15 those fractional cumulative votes may be made by the election
16 authority at its central office location, and 4 copies of a
17 "Certificate of Results" shall be printed by the automatic
18 tabulation equipment and shall be posted in 4 conspicuous
19 places at the central office location where those fractional
20 cumulative votes have been tabulated.

21 If instructed by the election authority, the judges of
22 election shall cause the tabulated returns to be transmitted
23 electronically to the offices of the election authority via
24 modem or other electronic medium.

25 The precinct judges of election shall select a bi-partisan
26 team of 2 judges, who shall immediately return the ballots in a

1 sealed container, along with all other election materials and
2 equipment as instructed by the election authority; provided,
3 however, that such container must first be sealed by the
4 election judges with filament tape or other approved sealing
5 devices provided for the purpose in a manner that the ballots
6 cannot be removed from the container without breaking the seal
7 or filament tape and disturbing any signatures affixed by the
8 election judges to the container. The election authority shall
9 keep the office of the election authority, or any receiving
10 stations designated by the authority, open for at least 12
11 consecutive hours after the polls close or until the ballots
12 and election material and equipment from all precincts within
13 the jurisdiction of the election authority have been returned
14 to the election authority. Ballots and election materials and
15 equipment returned to the office of the election authority
16 which are not signed and sealed as required by law shall not be
17 accepted by the election authority until the judges returning
18 the ballots make and sign the necessary corrections. Upon
19 acceptance of the ballots and election materials and equipment
20 by the election authority, the judges returning the ballots
21 shall take a receipt signed by the election authority and
22 stamped with the time and date of the return. The election
23 judges whose duty it is to return any ballots and election
24 materials and equipment as provided shall, in the event the
25 ballots, materials or equipment cannot be found when needed, on
26 proper request, produce the receipt which they are to take as

1 above provided.

2 (Source: P.A. 93-574, eff. 8-21-03; 94-645, eff. 8-22-05;
3 94-1073, eff. 12-26-06.)

4 (10 ILCS 5/24C-15)

5 Sec. 24C-15. Official Return of Precinct; Check of Totals;
6 Audit. The precinct return printed by the Direct Recording
7 Electronic Voting System tabulating equipment shall include
8 the number of ballots cast and votes cast for each candidate
9 and public question and shall constitute the official return of
10 each precinct. In addition to the precinct return, the election
11 authority shall provide the number of applications for ballots
12 in each precinct, the total number of ballots and absentee
13 ballots counted in each precinct for each political subdivision
14 and district and the number of registered voters in each
15 precinct. However, the election authority shall check the
16 totals shown by the precinct return and, if there is an obvious
17 discrepancy regarding the total number of votes cast in any
18 precinct, shall have the ballots for that precinct audited to
19 correct the return. The procedures for this audit shall apply
20 prior to and after the proclamation is completed; however,
21 after the proclamation of results, the election authority must
22 obtain a court order to unseal voted ballots or voting devices
23 except for election contests and discovery recounts. The
24 certificate of results, which has been prepared and signed by
25 the judges of election ~~in the polling place~~ after the ballots

1 have been tabulated, shall be the document used for the canvass
2 of votes for such precinct. Whenever a discrepancy exists
3 during the canvass of votes between the unofficial results and
4 the certificate of results, or whenever a discrepancy exists
5 during the canvass of votes between the certificate of results
6 and the set of totals reflected on the certificate of results,
7 the ballots for that precinct shall be audited to correct the
8 return.

9 Prior to the proclamation, the election authority shall
10 test the voting devices and equipment in 5% of the precincts
11 within the election jurisdiction. The precincts to be tested
12 shall be selected after election day on a random basis by the
13 State Board of Elections, so that every precinct in the
14 election jurisdiction has an equal mathematical chance of being
15 selected. The State Board of Elections shall design a standard
16 and scientific random method of selecting the precincts that
17 are to be tested. The State central committee chairman of each
18 established political party shall be given prior written notice
19 of the time and place of the random selection procedure and may
20 be represented at the procedure.

21 The test shall be conducted by counting the votes marked on
22 the permanent paper record of each ballot cast in the tested
23 precinct printed by the voting system at the time that each
24 ballot was cast and comparing the results of this count with
25 the results shown by the certificate of results prepared by the
26 Direct Recording Electronic Voting System in the test precinct.

1 The election authority shall test count these votes either by
2 hand or by using an automatic tabulating device other than a
3 Direct Recording Electronic voting device that has been
4 approved by the State Board of Elections for that purpose and
5 tested before use to ensure accuracy. The election authority
6 shall print the results of each test count. If any error is
7 detected, the cause shall be determined and corrected, and an
8 errorless count shall be made prior to the official canvass and
9 proclamation of election results. If an errorless count cannot
10 be conducted and there continues to be difference in vote
11 results between the certificate of results produced by the
12 Direct Recording Electronic Voting System and the count of the
13 permanent paper records or if an error was detected and
14 corrected, the election authority shall immediately prepare
15 and forward to the appropriate canvassing board a written
16 report explaining the results of the test and any errors
17 encountered and the report shall be made available for public
18 inspection.

19 The State Board of Elections, the State's Attorney and
20 other appropriate law enforcement agencies, the county
21 chairman of each established political party and qualified
22 civic organizations shall be given prior written notice of the
23 time and place of the test and may be represented at the test.

24 The results of this post-election test shall be treated in
25 the same manner and have the same effect as the results of the
26 discovery procedures set forth in Section 22-9.1 of this Code.

1 (Source: P.A. 93-574, eff. 8-21-03; 94-645, eff. 8-22-05;
2 94-1000, eff. 7-3-06.)

3 (10 ILCS 5/24C-16)

4 Sec. 24C-16. Approval of Direct Recording Electronic
5 Voting Systems; Requisites. The State Board of Elections shall
6 approve all Direct Recording Electronic Voting Systems that
7 fulfill the functional requirements provided by Section 24C-11
8 of this Code, the mandatory requirements of the federal voting
9 system standards pertaining to Direct Recording Electronic
10 Voting Systems promulgated by the Federal Election Commission
11 or the Election Assistance Commission, the testing
12 requirements of an approved independent testing authority and
13 the rules of the State Board of Elections.

14 The State Board of Elections shall not approve any Direct
15 Recording Electronic Voting System that includes an external
16 Infrared Data Association (IrDA) communications port.

17 The State Board of Elections is authorized to withdraw its
18 approval of a Direct Recording Electronic Voting System if the
19 System, once approved, fails to fulfill the above requirements.

20 The vendor, person, or other private entity shall be solely
21 responsible for the production and cost of: all application
22 fees; all ballots; additional temporary workers; and other
23 equipment or facilities needed and used in the testing of the
24 vendor's, person's, or other private entity's respective
25 equipment and software.

1 Any voting system vendor, person, or other private entity
2 seeking the State Board of Elections' approval of a voting
3 system shall, as part of the approval application, submit to
4 the State Board a non-refundable fee. The State Board of
5 Elections by rule shall establish an appropriate fee structure,
6 taking into account the type of voting system approval that is
7 requested (such as approval of a new system, a modification of
8 an existing system, the size of the modification, etc.). No
9 voting system or modification of a voting system shall be
10 approved unless the fee is paid.

11 No vendor, person, or other entity may sell, lease, or
12 loan, or have a written contract, including a contract
13 contingent upon State Board approval of the voting system or
14 voting system component, to sell, lease, or loan, a Direct
15 Recording Electronic Voting System or system component to any
16 election jurisdiction unless the system or system component is
17 first approved by the State Board of Elections pursuant to this
18 Section.

19 (Source: P.A. 93-574, eff. 8-21-03; 94-1000, eff. 7-3-06.)

20 (10 ILCS 5/28-6) (from Ch. 46, par. 28-6)

21 Sec. 28-6. Petitions; filing.

22 (a) On a written petition signed by a number of voters
23 equal to (i) through the general election in 2008, at least 8%
24 of the total votes cast for candidates for Governor in the
25 preceding gubernatorial election by the registered voters of

1 the municipality, township, county or school district and (ii)
2 beginning with elections in 2009 and thereafter, at least 11%
3 of the total ballots cast by the registered voters of the
4 municipality, township, county, or school district in the last
5 regular election conducted in the municipality, township,
6 county, or school district, it shall be the duty of the proper
7 election officers to submit any question of public policy so
8 petitioned for, to the electors of such political subdivision
9 at any regular election named in the petition at which an
10 election is scheduled to be held throughout such political
11 subdivision under Article 2A. Such petitions shall be filed
12 with the local election official of the political subdivision
13 or election authority, as the case may be. Where such a
14 question is to be submitted to the voters of a municipality
15 which has adopted Article 6, or a township or school district
16 located entirely within the jurisdiction of a municipal board
17 of election commissioners, such petitions shall be filed with
18 the board of election commissioners having jurisdiction over
19 the political subdivision.

20 (b) In a municipality with more than 1,000,000 inhabitants,
21 when a question of public policy exclusively concerning a
22 contiguous territory included entirely within but not
23 coextensive with the municipality is initiated by resolution or
24 ordinance of the corporate authorities of the municipality, or
25 by a petition which may be signed by registered voters who
26 reside in any part of any precinct all or part of which

1 includes all or part of the territory and who equal in number
2 (i) through the general election in 2008 at least 8% of the
3 total votes cast for candidates for Governor in the preceding
4 gubernatorial election by the ~~total number of registered~~ voters
5 of the precinct or precincts in the territory where the
6 question is to be submitted to the voters and (ii) beginning
7 with elections in 2009 and thereafter, at least 11% of the
8 total ballots cast at the last regular election conducted in
9 the precinct or precincts in the territory where the question
10 is to be submitted to the voters ~~the registered voters of which~~
11 ~~are eligible to sign the petition,~~ it shall be the duty of the
12 election authority having jurisdiction over such municipality
13 to submit such question to the electors throughout each
14 precinct all or part of which includes all or part of the
15 territory at the regular election specified in the resolution,
16 ordinance or petition initiating the public question. A
17 petition initiating a public question described in this
18 subsection shall be filed with the election authority having
19 jurisdiction over the municipality. A resolution, ordinance or
20 petition initiating a public question described in this
21 subsection shall specify the election at which the question is
22 to be submitted.

23 (c) Local questions of public policy authorized by this
24 Section and statewide questions of public policy authorized by
25 Section 28-9 shall be advisory public questions, and no legal
26 effects shall result from the adoption or rejection of such

1 propositions.

2 (d) This Section does not apply to a petition filed
3 pursuant to Article IX of the Liquor Control Act of 1934.

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

5 (10 ILCS 5/28-8) (from Ch. 46, par. 28-8)

6 Sec. 28-8. If a referendum ~~to be~~ held in accordance with
7 Section 28-7 of this Act involved ~~involves~~ the question of
8 whether a unit of local government shall become a home rule
9 unit or shall cease to be a home rule unit and if that
10 referendum passed, then the clerk of that unit of local
11 government shall, within 45 ~~at least 20 days prior to the~~
12 ~~referendum, file with the Secretary of State a certified~~
13 ~~statement indicating when the referendum will be held. Within~~
14 ~~30~~ days after the referendum, such clerk shall file with the
15 Secretary of State a certified statement showing the results of
16 the referendum and the resulting status of the unit of local
17 government as a home rule unit or a non-home rule unit. The
18 Secretary of State shall maintain such certified statements in
19 his office as a public record.

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

21 Section 10. The Attorney General Act is amended by changing
22 Section 4 as follows:

23 (15 ILCS 205/4) (from Ch. 14, par. 4)

1 Sec. 4. The duties of the Attorney General shall be--

2 First - To appear for and represent the people of the State
3 before the supreme court in all cases in which the State or the
4 people of the State are interested.

5 Second - To institute and prosecute all actions and
6 proceedings in favor of or for the use of the State, which may
7 be necessary in the execution of the duties of any State
8 officer.

9 Third - To defend all actions and proceedings against any
10 State officer, in his official capacity, in any of the courts
11 of this State or the United States.

12 Fourth - To consult with and advise the several State's
13 Attorneys in matters relating to the duties of their office;
14 and when, in his judgment, the interest of the people of the
15 State requires it, he shall attend the trial of any party
16 accused of crime, and assist in the prosecution. When the
17 Attorney General has requested in writing that a State's
18 Attorney initiate court proceedings to enforce any provisions
19 of the Election Code or to initiate a criminal prosecution with
20 respect to a violation of the Election Code, and when the
21 State's Attorney has declined in writing to initiate those
22 proceedings or prosecutions or when the State's Attorney has
23 neither initiated the proceedings or prosecutions nor
24 responded in writing to the Attorney General within 60 days of
25 the receipt of the request, the Attorney General may,
26 concurrently with or independently of the State's Attorney,

1 initiate such proceedings or prosecutions. The Attorney
2 General may investigate and prosecute any violation of the
3 Election Code at the request of the State Board of Elections or
4 a State's Attorney.

5 Fifth - To investigate alleged violations of the statutes
6 which the Attorney General has a duty to enforce and to conduct
7 other investigations in connection with assisting in the
8 prosecution of a criminal offense at the request of a State's
9 Attorney.

10 Sixth - To consult with and advise the governor and other
11 State officers, and give, when requested, written opinions upon
12 all legal or constitutional questions relating to the duties of
13 such officers respectively.

14 Seventh - To prepare, when necessary, proper drafts for
15 contracts and other writings relating to subjects in which the
16 State is interested.

17 Eighth - To give written opinions, when requested by either
18 branch of the general assembly, or any committee thereof, upon
19 constitutional or legal questions.

20 Ninth - To enforce the proper application of funds
21 appropriated to the public institutions of the State, prosecute
22 breaches of trust in the administration of such funds, and,
23 when necessary, prosecute corporations for failure or refusal
24 to make the reports required by law.

25 Tenth - To keep, a register of all cases prosecuted or
26 defended by him, in behalf of the State or its officers, and of

1 all proceedings had in relation thereto, and to deliver the
2 same to his successor in office.

3 Eleventh - To keep on file in his office a copy of the
4 official opinions issued by the Attorney General and deliver
5 same to his successor.

6 Twelfth - To pay into the State treasury all moneys
7 received by him for the use of the State.

8 Thirteenth - To attend to and perform any other duty which
9 may, from time to time, be required of him by law.

10 Fourteenth - To attend, present evidence to and prosecute
11 indictments returned by each Statewide Grand Jury.

12 (Source: P.A. 94-291, eff. 7-21-05.)

13 Section 15. The Illinois Municipal Code is amended by
14 changing Sections 3.1-20-45, 3.1-25-40, 5-2-18.5, and 5-2-19
15 as follows:

16 (65 ILCS 5/3.1-20-45)

17 Sec. 3.1-20-45. Nonpartisan primary elections; uncontested
18 office. A city incorporated under this Code that elects
19 municipal officers at nonpartisan primary and general
20 elections shall conduct the elections as provided in the
21 Election Code, except that no office for which nomination is
22 uncontested shall be included on the primary ballot and no
23 primary shall be held for that office. For the purposes of this
24 Section, an office is uncontested when not more than 4 ~~two~~

1 persons to be nominated for each office have timely filed valid
2 nominating papers seeking nomination for the election to that
3 office.

4 Notwithstanding the preceding paragraph, when a person (i)
5 who has not timely filed valid nomination papers and (ii) who
6 intends to become a write-in candidate for nomination for any
7 office for which nomination is uncontested files a written
8 statement or notice of that intent with the proper election
9 official with whom the nomination papers for that office are
10 filed, if the write-in candidate becomes the fifth candidate
11 filed, a primary ballot must be prepared and a primary must be
12 held for the office. The statement or notice must be filed on
13 or before the 61st day before the consolidated primary
14 election. The statement must contain (i) the name and address
15 of the person intending to become a write-in candidate, (ii) a
16 statement that the person intends to become a write-in
17 candidate, and (iii) the office the person is seeking as a
18 write-in candidate. An election authority has no duty to
19 conduct a primary election or prepare a primary ballot unless a
20 statement meeting the requirements of this paragraph is filed
21 in a timely manner.

22 (Source: P.A. 91-57, eff. 6-30-99.)

23 (65 ILCS 5/3.1-25-40) (from Ch. 24, par. 3.1-25-40)

24 Sec. 3.1-25-40. Ballots.

25 (a) If the office of president is to be filled, only the

1 names of the 4 ~~2~~ candidates receiving the highest number of
2 votes for president shall be placed on the ballot for president
3 at the next succeeding general municipal election. The names of
4 candidates in a number equal to 4 ~~2~~ times the number of trustee
5 positions to be filled receiving the highest number of votes
6 for trustee, or the names of all candidates if less than 4 ~~2~~
7 times the number of trustee positions to be filled, shall be
8 placed on the ballot for that office at the municipal election.

9 (b) An elector, however, at either a primary election or a
10 general municipal election held under Sections 3.1-25-20
11 through 3.1-25-55, may write in the names of the candidates of
12 that elector's choice in accordance with the general election
13 law. If, however, the name of only one candidate for a
14 particular office appeared on the primary ballot, the name of
15 the person having the largest number of write-in votes shall
16 not be placed upon the ballot at the general municipal election
17 unless the number of votes received in the primary election by
18 that person was at least 10% of the number of votes received by
19 the candidate for the same office whose name appeared on the
20 primary ballot.

21 (c) If a nominee at a general primary election dies or
22 withdraws before the general municipal election, there shall be
23 placed on the ballot the name of the candidate receiving the
24 next highest number of votes, and so on in case of the death or
25 withdrawal of more than one nominee.

26 (d) If in the application of this Section there occurs the

1 condition provided for in Section 3.1-25-45, there shall be
2 placed on the ballot the name of the candidate who was not
3 chosen by lot under that Section where one of 2 tied candidates
4 had been placed on the ballot before the death or withdrawal
5 occurred. If, however, in the application of this Section, the
6 candidate with the next highest number of votes cannot be
7 determined because of a tie among 2 or more candidates, the
8 successor nominee whose name shall be placed on the ballot
9 shall be determined by lot as provided in Section 3.1-25-45.

10 (Source: P.A. 87-1119.)

11 (65 ILCS 5/5-2-18.5) (from Ch. 24, par. 5-2-18.5)

12 Sec. 5-2-18.5.

13 To determine the number of nominees who shall be placed on
14 the ballot under each sub-title at the general city election,
15 the number of officers who will be chosen under each sub-title
16 shall be multiplied by 4 ~~2~~. Only those candidates at the
17 primary election shall be nominees under each sub-title at the
18 general city election who have received the 4 ~~2~~ highest number
19 of votes, where but one officer is to be elected, the 8 ~~4~~
20 highest where but two officers are to be elected, and in this
21 manner as far as necessary.

22 (Source: P.A. 76-1426.)

23 (65 ILCS 5/5-2-19) (from Ch. 24, par. 5-2-19)

24 Sec. 5-2-19. In any city which was operating under the

1 aldermanic form of government as provided in Article 3 at the
2 time of adoption of this Article 5 which did not also elect to
3 continue to choose aldermen from wards, the city clerk and city
4 treasurer shall be nominated and elected in the same manner as
5 provided in this Article 5 for the nomination and election of
6 the mayor and councilmen. To achieve this result: wherever the
7 term "mayor or commissioners" appears in Sections 4-3-7 through
8 4-3-18, it shall be construed to include the words "or clerk or
9 treasurer". The names of candidates for nomination shall be
10 placed on the primary election ballot prescribed in Section
11 5-2-13 and such ballot shall be modified to include the heading
12 "For Clerk--Vote for one" immediately following the names of
13 candidates for councilmen and to include the heading "For
14 Treasurer--Vote for one" immediately following the names of
15 candidates for clerk. The names of the 4 ~~2~~ candidates receiving
16 the highest number of votes for each of the respective offices
17 shall be placed on the general municipal election ballot
18 prescribed in Section 5-2-13 which ballot shall be modified to
19 include such offices and names in the same manner as is
20 provided in this section for the primary ballot. If any
21 candidate nominated for the office of clerk or treasurer dies
22 or withdraws before the general municipal election the name of
23 the person receiving the fifth ~~third~~ highest number of votes
24 for nomination to that office shall be placed on the ballot for
25 that election.

26 However, in any city not exceeding 100,000 inhabitants

1 which adopts this Article 5 and elects a mayor and aldermen or
2 councilmen as provided in Section 5-2-12, or Sections 5-2-18
3 through 5-2-18.8, the council may, in lieu of electing a clerk
4 and treasurer as provided in the above paragraph, provide by
5 ordinance that the clerk or treasurer or both for such city be
6 appointed by the mayor with the approval of the city council.
7 If such officers are appointed their terms of office, duties,
8 compensation and amount of bond required shall be the same as
9 if they were elected.

10 (Source: P.A. 85-461.)

11 (65 ILCS 5/4-3-5 rep.)

12 (65 ILCS 5/4-3-10 rep.)

13 (65 ILCS 5/4-3-10.1 rep.)

14 (65 ILCS 5/4-3-13 rep.)

15 (65 ILCS 5/4-3-14 rep.)

16 Section 20. The Illinois Municipal Code is amended by
17 repealing Sections 4-3-5, 4-3-10, 4-3-10.1, 4-3-13, and
18 4-3-14.

19 Section 25. The School Code is amended by changing Section
20 24-2 as follows:

21 (105 ILCS 5/24-2) (from Ch. 122, par. 24-2)

22 Sec. 24-2. Holidays. Teachers shall not be required to
23 teach on Saturdays; nor shall teachers or other school

1 employees, other than noncertificated school employees whose
2 presence is necessary because of an emergency or for the
3 continued operation and maintenance of school facilities or
4 property, be required to work on legal school holidays, which
5 are January 1, New Year's Day; the third Monday in January, the
6 Birthday of Dr. Martin Luther King, Jr.; February 12, the
7 Birthday of President Abraham Lincoln; the first Monday in
8 March (to be known as Casimir Pulaski's birthday); Good Friday;
9 the day designated as Memorial Day by federal law; July 4,
10 Independence Day; the first Monday in September, Labor Day; the
11 second Monday in October, Columbus Day; November 11, Veteran's
12 Day; the Thursday in November commonly called Thanksgiving Day;
13 and December 25, Christmas Day. School boards may grant special
14 holidays whenever in their judgment such action is advisable,
15 ~~except that no school board or board of education may designate~~
16 ~~or observe as a special holiday on which teachers or other~~
17 ~~school employees are not required to work the days on which~~
18 ~~general elections for members of the Illinois House of~~
19 ~~Representatives are held.~~ No deduction shall be made from the
20 time or compensation of a school employee on account of any
21 legal or special holiday.

22 Commemorative holidays, which recognize specified
23 patriotic, civic, cultural or historical persons, activities,
24 or events, are regular school days. Commemorative holidays are:
25 January 28 (to be known as Christa McAuliffe Day and observed
26 as a commemoration of space exploration), February 15 (the

1 birthday of Susan B. Anthony), March 29 (Viet Nam War Veterans
2 Day), September 11 (September 11th Day of Remembrance), the
3 school day immediately preceding Veteran's Day (Korean War
4 Veterans Day), October 1 (Recycling Day), December 7 (Pearl
5 Harbor Veterans Day) and any day so appointed by the President
6 or Governor. School boards may establish commemorative
7 holidays whenever in their judgment such action is advisable.
8 School boards shall include instruction relative to
9 commemorated persons, activities, or events on the
10 commemorative holiday or at any other time during the school
11 year and at any point in the curriculum when such instruction
12 may be deemed appropriate. The State Board of Education shall
13 prepare and make available to school boards instructional
14 materials relative to commemorated persons, activities, or
15 events which may be used by school boards in conjunction with
16 any instruction provided pursuant to this paragraph.

17 City of Chicago School District 299 shall observe March 4
18 of each year as a commemorative holiday. This holiday shall be
19 known as Mayors' Day which shall be a day to commemorate and be
20 reminded of the past Chief Executive Officers of the City of
21 Chicago, and in particular the late Mayor Richard J. Daley and
22 the late Mayor Harold Washington. If March 4 falls on a
23 Saturday or Sunday, Mayors' Day shall be observed on the
24 following Monday.

25 (Source: P.A. 92-704, eff. 7-19-02.)

1 Section 97. Severability. The provisions of this Act are
2 severable under Section 1.31 of the Statute on Statutes.

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