

1 AN ACT concerning elections.

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

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

12 (10 ILCS 5/1A-8) (from Ch. 46, par. 1A-8)

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

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

19 (2) Disseminate information to and consult with
20 election authorities concerning the conduct of elections
21 and registration in accordance with the laws of this State
22 and the laws of the United States;

23 (3) Furnish to each election authority prior to each

1 primary and general election and any other election it
2 deems necessary, a manual of uniform instructions
3 consistent with the provisions of this Act which shall be
4 used by election authorities in the preparation of the
5 official manual of instruction to be used by the judges of
6 election in any such election. In preparing such manual,
7 the State Board shall consult with representatives of the
8 election authorities throughout the State. The State Board
9 may provide separate portions of the uniform instructions
10 applicable to different election jurisdictions which
11 administer elections under different options provided by
12 law. The State Board may by regulation require particular
13 portions of the uniform instructions to be included in any
14 official manual of instructions published by election
15 authorities. Any manual of instructions published by any
16 election authority shall be identical with the manual of
17 uniform instructions issued by the Board, but may be
18 adapted by the election authority to accommodate special or
19 unusual local election problems, provided that all manuals
20 published by election authorities must be consistent with
21 the provisions of this Act in all respects and must receive
22 the approval of the State Board of Elections prior to
23 publication; provided further that if the State Board does
24 not approve or disapprove of a proposed manual within 60
25 days of its submission, the manual shall be deemed
26 approved.

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

6 (5) Prepare and certify the form of ballot for any
7 proposed amendment to the Constitution of the State of
8 Illinois, or any referendum to be submitted to the electors
9 throughout the State or, when required to do so by law, to
10 the voters of any area or unit of local government of the
11 State;

12 (6) Require such statistical reports regarding the
13 conduct of elections and registration from election
14 authorities as may be deemed necessary;

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

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

21 (9) Adopt, amend or rescind rules and regulations in
22 the performance of its duties provided that all such rules
23 and regulations must be consistent with the provisions of
24 this Article 1A or issued pursuant to authority otherwise
25 provided by law;

26 (10) Determine the validity and sufficiency of

1 petitions filed under Article XIV, Section 3, of the
2 Constitution of the State of Illinois of 1970;

3 (11) Maintain in its principal office a research
4 library that includes, but is not limited to, abstracts of
5 votes by precinct for general primary elections and general
6 elections, current precinct maps and current precinct poll
7 lists from all election jurisdictions within the State. The
8 research library shall be open to the public during regular
9 business hours. Such abstracts, maps and lists shall be
10 preserved as permanent records and shall be available for
11 examination and copying at a reasonable cost;

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

14 (13) Obtain from the Department of Central Management
15 Services, under Section 405-250 of the Department of
16 Central Management Services Law (20 ILCS 405/405-250),
17 such use of electronic data processing equipment as may be
18 required to perform the duties of the State Board of
19 Elections and to provide election-related information to
20 candidates, public and party officials, interested civic
21 organizations and the general public in a timely and
22 efficient manner; and

23 (14) To take such action as may be necessary or
24 required to give effect to directions of the national
25 committee or State central committee of an established
26 political party under Sections 7-8, 7-11 and 7-14.1 or such

1 other provisions as may be applicable pertaining to the
2 selection of delegates and alternate delegates to an
3 established political party's national nominating
4 conventions or, notwithstanding any candidate
5 certification schedule contained within the Election Code,
6 the certification of the Presidential and Vice
7 Presidential candidate selected by the established
8 political party's national nominating convention.

9 The Board may by regulation delegate any of its duties or
10 functions under this Article, except that final determinations
11 and orders under this Article shall be issued only by the
12 Board.

13 The requirement for reporting to the General Assembly shall
14 be satisfied by filing copies of the report with the Speaker,
15 the Minority Leader and the Clerk of the House of
16 Representatives and the President, the Minority Leader and the
17 Secretary of the Senate and the Legislative Research Unit, as
18 required by Section 3.1 of "An Act to revise the law in
19 relation to the General Assembly", approved February 25, 1874,
20 as amended, and filing such additional copies with the State
21 Government Report Distribution Center for the General Assembly
22 as is required under paragraph (t) of Section 7 of the State
23 Library Act.

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

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

1 ~~a current and valid photo identification, or a copy of any of~~
2 ~~the following current documents that show the person's name and~~
3 ~~address: utility bill, bank statement, paycheck, government~~
4 ~~check, or other government document.~~

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

6 (10 ILCS 5/5-105)

7 Sec. 5-105. First time voting. A person must vote for the
8 first time in person and not by a mailed absentee ballot if the
9 person registered to vote by mail, unless the person first
10 provides the appropriate election authority with sufficient
11 proof of identity and the election authority verifies the
12 person's proof of identity. Sufficient proof of identity shall
13 be demonstrated by submission of the person's driver's license
14 number or State identification card number or, if the person
15 does not have either of those, verification by the last 4
16 digits of the person's social security number, a copy of a
17 current and valid photo identification, or a copy of a current
18 utility bill, bank statement, paycheck, government check, or
19 other government document that shows the person's name and
20 address. Persons who apply to register to vote by mail but
21 provide inadequate proof of identity to the election authority
22 shall be notified by the election authority that the
23 registration has not been fully completed and that the person
24 remains ineligible to vote by mail or in person until such
25 proof is presented. ~~If a person registered to vote by mail, the~~

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

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

13 (10 ILCS 5/6-105)

14 Sec. 6-105. First time voting. A person must vote for the
15 first time in person and not by a mailed absentee ballot if the
16 person registered to vote by mail, unless the person first
17 provides the appropriate election authority with sufficient
18 proof of identity and the election authority verifies the
19 person's proof of identity. Sufficient proof of identity shall
20 be demonstrated by submission of the person's driver's license
21 number or State identification card number or, if the person
22 does not have either of those, verification by the last 4
23 digits of the person's social security number, a copy of a
24 current and valid photo identification, or a copy of a current
25 utility bill, bank statement, paycheck, government check, or

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

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

20 (10 ILCS 5/7-8) (from Ch. 46, par. 7-8)

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

24 State Central Committee

25 (a) Within 30 days after the effective date of this

1 amendatory Act of 1983 the State central committee of each
2 political party shall certify to the State Board of Elections
3 which of the following alternatives it wishes to apply to the
4 State central committee of that party.

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

15 At the county convention held by such political party State
16 central committeemen shall be elected in the same manner as
17 provided in this Article for the election of officers of the
18 county central committee, and such election shall follow the
19 election of officers of the county central committee. Each
20 elected ward, township or precinct committeeman shall cast as
21 his vote one vote for each ballot voted in his ward, township,
22 part of a township or precinct in the last preceding primary
23 election of his political party. In the case of a county lying
24 partially within one congressional district and partially
25 within another congressional district, each ward, township or
26 precinct committeeman shall vote only with respect to the

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

15 The State central committee shall adopt rules to provide
16 for and govern the procedures to be followed in the election of
17 members of the State central committee.

18 After the effective date of this amendatory Act of the 91st
19 General Assembly, whenever a vacancy occurs in the office of
20 Chairman of a State central committee, or at the end of the
21 term of office of Chairman, the State central committee of each
22 political party that has selected Alternative A shall elect a
23 Chairman who shall not be required to be a member of the State
24 Central Committee. The Chairman shall be a registered voter in
25 this State and of the same political party as the State central
26 committee.

1 Alternative B. Each congressional committee shall, within
2 30 days after the adoption of this alternative, appoint a
3 person of the sex opposite that of the incumbent member for
4 that congressional district to serve as an additional member of
5 the State central committee until his or her successor is
6 elected at the general primary election in 1986. Each
7 congressional committee shall make this appointment by voting
8 on the basis set forth in paragraph (e) of this Section. In
9 each congressional district at the general primary election
10 held in 1986 and every 4 years thereafter, the male candidate
11 receiving the highest number of votes of the party's male
12 candidates for State central committeeman, and the female
13 candidate receiving the highest number of votes of the party's
14 female candidates for State central committeewoman, shall be
15 declared elected State central committeeman and State central
16 committeewoman from the district. At the general primary
17 election held in 1986 and every 4 years thereafter, if all a
18 party's candidates for State central committeemen or State
19 central committeewomen from a congressional district are of the
20 same sex, the candidate receiving the highest number of votes
21 shall be declared elected a State central committeeman or State
22 central committeewoman from the district, and, because of a
23 failure to elect one male and one female to the committee, a
24 vacancy shall be declared to exist in the office of the second
25 member of the State central committee from the district. This
26 vacancy shall be filled by appointment by the congressional

1 committee of the political party, and the person appointed to
2 fill the vacancy shall be a resident of the congressional
3 district and of the sex opposite that of the committeeman or
4 committeewoman elected at the general primary election. Each
5 congressional committee shall make this appointment by voting
6 on the basis set forth in paragraph (e) of this Section.

7 The Chairman of a State central committee composed as
8 provided in this Alternative B must be selected from the
9 committee's members.

10 Except as provided for in Alternative A with respect to the
11 selection of the Chairman of the State central committee, under
12 both of the foregoing alternatives, the State central committee
13 of each political party shall be composed of members elected or
14 appointed from the several congressional districts of the
15 State, and of no other person or persons whomsoever. The
16 members of the State central committee shall, within 41 days
17 after each quadrennial election of the full committee, meet in
18 the city of Springfield and organize by electing a chairman,
19 and may at such time elect such officers from among their own
20 number (or otherwise), as they may deem necessary or expedient.
21 The outgoing chairman of the State central committee of the
22 party shall, 10 days before the meeting, notify each member of
23 the State central committee elected at the primary of the time
24 and place of such meeting. In the organization and proceedings
25 of the State central committee, each State central committeeman
26 and State central committeewoman shall have one vote for each

1 ballot voted in his or her congressional district by the
2 primary electors of his or her party at the primary election
3 immediately preceding the meeting of the State central
4 committee. Whenever a vacancy occurs in the State central
5 committee of any political party, the vacancy shall be filled
6 by appointment of the chairmen of the county central committees
7 of the political party of the counties located within the
8 congressional district in which the vacancy occurs and, if
9 applicable, the ward and township committeemen of the political
10 party in counties of 2,000,000 or more inhabitants located
11 within the congressional district. If the congressional
12 district in which the vacancy occurs lies wholly within a
13 county of 2,000,000 or more inhabitants, the ward and township
14 committeemen of the political party in that congressional
15 district shall vote to fill the vacancy. In voting to fill the
16 vacancy, each chairman of a county central committee and each
17 ward and township committeeman in counties of 2,000,000 or more
18 inhabitants shall have one vote for each ballot voted in each
19 precinct of the congressional district in which the vacancy
20 exists of his or her county, township, or ward cast by the
21 primary electors of his or her party at the primary election
22 immediately preceding the meeting to fill the vacancy in the
23 State central committee. The person appointed to fill the
24 vacancy shall be a resident of the congressional district in
25 which the vacancy occurs, shall be a qualified voter, and, in a
26 committee composed as provided in Alternative B, shall be of

1 the same sex as his or her predecessor. A political party may,
2 by a majority vote of the delegates of any State convention of
3 such party, determine to return to the election of State
4 central committeeman and State central committeewoman by the
5 vote of primary electors. Any action taken by a political party
6 at a State convention in accordance with this Section shall be
7 reported to the State Board of Elections by the chairman and
8 secretary of such convention within 10 days after such action.

9 Ward, Township and Precinct Committeemen

10 (b) At the primary in 1972 and at the general primary
11 election every 4 years thereafter, each primary elector in
12 cities having a population of 200,000 or over may vote for one
13 candidate of his party in his ward for ward committeeman. Each
14 candidate for ward committeeman must be a resident of and in
15 the ward where he seeks to be elected ward committeeman. The
16 one having the highest number of votes shall be such ward
17 committeeman of such party for such ward. At the primary
18 election in 1970 and at the general primary election every 4
19 years thereafter, each primary elector in counties containing a
20 population of 2,000,000 or more, outside of cities containing a
21 population of 200,000 or more, may vote for one candidate of
22 his party for township committeeman. Each candidate for
23 township committeeman must be a resident of and in the township
24 or part of a township (which lies outside of a city having a
25 population of 200,000 or more, in counties containing a
26 population of 2,000,000 or more), and in which township or part

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

15 Terms of Committeemen. All precinct committeemen elected
16 under the provisions of this Article shall continue as such
17 committeemen until the date of the primary to be held in the
18 second year after their election. Except as otherwise provided
19 in this Section for certain State central committeemen who have
20 2 year terms, all State central committeemen, township
21 committeemen and ward committeemen shall continue as such
22 committeemen until the date of primary to be held in the fourth
23 year after their election. However, a vacancy exists in the
24 office of precinct committeeman when a precinct committeeman
25 ceases to reside in the precinct in which he was elected and
26 such precinct committeeman shall thereafter neither have nor

1 exercise any rights, powers or duties as committeeman in that
2 precinct, even if a successor has not been elected or
3 appointed.

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

13 County Central Committee

14 (d) The county central committee of each political party in
15 each county shall consist of the various township committeemen,
16 precinct committeemen and ward committeemen, if any, of such
17 party in the county. In the organization and proceedings of the
18 county central committee, each precinct committeeman shall
19 have one vote for each ballot voted in his precinct by the
20 primary electors of his party at the primary at which he was
21 elected; each township committeeman shall have one vote for
22 each ballot voted in his township or part of a township as the
23 case may be by the primary electors of his party at the primary
24 election for the nomination of candidates for election to the
25 General Assembly immediately preceding the meeting of the
26 county central committee; and in the organization and

1 proceedings of the county central committee, each ward
2 committeeman shall have one vote for each ballot voted in his
3 ward by the primary electors of his party at the primary
4 election for the nomination of candidates for election to the
5 General Assembly immediately preceding the meeting of the
6 county central committee.

7 Cook County Board of Review Election District Committee

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

25 Congressional Committee

26 (e) The congressional committee of each party in each

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

15 In the organization and proceedings of congressional
16 committees composed of precinct committeemen or township
17 committeemen or ward committeemen, or any combination thereof,
18 each precinct committeeman shall have one vote for each ballot
19 voted in his precinct by the primary electors of his party at
20 the primary at which he was elected, each township committeeman
21 shall have one vote for each ballot voted in his township or
22 part of a township as the case may be by the primary electors
23 of his party at the primary election immediately preceding the
24 meeting of the congressional committee, and each ward
25 committeeman shall have one vote for each ballot voted in each
26 precinct of his ward located in such congressional district by

1 the primary electors of his party at the primary election
2 immediately preceding the meeting of the congressional
3 committee; and in the organization and proceedings of
4 congressional committees composed of the chairmen of the county
5 central committees of the counties within such district, each
6 chairman of such county central committee shall have one vote
7 for each ballot voted in his county by the primary electors of
8 his party at the primary election immediately preceding the
9 meeting of the congressional committee.

10 Judicial District Committee

11 (f) The judicial district committee of each political party
12 in each judicial district shall be composed of the chairman of
13 the county central committees of the counties composing the
14 judicial district.

15 In the organization and proceedings of judicial district
16 committees composed of the chairmen of the county central
17 committees of the counties within such district, each chairman
18 of such county central committee shall have one vote for each
19 ballot voted in his county by the primary electors of his party
20 at the primary election immediately preceding the meeting of
21 the judicial district committee.

22 Circuit Court Committee

23 (g) The circuit court committee of each political party in
24 each judicial circuit outside Cook County shall be composed of
25 the chairmen of the county central committees of the counties
26 composing the judicial circuit.

1 In the organization and proceedings of circuit court
2 committees, each chairman of a county central committee shall
3 have one vote for each ballot voted in his county by the
4 primary electors of his party at the primary election
5 immediately preceding the meeting of the circuit court
6 committee.

7 Judicial Subcircuit Committee

8 (g-1) The judicial subcircuit committee of each political
9 party in each judicial subcircuit in a judicial circuit divided
10 into subcircuits shall be composed of (i) the ward and township
11 committeemen of the townships and wards composing the judicial
12 subcircuit in Cook County and (ii) the precinct committeemen of
13 the precincts composing the judicial subcircuit in any county
14 other than Cook County.

15 In the organization and proceedings of each judicial
16 subcircuit committee, each township committeeman shall have
17 one vote for each ballot voted in his township or part of a
18 township, as the case may be, in the judicial subcircuit by the
19 primary electors of his party at the primary election
20 immediately preceding the meeting of the judicial subcircuit
21 committee; each precinct committeeman shall have one vote for
22 each ballot voted in his precinct or part of a precinct, as the
23 case may be, in the judicial subcircuit by the primary electors
24 of his party at the primary election immediately preceding the
25 meeting of the judicial subcircuit committee; and each ward
26 committeeman shall have one vote for each ballot voted in his

1 ward or part of a ward, as the case may be, in the judicial
2 subcircuit by the primary electors of his party at the primary
3 election immediately preceding the meeting of the judicial
4 subcircuit committee.

5 Municipal Central Committee

6 (h) The municipal central committee of each political party
7 shall be composed of the precinct, township or ward
8 committeemen, as the case may be, of such party representing
9 the precincts or wards, embraced in such city, incorporated
10 town or village. The voting strength of each precinct, township
11 or ward committeeman on the municipal central committee shall
12 be the same as his voting strength on the county central
13 committee.

14 For political parties, other than a statewide political
15 party, established only within a municipality or township, the
16 municipal or township managing committee shall be composed of
17 the party officers of the local established party. The party
18 officers of a local established party shall be as follows: the
19 chairman and secretary of the caucus for those municipalities
20 and townships authorized by statute to nominate candidates by
21 caucus shall serve as party officers for the purpose of filling
22 vacancies in nomination under Section 7-61; for municipalities
23 and townships authorized by statute or ordinance to nominate
24 candidates by petition and primary election, the party officers
25 shall be the party's candidates who are nominated at the
26 primary. If no party primary was held because of the provisions

1 of Section 7-5, vacancies in nomination shall be filled by the
2 party's remaining candidates who shall serve as the party's
3 officers.

4 Powers

5 (i) Each committee and its officers shall have the powers
6 usually exercised by such committees and by the officers
7 thereof, not inconsistent with the provisions of this Article.
8 The several committees herein provided for shall not have power
9 to delegate any of their powers, or functions to any other
10 person, officer or committee, but this shall not be construed
11 to prevent a committee from appointing from its own membership
12 proper and necessary subcommittees.

13 (j) The State central committee of a political party which
14 elects its members by Alternative B under paragraph (a) of this
15 Section shall adopt a plan to give effect to the delegate
16 selection rules of the national political party and file a copy
17 of such plan with the State Board of Elections when approved by
18 a national political party.

19 (k) For the purpose of the designation of a proxy by a
20 Congressional Committee to vote in place of an absent State
21 central committeeman or committeewoman at meetings of the State
22 central committee of a political party which elects its members
23 by Alternative B under paragraph (a) of this Section, the proxy
24 shall be appointed by the vote of the ward and township
25 committeemen, if any, of the wards and townships which lie
26 entirely or partially within the Congressional District from

1 which the absent State central committeeman or committeewoman
2 was elected and the vote of the chairmen of the county central
3 committees of those counties which lie entirely or partially
4 within that Congressional District and in which there are no
5 ward or township committeemen. When voting for such proxy the
6 county chairman, ward committeeman or township committeeman,
7 as the case may be shall have one vote for each ballot voted in
8 his county, ward or township, or portion thereof within the
9 Congressional District, by the primary electors of his party at
10 the primary at which he was elected. However, the absent State
11 central committeeman or committeewoman may designate a proxy
12 when permitted by the rules of a political party which elects
13 its members by Alternative B under paragraph (a) of this
14 Section.

15 Notwithstanding any law to the contrary, a person is
16 ineligible to hold the position of committeeperson in any
17 committee established pursuant to this Section if he or she is
18 statutorily ineligible to vote in a general election because of
19 conviction of a felony. When a committeeperson is convicted of
20 a felony, the position occupied by that committeeperson shall
21 automatically become vacant.

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

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

24 Sec. 7-10. Form of petition for nomination. The name of no
25 candidate for nomination, or State central committeeman, or

1 township committeeman, or precinct committeeman, or ward
 2 committeeman or candidate for delegate or alternate delegate to
 3 national nominating conventions, shall be printed upon the
 4 primary ballot unless a petition for nomination has been filed
 5 in his behalf as provided in this Article in substantially the
 6 following form:

7 We, the undersigned, members of and affiliated with the
 8 party and qualified primary electors of the party, in
 9 the of, in the county of and State of Illinois,
 10 do hereby petition that the following named person or persons
 11 shall be a candidate or candidates of the party for the
 12 nomination for (or in case of committeemen for election to) the
 13 office or offices hereinafter specified, to be voted for at the
 14 primary election to be held on (insert date).

| 15 | Name | Office | Address |
|----|--------------|------------------|-----------------|
| 16 | John Jones | Governor | Belvidere, Ill. |
| 17 | Thomas Smith | Attorney General | Oakland, Ill. |

18 Name..... Address.....

19 State of Illinois)

20) ss.

21 County of.....)

22 I,, do hereby certify that I reside at No.
 23 street, in the of, county of, and State of
 24, that I am 18 years of age or older, that I am a citizen

1 of the United States, and that the signatures on this sheet
 2 were signed in my presence, and are genuine, and that to the
 3 best of my knowledge and belief the persons so signing were at
 4 the time of signing the petitions qualified voters of the
 5 party, and that their respective residences are correctly
 6 stated, as above set forth.

7

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

9

10

11 Each sheet of the petition other than the statement of
 12 candidacy and candidate's statement shall be of uniform size
 13 and shall contain above the space for signatures an appropriate
 14 heading giving the information as to name of candidate or
 15 candidates, in whose behalf such petition is signed; the
 16 office, the political party represented and place of residence;
 17 and the heading of each sheet shall be the same.

18 Such petition shall be signed by qualified primary electors
 19 residing in the political division for which the nomination is
 20 sought in their own proper persons only and opposite the
 21 signature of each signer, his residence address shall be
 22 written or printed. The residence address required to be
 23 written or printed opposite each qualified primary elector's
 24 name shall include the street address or rural route number of
 25 the signer, as the case may be, as well as the signer's county,

1 and city, village or town, and state. However the county or
2 city, village or town, and state of residence of the electors
3 may be printed on the petition forms where all of the electors
4 signing the petition reside in the same county or city, village
5 or town, and state. Standard abbreviations may be used in
6 writing the residence address, including street number, if any.
7 At the bottom of each sheet of such petition shall be added a
8 circulator statement signed by a person 18 years of age or
9 older who is a citizen of the United States, stating the street
10 address or rural route number, as the case may be, as well as
11 the county, city, village or town, and state; and certifying
12 that the signatures on that sheet of the petition were signed
13 in his or her presence and certifying that the signatures are
14 genuine; and either (1) indicating the dates on which that
15 sheet was circulated, or (2) indicating the first and last
16 dates on which the sheet was circulated, or (3) certifying that
17 none of the signatures on the sheet were signed more than 90
18 days preceding the last day for the filing of the petition and
19 certifying that to the best of his or her knowledge and belief
20 the persons so signing were at the time of signing the
21 petitions qualified voters of the political party for which a
22 nomination is sought. Such statement shall be sworn to before
23 some officer authorized to administer oaths in this State.

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

1 The person circulating the petition, or the candidate on
2 whose behalf the petition is circulated, may strike any
3 signature from the petition, provided that:

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

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

10 Such sheets before being filed shall be neatly fastened
11 together in book form, by placing the sheets in a pile and
12 fastening them together at one edge in a secure and suitable
13 manner, and the sheets shall then be numbered consecutively.
14 The sheets shall not be fastened by pasting them together end
15 to end, so as to form a continuous strip or roll. All petition
16 sheets which are filed with the proper local election
17 officials, election authorities or the State Board of Elections
18 shall be the original sheets which have been signed by the
19 voters and by the circulator thereof, and not photocopies or
20 duplicates of such sheets. Each petition must include as a part
21 thereof, a statement of candidacy for each of the candidates
22 filing, or in whose behalf the petition is filed. This
23 statement shall set out the address of such candidate, the
24 office for which he is a candidate, shall state that the
25 candidate is a qualified primary voter of the party to which
26 the petition relates and is qualified for the office specified

1 (in the case of a candidate for State's Attorney it shall state
 2 that the candidate is at the time of filing such statement a
 3 licensed attorney-at-law of this State), shall state that he
 4 has filed (or will file before the close of the petition filing
 5 period) a statement of economic interests as required by the
 6 Illinois Governmental Ethics Act, shall request that the
 7 candidate's name be placed upon the official ballot, and shall
 8 be subscribed and sworn to by such candidate before some
 9 officer authorized to take acknowledgment of deeds in the State
 10 and shall be in substantially the following form:

11 Statement of Candidacy

| 12 | Name | Address | Office | District | Party |
|----|------------|--------------|----------|-----------|------------|
| 13 | John Jones | 102 Main St. | Governor | Statewide | Republican |
| 14 | | Belvidere, | | | |
| 15 | | Illinois | | | |

16 State of Illinois)

17) ss.

18 County of)

19 I,, being first duly sworn, say that I reside at
 20 Street in the city (or village) of, in the county of,
 21 State of Illinois; that I am a qualified voter therein and am a
 22 qualified primary voter of the party; that I am a
 23 candidate for nomination (for election in the case of
 24 committeeman and delegates and alternate delegates) to the
 25 office of to be voted upon at the primary election to be

1 held on (insert date); that I am legally qualified (including
 2 being the holder of any license that may be an eligibility
 3 requirement for the office I seek the nomination for) to hold
 4 such office and that I have filed (or I will file before the
 5 close of the petition filing period) a statement of economic
 6 interests as required by the Illinois Governmental Ethics Act
 7 and I hereby request that my name be printed upon the official
 8 primary ballot for nomination for (or election to in the case
 9 of committeemen and delegates and alternate delegates) such
 10 office.

11 Signed

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

14 Signed

15 (Official Character)

16 (Seal, if officer has one.)

17 The petitions, when filed, shall not be withdrawn or added
 18 to, and no signatures shall be revoked except by revocation
 19 filed in writing with the State Board of Elections, election
 20 authority or local election official with whom the petition is
 21 required to be filed, and before the filing of such petition.
 22 Whoever forges the name of a signer upon any petition required
 23 by this Article is deemed guilty of a forgery and on conviction
 24 thereof shall be punished accordingly.

25 A candidate for the offices listed in this Section must

1 obtain the number of signatures specified in this Section on
2 his or her petition for nomination.

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

9 (b) Congressional office or congressional delegate to a
10 national nominating convention. If a candidate seeks to run for
11 United States Congress or as a congressional delegate or
12 alternate congressional delegate to a national nominating
13 convention elected from a congressional district, then the
14 candidate's petition for nomination must contain at least the
15 number of signatures equal to 0.5% of the qualified primary
16 electors of his or her party in his or her congressional
17 district. In the first primary election following a
18 redistricting of congressional districts, a candidate's
19 petition for nomination must contain at least 600 signatures of
20 qualified primary electors of the candidate's political party
21 in his or her congressional district.

22 (c) County office. If a candidate seeks to run for any
23 countywide office, including but not limited to county board
24 chairperson or county board member, elected on an at-large
25 basis, in a county other than Cook County, then the candidate's
26 petition for nomination must contain at least the number of

1 signatures equal to 0.5% of the qualified electors of his or
2 her party who cast votes at the last preceding general election
3 in his or her county (or 1.5% if the county is DuPage County).

4 If a candidate seeks to run for county board member elected
5 from a county board district, then the candidate's petition for
6 nomination must contain at least the number of signatures equal
7 to 0.5% of the qualified primary electors of his or her party
8 in the county board district (or 1.5% if the county is DuPage

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

19 (d) County office; Cook County only.

20 (1) If a candidate seeks to run for countywide office
21 in Cook County, then the candidate's petition for
22 nomination must contain at least the number of signatures
23 equal to 0.5% of the qualified electors of his or her party
24 who cast votes at the last preceding general election in
25 Cook County.

26 (2) If a candidate seeks to run for Cook County Board

1 Commissioner, then the candidate's petition for nomination
2 must contain at least the number of signatures equal to
3 0.5% of the qualified primary electors of his or her party
4 in his or her county board district. In the first primary
5 election following a redistricting of Cook County Board of
6 Commissioners districts, a candidate's petition for
7 nomination must contain at least the number of signatures
8 equal to 0.5% of the qualified electors of his or her party
9 in the entire county who cast votes at the last preceding
10 general election divided by the total number of county
11 board districts comprising the county board; provided that
12 in no event shall the number of signatures be less than 25.

13 (3) If a candidate seeks to run for Cook County Board
14 of Review Commissioner, which is elected from a district
15 pursuant to subsection (c) of Section 5-5 of the Property
16 Tax Code, then the candidate's petition for nomination must
17 contain at least the number of signatures equal to 0.5% of
18 the total number of registered voters in his or her board
19 of review district in the last general election at which a
20 commissioner was regularly scheduled to be elected from
21 that board of review district. In no event shall the number
22 of signatures required be greater than the requisite number
23 for a candidate who seeks countywide office in Cook County
24 under subsection (d)(1) of this Section. In the first
25 primary election following a redistricting of Cook County
26 Board of Review districts, a candidate's petition for

1 nomination must contain at least 4,000 signatures or at
2 least the number of signatures required for a countywide
3 candidate in Cook County, whichever is less, of the
4 qualified electors of his or her party in the district.

5 (e) Municipal or township office. If a candidate seeks to
6 run for municipal or township office, then the candidate's
7 petition for nomination must contain at least the number of
8 signatures equal to 0.5% of the qualified primary electors of
9 his or her party in the municipality or township. If a
10 candidate seeks to run for alderman of a municipality, then the
11 candidate's petition for nomination must contain at least the
12 number of signatures equal to 0.5% of the qualified primary
13 electors of his or her party of the ward. In the first primary
14 election following redistricting of aldermanic wards or
15 trustee districts of a municipality or the initial
16 establishment of wards or districts, a candidate's petition for
17 nomination must contain the number of signatures equal to at
18 least 0.5% of the total number of votes cast for the candidate
19 of that political party who received the highest number of
20 votes in the entire municipality at the last regular election
21 at which an officer was regularly scheduled to be elected from
22 the entire municipality, divided by the number of wards or
23 districts. In no event shall the number of signatures be less
24 than 25.

25 (f) State central committeeperson. If a candidate seeks to
26 run for State central committeeperson, then the candidate's

1 petition for nomination must contain at least 100 signatures of
2 the primary electors of his or her party of his or her
3 congressional district.

4 (g) Sanitary district trustee. If a candidate seeks to run
5 for trustee of a sanitary district in which trustees are not
6 elected from wards, then the candidate's petition for
7 nomination must contain at least the number of signatures equal
8 to 0.5% of the primary electors of his or her party from the
9 sanitary district. If a candidate seeks to run for trustee of a
10 sanitary district in which trustees are elected from wards,
11 then the candidate's petition for nomination must contain at
12 least the number of signatures equal to 0.5% of the primary
13 electors of his or her party in the ward of that sanitary
14 district. In the first primary election following
15 redistricting of sanitary districts elected from wards, a
16 candidate's petition for nomination must contain at least the
17 signatures of 150 qualified primary electors of his or her ward
18 of that sanitary district.

19 (h) Judicial office. If a candidate seeks to run for
20 judicial office in a district, then the candidate's petition
21 for nomination must contain the number of signatures equal to
22 0.4% of the number of votes cast in that district for the
23 candidate for his or her political party for the office of
24 Governor at the last general election at which a Governor was
25 elected, but in no event less than 500 signatures. If a
26 candidate seeks to run for judicial office in a circuit or

1 subcircuit, then the candidate's petition for nomination must
2 contain the number of signatures equal to 0.25% of the number
3 of votes cast for the judicial candidate of his or her
4 political party who received the highest number of votes at the
5 last general election at which a judicial officer from the same
6 circuit or subcircuit was regularly scheduled to be elected,
7 but in no event less than 500 signatures.

8 (i) Precinct, ward, and township committeeperson. If a
9 candidate seeks to run for precinct committeeperson, then the
10 candidate's petition for nomination must contain at least 10
11 signatures of the primary electors of his or her party for the
12 precinct. If a candidate seeks to run for ward committeeperson,
13 then the candidate's petition for nomination must contain no
14 less than the number of signatures equal to 10% of the primary
15 electors of his or her party of the ward, but no more than 16%
16 of those same electors; provided that the maximum number of
17 signatures may be 50 more than the minimum number, whichever is
18 greater. If a candidate seeks to run for township
19 committeeperson, then the candidate's petition for nomination
20 must contain no less than the number of signatures equal to 5%
21 of the primary electors of his or her party of the township,
22 but no more than 8% of those same electors; provided that the
23 maximum number of signatures may be 50 more than the minimum
24 number, whichever is greater.

25 (j) State's attorney or regional superintendent of schools
26 for multiple counties. If a candidate seeks to run for State's

1 attorney or regional Superintendent of Schools who serves more
2 than one county, then the candidate's petition for nomination
3 must contain at least the number of signatures equal to 0.5% of
4 the primary electors of his or her party in the territory
5 comprising the counties.

6 (k) Any other office. If a candidate seeks any other
7 office, then the candidate's petition for nomination must
8 contain at least the number of signatures equal to 0.5% of the
9 registered voters of the political subdivision, district, or
10 division for which the nomination is made or 25 signatures,
11 whichever is greater.

12 For purposes of this Section the number of primary electors
13 shall be determined by taking the total vote cast, in the
14 applicable district, for the candidate for that political party
15 who received the highest number of votes, statewide, at the
16 last general election in the State at which electors for
17 President of the United States were elected. For political
18 subdivisions, the number of primary electors shall be
19 determined by taking the total vote cast for the candidate for
20 that political party who received the highest number of votes
21 in the political subdivision at the last regular election at
22 which an officer was regularly scheduled to be elected from
23 that subdivision. For wards or districts of political
24 subdivisions, the number of primary electors shall be
25 determined by taking the total vote cast for the candidate for
26 that political party who received the highest number of votes

1 in the ward or district at the last regular election at which
2 an officer was regularly scheduled to be elected from that ward
3 or district.

4 A "qualified primary elector" of a party may not sign
5 petitions for or be a candidate in the primary of more than one
6 party.

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

10 Petitions of candidates for nomination for offices herein
11 specified, to be filed with the same officer, may contain the
12 names of 2 or more candidates of the same political party for
13 the same or different offices.

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

15 (10 ILCS 5/7-13.1) (from Ch. 46, par. 7-13.1)

16 Sec. 7-13.1. Certification of Candidates-Consolidated
17 primary. Not less than 61 days before the date of the
18 consolidated primary, each local election official of each
19 political subdivision required to nominate candidates for the
20 respective offices by primary shall certify to each election
21 authority whose duty it is to prepare the official ballot for
22 the consolidated primary in such political subdivision the
23 names of all candidates in whose behalf nomination papers have
24 been filed in the office of such local election official and
25 direct the election authority to place upon the official ballot

1 for the consolidated primary election the names of such
2 candidates in the same manner and in the same order as shown
3 upon the certification. However, subject to appeal, the names
4 of candidates whose nomination papers have been held invalid by
5 the appropriate electoral board provided in Section 10-9 of
6 this Code shall not be so certified. The certification shall be
7 modified as necessary to comply with the requirements of any
8 other statute or any ordinance adopted pursuant to Article VII
9 of the Constitution prescribing specific provisions for
10 nonpartisan elections, including without limitation Articles
11 3, 4 and 5 of "The Municipal Code".

12 The names of candidates shall be listed on the
13 certification for the respective offices in the order in which
14 the candidates have filed their nomination papers, or as
15 determined by lot, or as otherwise specified by statute.

16 In every instance where applicable, the following shall
17 also be indicated in the certification:

18 (1) Where there is to be more than one candidate elected to
19 an office from a political subdivision or district;

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

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

26 (4) The territory in which a candidate is required by law

1 to reside, when such residency requirement is not identical to
2 the territory of the political subdivision from which the
3 candidate is to be elected or nominated; -

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

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

16 The local election official shall issue an amended
17 certification whenever it is discovered that the original
18 certification is in error.

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

20 (10 ILCS 5/7-41) (from Ch. 46, par. 7-41)

21 Sec. 7-41. (a) All officers upon whom is imposed by law the
22 duty of designating and providing polling places for general
23 elections, shall provide in each such polling place so
24 designated and provided, a sufficient number of booths for such
25 primary election, which booths shall be provided with shelves,

1 such supplies and pencils as will enable the voter to prepare
2 his ballot for voting and in which voters may prepare their
3 ballots screened from all observation as to the manner in which
4 they do so. Such booths shall be within plain view of the
5 election officers and both they and the ballot boxes shall be
6 within plain view of those within the proximity of the voting
7 booths. No person other than election officers and the
8 challengers allowed by law and those admitted for the purpose
9 of voting, as hereinafter provided, shall be permitted within
10 the proximity of the voting booths, except by authority of the
11 primary officers to keep order and enforce the law.

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

16 (c) No person shall do any electioneering or soliciting of
17 votes on primary day within any polling place or within one
18 hundred feet of any polling place, or, at the option of a
19 church or private school, on any of the property of that church
20 or private school that is a polling place. Election officers
21 shall place 2 or more cones, small United States national
22 flags, or some other marker a distance of 100 horizontal feet
23 from each entrance to the room used by voters to engage in
24 voting, which shall be known as the polling room. If the
25 polling room is located within a building that is a private
26 business, a public or private school, or a church or other

1 organization founded for the purpose of religious worship and
2 the distance of 100 horizontal feet ends within the interior of
3 the building, then the markers shall be placed outside of the
4 building at each entrance used by voters to enter that building
5 on the grounds adjacent to the thoroughfare or walkway. If the
6 polling room is located within a public or private building
7 with 2 or more floors and the polling room is located on the
8 ground floor, then the markers shall be placed 100 horizontal
9 feet from each entrance to the polling room used by voters to
10 engage in voting. If the polling room is located in a public or
11 private building with 2 or more floors and the polling room is
12 located on a floor above or below the ground floor, then the
13 markers shall be placed a distance of 100 feet from the nearest
14 elevator or staircase used by voters on the ground floor to
15 access the floor where the polling room is located. The area
16 within where the markers are placed shall be known as a
17 campaign free zone, and electioneering is prohibited pursuant
18 to this subsection. Notwithstanding any other provision of this
19 Section, a church or private school may choose to apply the
20 campaign free zone to its entire property, and, if so, the
21 markers shall be placed near the boundaries on the grounds
22 adjacent to the thoroughfares or walkways leading to the
23 entrances used by the voters. At or near the door of each
24 polling place, the election judges shall place signage
25 indicating the proper entrance to the polling place. In
26 addition, the election judges shall ensure that a sign

1 identifying the location of the polling place is placed on a
2 nearby public roadway. The State Board of Elections shall
3 establish guidelines for the placement of polling place
4 signage.

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

17 (d) The regulation of electioneering on polling place
18 property on an election day, including but not limited to the
19 placement of temporary signs, is an exclusive power and
20 function of the State. A home rule unit may not regulate
21 electioneering and any ordinance or local law contrary to
22 subsection (c) is declared void. This is a denial and
23 limitation of home rule powers and functions under subsection
24 (h) of Section 6 of Article VII of the Illinois Constitution.

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

1 (10 ILCS 5/7-43) (from Ch. 46, par. 7-43)

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

6 The following regulations shall be applicable to
7 primaries:

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

9 (a) Unless he declares his party affiliations as required
10 by this Article.

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

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

18 (c.5) If that person has participated in the town political
19 party caucus, under Section 45-50 of the Township Code, of
20 another political party by signing an affidavit of voters
21 attending the caucus within 45 days before the first day of the
22 calendar month in which the primary is held.

23 (d) (Blank.) ~~If he has voted at a primary held under this~~
24 ~~Article 7 of another political party within a period of 23~~
25 ~~calendar months next preceding the calendar month in which such~~
26 ~~primary is held: Provided, participation by a primary elector~~

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

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

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

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

25 (10 ILCS 5/7-59) (from Ch. 46, par. 7-59)

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

11 Except as otherwise provided by Section 7-8 of this Act,
12 the person receiving the highest number of votes of his party
13 for State central committeeman of his congressional district
14 shall be declared elected State central committeeman from said
15 congressional district.

16 Unless a national political party specifies that delegates
17 and alternate delegates to a National nominating convention be
18 allocated by proportional selection representation according
19 to the results of a Presidential preference primary, the
20 requisite number of persons receiving the highest number of
21 votes of their party for delegates and alternate delegates to
22 National nominating conventions from the State at large, and
23 the requisite number of persons receiving the highest number of
24 votes of their party for delegates and alternate delegates to
25 National nominating conventions in their respective
26 congressional districts shall be declared elected delegates

1 and alternate delegates to the National nominating conventions
2 of their party.

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

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

22 The person receiving the highest number of votes of his
23 party for precinct committeeman of his precinct shall be
24 declared elected precinct committeeman from said precinct.

25 The person receiving the highest number of votes of his
26 party for township committeeman of his township or part of a

1 township as the case may be, shall be declared elected township
2 committeeman from said township or part of a township as the
3 case may be. In cities where ward committeemen are elected, the
4 person receiving the highest number of votes of his party for
5 ward committeeman of his ward shall be declared elected ward
6 committeeman from said ward.

7 When two or more persons receive an equal and the highest
8 number of votes for the nomination for the same office or for
9 committeeman of the same political party, or where more than
10 one person of the same political party is to be nominated as a
11 candidate for office or committeeman, if it appears that more
12 than the number of persons to be nominated for an office or
13 elected committeeman have the highest and an equal number of
14 votes for the nomination for the same office or for election as
15 committeeman, the election authority by which the returns of
16 the primary are canvassed shall decide by lot which of said
17 persons shall be nominated or elected, as the case may be. In
18 such case the election authority shall issue notice in writing
19 to such persons of such tie vote stating therein the place, the
20 day (which shall not be more than 5 days thereafter) and the
21 hour when such nomination or election shall be so determined.

22 (b) Write-in votes shall be counted only for persons who
23 have filed notarized declarations of intent to be write-in
24 candidates with the proper election authority or authorities
25 not later than 61 days prior to 5:00 p.m. on the Tuesday
26 immediately preceding the primary. However, whenever an

1 objection to a candidate's nominating papers or petitions for
2 any office is sustained under Section 10-10 after the 61st day
3 before the election, then write-in votes shall be counted for
4 that candidate if he or she has filed a notarized declaration
5 of intent to be a write-in candidate for that office with the
6 proper election authority or authorities not later than 7 days
7 prior to the election.

8 Forms for the declaration of intent to be a write-in
9 candidate shall be supplied by the election authorities. Such
10 declaration shall specify the office for which the person seeks
11 nomination or election as a write-in candidate.

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

15 (c) (1) Notwithstanding any other provisions of this
16 Section, where the number of candidates whose names have been
17 printed on a party's ballot for nomination for or election to
18 an office at a primary is less than the number of persons the
19 party is entitled to nominate for or elect to the office at the
20 primary, a person whose name was not printed on the party's
21 primary ballot as a candidate for nomination for or election to
22 the office, is not nominated for or elected to that office as a
23 result of a write-in vote at the primary unless the number of
24 votes he received equals or exceeds the number of signatures
25 required on a petition for nomination for that office; or
26 unless the number of votes he receives exceeds the number of

1 votes received by at least one of the candidates whose names
2 were printed on the primary ballot for nomination for or
3 election to the same office.

4 (2) Paragraph (1) of this subsection does not apply where
5 the number of candidates whose names have been printed on the
6 party's ballot for nomination for or election to the office at
7 the primary equals or exceeds the number of persons the party
8 is entitled to nominate for or elect to the office at the
9 primary.

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

11 (10 ILCS 5/9-9.5)

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

13 (a) Any political committee, organized under the Election
14 Code, that makes an expenditure for a pamphlet, circular,
15 handbill, Internet or telephone communication, radio,
16 television, or print advertisement, or other communication
17 directed at voters and mentioning the name of a candidate in
18 the next upcoming election shall ensure that the name of the
19 political committee paying for any part of the communication,
20 including, but not limited to, its preparation and
21 distribution, is identified clearly within the communication
22 as the payor. This subsection does not apply to items that are
23 too small to contain the required disclosure. Nothing in this
24 subsection shall require disclosure on any telephone
25 communication using random sampling or other scientific survey

1 methods to gauge public opinion for or against any candidate or
2 question of public policy.

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

13 (b) Any political committee, organized under this Code,
14 that makes an expenditure for a pamphlet, circular, handbill,
15 Internet or telephone communication, radio, television, or
16 print advertisement, or other communication directed at voters
17 and (i) mentioning the name of a candidate in the next upcoming
18 election, without that candidate's permission, or ~~and~~ (ii)
19 advocating for or against a public policy position shall ensure
20 that the name of the political committee paying for any part of
21 the communication, including, but not limited to, its
22 preparation and distribution, is identified clearly within the
23 communication. Nothing in this subsection shall require
24 disclosure on any telephone communication using random
25 sampling or other scientific survey methods to gauge public
26 opinion for or against any candidate or question of public

1 policy.

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

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

9 (10 ILCS 5/10-3) (from Ch. 46, par. 10-3)

10 Sec. 10-3. Nomination of independent candidates (not
11 candidates of any political party), for any office to be filled
12 by the voters of the State at large may also be made by
13 nomination papers signed in the aggregate for each candidate by
14 1% of the number of voters who voted in the next preceding
15 Statewide general election or 25,000 qualified voters of the
16 State, whichever is less. Nominations of independent
17 candidates for public office within any district or political
18 subdivision less than the State, may be made by nomination
19 papers signed in the aggregate for each candidate by qualified
20 voters of such district, or political subdivision, equaling not
21 less than 5%, nor more than 8% (or 50 more than the minimum,
22 whichever is greater) of the number of persons, who voted at
23 the next preceding regular election in such district or
24 political subdivision in which such district or political
25 subdivision voted as a unit for the election of officers to

1 serve its respective territorial area, ~~except that independent~~
2 ~~candidates for the General Assembly shall require not less than~~
3 ~~10%, nor more than 16% of the number of persons who voted at~~
4 ~~the next preceding general election in such district or~~
5 ~~political subdivision in which such district or political~~
6 ~~subdivision voted as a unit for the election of officers to~~
7 ~~serve its respective territorial area.~~ However, whenever the
8 minimum signature requirement for an independent candidate
9 petition for a district or political subdivision office shall
10 exceed the minimum number of signatures for an independent
11 candidate petition for an office to be filled by the voters of
12 the State at large at the next preceding State-wide general
13 election, such State-wide petition signature requirement shall
14 be the minimum for an independent candidate petition for such
15 district or political subdivision office. For the first
16 election following a redistricting of congressional districts,
17 nomination papers for an independent candidate for congressman
18 shall be signed by at least 5,000 qualified voters of the
19 congressional district. For the first election following a
20 redistricting of legislative districts, nomination papers for
21 an independent candidate for State Senator in the General
22 Assembly shall be signed by at least 3,000 qualified voters of
23 the legislative district. For the first election following a
24 redistricting of representative districts, nomination papers
25 for an independent candidate for State Representative in the
26 General Assembly shall be signed by at least 1,500 qualified

1 voters of the representative district. For the first election
2 following redistricting of county board districts, or of
3 municipal wards or districts, or for the first election
4 following the initial establishment of such districts or wards
5 in a county or municipality, nomination papers for an
6 independent candidate for county board member, or for alderman
7 or trustee of such municipality, shall be signed by qualified
8 voters of the district or ward equal to not less than 5% nor
9 more than 8% (or 50 more than the minimum, whichever is
10 greater) of the total number of votes cast at the preceding
11 general or general municipal election, as the case may be, for
12 the county or municipal office voted on throughout such county
13 or municipality for which the greatest total number of votes
14 were cast for all candidates, divided by the number of
15 districts or wards, but in any event not less than 25 qualified
16 voters of the district or ward. Each voter signing a nomination
17 paper shall add to his signature his place of residence, and
18 each voter may subscribe to one nomination for such office to
19 be filled, and no more: Provided that the name of any candidate
20 whose name may appear in any other place upon the ballot shall
21 not be so added by petition for the same office.

22 The person circulating the petition, or the candidate on
23 whose behalf the petition is circulated, may strike any
24 signature from the petition, provided that;

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

1 (2) the person striking the signature shall sign a
2 certification listing the page number and line number of
3 each signature struck from the petition. Such
4 certification shall be filed as a part of the petition.

5 (3) the persons striking signatures from the petition
6 shall each sign an additional certificate specifying the
7 number of certification pages listing stricken signatures
8 which are attached to the petition and the page numbers
9 indicated on such certifications. The certificate shall be
10 filed as a part of the petition, shall be numbered, and
11 shall be attached immediately following the last page of
12 voters' signatures and before the certifications of
13 stricken signatures.

14 (4) all of the foregoing requirements shall be
15 necessary to effect a valid striking of any signature. The
16 provisions of this Section authorizing the striking of
17 signatures shall not impose any criminal liability on any
18 person so authorized for signatures which may be
19 fraudulent.

20 In the case of the offices of Governor and Lieutenant
21 Governor a joint petition including one candidate for each of
22 those offices must be filed.

23 ~~Every petition for nomination of an independent candidate~~
24 ~~for any office for which candidates of established political~~
25 ~~parties are nominated at the general primary shall be filed~~
26 ~~within the time designated in Section 7-12 of this Act in~~

1 ~~regard to nomination at the general primary of any other~~
2 ~~candidate for such office.~~

3 A candidate for whom a nomination paper has been filed as a
4 partisan candidate at a primary election, and who is defeated
5 for his or her nomination at the primary election, is
6 ineligible to be placed on the ballot as an independent
7 candidate for election in that general or consolidated
8 election.

9 A candidate seeking election to an office for which
10 candidates of political parties are nominated by caucus who is
11 a participant in the caucus and who is defeated for his or her
12 nomination at such caucus, is ineligible to be listed on the
13 ballot at that general or consolidated election as an
14 independent candidate.

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

16 (10 ILCS 5/10-6) (from Ch. 46, par. 10-6)

17 Sec. 10-6. Time and manner of filing. Certificates ~~Except~~
18 ~~as provided in Section 10-3, certificates~~ of nomination and
19 nomination papers for the nomination of candidates for offices
20 to be filled by electors of the entire State, or any district
21 not entirely within a county, or for congressional, state
22 legislative or judicial offices, shall be presented to the
23 principal office of the State Board of Elections not more than
24 141 nor less than 134 days previous to the day of election for
25 which the candidates are nominated. The State Board of

1 Elections shall endorse the certificates of nomination or
2 nomination papers, as the case may be, and the date and hour of
3 presentment to it. Except as otherwise provided in this
4 section, all other certificates for the nomination of
5 candidates shall be filed with the county clerk of the
6 respective counties not more than 141 but at least 134 days
7 previous to the day of such election. Certificates of
8 nomination and nomination papers for the nomination of
9 candidates for the offices of political subdivisions to be
10 filled at regular elections other than the general election
11 shall be filed with the local election official of such
12 subdivision:

13 (1) (Blank);

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

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

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

24 (5) not more than 78 nor less than 71 days before the
25 municipal primary in even numbered years for such
26 nonpartisan municipal offices where annual elections are

1 provided; or

2 (6) in the case of petitions for the office of
3 multi-township assessor, such petitions shall be filed
4 with the election authority not more than 78 nor less than
5 71 days before the consolidated election.

6 However, where a political subdivision's boundaries are
7 co-extensive with or are entirely within the jurisdiction of a
8 municipal board of election commissioners, the certificates of
9 nomination and nomination papers for candidates for such
10 political subdivision offices shall be filed in the office of
11 such Board.

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

13 (10 ILCS 5/10-15) (from Ch. 46, par. 10-15)

14 Sec. 10-15. Not less than 61 days before the date of the
15 consolidated and nonpartisan elections, each local election
16 official with whom certificates of nomination or nominating
17 petitions have been filed shall certify to each election
18 authority having jurisdiction over any of the territory of his
19 political subdivision the names of all candidates entitled to
20 be printed on the ballot for offices of that political
21 subdivision to be voted upon at such election and direct the
22 election authority to place upon the official ballot for such
23 election the names of such candidates in the same manner and in
24 the same order as shown upon the certification.

25 The local election officials shall certify such candidates

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

12 In every instance where applicable, the following shall
13 also be indicated in the certification:

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

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

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

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

24 (5) The territory in which a candidate is required by law
25 to reside, when such residency requirement is not identical to
26 the territory of the political subdivision from which the

1 candidate is to be elected or nominated; ~~and~~

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

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

14 For the consolidated election, and for the general primary
15 in the case of certain municipalities having annual elections,
16 the candidates of new political parties shall be placed on the
17 ballot for such elections after the established political party
18 candidates and in the order of new political party petition
19 filings.

20 The local election official shall issue an amended
21 certification whenever it is discovered that the original
22 certification is in error.

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

24 (10 ILCS 5/12A-10)

25 Sec. 12A-10. Candidate statements and photographs in the

1 Internet Guide.

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

5 (1) No personal statement may exceed a brief biography
6 (name, age, education, and current employment) and an
7 additional 400 words.

8 (2) Personal statements may include contact
9 information for the candidate, including the address and
10 phone number of the campaign headquarters, and the
11 candidate's website.

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

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

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

19 (6) The photograph shall not (i) show the candidate's
20 hands, anything in the candidate's hands, or the candidate
21 wearing a judicial robe, a hat, or a military, police, or
22 fraternal uniform or (ii) include the uniform or insignia
23 of any organization.

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

1 (c) Where a candidate declines to submit a statement, the
2 Board may note that the candidate declined to submit a
3 statement.

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

16 (e) Anyone other than the candidate submitting a statement
17 or photograph from a candidate must attest that he or she is
18 doing so on behalf and at the direction of the candidate. The
19 Board may assess a civil fine of no more than \$1,000 against a
20 person or entity who falsely submits a statement or photograph
21 not authorized by the candidate.

22 (f) Nothing in this Article makes the author of any
23 statement exempt from any civil or criminal action because of
24 any defamatory statements offered for posting or contained in
25 the Internet Guide. The persons writing, signing, or offering a
26 statement for inclusion in the Internet Guide are deemed to be

1 its authors and publishers, and the Board shall not be liable
2 in any case or action relating to the content of any material
3 submitted by any candidate.

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

8 (h) The Board may set formats for the submission of
9 statements and photographs. The Board may require that
10 statements and photographs are submitted in an electronic
11 format.

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

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

19 (10 ILCS 5/12A-35)

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

22 (a) If a candidate files a photograph and statement under
23 item (8) of Section 12A-5 in a voters' guide, the Board shall
24 review the photograph and statement to ensure that they comply
25 with the requirements of Section 12A-10. Review by the Board

1 under this Section shall be limited to determining whether the
2 photograph and statement comply with the requirements of
3 Section 12A-10 and may not include any determination relating
4 to the accuracy or truthfulness of the substance or contents of
5 the materials filed.

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

17 (c) If the Board is required to attempt to contact a
18 candidate under subsection (b) of this Section, the Board shall
19 attempt to contact the candidate by telephone or by using an
20 electronic transmission facsimile machine, if such contact
21 information is provided by the candidate.

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

26 (1) If a photograph does not comply with Section

1 12A-10, the Board may modify the photograph. The candidate
2 shall pay the expense of any modification before
3 publication of the photograph in the voters' guide. If the
4 photograph cannot be modified to comply with Section
5 12A-10, the photograph shall not be printed in the guide.

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

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

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

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

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

20 (10 ILCS 5/13-4) (from Ch. 46, par. 13-4)

21 Sec. 13-4. Qualifications.

22 (a) All persons elected or chosen judge of election must:
23 (1) be citizens of the United States and entitled to vote at
24 the next election, except as provided in subsection (b) or (c);
25 (2) be of good repute and character; (3) be able to speak, read

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

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

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

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

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

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

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

1 (6) has satisfactorily completed the training course
2 for judges of election described in Sections 13-2.1 and
3 13-2.2; and

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

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

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

14 (c) An election authority may establish a program to permit
15 a person who is not entitled to vote in that precinct or county
16 to be appointed as an election judge if, as of the date of the
17 election at which the person serves as a judge, he or 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 and
26 13-2.2; 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 (Source: P.A. 91-352, eff. 1-1-00.)

12 (10 ILCS 5/13-10) (from Ch. 46, par. 13-10)

13 Sec. 13-10. The compensation of the judges of all primaries
14 and all elections, except judges supervising absentee ballots
15 as provided in Section 19-12.2 of this Act, in counties of less
16 than 600,000 inhabitants shall be fixed by the respective
17 county boards or boards of election commissioners in all
18 counties and municipalities, but in no case shall such
19 compensation be less than \$35 per day. The compensation of
20 judges of all primaries and all elections not under the
21 jurisdiction of the county clerk, except judges supervising
22 absentee balloting as provided in Section 19-12.2 of this Act,
23 in counties having a population of 2,000,000 or more shall be
24 not less than \$60 per day. The compensation of judges of all
25 primaries and all elections under the jurisdiction of the

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

1 mileage to employees of the county.

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

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

23 Beginning on the effective date of this amendatory Act of
24 1998, the portion of an election judge's daily compensation
25 reimbursed by the State Board of Elections is increased by \$15.
26 The increase provided by this amendatory Act of 1998 must be

1 used to increase each judge's compensation and may not be used
2 by the county to reduce its portion of a judge's compensation.

3 Beginning on the effective date of this amendatory Act of
4 the 95th General Assembly, the portion of an election judge's
5 daily compensation reimbursement by the State Board of
6 Elections is increased by an additional \$20. The increase
7 provided by this amendatory Act of the 95th General Assembly
8 must be used to increase each judge's compensation and may not
9 be used by the election authority or election jurisdiction to
10 reduce its portion of a judge's compensation.

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

12 (10 ILCS 5/14-1) (from Ch. 46, par. 14-1)

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

18 Where neither voting machines nor electronic, mechanical
19 or electric voting systems are used, the board of election
20 commissioners may, for any precinct with respect to which the
21 board considers such action necessary or desirable in view of
22 the number of voters, and shall for general elections for any
23 precinct containing more than 600 registered voters, appoint in
24 addition to the 5 judges of election a team of 5 tally judges.
25 In such precincts the judges of election shall preside over the

1 election during the hours the polls are open, and the tally
2 judges, with the assistance of the holdover judges designated
3 pursuant to Section 14-5.2, shall count the vote after the
4 closing of the polls. The tally judges shall possess the same
5 qualifications and shall be appointed in the same manner and
6 with the same division between political parties as is provided
7 for judges of election. The foregoing provisions relating to
8 the appointment of tally judges are inapplicable in counties
9 with a population of 1,000,000 or more.

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

11 (1) be citizens of the United States;

12 (2) be of good repute and character;

13 (3) be able to speak, read and write the English
14 language;

15 (4) be skilled in the 4 fundamental rules of
16 arithmetic;

17 (5) be of good understanding and capable;

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

20 (7) reside and be entitled to vote in the precinct in
21 which they are selected to serve, except that in each
22 precinct not more than one judge of each party may be
23 appointed from outside such precinct. Any judge so
24 appointed to serve in any precinct in which he is not
25 entitled to vote must be entitled to vote elsewhere within
26 the county which encompasses the precinct in which such

1 judge is appointed and such judge must otherwise meet the
2 qualifications of this Section, except as provided in
3 subsection (c) or (c-5).

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

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

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

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

13 (4) has the written approval of the principal of the
14 secondary school he or she attends at the time of
15 appointment;

16 (5) has the written approval of his or her parent or
17 legal guardian;

18 (6) has satisfactorily completed the training course
19 for judges of election described in Sections 13-2.1,
20 13-2.2, and 14-4.1; and

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

23 No more than one election judge qualifying under this
24 subsection may serve per political party per precinct. Prior to
25 appointment, a judge qualifying under this subsection must
26 certify in writing to the election authority the political

1 party the judge chooses to affiliate with.

2 Students appointed as election judges under this
3 subsection shall not be counted as absent from school on the
4 day they serve as judges.

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

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

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

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

16 (4) has satisfactorily completed the training course
17 for judges of election described in Sections 13-2.1,
18 13-2.2, and 14-4.1; and

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

21 No more than one election judge qualifying under this
22 subsection may serve per political party per precinct. Prior to
23 appointment, a judge qualifying under this subsection must
24 certify in writing to the election authority the political
25 party the judge chooses to affiliate with.

26 Students appointed as election judges under this

1 subsection shall not be counted as absent from school on the
2 day they serve as judges.

3 (d) The board of election commissioners may select 2
4 additional judges of election, one from each of the major
5 political parties, for each 200 voters in excess of 600 in any
6 precinct having more than 600 voters as authorized by Section
7 11--3. These additional judges must meet the qualifications
8 prescribed in this Section.

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

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

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

12 Sec. 16-3. (a) The names of all candidates to be voted for
13 in each election district or precinct shall be printed on one
14 ballot, except as is provided in Sections 16-6.1 and 21-1.01 of
15 this Act and except as otherwise provided in this Act with
16 respect to the odd year regular elections and the emergency
17 referenda; all nominations of any political party being placed
18 under the party appellation or title of such party as
19 designated in the certificates of nomination or petitions. The
20 names of all independent candidates shall be printed upon the
21 ballot in a column or columns under the heading "independent"
22 arranged under the names or titles of the respective offices
23 for which such independent candidates shall have been nominated
24 and so far as practicable, the name or names of any independent
25 candidate or candidates for any office shall be printed upon

1 the ballot opposite the name or names of any candidate or
2 candidates for the same office contained in any party column or
3 columns upon said ballot. The ballot shall contain no other
4 names, except that in cases of electors for President and
5 Vice-President of the United States, the names of the
6 candidates for President and Vice-President may be added to the
7 party designation and words calculated to aid the voter in his
8 choice of candidates may be added, such as "Vote for one,"
9 "Vote for three." When an electronic voting system is used
10 which utilizes a ballot label booklet, the candidates and
11 questions shall appear on the pages of such booklet in the
12 order provided by this Code; and, in any case where candidates
13 for an office appear on a page which does not contain the name
14 of any candidate for another office, and where less than 50% of
15 the page is utilized, the name of no candidate shall be printed
16 on the lowest 25% of such page. On the back or outside of the
17 ballot, so as to appear when folded, shall be printed the words
18 "Official Ballot", followed by the designation of the polling
19 place for which the ballot is prepared, the date of the
20 election and a facsimile of the signature of the election
21 authority who has caused the ballots to be printed. The ballots
22 shall be of plain white paper, through which the printing or
23 writing cannot be read. However, ballots for use at the
24 nonpartisan and consolidated elections may be printed on
25 different color paper, except blue paper, whenever necessary or
26 desirable to facilitate distinguishing between ballots for

1 different political subdivisions. In the case of nonpartisan
2 elections for officers of a political subdivision, unless the
3 statute or an ordinance adopted pursuant to Article VII of the
4 Constitution providing the form of government therefor
5 requires otherwise, the column listing such nonpartisan
6 candidates shall be printed with no appellation or circle at
7 its head. The party appellation or title, or the word
8 "independent" at the head of any column provided for
9 independent candidates, shall be printed in letters not less
10 than one-fourth of an inch in height and a circle one-half inch
11 in diameter shall be printed at the beginning of the line in
12 which such appellation or title is printed, provided, however,
13 that no such circle shall be printed at the head of any column
14 or columns provided for such independent candidates. The names
15 of candidates shall be printed in letters not less than
16 one-eighth nor more than one-fourth of an inch in height, and
17 at the beginning of each line in which a name of a candidate is
18 printed a square shall be printed, the sides of which shall be
19 not less than one-fourth of an inch in length. However, the
20 names of the candidates for Governor and Lieutenant Governor on
21 the same ticket shall be printed within a bracket and a single
22 square shall be printed in front of the bracket. The list of
23 candidates of the several parties and any such list of
24 independent candidates shall be placed in separate columns on
25 the ballot in such order as the election authorities charged
26 with the printing of the ballots shall decide; provided, that

1 the names of the candidates of the several political parties,
 2 certified by the State Board of Elections to the several county
 3 clerks shall be printed by the county clerk of the proper
 4 county on the official ballot in the order certified by the
 5 State Board of Elections. Any county clerk refusing, neglecting
 6 or failing to print on the official ballot the names of
 7 candidates of the several political parties in the order
 8 certified by the State Board of Elections, and any county clerk
 9 who prints or causes to be printed upon the official ballot the
 10 name of a candidate, for an office to be filled by the Electors
 11 of the entire State, whose name has not been duly certified to
 12 him upon a certificate signed by the State Board of Elections
 13 shall be guilty of a Class C misdemeanor.

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

18 WRITE-IN VOTES

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

21 _____

22 Title of Office

23 () _____

24 Name of Candidate

25 Write-in lines equal to the number of candidates for which
 26 a voter may vote shall be printed for an office only if one or

1 more persons filed declarations of intent to be write-in
2 candidates or qualify to file declarations to be write-in
3 candidates under Sections 17-16.1 and 18-9.1 when the
4 certification of ballot contains the words "OBJECTION
5 PENDING".

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

18 (d) When such electronic system is used, there shall be
19 printed on the back of each ballot card, each ballot card
20 envelope, and the first page of the ballot label when a ballot
21 label is used, the words "Official Ballot," followed by the
22 number of the precinct or other precinct identification, which
23 may be stamped, in lieu thereof and, as applicable, the number
24 and name of the township, ward or other election district for
25 which the ballot card, ballot card envelope, and ballot label
26 are prepared, the date of the election and a facsimile of the

1 signature of the election authority who has caused the ballots
2 to be printed. The back of the ballot card shall also include a
3 method of identifying the ballot configuration such as a
4 listing of the political subdivisions and districts for which
5 votes may be cast on that ballot, or a number code identifying
6 the ballot configuration or color coded ballots, except that
7 where there is only one ballot configuration in a precinct, the
8 precinct identification, and any applicable ward
9 identification, shall be sufficient. Ballot card envelopes
10 used in punch card systems shall be of paper through which no
11 writing or punches may be discerned and shall be of sufficient
12 length to enclose all voting positions. However, the election
13 authority may provide ballot card envelopes on which no
14 precinct number or township, ward or other election district
15 designation, or election date are preprinted, if space and a
16 preprinted form are provided below the space provided for the
17 names of write-in candidates where such information may be
18 entered by the judges of election. Whenever an election
19 authority utilizes ballot card envelopes on which the election
20 date and precinct is not preprinted, a judge of election shall
21 mark such information for the particular precinct and election
22 on the envelope in ink before tallying and counting any
23 write-in vote written thereon. If some method of insuring
24 ballot secrecy other than an envelope is used, such information
25 must be provided on the ballot itself.

26 (e) In the designation of the name of a candidate on the

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

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

25 (g) If the State Board of Elections, a local election
26 official, or an election authority removes a candidate's name

1 designation from a ballot under subsection (f) of this Section,
2 then the aggrieved candidate may seek appropriate relief in
3 circuit court.

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

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

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

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

14 Sec. 16-3. (a) The names of all candidates to be voted for
15 in each election district or precinct shall be printed on one
16 ballot, except as is provided in Sections 16-6.1 and 21-1.01 of
17 this Act and except as otherwise provided in this Act with
18 respect to the odd year regular elections and the emergency
19 referenda; all nominations of any political party being placed
20 under the party appellation or title of such party as
21 designated in the certificates of nomination or petitions. The
22 names of all independent candidates shall be printed upon the
23 ballot in a column or columns under the heading "independent"
24 arranged under the names or titles of the respective offices
25 for which such independent candidates shall have been nominated

1 and so far as practicable, the name or names of any independent
2 candidate or candidates for any office shall be printed upon
3 the ballot opposite the name or names of any candidate or
4 candidates for the same office contained in any party column or
5 columns upon said ballot. The ballot shall contain no other
6 names, except that in cases of electors for President and
7 Vice-President of the United States, the names of the
8 candidates for President and Vice-President may be added to the
9 party designation and words calculated to aid the voter in his
10 choice of candidates may be added, such as "Vote for one,"
11 "Vote for three." When an electronic voting system is used
12 which utilizes a ballot label booklet, the candidates and
13 questions shall appear on the pages of such booklet in the
14 order provided by this Code; and, in any case where candidates
15 for an office appear on a page which does not contain the name
16 of any candidate for another office, and where less than 50% of
17 the page is utilized, the name of no candidate shall be printed
18 on the lowest 25% of such page. On the back or outside of the
19 ballot, so as to appear when folded, shall be printed the words
20 "Official Ballot", followed by the designation of the polling
21 place for which the ballot is prepared, the date of the
22 election and a facsimile of the signature of the election
23 authority who has caused the ballots to be printed. The ballots
24 shall be of plain white paper, through which the printing or
25 writing cannot be read. However, ballots for use at the
26 nonpartisan and consolidated elections may be printed on

1 different color paper, except blue paper, whenever necessary or
2 desirable to facilitate distinguishing between ballots for
3 different political subdivisions. In the case of nonpartisan
4 elections for officers of a political subdivision, unless the
5 statute or an ordinance adopted pursuant to Article VII of the
6 Constitution providing the form of government therefor
7 requires otherwise, the column listing such nonpartisan
8 candidates shall be printed with no appellation or circle at
9 its head. The party appellation or title, or the word
10 "independent" at the head of any column provided for
11 independent candidates, shall be printed in letters not less
12 than one-fourth of an inch in height and a circle one-half inch
13 in diameter shall be printed at the beginning of the line in
14 which such appellation or title is printed, provided, however,
15 that no such circle shall be printed at the head of any column
16 or columns provided for such independent candidates. The names
17 of candidates shall be printed in letters not less than
18 one-eighth nor more than one-fourth of an inch in height, and
19 at the beginning of each line in which a name of a candidate is
20 printed a square shall be printed, the sides of which shall be
21 not less than one-fourth of an inch in length. However, the
22 names of the candidates for Governor and Lieutenant Governor on
23 the same ticket shall be printed within a bracket and a single
24 square shall be printed in front of the bracket. The list of
25 candidates of the several parties and any such list of
26 independent candidates shall be placed in separate columns on

1 the ballot in such order as the election authorities charged
2 with the printing of the ballots shall decide; provided, that
3 the names of the candidates of the several political parties,
4 certified by the State Board of Elections to the several county
5 clerks shall be printed by the county clerk of the proper
6 county on the official ballot in the order certified by the
7 State Board of Elections. Any county clerk refusing, neglecting
8 or failing to print on the official ballot the names of
9 candidates of the several political parties in the order
10 certified by the State Board of Elections, and any county clerk
11 who prints or causes to be printed upon the official ballot the
12 name of a candidate, for an office to be filled by the Electors
13 of the entire State, whose name has not been duly certified to
14 him upon a certificate signed by the State Board of Elections
15 shall be guilty of a Class C misdemeanor.

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

20 WRITE-IN VOTES

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

23 _____
24 Title of Office
25 () _____
26 Name of Candidate

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

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

20 (d) When such electronic system is used, there shall be
21 printed on the back of each ballot card, each ballot card
22 envelope, and the first page of the ballot label when a ballot
23 label is used, the words "Official Ballot," followed by the
24 number of the precinct or other precinct identification, which
25 may be stamped, in lieu thereof and, as applicable, the number
26 and name of the township, ward or other election district for

1 which the ballot card, ballot card envelope, and ballot label
2 are prepared, the date of the election and a facsimile of the
3 signature of the election authority who has caused the ballots
4 to be printed. The back of the ballot card shall also include a
5 method of identifying the ballot configuration such as a
6 listing of the political subdivisions and districts for which
7 votes may be cast on that ballot, or a number code identifying
8 the ballot configuration or color coded ballots, except that
9 where there is only one ballot configuration in a precinct, the
10 precinct identification, and any applicable ward
11 identification, shall be sufficient. Ballot card envelopes
12 used in punch card systems shall be of paper through which no
13 writing or punches may be discerned and shall be of sufficient
14 length to enclose all voting positions. However, the election
15 authority may provide ballot card envelopes on which no
16 precinct number or township, ward or other election district
17 designation, or election date are preprinted, if space and a
18 preprinted form are provided below the space provided for the
19 names of write-in candidates where such information may be
20 entered by the judges of election. Whenever an election
21 authority utilizes ballot card envelopes on which the election
22 date and precinct is not preprinted, a judge of election shall
23 mark such information for the particular precinct and election
24 on the envelope in ink before tallying and counting any
25 write-in vote written thereon. If some method of insuring
26 ballot secrecy other than an envelope is used, such information

1 must be provided on the ballot itself.

2 (e) In the designation of the name of a candidate on the
3 ballot, the candidate's given name or names, initial or
4 initials, a nickname by which the candidate is commonly known,
5 or a combination thereof, may be used in addition to the
6 candidate's surname. If a candidate has changed his or her
7 name, whether by a statutory or common law procedure in
8 Illinois or any other jurisdiction, within 3 years before the
9 last day for filing the petition for nomination, nomination
10 papers, or certificate of nomination for that office, whichever
11 is applicable, then (i) the candidate's name on the ballot must
12 be followed by "formerly known as (list all prior names during
13 the 3-year period) until name changed on (list date of each
14 such name change)" and (ii) the petition, papers, or
15 certificate must be accompanied by the candidate's affidavit
16 stating the candidate's previous names during the period
17 specified in (i) and the date or dates each of those names was
18 changed; failure to meet these requirements shall be grounds
19 for denying certification of the candidate's name for the
20 ballot or removing the candidate's name from the ballot, as
21 appropriate, but these requirements do not apply to name
22 changes resulting from adoption to assume an adoptive parent's
23 or parents' surname, marriage to assume a spouse's surname, or
24 dissolution of marriage or declaration of invalidity of
25 marriage to assume a former surname. No other designation such
26 as a political slogan, title, or degree or nickname suggesting

1 or implying possession of a title, degree or professional
2 status, or similar information may be used in connection with
3 the candidate's surname. For purposes of this Section, a
4 "political slogan" is defined as any word or words expressing
5 or connoting a position, opinion, or belief that the candidate
6 may espouse, including but not limited to, any word or words
7 conveying any meaning other than that of the personal identity
8 of the candidate. A candidate may not use a political slogan as
9 part of his or her name on the ballot, notwithstanding that the
10 political slogan may be part of the candidate's name.

11 (f) The State Board of Elections, a local election
12 official, or an election authority shall remove any candidate's
13 name designation from a ballot that is inconsistent with
14 subsection (e) of this Section. In addition, the State Board of
15 Elections, a local election official, or an election authority
16 shall not certify to any election authority any candidate name
17 designation that is inconsistent with subsection (e) of this
18 Section.

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

24 Where voting machines or electronic voting systems are
25 used, the provisions of this Section may be modified as
26 required or authorized by Article 24 or Article 24A, whichever

1 is applicable.

2 Nothing in this Section shall prohibit election
3 authorities from using or reusing ballot card envelopes which
4 were printed before the effective date of this amendatory Act
5 of 1985.

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

7 (10 ILCS 5/16-10) (from Ch. 46, par. 16-10)

8 Sec. 16-10. The judges of election shall cause not less
9 than one of such cards to be posted in each voting booth
10 provided for the preparation of ballots, and not less than four
11 of such cards to be posted in and about the polling places upon
12 the day of election. In every county of not more than 500,000
13 inhabitants, each election authority shall cause to be
14 published, prior to the day of any election, in at least two
15 newspapers, if there be so many published in such county, a
16 list of all the nominations made as in this Act provided and to
17 be voted for at such election, as near as may be, in the form in
18 which they shall appear upon the general ballot; provided that
19 this requirement shall not apply with respect to any
20 consolidated primary for which the local election official is
21 required to make the publication under Section 7-21.

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

23 (10 ILCS 5/17-11) (from Ch. 46, par. 17-11)

24 Sec. 17-11. On receipt of his ballot the voter shall

1 forthwith, and without leaving the inclosed space, retire
2 alone, or accompanied by children as provided in Section 17-8,
3 to one of the voting booths so provided and shall prepare his
4 ballot by making in the appropriate margin or place a cross (X)
5 opposite the name of the candidate of his choice for each
6 office to be filled, or by writing in the name of the candidate
7 of his choice in a blank space on said ticket, making a cross
8 (X) opposite thereto; and in case of a question submitted to
9 the vote of the people, by making in the appropriate margin or
10 place a cross (X) against the answer he desires to give. A
11 cross (X) in the square in front of the bracket enclosing the
12 names of a team of candidates for Governor and Lieutenant
13 Governor counts as one vote for each of such candidates. Before
14 leaving the voting booth the voter shall fold his ballot in
15 such manner as to conceal the marks thereon. He shall then vote
16 forthwith in the manner herein provided, except that the number
17 corresponding to the number of the voter on the poll books
18 shall not be indorsed on the back of his ballot. He shall mark
19 and deliver his ballot without undue delay, and shall quit said
20 inclosed space as soon as he has voted; except that immediately
21 after voting, the voter shall be instructed whether the voting
22 equipment, if used, accepted or rejected the ballot or
23 identified the ballot as under-voted for a statewide
24 constitutional office. A voter whose ballot is identified as
25 under-voted may return to the voting booth and complete the
26 voting of that ballot. A voter whose ballot is not accepted by

1 the voting equipment may, upon surrendering the ballot, request
2 and vote another ballot. The voter's surrendered ballot shall
3 be initialed by the election judge and handled as provided in
4 the appropriate Article governing that voting equipment.

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

20 Where voting machines or electronic voting systems are
21 used, the provisions of this section may be modified as
22 required or authorized by Article 24, ~~or Article 24A, 24B, or~~
23 24C, whichever is applicable, except that the requirements of
24 this Section that (i) the voter must be notified of the voting
25 equipment's acceptance or rejection of the voter's ballot or
26 identification of an under-vote for a statewide constitutional

1 office and (ii) the voter shall have the opportunity to correct
2 an under-vote or surrender the ballot that was not accepted and
3 vote another ballot shall not be modified.

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

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

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

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

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

25 A candidate for whom a nomination paper has been filed as a

1 partisan candidate at a primary election, and who is defeated
2 for his or her nomination at the primary election is ineligible
3 to file a declaration of intent to be a write-in candidate for
4 election in that general or consolidated election.

5 A candidate seeking election to an office for which
6 candidates of political parties are nominated by caucus who is
7 a participant in the caucus and who is defeated for his or her
8 nomination at such caucus is ineligible to file a declaration
9 of intent to be a write-in candidate for election in that
10 general or consolidated election.

11 A candidate seeking election to an office for which
12 candidates are nominated at a primary election on a nonpartisan
13 basis and who is defeated for his or her nomination at the
14 primary election is ineligible to file a declaration of intent
15 to be a write-in candidate for election in that general or
16 consolidated election.

17 Nothing in this Section shall be construed to apply to
18 votes cast under the provisions of subsection (b) of Section
19 16-5.01.

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

21 (10 ILCS 5/17-23) (from Ch. 46, par. 17-23)

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

24 (1) Each established political party shall be entitled to
25 appoint two pollwatchers per precinct. Such pollwatchers must

1 be affiliated with the political party for which they are
2 pollwatching. For all elections, the pollwatchers must be
3 registered to vote in Illinois.

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

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

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

24 (5) Each organized group of proponents or opponents of a
25 ballot proposition, which shall have registered the name and
26 address of its organization or committee and the name and

1 address of its chairman with the proper election authority at
2 least 40 days before the election, shall be entitled to appoint
3 one pollwatcher per precinct. The pollwatcher must be
4 registered to vote in Illinois.

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

20 Pollwatcher credentials shall be in substantially the
21 following form:

22 POLLWATCHER CREDENTIALS

23 TO THE JUDGES OF ELECTION:

24 In accordance with the provisions of the Election Code, the
25 undersigned hereby appoints (name of pollwatcher)

1 who resides at (address) in the county of
 2, (township or municipality) of
 3 (name), State of Illinois and who is duly
 4 registered to vote from this address, to act as a pollwatcher
 5 in the precinct of the ward (if
 6 applicable) of the (township or municipality) of
 7 at the election to be held on (insert
 8 date).

9 (Signature of Appointing Authority)
 10 TITLE (party official, candidate,
 11 civic organization president,
 12 proponent or opponent group chairman)

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

19
 20 (Precinct and/or Ward in (Signature of Pollwatcher)
 21 Which Pollwatcher Resides)

22 Pollwatchers must present their credentials to the Judges
 23 of Election upon entering the polling place. Pollwatcher
 24 credentials properly executed and signed shall be proof of the

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

19 Candidates seeking office in a district or municipality
20 encompassing 2 or more counties shall be admitted to any and
21 all polling places throughout such district or municipality
22 without regard to the counties in which such candidates are
23 registered to vote. Actions of such candidates shall be
24 governed in each polling place by the same privileges and
25 limitations that apply to pollwatchers as provided in this
26 Section. Any such candidate who engages in an activity in a

1 polling place which could reasonably be construed by a majority
2 of the judges of election as campaign activity shall be removed
3 forthwith from such polling place.

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

14 Candidate credentials shall be in substantially the
15 following form:

16 CANDIDATE CREDENTIALS

17 TO THE JUDGES OF ELECTION:

18 In accordance with the provisions of the Election Code, I
19 (name of candidate) hereby certify that I am a candidate
20 for (name of office) and seek admittance to
21 precinct of the ward (if applicable) of the
22 (township or municipality) of at the election
23 to be held on (insert date).

24
25 (Signature of Candidate) OFFICE FOR WHICH

1 CANDIDATE SEEKS
2 NOMINATION OR
3 ELECTION

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

19 If a majority of the judges of election determine that the
20 polling place has become too overcrowded with pollwatchers so
21 as to interfere with the orderly conduct of the election, the
22 judges shall, by lot, limit such pollwatchers to a reasonable
23 number, except that each established or new political party
24 shall be permitted to have at least one pollwatcher present.

25 Representatives of an election authority, with regard to an

1 election under its jurisdiction, the State Board of Elections,
2 and law enforcement agencies, including but not limited to a
3 United States Attorney, a State's attorney, the Attorney
4 General, and a State, county, or local police department, in
5 the performance of their official election duties, shall be
6 permitted at all times to enter and remain in the polling
7 place. Upon entering the polling place, such representatives
8 shall display their official credentials or other
9 identification to the judges of election.

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

12 The provisions of this Section shall also apply to
13 supervised casting of absentee ballots as provided in Section
14 19-12.2 of this Act.

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

16 (10 ILCS 5/17-29) (from Ch. 46, par. 17-29)

17 Sec. 17-29. (a) No judge of election, pollwatcher, or other
18 person shall, at any primary or election, do any electioneering
19 or soliciting of votes or engage in any political discussion
20 within any polling place, within 100 feet of any polling place,
21 or, at the option of a church or private school, on any of the
22 property of that church or private school that is a polling
23 place; no person shall interrupt, hinder or oppose any voter
24 while approaching within those areas for the purpose of voting.
25 Judges of election shall enforce the provisions of this

1 Section.

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

1 choose to apply the campaign free zone to its entire property,
2 and, if so, the markers shall be placed near the boundaries on
3 the grounds adjacent to the thoroughfares or walkways leading
4 to the entrances used by the voters.

5 The area on polling place property beyond the campaign free
6 zone, whether publicly or privately owned, is a public forum
7 for the time that the polls are open on an election day. At the
8 request of election officers any publicly owned building must
9 be made available for use as a polling place. A person shall
10 have the right to congregate and engage in electioneering on
11 any polling place property while the polls are open beyond the
12 campaign free zone, including but not limited to, the placement
13 of temporary signs. This subsection shall be construed
14 liberally in favor of persons engaging in electioneering on all
15 polling place property beyond the campaign free zone for the
16 time that the polls are open on an election day. At or near the
17 door of each polling place, the election judges shall place
18 signage indicating the proper entrance to the polling place. In
19 addition, the election judges shall ensure that a sign
20 identifying the location of the polling place is placed on a
21 nearby public roadway. The State Board of Elections shall
22 establish guidelines for the placement of polling place
23 signage.

24 (c) The regulation of electioneering on polling place
25 property on an election day, including but not limited to the
26 placement of temporary signs, is an exclusive power and

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

7 (10 ILCS 5/17-43)

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

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

23 (b) Notwithstanding subsection (a), when voting equipment
24 governed by any Article of this Code is used, the requirements
25 of Section 7-11 that (i) the voter must be notified of the

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

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

8 (10 ILCS 5/18-5) (from Ch. 46, par. 18-5)

9 Sec. 18-5. Any person desiring to vote and whose name is
10 found upon the register of voters by the person having charge
11 thereof, shall then be questioned by one of the judges as to
12 his nativity, his term of residence at present address,
13 precinct, State and United States, his age, whether naturalized
14 and if so the date of naturalization papers and court from
15 which secured, and he shall be asked to state his residence
16 when last previously registered and the date of the election
17 for which he then registered. The judges of elections shall
18 check each application for ballot against the list of voters
19 registered in that precinct to whom grace period, absentee, and
20 early ballots have been issued for that election, which shall
21 be provided by the election authority and which list shall be
22 available for inspection by pollwatchers. A voter applying to
23 vote in the precinct on election day whose name appears on the
24 list as having been issued a grace period, absentee, or early
25 ballot shall not be permitted to vote in the precinct, except

1 that a voter to whom an absentee ballot was issued may vote in
2 the precinct if the voter submits to the election judges that
3 absentee ballot for cancellation. If the voter is unable to
4 submit the absentee ballot, it shall be sufficient for the
5 voter to submit to the election judges (i) a portion of the
6 absentee ballot if the absentee ballot was torn or mutilated or
7 (ii) an affidavit executed before the election judges
8 specifying that (A) the voter never received an absentee ballot
9 or (B) the voter completed and returned an absentee ballot and
10 was informed that the election authority did not receive that
11 absentee ballot. If such person so registered shall be
12 challenged as disqualified, the party challenging shall assign
13 his reasons therefor, and thereupon one of the judges shall
14 administer to him an oath to answer questions, and if he shall
15 take the oath he shall then be questioned by the judge or
16 judges touching such cause of challenge, and touching any other
17 cause of disqualification. And he may also be questioned by the
18 person challenging him in regard to his qualifications and
19 identity. But if a majority of the judges are of the opinion
20 that he is the person so registered and a qualified voter, his
21 vote shall then be received accordingly. But if his vote be
22 rejected by such judges, such person may afterward produce and
23 deliver an affidavit to such judges, subscribed and sworn to by
24 him before one of the judges, in which it shall be stated how
25 long he has resided in such precinct, and state; that he is a
26 citizen of the United States, and is a duly qualified voter in

1 such precinct, and that he is the identical person so
2 registered. In addition to such an affidavit, the person so
3 challenged shall provide to the judges of election proof of
4 residence by producing 2 forms of identification showing the
5 person's current residence address, provided that such
6 identification to the person at his current residence address
7 and postmarked not earlier than 30 days prior to the date of
8 the election, or the person shall procure a witness personally
9 known to the judges of election, and resident in the precinct
10 (or district), or who shall be proved by some legal voter of
11 such precinct or district, known to the judges to be such, who
12 shall take the oath following, viz:

13 I do solemnly swear (or affirm) that I am a resident of
14 this election precinct (or district), and entitled to vote at
15 this election, and that I have been a resident of this State
16 for 30 days last past, and am well acquainted with the person
17 whose vote is now offered; that he is an actual and bona fide
18 resident of this election precinct (or district), and has
19 resided herein 30 days, and as I verily believe, in this State,
20 30 days next preceding this election.

21 The oath in each case may be administered by one of the
22 judges of election, or by any officer, resident in the precinct
23 or district, authorized by law to administer oaths. Also
24 supported by an affidavit by a registered voter residing in
25 such precinct, stating his own residence, and that he knows
26 such person; and that he does reside at the place mentioned and

1 has resided in such precinct and state for the length of time
2 as stated by such person, which shall be subscribed and sworn
3 to in the same way. Whereupon the vote of such person shall be
4 received, and entered as other votes. But such judges, having
5 charge of such registers, shall state in their respective books
6 the facts in such case, and the affidavits, so delivered to the
7 judges, shall be preserved and returned to the office of the
8 commissioners of election. Blank affidavits of the character
9 aforesaid shall be sent out to the judges of all the precincts,
10 and the judges of election shall furnish the same on demand and
11 administer the oaths without criticism. Such oaths, if
12 administered by any other officer than such judge of election,
13 shall not be received. Whenever a proposal for a constitutional
14 amendment or for the calling of a constitutional convention is
15 to be voted upon at the election, the separate blue ballot or
16 ballots pertaining thereto shall be placed on top of the other
17 ballots to be voted at the election in such manner that the
18 legend appearing on the back thereof, as prescribed in Section
19 16-6 of this Act, shall be plainly visible to the voter, and in
20 this fashion the ballots shall be handed to the voter by the
21 judge.

22 Immediately after voting, the voter shall be instructed
23 whether the voting equipment, if used, accepted or rejected the
24 ballot or identified the ballot as under-voted. A voter whose
25 ballot is identified as under-voted for a statewide
26 constitutional office may return to the voting booth and

1 complete the voting of that ballot. A voter whose ballot is not
2 accepted by the voting equipment may, upon surrendering the
3 ballot, request and vote another ballot. The voter's
4 surrendered ballot shall be initialed by the election judge and
5 handled as provided in the appropriate Article governing that
6 voting equipment.

7 The voter shall, upon quitting the voting booth, deliver to
8 one of the judges of election all of the ballots, properly
9 folded, which he received. The judge of election to whom the
10 voter delivers his ballots shall not accept the same unless all
11 of the ballots given to the voter are returned by him. If a
12 voter delivers less than all of the ballots given to him, the
13 judge to whom the same are offered shall advise him in a voice
14 clearly audible to the other judges of election that the voter
15 must return the remainder of the ballots. The statement of the
16 judge to the voter shall clearly express the fact that the
17 voter is not required to vote such remaining ballots but that
18 whether or not he votes them he must fold and deliver them to
19 the judge. In making such statement the judge of election shall
20 not indicate by word, gesture or intonation of voice that the
21 unreturned ballots shall be voted in any particular manner. No
22 new voter shall be permitted to enter the voting booth of a
23 voter who has failed to deliver the total number of ballots
24 received by him until such voter has returned to the voting
25 booth pursuant to the judge's request and again quit the booth
26 with all of the ballots required to be returned by him. Upon

1 receipt of all such ballots the judges of election shall enter
2 the name of the voter, and his number, as above provided in
3 this Section, and the judge to whom the ballots are delivered
4 shall immediately put the ballots into the ballot box. If any
5 voter who has failed to deliver all the ballots received by him
6 refuses to return to the voting booth after being advised by
7 the judge of election as herein provided, the judge shall
8 inform the other judges of such refusal, and thereupon the
9 ballot or ballots returned to the judge shall be deposited in
10 the ballot box, the voter shall be permitted to depart from the
11 polling place, and a new voter shall be permitted to enter the
12 voting booth.

13 The judge of election who receives the ballot or ballots
14 from the voter shall announce the residence and name of such
15 voter in a loud voice. The judge shall put the ballot or
16 ballots received from the voter into the ballot box in the
17 presence of the voter and the judges of election, and in plain
18 view of the public. The judges having charge of such registers
19 shall then, in a column prepared thereon, in the same line of,
20 the name of the voter, mark "Voted" or the letter "V".

21 No judge of election shall accept from any voter less than
22 the full number of ballots received by such voter without first
23 advising the voter in the manner above provided of the
24 necessity of returning all of the ballots, nor shall any such
25 judge advise such voter in a manner contrary to that which is
26 herein permitted, or in any other manner violate the provisions

1 of this Section; provided, that the acceptance by a judge of
2 election of less than the full number of ballots delivered to a
3 voter who refuses to return to the voting booth after being
4 properly advised by such judge shall not be a violation of this
5 Section.

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

7 (10 ILCS 5/18-9.1) (from Ch. 46, par. 18-9.1)

8 Sec. 18-9.1. Write-in votes shall be counted only for
9 persons who have filed notarized declarations of intent to be
10 write-in candidates with the proper election authority or
11 authorities not later than 61 days prior to 5:00 p.m. on the
12 Tuesday immediately preceding the election. However, whenever
13 an objection to a candidate's nominating papers or petitions is
14 sustained under Section 10-10 after the 61st day before the
15 election, then write-in votes shall be counted for that
16 candidate if he or she has filed a notarized declaration of
17 intent to be a write-in candidate for that office with the
18 proper election authority or authorities not later than 7 days
19 prior to the election.

20 Forms for the declaration of intent to be a write-in
21 candidate shall be supplied by the election authorities. Such
22 declaration shall specify the office for which the person seeks
23 election as a write-in candidate.

24 The election authority or authorities shall deliver a list
25 of all persons who have filed such declarations to the election

1 judges in the appropriate precincts prior to the election.

2 A candidate for whom a nomination paper has been filed as a
3 partisan candidate at a primary election, and who is defeated
4 for his or her nomination at the primary election, is
5 ineligible to file a declaration of intent to be a write-in
6 candidate for election in that general or consolidated
7 election.

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

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

20 Nothing in this Section shall be construed to apply to
21 votes cast under the provisions of subsection (b) of Section
22 16-5.01.

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

24 (10 ILCS 5/18-40)

25 Sec. 18-40. Voting ~~Precinct tabulation optical scan~~

1 ~~technology voting~~ equipment.

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

15 (b) Notwithstanding subsection (a), when voting equipment
16 governed by any Article of this Code is used, the requirements
17 of Section 18-5 that (i) the voter must be notified of the
18 voting equipment's acceptance or rejection of the ballot or
19 identification of an under-vote for a statewide constitutional
20 office and (ii) the voter shall have the opportunity to correct
21 an under-vote for a statewide constitutional office or
22 surrender the ballot that was not accepted and vote another
23 ballot shall not be modified.

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

25 (10 ILCS 5/19-8) (from Ch. 46, par. 19-8)

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

2 (a) (Blank.)

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

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

21 Each absent voter's ballot that is mailed to an election
22 authority absent a postmark, but that is received by the
23 election authority after the polls close on election day and
24 before the close of the period for counting provisional ballots
25 cast at that election, shall be endorsed by the receiving
26 authority with the day and hour of receipt, opened to inspect

1 the date inserted on the certification, and, if the
2 certification date is a date preceding the election day and the
3 ballot is otherwise found to be valid under the requirements of
4 this Section, counted at the central ballot counting location
5 of the election authority during the period for counting
6 provisional ballots. Absent a date on the certification, the
7 ballot shall not be counted.

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

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

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

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

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

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

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

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

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

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

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

25 (g-5) If an absentee ballot, other than an in-person
26 absentee ballot, is rejected by the election judge or official

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

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

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

26 (h) Each political party, candidate, and qualified civic

1 organization shall be entitled to have present one pollwatcher
2 for each panel of election judges therein assigned.

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

4 (10 ILCS 5/19A-10)

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

6 (a) An election authority may establish permanent polling
7 places for early voting by personal appearance at locations
8 throughout the election authority's jurisdiction, including
9 but not limited to a municipal clerk's office, a township
10 clerk's office, a road district clerk's office, or a county or
11 local public agency office. Except as otherwise provided in
12 subsection (b), any person entitled to vote early by personal
13 appearance may do so at any polling place established for early
14 voting.

15 (b) If it is impractical for the election authority to
16 provide at each polling place for early voting a ballot in
17 every form required in the election authority's jurisdiction,
18 the election authority may:

19 (1) provide appropriate forms of ballots to the office
20 of the municipal clerk in a municipality not having a board
21 of election commissioners; the township clerk; or in
22 counties not under township organization, the road
23 district clerk; and

24 (2) limit voting at that polling place to registered
25 voters in that municipality, ward or group of wards,

1 township, or road district.

2 If the early voting polling place does not have the correct
3 ballot form for a person seeking to vote early, the election
4 judge or election official conducting early voting at that
5 polling place shall inform the person of that fact, give the
6 person the appropriate telephone number of the election
7 authority in order to locate an early voting polling place with
8 the correct ballot form for use in that person's assigned
9 precinct, and instruct the person to go to the proper early
10 voting polling place to vote early.

11 (c) During each general primary and general election, each
12 election authority in a county with a population over 250,000
13 shall establish at least one polling place for early voting by
14 personal appearance at a location within each of the 3 largest
15 municipalities within its jurisdiction. If any of the 3 largest
16 municipalities is over 80,000, the election authority shall
17 establish at least 2 polling places within the municipality.
18 All population figures shall be determined by the federal
19 census.

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

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

1 (10 ILCS 5/19A-35)

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

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

16 (b) In conducting early voting under this Article, the
17 election judge or official is required to verify the signature
18 of the early voter by comparison with the signature on the
19 official registration card, and the judge or official must
20 verify (i) the identity of the applicant, (ii) that the
21 applicant is a registered voter, (iii) the precinct in which
22 the applicant is registered, and (iv) the proper ballots of the
23 political subdivision in which the applicant resides and is
24 entitled to vote before providing an early ballot to the
25 applicant. The applicant's identity must be verified by the

1 applicant's presentation of an Illinois driver's license, a
2 non-driver identification card issued by the Illinois
3 Secretary of State, or another government-issued
4 identification document containing the applicant's photograph.
5 The election judge or official must verify the applicant's
6 registration from the most recent poll list provided by the
7 election authority, and if the applicant is not listed on that
8 poll list, by telephoning the office of the election authority.

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

21 (b-10) Within one day after a voter casts an early voting
22 ballot, the election authority shall transmit the voter's name,
23 street address, and precinct, ward, township, and district
24 numbers, as the case may be, to the State Board of Elections,
25 which shall maintain those names and that information in an
26 electronic format on its website, arranged by county and

1 accessible to State and local political committees.

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

16 (c) The sealed early ballots in their carrier envelope
17 shall be delivered by the election authority to the central
18 ballot counting location before the close of the polls on the
19 day of the election.

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

21 (10 ILCS 5/20-8) (from Ch. 46, par. 20-8)

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

23 (a) (Blank.)

24 (b) Each absent voter's ballot returned to an election
25 authority, by any means authorized by this Article, and

1 received by that election authority before the closing of the
2 polls on election day shall be endorsed by the receiving
3 election authority with the day and hour of receipt and shall
4 be counted in the central ballot counting location of the
5 election authority on the day of the election after 7:00 p.m.,
6 except as provided in subsections (g) and (g-5).

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

17 Each absent voter's ballot that is mailed to an election
18 authority absent a postmark, but that is received by the
19 election authority after the polls close on election day and
20 before the close of the period for counting provisional ballots
21 cast at that election, shall be endorsed by the receiving
22 authority with the day and hour of receipt, opened to inspect
23 the date inserted on the certification, and, if the
24 certification date is a date preceding the election day and the
25 ballot is otherwise found to be valid under the requirements of
26 this Section, counted at the central ballot counting location

1 of the election authority during the period for counting
2 provisional ballots. Absent a date on the certification, the
3 ballot shall not be counted.

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

23 (e) Except as otherwise provided in this Section, absent
24 voters' ballots and special write-in absentee voter's blank
25 ballots received by the election authority after the closing of
26 the polls on the day of election shall be endorsed by the

1 person receiving the ballots with the day and hour of receipt
2 and shall be safely kept unopened by the election authority for
3 the period of time required for the preservation of ballots
4 used at the election, and shall then, without being opened, be
5 destroyed in like manner as the used ballots of that election.

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

13 (g) The procedures set forth in Articles 17 and 18 of this
14 Code shall apply to all ballots counted under this Section. In
15 addition, within 2 days after a ballot subject to this Article
16 is received, but in all cases before the close of the period
17 for counting provisional ballots, the election judge or
18 official shall compare the voter's signature on the
19 certification envelope of that ballot with the signature of the
20 voter on file in the office of the election authority. If the
21 election judge or official determines that the 2 signatures
22 match, and that the voter is otherwise qualified to cast a
23 ballot under this Article, the election authority shall cast
24 and count the ballot on election day or the day the ballot is
25 determined to be valid, whichever is later, adding the results
26 to the precinct in which the voter is registered. If the

1 election judge or official determines that the signatures do
2 not match, or that the voter is not qualified to cast a ballot
3 under this Article, then without opening the certification
4 envelope, the judge or official shall mark across the face of
5 the certification envelope the word "Rejected" and shall not
6 cast or count the ballot.

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

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

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

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

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

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

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

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

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

18 (g-10) All ballots determined to be valid shall be added to
19 the vote totals for the precincts for which they were cast in
20 the order in which the ballots were opened.

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

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

25 (10 ILCS 5/22-6) (from Ch. 46, par. 22-6)

1 Sec. 22-6. Within 22 days after each election, each
2 Election Authority shall provide unit-by-unit vote totals to
3 the State Board of Elections in an electronic format to be
4 prescribed by the State Board of Elections. The State Board of
5 Elections shall promulgate rules necessary for the
6 implementation of this Section. ~~Such abstracts shall be~~
7 ~~transmitted to the State Board of Elections by mail, or, in~~
8 ~~case it shall be necessary, by special messenger.~~

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

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

11 Sec. 24-1. The election authority in all jurisdictions when
12 voting machines are used shall, except as otherwise provided in
13 this Code, provide a voting machine or voting machines for any
14 or all of the election precincts or election districts, as the
15 case may be, for which the election authority is by law charged
16 with the duty of conducting an election or elections. A voting
17 machine or machines sufficient in number to provide a machine
18 for each 400 voters or fraction thereof shall be supplied for
19 use at all elections. However, no such voting machine shall be
20 used, purchased, or adopted, and no person or entity may have a
21 written contract, including a contract contingent upon
22 certification of the voting machines, to sell, lease, or loan
23 voting machines to an election authority, until the board of
24 voting machine commissioners hereinafter provided for, or a
25 majority thereof, shall have made and filed a report certifying

1 that they have examined such machine; that it affords each
2 elector an opportunity to vote in absolute secrecy; that it
3 enables each elector to vote a ticket selected in part from the
4 nominees of one party, and in part from the nominees of any or
5 all other parties, and in part from independent nominees
6 printed in the columns of candidates for public office, and in
7 part of persons not in nomination by any party or upon any
8 independent ticket; that it enables each elector to vote a
9 written or printed ballot of his own selection, for any person
10 for any office for whom he may desire to vote; that it enables
11 each elector to vote for all candidates for whom he is entitled
12 to vote, and prevents him from voting for any candidate for any
13 office more than once, unless he is lawfully entitled to cast
14 more than one vote for one candidate, and in that event permits
15 him to cast only as many votes for that candidate as he is by
16 law entitled, and no more; that it prevents the elector from
17 voting for more than one person for the same office, unless he
18 is lawfully entitled to vote for more than one person therefor,
19 and in that event permits him to vote for as many persons for
20 that office as he is by law entitled, and no more; that it
21 identifies when an elector has not voted for all statewide
22 constitutional offices; and that such machine will register
23 correctly by means of exact counters every vote cast for the
24 regular tickets thereon; and has the capacity to contain the
25 tickets of at least 5 political parties with the names of all
26 the candidates thereon, together with all propositions in the

1 form provided by law, where such form is prescribed, and where
2 no such provision is made for the form thereof, then in brief
3 form, not to exceed 75 words; that all votes cast on the
4 machine on a regular ballot or ballots shall be registered;
5 that voters may, by means of irregular ballots or otherwise
6 vote for any person for any office, although such person may
7 not have been nominated by any party and his name may not
8 appear on such machine; that when a vote is cast for any person
9 for any such office, when his name does not appear on the
10 machine, the elector cannot vote for any other name on the
11 machine for the same office; that each elector can,
12 understandingly and within the period of 4 minutes cast his
13 vote for all candidates of his choice; that the machine is so
14 constructed that the candidates for presidential electors of
15 any party can be voted for only by voting for the ballot label
16 containing a bracket within which are the names of the
17 candidates for President and Vice-President of the party or
18 group; that the machine is provided with a lock or locks by the
19 use of which any movement of the voting or registering
20 mechanism is absolutely prevented so that it cannot be tampered
21 with or manipulated for any purpose; that the machine is
22 susceptible of being closed during the progress of the voting
23 so that no person can see or know the number of votes
24 registered for any candidate; that each elector is permitted to
25 vote for or against any question, proposition or amendment upon
26 which he is entitled to vote, and is prevented from voting for

1 or against any question, proposition or amendment upon which he
2 is not entitled to vote; that the machine is capable of
3 adjustment by the election authority, so as to permit the
4 elector, at a party primary election, to vote only for the
5 candidates seeking nomination by the political party in which
6 primary he is entitled to vote: Provided, also that no such
7 machine or machines shall be purchased, unless the party or
8 parties making the sale shall guarantee in writing to keep the
9 machine or machines in good working order for 5 years without
10 additional cost and shall give a sufficient bond conditioned to
11 that effect.

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

13 (10 ILCS 5/24A-6) (from Ch. 46, par. 24A-6)

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

23 When an electronic voting system utilizes a ballot label
24 booklet and ballot card, ballots for candidates, ballots
25 calling for a constitutional convention, constitutional

1 amendment ballots, judicial retention ballots, public
2 measures, and all propositions to be voted upon may be placed
3 on the electronic voting device by providing in the ballot
4 booklet separate ballot label pages or series of pages
5 distinguished by differing colors as provided below. When an
6 electronic voting system utilizes a ballot sheet, ballots
7 calling for a constitutional convention, constitutional
8 amendment ballots and judicial retention ballots shall be
9 placed on the ballot sheet by providing a separate portion of
10 the ballot sheet for each such kind of ballot which shall be
11 printed in ink of a color distinct from the color of ink used
12 in printing any other portion of the ballot sheet. Ballots for
13 candidates, public measures and all other propositions to be
14 voted upon shall be placed on the ballot sheet by providing a
15 separate portion of the ballot sheet for each such kind of
16 ballot. Whenever a person has submitted a declaration of intent
17 to be a write-in candidate as required in Sections 17-16.1 and
18 18-9.1, Below the name of the last candidate listed for an
19 office shall be printed a line on which the name of a candidate
20 may be written by the voter shall be printed below the name of
21 the last candidate nominated for such office, and immediately
22 to the left of such line an area shall be provided for marking
23 a vote for such write-in candidate. The number of write-in
24 lines for an office shall equal the number of persons who have
25 filed declarations of intent to be write-in candidates plus an
26 additional line or lines for write-in candidates who qualify to

1 file declarations to be write-in candidates under Sections
2 17-16.1 and 18-9.1 when the certification of ballot contains
3 the words "OBJECTION PENDING" next to the name of the
4 candidate, up to the number of candidates for which a voter may
5 vote. More than one amendment to the constitution may be placed
6 on the same ballot page or series of pages or on the same
7 portion of the ballot sheet, as the case may be. Ballot label
8 pages for constitutional conventions or constitutional
9 amendments shall be on paper of blue color and shall precede
10 all other ballot label pages in the ballot label booklet. More
11 than one public measure or proposition may be placed on the
12 same ballot label page or series of pages or on the same
13 portion of the ballot sheet, as the case may be. More than one
14 proposition for retention of judges in office may be placed on
15 the same ballot label page or series of pages or on the same
16 portion of the ballot sheet, as the case may be. Ballot label
17 pages for candidates shall be on paper of white color, except
18 that in primary elections the ballot label page or pages for
19 the candidates of each respective political party shall be of
20 the color designated by the election official in charge of the
21 election for that political party's candidates; provided that
22 the ballot label pages or pages for candidates for use at the
23 nonpartisan and consolidated elections may be on paper of
24 different colors, except blue, whenever necessary or desirable
25 to facilitate distinguishing between the pages for different
26 political subdivisions. On each page of the candidate booklet,

1 where the election is made to list ballot information
2 vertically, the party affiliation of each candidate or the word
3 "independent" shall appear immediately to the left of the
4 candidate's name, and the name of candidates for the same
5 office shall be listed vertically under the title of that
6 office. In the case of nonpartisan elections for officers of
7 political subdivisions, unless the statute or an ordinance
8 adopted pursuant to Article VII of the Constitution requires
9 otherwise, the listing of such nonpartisan candidates shall not
10 include any party or "independent" designation. Ballot label
11 pages for judicial retention ballots shall be on paper of green
12 color, and ballot label pages for all public measures and other
13 propositions shall be on paper of some other distinct and
14 different color. In primary elections, a separate ballot label
15 booklet, marking device and voting booth shall be used for each
16 political party holding a primary, with the ballot label
17 booklet arranged to include ballot label pages of the
18 candidates of the party and public measures and other
19 propositions to be voted upon on the day of the primary
20 election. One ballot card may be used for recording the voter's
21 vote or choice on all such ballots, proposals, public measures
22 or propositions, and such ballot card shall be arranged so as
23 to record the voter's vote or choice in a separate column or
24 columns for each such kind of ballot, proposal, public measure
25 or proposition.

26 If the ballot label booklet includes both candidates for

1 office and public measures or propositions to be voted on, the
2 election official in charge of the election shall divide the
3 pages by protruding tabs identifying the division of the pages,
4 and printing on such tabs "Candidates" and "Propositions".

5 The ballot card and all of its columns and the ballot card
6 envelope shall be of the color prescribed for candidate's
7 ballots at the general or primary election, whichever is being
8 held. At an election where no candidates are being nominated or
9 elected, the ballot card, its columns, and the ballot card
10 envelope shall be of a color designated by the election
11 official in charge of the election.

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

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

17 Absentee ballots may consist of ballot cards, envelopes,
18 paper ballots or ballot sheets voted in person in the office of
19 the election official in charge of the election or voted by
20 mail. Where a ballot card is used for voting by mail it must be
21 accompanied by a punching tool or other appropriate marking
22 device, voter instructions and a specimen ballot showing the
23 proper positions to vote on the ballot card or ballot sheet for
24 each party, candidate, proposal, public measure or
25 proposition, and in the case of a ballot card must be mounted
26 on a suitable material to receive the punched out chip.

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

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

9 (10 ILCS 5/24A-10.1) (from Ch. 46, par. 24A-10.1)

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

13 Immediately after the closing of the polls, the precinct
14 judges of election shall open the ballot box and count the
15 number of ballots therein to determine if such number agrees
16 with the number of voters voting as shown by the applications
17 for ballot or, if the same do not agree, the judges of election
18 shall make such ballots agree with the applications for ballot
19 in the manner provided by Section 17-18 of this Act. The judges
20 of election shall then examine all ballot cards and ballot card
21 envelopes which are in the ballot box to determine whether the
22 ballot cards and ballot card envelopes contain the initials of
23 a precinct judge of election. If any ballot card or ballot card
24 envelope is not initialed, it shall be marked on the back
25 "Defective", initialed as to such label by all judges

1 immediately under the word "Defective" and not counted. The
2 judges of election shall place an initialed blank official
3 ballot card in the place of the defective ballot card, so that
4 the count of the ballot cards to be counted on the automatic
5 tabulating equipment will be the same, and each "Defective
6 Ballot" card and "Replacement" card shall contain the same
7 serial number which shall be placed thereon by the judges of
8 election, commencing with number 1 and continuing
9 consecutively for the ballots of that kind in that precinct.
10 The original "Defective" card shall be placed in the "Defective
11 Ballot Envelope" provided for that purpose.

12 When an electronic voting system is used which utilizes a
13 ballot card, before separating the remaining ballot cards from
14 their respective covering envelopes, the judges of election
15 shall examine the ballot card envelopes for write-in votes.
16 When the voter has cast a write-in vote, the judges of election
17 shall compare the write-in vote with the votes on the ballot
18 card to determine whether such write-in results in an overvote
19 for any office. In case of an overvote for any office, the
20 judges of election, consisting in each case of at least one
21 judge of election of each of the 2 major political parties,
22 shall make a true duplicate ballot of all votes on such ballot
23 card except for the office which is overvoted, by using the
24 ballot label booklet of the precinct and one of the marking
25 devices of the precinct so as to transfer all votes of the
26 voter, except for the office overvoted, to a duplicate card.

1 The original ballot card and envelope upon which there is an
2 overvote shall be clearly labeled "Overvoted Ballot", and each
3 such "Overvoted Ballot" as well as its "Replacement" shall
4 contain the same serial number which shall be placed thereon by
5 the judges of election, commencing with number 1 and continuing
6 consecutively for the ballots of that kind in that precinct.
7 The "Overvoted Ballot" card and ballot envelope shall be placed
8 in an envelope provided for that purpose labeled "Duplicate
9 Ballot" envelope, and the judges of election shall initial the
10 "Replacement" ballot cards and shall place them with the other
11 ballot cards to be counted on the automatic tabulating
12 equipment. Envelopes containing write-in votes marked in the
13 place designated therefor and containing the initials of a
14 precinct judge of election and not resulting in an overvote and
15 otherwise complying with the election laws as to marking shall
16 be counted and tallied and their votes recorded on a tally
17 sheet provided by the election authority.

18 The ballot cards and ballot card envelopes shall be
19 separated in preparation for counting by the automatic
20 tabulating equipment provided for that purpose by the election
21 authority.

22 Before the ballots are entered into the automatic
23 tabulating equipment, a precinct identification card provided
24 by the election authority shall be entered into the device to
25 ensure that the totals are all zeroes in the count column on
26 the printing unit. A precinct judge of election shall then

1 count the ballots by entering each ballot card into the
2 automatic tabulating equipment, and if any ballot or ballot
3 card is damaged or defective so that it cannot properly be
4 counted by the automatic tabulating equipment, the judges of
5 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 card by using
8 the ballot label booklet of the precinct and one of the marking
9 devices of the precinct. The original ballot or ballot card and
10 envelope shall be clearly labeled "Damaged Ballot" and the
11 ballot or ballot card so produced shall be clearly labeled
12 "Duplicate Damaged Ballot", and each shall contain the same
13 serial number which shall be placed thereon by the judges of
14 election, commencing with number 1 and continuing
15 consecutively for the ballots of that kind in the precinct. The
16 judges of election shall initial the "Duplicate Damaged Ballot"
17 ballot or ballot cards and shall enter the duplicate damaged
18 cards into the automatic tabulating equipment. The "Damaged
19 Ballot" cards shall be placed in the "Duplicated Ballots"
20 envelope; after all ballot cards have been successfully read,
21 the judges of election shall check to make certain that the
22 last number printed by the printing unit is the same as the
23 number of voters making application for ballot in that
24 precinct. The number shall be listed on the "Statement of
25 Ballots" form provided by the election authority.

26 The totals for all candidates and propositions shall be

1 tabulated. One copy of an "In-Precinct Totals Report" shall be
2 generated by the automatic tabulating equipment for return to
3 the election authority. One copy of an "In-Precinct Totals
4 Report" shall be generated and posted in a conspicuous place
5 inside the polling place, provided that any authorized
6 pollwatcher or other official authorized to be present in the
7 polling place to observe the counting of ballots is present.

8 ~~The totals for all candidates and propositions shall be~~
9 ~~tabulated; 4 sets shall be attached to the 4 sets of~~
10 ~~"Certificate of Results" provided by the election authority;~~
11 ~~one set shall be posted in a conspicuous place inside the~~
12 ~~polling place; and every effort shall be made by the judges of~~
13 election shall ~~to~~ provide, if requested, a set for each
14 authorized pollwatcher or other official authorized to be
15 present in the polling place to observe the counting of
16 ballots; ~~but in no case shall the number of sets to be made~~
17 ~~available to pollwatchers be fewer than 4, chosen by lot by the~~
18 ~~judges of election.~~ In addition, sufficient time shall be
19 provided by the judges of election to the pollwatchers to allow
20 them to copy information from the copy set which has been
21 posted.

22 The judges of election shall count all unused ballot cards
23 and enter the number on the "Statement of Ballots". All
24 "Spoiled", "Defective" and "Duplicated" ballot cards shall be
25 counted and the 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 provided for such purpose which shall be wrapped
6 around the container lengthwise and crosswise, at least twice
7 each way, in such manner that the ballots cannot be removed
8 from such container without breaking the seal and filament tape
9 and disturbing any signatures affixed by the election judges to
10 the container. The election authority shall keep the office of
11 the election authority, or any receiving stations designated by
12 such authority, open for at least 12 consecutive hours after
13 the polls close or until the ballots from all precincts with
14 in-precinct counting equipment within the jurisdiction of the
15 election authority have been returned to the election
16 authority. Ballots returned to the office of the election
17 authority which are not signed and sealed as required by law
18 shall not be accepted by the election authority until the
19 judges returning the same make and sign the necessary
20 corrections. Upon acceptance of the ballots by the election
21 authority, the judges returning the same shall take a receipt
22 signed by the election authority and stamped with the time and
23 date of such return. The election judges whose duty it is to
24 return any ballots as herein provided shall, in the event such
25 ballots cannot be found when needed, on proper request, produce
26 the receipt which they are to take as above provided.

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

2 (10 ILCS 5/24A-15) (from Ch. 46, par. 24A-15)

3 Sec. 24A-15. The precinct return printed by the automatic
4 tabulating equipment shall include the number of ballots cast
5 and votes cast for each candidate and proposition and shall
6 constitute the official return of each precinct. In addition to
7 the precinct return, the election authority shall provide the
8 number of applications for ballots in each precinct, the
9 write-in votes, the total number of ballots counted in each
10 precinct for each political subdivision and district and the
11 number of registered voters in each precinct. However, the
12 election authority shall check the totals shown by the precinct
13 return and, if there is an obvious discrepancy with respect to
14 the total number of votes cast in any precinct, shall have the
15 ballots for such precinct retabulated to correct the return.
16 The procedures for retabulation shall apply prior to and after
17 the proclamation is completed; however, after the proclamation
18 of results, the election authority must obtain a court order to
19 unseal voted ballots except for election contests and discovery
20 recounts. In those election jurisdictions that utilize
21 in-precinct counting equipment, the certificate of results,
22 which has been prepared by the judges of election ~~in the~~
23 ~~polling place~~ after the ballots have been tabulated, shall be
24 the document used for the canvass of votes for such precinct.
25 Whenever a discrepancy exists during the canvass of votes

1 between the unofficial results and the certificate of results,
2 or whenever a discrepancy exists during the canvass of votes
3 between the certificate of results and the set of totals which
4 has been affixed to such certificate of results, the ballots
5 for such precinct shall be retabulated to correct the return.
6 As an additional part of this check prior to the proclamation,
7 in those jurisdictions where in-precinct counting equipment is
8 utilized, the election authority shall retabulate the total
9 number of votes cast in 5% of the precincts within the election
10 jurisdiction. The precincts to be retabulated shall be selected
11 after election day on a random basis by the State Board of
12 Elections, so that every precinct in the election jurisdiction
13 has an equal mathematical chance of being selected. The State
14 Board of Elections shall design a standard and scientific
15 random method of selecting the precincts which are to be
16 retabulated. The State central committee chairman of each
17 established political party shall be given prior written notice
18 of the time and place of such random selection procedure and
19 may be represented at such procedure. Such retabulation shall
20 consist of counting the ballot cards which were originally
21 counted and shall not involve any determination as to which
22 ballot cards were, in fact, properly counted. The ballots from
23 the precincts selected for such retabulation shall remain at
24 all times under the custody and control of the election
25 authority and shall be transported and retabulated by the
26 designated staff of the election authority.

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

12 The State Board of Elections, the State's Attorney and
13 other appropriate law enforcement agencies, the county
14 chairman of each established political party and qualified
15 civic organizations shall be given prior written notice of the
16 time and place of such retabulation and may be represented at
17 such retabulation.

18 The results of this retabulation shall be treated in the
19 same manner and have the same effect as the results of the
20 discovery procedures set forth in Section 22-9.1 of this Act.
21 Upon completion of the retabulation, the election authority
22 shall print a comparison of the results of the retabulation
23 with the original precinct return printed by the automatic
24 tabulating equipment. Such comparison shall be done for each
25 precinct and for each office voted upon within that precinct,
26 and the comparisons shall be open to the public.

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

2 (10 ILCS 5/24A-16) (from Ch. 46, par. 24A-16)

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

5 No voting system shall be approved unless it fulfills the
6 following requirements:

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

8 (2) (Blank);

9 (3) It enables a voter to vote a ticket selected in
10 part from the nominees of one party, and in part from the
11 nominees of any or all parties, and in part from
12 independent candidates and in part of candidates whose
13 names are written in by the voter;

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

17 (5) It will reject all votes for an office or upon a
18 proposition when the voter has cast more votes for such
19 office or upon such proposition than he is entitled to
20 cast;

21 (5.5) It will identify when a voter has not voted for
22 all statewide constitutional offices;

23 (6) It will accommodate all propositions to be
24 submitted to the voters in the form provided by law or,
25 where no such form is provided, then in brief form, not to

1 exceed 75 words.

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

5 The State Board of Elections is authorized to withdraw its
6 approval of a voting system if the system fails to fulfill the
7 above requirements.

8 The vendor, person, or other private entity shall be solely
9 responsible for the production and cost of: all application
10 fees; all ballots; additional temporary workers; and other
11 equipment or facilities needed and used in the testing of the
12 vendor's, person's, or other private entity's respective
13 equipment and software.

14 Any voting system vendor, person, or other private entity
15 seeking the State Board of Elections' approval of a voting
16 system shall, as part of the approval application, submit to
17 the State Board a non-refundable fee. The State Board of
18 Elections by rule shall establish an appropriate fee structure,
19 taking into account the type of voting system approval that is
20 requested (such as approval of a new system, a modification of
21 an existing system, the size of the modification, etc.). No
22 voting system or modification of a voting system shall be
23 approved unless the fee is paid.

24 No vendor, person, or other entity may sell, lease, or
25 loan, or have a written contract, including a contract
26 contingent upon State Board approval of the voting system or

1 voting system component, to sell, lease, or loan, a voting
2 system or voting system component to any election jurisdiction
3 unless the voting system or voting system component is first
4 approved by the State Board of Elections pursuant to this
5 Section.

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

7 (10 ILCS 5/24B-6)

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

21 All propositions, including but not limited to
22 propositions calling for a constitutional convention,
23 constitutional amendment, judicial retention, and public
24 measures to be voted upon shall be placed on separate portions
25 of the ballot sheet or marking device by utilizing borders or

1 grey screens. Candidates shall be listed on a separate portion
2 of the ballot sheet or marking device by utilizing borders or
3 grey screens. Whenever a person has submitted a declaration of
4 intent to be a write-in candidate as required in Sections
5 17-16.1 and 18-9.1, ~~Below the name of the last candidate listed~~
6 ~~for an office shall be printed or displayed~~ a line or lines on
7 which the voter may select a write-in candidate shall be
8 printed below the name of the last candidate nominated for such
9 office. Such line or lines shall be proximate to an area
10 provided for marking votes for the write-in candidate or
11 candidates. The number of write-in lines for an office shall
12 equal the number of persons who have filed declarations of
13 intent to be write-in candidates plus an additional line or
14 lines for write-in candidates who qualify to file declarations
15 to be write-in candidates under Sections 17-16.1 and 18-9.1
16 when the certification of ballot contains the words "OBJECTION
17 PENDING" next to the name of that candidate, up to the number
18 of candidates for which a voter may vote. More than one
19 amendment to the constitution may be placed on the same portion
20 of the ballot sheet or marking device. Constitutional
21 convention or constitutional amendment propositions shall be
22 printed or displayed on a separate portion of the ballot sheet
23 or marking device and designated by borders or grey screens,
24 unless otherwise provided by administrative rule of the State
25 Board of Elections. More than one public measure or proposition
26 may be placed on the same portion of the ballot sheet or

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

24 If the ballot includes both candidates for office and
25 public measures or propositions to be voted on, the election
26 official in charge of the election shall divide the ballot or

1 displays on the marking device in sections for "Candidates" and
2 "Propositions", or separate ballots may be used.

3 Absentee ballots may consist of envelopes, paper ballots or
4 ballot sheets voted in person in the office of the election
5 official in charge of the election or voted by mail. Where a
6 Precinct Tabulation Optical Scan Technology ballot is used for
7 voting by mail it must be accompanied by voter instructions.

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

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

13 (10 ILCS 5/24B-10.1)

14 Sec. 24B-10.1. In-Precinct Counting Equipment; Procedures
15 for Counting and Tallying Ballots. In an election jurisdiction
16 where Precinct Tabulation Optical Scan Technology counting
17 equipment is used, the following procedures for counting and
18 tallying the ballots shall apply:

19 Before the opening of the polls, and before the ballots are
20 entered into the automatic tabulating equipment, the judges of
21 election shall be sure that the totals are all zeros in the
22 counting column. Ballots may then be counted by entering or
23 scanning each ballot into the automatic tabulating equipment.
24 Throughout the election day and before the closing of the
25 polls, no person may check any vote totals for any candidate or

1 proposition on the automatic tabulating equipment. Such
2 automatic tabulating equipment shall be programmed so that no
3 person may reset the equipment for refeeding of ballots unless
4 provided a code from an authorized representative of the
5 election authority. At the option of the election authority,
6 the ballots may be fed into the Precinct Tabulation Optical
7 Scan Technology equipment by the voters under the direct
8 supervision of the judges of elections.

9 Immediately after the closing of the polls, the precinct
10 judges of election shall open the ballot box and count the
11 number of ballots to determine if the number agrees with the
12 number of voters voting as shown on the Precinct Tabulation
13 Optical Scan Technology equipment and by the applications for
14 ballot or, if the same do not agree, the judges of election
15 shall make the ballots agree with the applications for ballot
16 in the manner provided by Section 17-18 of this Code. The
17 judges of election shall then examine all ballots which are in
18 the ballot box to determine whether the ballots contain the
19 initials of a precinct judge of election. If any ballot is not
20 initialed, it shall be marked on the back "Defective",
21 initialed as to such label by all judges immediately under the
22 word "Defective" and not counted. The judges of election shall
23 place an initialed blank official ballot in the place of the
24 defective ballot, so that the count of the ballots to be
25 counted on the automatic tabulating equipment will be the same,
26 and each "Defective Ballot" and "Replacement" ballot shall

1 contain the same serial number which shall be placed thereon by
2 the judges of election, beginning with number 1 and continuing
3 consecutively for the ballots of that kind in that precinct.
4 The original "Defective" ballot shall be placed in the
5 "Defective Ballot Envelope" provided for that purpose.

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

20 When a Precinct Tabulation Optical Scan Technology
21 electronic voting system is used which uses a paper ballot, the
22 judges of election shall examine the ballot for write-in votes.
23 When the voter has cast a write-in vote, the judges of election
24 shall compare the write-in vote with the votes on the ballot to
25 determine whether the write-in results in an overvote for any
26 office, unless the Precinct Tabulation Optical Scan Technology

1 equipment has already done so. In case of an overvote for any
2 office, the judges of election, consisting in each case of at
3 least one judge of election of each of the 2 major political
4 parties, shall make a true duplicate ballot of all votes on
5 such ballot except for the office which is overvoted, by using
6 the ballot of the precinct and one of the marking devices, or
7 equivalent ballot, of the precinct so as to transfer all votes
8 of the voter, except for the office overvoted, to a duplicate
9 ballot. The original ballot upon which there is an overvote
10 shall be clearly labeled "Overvoted Ballot", and each such
11 "Overvoted Ballot" as well as its "Replacement" shall contain
12 the same serial number which shall be placed thereon by the
13 judges of election, beginning with number 1 and continuing
14 consecutively for the ballots of that kind in that precinct.
15 The "Overvoted Ballot" shall be placed in an envelope provided
16 for that purpose labeled "Duplicate Ballot" envelope, and the
17 judges of election shall initial the "Replacement" ballots and
18 shall place them with the other ballots to be counted on the
19 automatic tabulating equipment.

20 If any ballot is damaged or defective, or if any ballot
21 contains a Voting Defect, so that it cannot properly be counted
22 by the automatic tabulating equipment, the voter or the judges
23 of election, consisting in each case of at least one judge of
24 election of each of the 2 major political parties, shall make a
25 true duplicate ballot of all votes on such ballot by using the
26 ballot of the precinct and one of the marking devices of the

1 precinct, or equivalent. If a damaged ballot, the original
2 ballot shall be clearly labeled "Damaged Ballot" and the ballot
3 so produced shall be clearly labeled "Damaged Ballot" and the
4 ballot so produced shall be clearly labeled "Duplicate Damaged
5 Ballot", and each shall contain the same serial number which
6 shall be placed by the judges of election, beginning with
7 number 1 and continuing consecutively for the ballots of that
8 kind in the precinct. The judges of election shall initial the
9 "Duplicate Damaged Ballot" ballot and shall enter or otherwise
10 scan the duplicate damaged ballot into the automatic tabulating
11 equipment. The "Damaged Ballots" shall be placed in the
12 "Duplicated Ballots" envelope; after all ballots have been
13 successfully read, the judges of election shall check to make
14 certain that the Precinct Tabulation Optical Scan Technology
15 equipment readout agrees with the number of voters making
16 application for ballot in that precinct. The number shall be
17 listed on the "Statement of Ballots" form provided by the
18 election authority.

19 The totals for all candidates and propositions shall be
20 tabulated. One copy of an "In-Precinct Totals Report" shall be
21 generated by the automatic tabulating equipment for return to
22 the election authority. One copy of an "In-Precinct Totals
23 Report" shall be generated and posted in a conspicuous place
24 inside the polling place, provided that any authorized
25 pollwatcher or other official authorized to be present in the
26 polling place to observe the counting of ballots is present.

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

14 The judges of election shall count all unused ballots and
15 enter the number on the "Statement of Ballots". All "Spoiled",
16 "Defective" and "Duplicated" ballots shall be counted and the
17 number entered on the "Statement of Ballots".

18 The precinct judges of election shall select a bi-partisan
19 team of 2 judges, who shall immediately return the ballots in a
20 sealed container, along with all other election materials as
21 instructed by the election authority; provided, however, that
22 such container must first be sealed by the election judges with
23 filament tape or other approved sealing devices provided for
24 the purpose which shall be wrapped around the container
25 lengthwise and crosswise, at least twice each way, in a manner
26 that the ballots cannot be removed from the container without

1 breaking the seal and filament tape and disturbing any
2 signatures affixed by the election judges to the container, or
3 which other approved sealing devices are affixed in a manner
4 approved by the election authority. The election authority
5 shall keep the office of the election authority or any
6 receiving stations designated by the authority, open for at
7 least 12 consecutive hours after the polls close or until the
8 ballots from all precincts with in-precinct counting equipment
9 within the jurisdiction of the election authority have been
10 returned to the election authority. Ballots returned to the
11 office of the election authority which are not signed and
12 sealed as required by law shall not be accepted by the election
13 authority until the judges returning the ballots make and sign
14 the necessary corrections. Upon acceptance of the ballots by
15 the election authority, the judges returning the ballots shall
16 take a receipt signed by the election authority and stamped
17 with the time and date of the return. The election judges whose
18 duty it is to return any ballots as provided shall, in the
19 event the ballots cannot be found when needed, on proper
20 request, produce the receipt which they are to take as above
21 provided. The precinct judges of election shall also deliver
22 the Precinct Tabulation Optical Scan Technology equipment to
23 the election authority.

24 (Source: P.A. 93-574, eff. 8-21-03; 94-645, eff. 8-22-05;
25 94-1000, eff. 7-3-06.)

1 (10 ILCS 5/24B-15)

2 Sec. 24B-15. Official Return of Precinct; Check of Totals;
3 Retabulation. The precinct return printed by the automatic
4 Precinct Tabulation Optical Scan Technology tabulating
5 equipment shall include the number of ballots cast and votes
6 cast for each candidate and proposition and shall constitute
7 the official return of each precinct. In addition to the
8 precinct return, the election authority shall provide the
9 number of applications for ballots in each precinct, the
10 write-in votes, the total number of ballots counted in each
11 precinct for each political subdivision and district and the
12 number of registered voters in each precinct. However, the
13 election authority shall check the totals shown by the precinct
14 return and, if there is an obvious discrepancy regarding the
15 total number of votes cast in any precinct, shall have the
16 ballots for that precinct retabulated to correct the return.
17 The procedures for retabulation shall apply prior to and after
18 the proclamation is completed; however, after the proclamation
19 of results, the election authority must obtain a court order to
20 unseal voted ballots except for election contests and discovery
21 recounts. In those election jurisdictions that use in-precinct
22 counting equipment, the certificate of results, which has been
23 prepared by the judges of election ~~in the polling place~~ after
24 the ballots have been tabulated, shall be the document used for
25 the canvass of votes for such precinct. Whenever a discrepancy
26 exists during the canvass of votes between the unofficial

1 results and the certificate of results, or whenever a
2 discrepancy exists during the canvass of votes between the
3 certificate of results and the set of totals which has been
4 affixed to the certificate of results, the ballots for that
5 precinct shall be retabulated to correct the return. As an
6 additional part of this check prior to the proclamation, in
7 those jurisdictions where in-precinct counting equipment is
8 used, the election authority shall retabulate the total number
9 of votes cast in 5% of the precincts within the election
10 jurisdiction. The precincts to be retabulated shall be selected
11 after election day on a random basis by the State Board of
12 Elections, so that every precinct in the election jurisdiction
13 has an equal mathematical chance of being selected. The State
14 Board of Elections shall design a standard and scientific
15 random method of selecting the precincts which are to be
16 retabulated. The State central committee chairman of each
17 established political party shall be given prior written notice
18 of the time and place of the random selection procedure and may
19 be represented at the procedure. The retabulation shall consist
20 of counting the ballots which were originally counted and shall
21 not involve any determination of which ballots were, in fact,
22 properly counted. The ballots from the precincts selected for
23 the retabulation shall remain at all times under the custody
24 and control of the election authority and shall be transported
25 and retabulated by the designated staff of the election
26 authority.

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

12 The State Board of Elections, the State's Attorney and
13 other appropriate law enforcement agencies, the county
14 chairman of each established political party and qualified
15 civic organizations shall be given prior written notice of the
16 time and place of the retabulation and may be represented at
17 the retabulation.

18 The results of this retabulation shall be treated in the
19 same manner and have the same effect as the results of the
20 discovery procedures set forth in Section 22-9.1 of this Code.
21 Upon completion of the retabulation, the election authority
22 shall print a comparison of the results of the retabulation
23 with the original precinct return printed by the automatic
24 tabulating equipment. The comparison shall be done for each
25 precinct and for each office voted upon within that precinct,
26 and the comparisons shall be open to the public. Upon

1 completion of the retabulation, the returns shall be open to
2 the public.

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

4 (10 ILCS 5/24B-16)

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

9 No Precinct Tabulation Optical Scan Technology voting
10 system shall be approved unless it fulfills the following
11 requirements:

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

13 (b) (Blank);

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

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

22 (e) It will reject all votes for an office or upon a
23 proposition when the voter has cast more votes for the
24 office or upon the proposition than he or she is entitled
25 to cast; ~~and~~

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

3 (f) It will accommodate all propositions to be
4 submitted to the voters in the form provided by law or,
5 where no form is provided, then in brief form, not to
6 exceed 75 words.

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

10 The State Board of Elections is authorized to withdraw its
11 approval of a Precinct Tabulation Optical Scan Technology
12 voting system if the system fails to fulfill the above
13 requirements.

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

20 Any voting system vendor, person, or other private entity
21 seeking the State Board of Elections' approval of a voting
22 system shall, as part of the approval application, submit to
23 the State Board a non-refundable fee. The State Board of
24 Elections by rule shall establish an appropriate fee structure,
25 taking into account the type of voting system approval that is
26 requested (such as approval of a new system, a modification of

1 an existing system, the size of the modification, etc.). No
2 voting system or modification of a voting system shall be
3 approved unless the fee is paid.

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

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

13 (10 ILCS 5/24B-20)

14 Sec. 24B-20. Voting Defect Identification Capabilities. An
15 election authority is required to use the Voting Defect
16 Identification capabilities of the automatic tabulating
17 equipment when used in-precinct, including both the capability
18 of identifying an under-vote and the capability of identifying
19 an over-vote.

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

21 (10 ILCS 5/24C-11)

22 Sec. 24C-11. Functional requirements.

23 A Direct Recording Electronic Voting System shall, in
24 addition to satisfying the other requirements of this Article,

1 fulfill the following functional requirements:

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

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

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

18 (d) System voting devices shall provide voting choices that
19 are clear to the voter and labels indicating the names of every
20 candidate and the text of every public question on the voter's
21 ballot. Each label shall identify the selection button or
22 switch, or the active area of the ballot associated with it.
23 The system shall be able to incorporate minimal, easy-to-follow
24 on-screen instruction for the voter on how to cast a ballot.

25 (e) Voting devices shall (i) enable the voter to vote for
26 any and all candidates and public questions appearing on the

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

18 (f) System voting devices shall provide a means for the
19 voter to signify that the selection of candidates and public
20 questions has been completed. Upon activation, the system shall
21 record an image of the completed ballot, increment the proper
22 ballot position registers, and shall signify to the voter that
23 the ballot has been cast. The system shall then prevent any
24 further attempt to vote until it has been reset or re-enabled
25 by a judge of election.

26 (g) Each system voting device shall be equipped with a

1 public counter that can be set to zero prior to the opening of
2 the polling place, and that records the number of ballots cast
3 at a particular election. The counter shall be incremented only
4 by the casting of a ballot. The counter shall be designed to
5 prevent disabling or resetting by other than authorized persons
6 after the polls close. The counter shall be visible to all
7 judges of election so long as the device is installed at the
8 polling place.

9 (h) Each system voting device shall be equipped with a
10 protective counter that records all of the testing and election
11 ballots cast since the unit was built. This counter shall be
12 designed so that its reading cannot be changed by any cause
13 other than the casting of a ballot. The protective counter
14 shall be incapable of ever being reset and it shall be visible
15 at all times when the device is configured for testing,
16 maintenance, or election use.

17 (i) All system devices shall provide a means of preventing
18 further voting once the polling place has closed and after all
19 eligible voters have voted. Such means of control shall
20 incorporate a visible indication of system status. Each device
21 shall prevent any unauthorized use, prevent tampering with
22 ballot labels and preclude its re-opening once the poll closing
23 has been completed for that election.

24 (j) The system shall produce a printed summary report of
25 the votes cast upon each voting device. Until the proper
26 sequence of events associated with closing the polling place

1 has been completed, the system shall not allow the printing of
2 a report or the extraction of data. The printed report shall
3 also contain all system audit information to be required by the
4 election authority. Data shall not be altered or otherwise
5 destroyed by report generation and the system shall ensure the
6 integrity and security of data for a period of at least 6
7 months after the polls close.

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

15 (l) System functions shall be implemented such that
16 unauthorized access to them is prevented and the execution of
17 authorized functions in an improper sequence is precluded.
18 System functions shall be executable only in the intended
19 manner and order, and only under the intended conditions. If
20 the preconditions to a system function have not been met, the
21 function shall be precluded from executing by the system's
22 control logic.

23 (m) All system voting devices shall incorporate at least 3
24 memories in the machine itself and in its programmable memory
25 devices.

26 (n) The system shall include capabilities of recording and

1 reporting the date and time of normal and abnormal events and
2 of maintaining a permanent record of audit information that
3 cannot be turned off. Provisions shall be made to detect and
4 record significant events (e.g., casting a ballot, error
5 conditions that cannot be disposed of by the system itself,
6 time-dependent or programmed events that occur without the
7 intervention of the voter or a judge of election).

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

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

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

26 (r) The system shall be fully accessible so as to permit

1 blind or visually impaired voters as well as physically
2 disabled voters to exercise their right to vote in private and
3 without assistance.

4 (s) The system shall provide alternative language
5 accessibility if required pursuant to Section 203 of the Voting
6 Rights Act of 1965.

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

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

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

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

18 (x) The system shall be suitably designed for the purpose
19 used, be durably constructed, and be designed for safety,
20 accuracy and efficiency.

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

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

25 (10 ILCS 5/24C-12)

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

5 Before the opening of the polls, the judges of elections
6 shall assemble the voting equipment and devices and turn the
7 equipment on. The judges shall, if necessary, take steps to
8 activate the voting devices and counting equipment by inserting
9 into the equipment and voting devices appropriate data cards
10 containing passwords and data codes that will select the proper
11 ballot formats selected for that polling place and that will
12 prevent inadvertent or unauthorized activation of the
13 poll-opening function. Before voting begins and before ballots
14 are entered into the voting devices, the judges of election
15 shall cause to be printed a record of the following: the
16 election's identification data, the device's unit
17 identification, the ballot's format identification, the
18 contents of each active candidate register by office and of
19 each active public question register showing that they contain
20 all zero votes, all ballot fields that can be used to invoke
21 special voting options, and other information needed to ensure
22 the readiness of the equipment and to accommodate
23 administrative reporting requirements. The judges must also
24 check to be sure that the totals are all zeros in the counting
25 columns and in the public counter affixed to the voting
26 devices.

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

15 Upon completing his or her selection of candidates or
16 public questions, the voter shall signify that voting has been
17 completed by activating the appropriate button, switch or
18 active area of the ballot screen associated with end of voting.
19 Upon activation, the voting system shall record an image of the
20 completed ballot, increment the proper ballot position
21 registers, and shall signify to the voter that the ballot has
22 been cast. Upon activation, the voting system shall also print
23 a permanent paper record of each ballot cast as defined in
24 Section 24C-2 of this Code. This permanent paper record shall
25 (i) be printed in a clear, readily readable format that can be
26 easily reviewed by the voter for completeness and accuracy and

1 (ii) either be self-contained within the voting device or be
2 deposited by the voter into a secure ballot box. No permanent
3 paper record shall be removed from the polling place except by
4 election officials as authorized by this Article. All permanent
5 paper records shall be preserved and secured by election
6 officials in the same manner as paper ballots and shall be
7 available as an official record for any recount, redundant
8 count, or verification or retabulation of the vote count
9 conducted with respect to any election in which the voting
10 system is used. The voter shall exit the voting station and the
11 voting system shall prevent any further attempt to vote until
12 it has been properly re-activated. If a voting device has been
13 enabled for voting but the voter leaves the polling place
14 without casting a ballot, 2 judges of election, one from each
15 of the 2 major political parties, shall spoil the ballot.

16 Throughout the election day and before the closing of the
17 polls, no person may check any vote totals for any candidate or
18 public question on the voting or counting equipment. Such
19 equipment shall be programmed so that no person may reset the
20 equipment for reentry of ballots unless provided the proper
21 code from an authorized representative of the election
22 authority.

23 The precinct judges of election shall check the public
24 register to determine whether the number of ballots counted by
25 the voting equipment agrees with the number of voters voting as
26 shown by the applications for ballot. If the same do not agree,

1 the judges of election shall immediately contact the offices of
2 the election authority in charge of the election for further
3 instructions. If the number of ballots counted by the voting
4 equipment agrees with the number of voters voting as shown by
5 the application for ballot, the number shall be listed on the
6 "Statement of Ballots" form provided by the election authority.

7 The totals for all candidates and propositions shall be
8 tabulated. One copy of an "In-Precinct Totals Report" shall be
9 generated by the automatic tabulating equipment for return to
10 the election authority. One copy of an "In-Precinct Totals
11 Report" shall be generated and posted in a conspicuous place
12 inside the polling place, provided that any authorized
13 pollwatcher or other official authorized to be present in the
14 polling place to observe the counting of ballots is present.
15 The judges of election shall provide, if requested, a set for
16 each authorized pollwatcher or other official authorized to be
17 present in the polling place to observe the counting of
18 ballots. ~~Except as otherwise provided in this Section, the~~
19 ~~totals for all candidates and propositions shall be tabulated;~~
20 ~~and 4 copies of a "Certificate of Results" shall be printed by~~
21 ~~the automatic tabulating equipment; one copy shall be posted in~~
22 ~~a conspicuous place inside the polling place; and every effort~~
23 ~~shall be made by the judges of election to provide a copy for~~
24 ~~each authorized pollwatcher or other official authorized to be~~
25 ~~present in the polling place to observe the counting of~~
26 ~~ballots; but in no case shall the number of copies to be made~~

1 ~~available to pollwatchers be fewer than 4, chosen by lot by the~~
2 ~~judges of election.~~ In addition, sufficient time shall be
3 provided by the judges of election to the pollwatchers to allow
4 them to copy information from the copy which has been posted.

5 Until December 31, 2007, in elections at which fractional
6 cumulative votes are cast for candidates, the tabulation of
7 those fractional cumulative votes may be made by the election
8 authority at its central office location, and 4 copies of a
9 "Certificate of Results" shall be printed by the automatic
10 tabulation equipment and shall be posted in 4 conspicuous
11 places at the central office location where those fractional
12 cumulative votes have been tabulated.

13 If instructed by the election authority, the judges of
14 election shall cause the tabulated returns to be transmitted
15 electronically to the offices of the election authority via
16 modem or other electronic medium.

17 The precinct judges of election shall select a bi-partisan
18 team of 2 judges, who shall immediately return the ballots in a
19 sealed container, along with all other election materials and
20 equipment as instructed by the election authority; provided,
21 however, that such container must first be sealed by the
22 election judges with filament tape or other approved sealing
23 devices provided for the purpose in a manner that the ballots
24 cannot be removed from the container without breaking the seal
25 or filament tape and disturbing any signatures affixed by the
26 election judges to the container. The election authority shall

1 keep the office of the election authority, or any receiving
2 stations designated by the authority, open for at least 12
3 consecutive hours after the polls close or until the ballots
4 and election material and equipment from all precincts within
5 the jurisdiction of the election authority have been returned
6 to the election authority. Ballots and election materials and
7 equipment returned to the office of the election authority
8 which are not signed and sealed as required by law shall not be
9 accepted by the election authority until the judges returning
10 the ballots make and sign the necessary corrections. Upon
11 acceptance of the ballots and election materials and equipment
12 by the election authority, the judges returning the ballots
13 shall take a receipt signed by the election authority and
14 stamped with the time and date of the return. The election
15 judges whose duty it is to return any ballots and election
16 materials and equipment as provided shall, in the event the
17 ballots, materials or equipment cannot be found when needed, on
18 proper request, produce the receipt which they are to take as
19 above provided.

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

22 (10 ILCS 5/24C-15)

23 Sec. 24C-15. Official Return of Precinct; Check of Totals;
24 Audit. The precinct return printed by the Direct Recording
25 Electronic Voting System tabulating equipment shall include

1 the number of ballots cast and votes cast for each candidate
2 and public question and shall constitute the official return of
3 each precinct. In addition to the precinct return, the election
4 authority shall provide the number of applications for ballots
5 in each precinct, the total number of ballots and absentee
6 ballots counted in each precinct for each political subdivision
7 and district and the number of registered voters in each
8 precinct. However, the election authority shall check the
9 totals shown by the precinct return and, if there is an obvious
10 discrepancy regarding the total number of votes cast in any
11 precinct, shall have the ballots for that precinct audited to
12 correct the return. The procedures for this audit shall apply
13 prior to and after the proclamation is completed; however,
14 after the proclamation of results, the election authority must
15 obtain a court order to unseal voted ballots or voting devices
16 except for election contests and discovery recounts. The
17 certificate of results, which has been prepared and signed by
18 the judges of election ~~in the polling place~~ after the ballots
19 have been tabulated, shall be the document used for the canvass
20 of votes for such precinct. Whenever a discrepancy exists
21 during the canvass of votes between the unofficial results and
22 the certificate of results, or whenever a discrepancy exists
23 during the canvass of votes between the certificate of results
24 and the set of totals reflected on the certificate of results,
25 the ballots for that precinct shall be audited to correct the
26 return.

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

13 The test shall be conducted by counting the votes marked on
14 the permanent paper record of each ballot cast in the tested
15 precinct printed by the voting system at the time that each
16 ballot was cast and comparing the results of this count with
17 the results shown by the certificate of results prepared by the
18 Direct Recording Electronic Voting System in the test precinct.
19 The election authority shall test count these votes either by
20 hand or by using an automatic tabulating device other than a
21 Direct Recording Electronic voting device that has been
22 approved by the State Board of Elections for that purpose and
23 tested before use to ensure accuracy. The election authority
24 shall print the results of each test count. If any error is
25 detected, the cause shall be determined and corrected, and an
26 errorless count shall be made prior to the official canvass and

1 proclamation of election results. If an errorless count cannot
2 be conducted and there continues to be difference in vote
3 results between the certificate of results produced by the
4 Direct Recording Electronic Voting System and the count of the
5 permanent paper records or if an error was detected and
6 corrected, the election authority shall immediately prepare
7 and forward to the appropriate canvassing board a written
8 report explaining the results of the test and any errors
9 encountered and the report shall be made available for public
10 inspection.

11 The State Board of Elections, the State's Attorney and
12 other appropriate law enforcement agencies, the county
13 chairman of each established political party and qualified
14 civic organizations shall be given prior written notice of the
15 time and place of the test and may be represented at the test.

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

19 (Source: P.A. 93-574, eff. 8-21-03; 94-645, eff. 8-22-05;
20 94-1000, eff. 7-3-06.)

21 (10 ILCS 5/24C-16)

22 Sec. 24C-16. Approval of Direct Recording Electronic
23 Voting Systems; Requisites. The State Board of Elections shall
24 approve all Direct Recording Electronic Voting Systems that
25 fulfill the functional requirements provided by Section 24C-11

1 of this Code, the mandatory requirements of the federal voting
2 system standards pertaining to Direct Recording Electronic
3 Voting Systems promulgated by the Federal Election Commission
4 or the Election Assistance Commission, the testing
5 requirements of an approved independent testing authority and
6 the rules of the State Board of Elections.

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

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

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

19 Any voting system vendor, person, or other private entity
20 seeking the State Board of Elections' approval of a voting
21 system shall, as part of the approval application, submit to
22 the State Board a non-refundable fee. The State Board of
23 Elections by rule shall establish an appropriate fee structure,
24 taking into account the type of voting system approval that is
25 requested (such as approval of a new system, a modification of
26 an existing system, the size of the modification, etc.). No

1 voting system or modification of a voting system shall be
2 approved unless the fee is paid.

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

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

12 (10 ILCS 5/28-6) (from Ch. 46, par. 28-6)

13 Sec. 28-6. Petitions; filing.

14 (a) On a written petition signed by a number of voters
15 equal to (i) through the general election in 2008, at least 8%
16 of the total votes cast for candidates for Governor in the
17 preceding gubernatorial election by the registered voters of
18 the municipality, township, county or school district and (ii)
19 beginning with elections in 2009 and thereafter, at least 11%
20 of the total ballots cast by the registered voters of the
21 municipality, township, county, or school district in the last
22 regular election conducted in the municipality, township,
23 county, or school district, it shall be the duty of the proper
24 election officers to submit any question of public policy so
25 petitioned for, to the electors of such political subdivision

1 at any regular election named in the petition at which an
2 election is scheduled to be held throughout such political
3 subdivision under Article 2A. Such petitions shall be filed
4 with the local election official of the political subdivision
5 or election authority, as the case may be. Where such a
6 question is to be submitted to the voters of a municipality
7 which has adopted Article 6, or a township or school district
8 located entirely within the jurisdiction of a municipal board
9 of election commissioners, such petitions shall be filed with
10 the board of election commissioners having jurisdiction over
11 the political subdivision.

12 (b) In a municipality with more than 1,000,000 inhabitants,
13 when a question of public policy exclusively concerning a
14 contiguous territory included entirely within but not
15 coextensive with the municipality is initiated by resolution or
16 ordinance of the corporate authorities of the municipality, or
17 by a petition which may be signed by registered voters who
18 reside in any part of any precinct all or part of which
19 includes all or part of the territory and who equal in number
20 (i) through the general election in 2008 at least 8% of the
21 total votes cast for candidates for Governor in the preceding
22 gubernatorial election by the ~~total number of registered~~ voters
23 of the precinct or precincts in the territory where the
24 question is to be submitted to the voters and (ii) beginning
25 with elections in 2009 and thereafter, at least 11% of the
26 total ballots cast at the last regular election conducted in

1 the precinct or precincts in the territory where the question
2 is to be submitted to the voters ~~the registered voters of which~~
3 ~~are eligible to sign the petition~~, it shall be the duty of the
4 election authority having jurisdiction over such municipality
5 to submit such question to the electors throughout each
6 precinct all or part of which includes all or part of the
7 territory at the regular election specified in the resolution,
8 ordinance or petition initiating the public question. A
9 petition initiating a public question described in this
10 subsection shall be filed with the election authority having
11 jurisdiction over the municipality. A resolution, ordinance or
12 petition initiating a public question described in this
13 subsection shall specify the election at which the question is
14 to be submitted.

15 (c) Local questions of public policy authorized by this
16 Section and statewide questions of public policy authorized by
17 Section 28-9 shall be advisory public questions, and no legal
18 effects shall result from the adoption or rejection of such
19 propositions.

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

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

23 (10 ILCS 5/28-8) (from Ch. 46, par. 28-8)

24 Sec. 28-8. If a referendum ~~to be~~ held in accordance with
25 Section 28-7 of this Act involved ~~involves~~ the question of

1 whether a unit of local government shall become a home rule
2 unit or shall cease to be a home rule unit and if that
3 referendum passed, then the clerk of that unit of local
4 government shall, within 45 ~~at least 20 days prior to the~~
5 ~~referendum, file with the Secretary of State a certified~~
6 ~~statement indicating when the referendum will be held. Within~~
7 ~~30~~ days after the referendum, ~~such clerk shall~~ file with the
8 Secretary of State a certified statement showing the results of
9 the referendum and the resulting status of the unit of local
10 government as a home rule unit or a non-home rule unit. The
11 Secretary of State shall maintain such certified statements in
12 his office as a public record.

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

14 Section 10. The Attorney General Act is amended by changing
15 Section 4 as follows:

16 (15 ILCS 205/4) (from Ch. 14, par. 4)

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

18 First - To appear for and represent the people of the State
19 before the supreme court in all cases in which the State or the
20 people of the State are interested.

21 Second - To institute and prosecute all actions and
22 proceedings in favor of or for the use of the State, which may
23 be necessary in the execution of the duties of any State
24 officer.

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

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

23 Fifth - To investigate alleged violations of the statutes
24 which the Attorney General has a duty to enforce and to conduct
25 other investigations in connection with assisting in the
26 prosecution of a criminal offense at the request of a State's

1 Attorney.

2 Sixth - To consult with and advise the governor and other
3 State officers, and give, when requested, written opinions upon
4 all legal or constitutional questions relating to the duties of
5 such officers respectively.

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

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

12 Ninth - To enforce the proper application of funds
13 appropriated to the public institutions of the State, prosecute
14 breaches of trust in the administration of such funds, and,
15 when necessary, prosecute corporations for failure or refusal
16 to make the reports required by law.

17 Tenth - To keep, a register of all cases prosecuted or
18 defended by him, in behalf of the State or its officers, and of
19 all proceedings had in relation thereto, and to deliver the
20 same to his successor in office.

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

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

26 Thirteenth - To attend to and perform any other duty which

1 may, from time to time, be required of him by law.

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

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

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

8 (65 ILCS 5/3.1-20-45)

9 Sec. 3.1-20-45. Nonpartisan primary elections; uncontested
10 office. A city incorporated under this Code that elects
11 municipal officers at nonpartisan primary and general
12 elections shall conduct the elections as provided in the
13 Election Code, except that no office for which nomination is
14 uncontested shall be included on the primary ballot and no
15 primary shall be held for that office. For the purposes of this
16 Section, an office is uncontested when not more than 4 ~~two~~
17 persons to be nominated for each office have timely filed valid
18 nominating papers seeking nomination for the election to that
19 office.

20 Notwithstanding the preceding paragraph, when a person (i)
21 who has not timely filed valid nomination papers and (ii) who
22 intends to become a write-in candidate for nomination for any
23 office for which nomination is uncontested files a written
24 statement or notice of that intent with the proper election

1 official with whom the nomination papers for that office are
2 filed, if the write-in candidate becomes the fifth candidate
3 filed, a primary ballot must be prepared and a primary must be
4 held for the office. The statement or notice must be filed on
5 or before the 61st day before the consolidated primary
6 election. The statement must contain (i) the name and address
7 of the person intending to become a write-in candidate, (ii) a
8 statement that the person intends to become a write-in
9 candidate, and (iii) the office the person is seeking as a
10 write-in candidate. An election authority has no duty to
11 conduct a primary election or prepare a primary ballot unless a
12 statement meeting the requirements of this paragraph is filed
13 in a timely manner.

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

15 (65 ILCS 5/3.1-25-40) (from Ch. 24, par. 3.1-25-40)

16 Sec. 3.1-25-40. Ballots.

17 (a) If the office of president is to be filled, only the
18 names of the 4 ~~2~~ candidates receiving the highest number of
19 votes for president shall be placed on the ballot for president
20 at the next succeeding general municipal election. The names of
21 candidates in a number equal to 4 ~~2~~ times the number of trustee
22 positions to be filled receiving the highest number of votes
23 for trustee, or the names of all candidates if less than 4 ~~2~~
24 times the number of trustee positions to be filled, shall be
25 placed on the ballot for that office at the municipal election.

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

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

18 (d) If in the application of this Section there occurs the
19 condition provided for in Section 3.1-25-45, there shall be
20 placed on the ballot the name of the candidate who was not
21 chosen by lot under that Section where one of 2 tied candidates
22 had been placed on the ballot before the death or withdrawal
23 occurred. If, however, in the application of this Section, the
24 candidate with the next highest number of votes cannot be
25 determined because of a tie among 2 or more candidates, the
26 successor nominee whose name shall be placed on the ballot

1 shall be determined by lot as provided in Section 3.1-25-45.

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

3 (65 ILCS 5/5-2-18.5) (from Ch. 24, par. 5-2-18.5)

4 Sec. 5-2-18.5.

5 To determine the number of nominees who shall be placed on
6 the ballot under each sub-title at the general city election,
7 the number of officers who will be chosen under each sub-title
8 shall be multiplied by 4 ~~2~~. Only those candidates at the
9 primary election shall be nominees under each sub-title at the
10 general city election who have received the 4 ~~2~~ highest number
11 of votes, where but one officer is to be elected, the 8 ~~4~~
12 highest where but two officers are to be elected, and in this
13 manner as far as necessary.

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

15 (65 ILCS 5/5-2-19) (from Ch. 24, par. 5-2-19)

16 Sec. 5-2-19. In any city which was operating under the
17 aldermanic form of government as provided in Article 3 at the
18 time of adoption of this Article 5 which did not also elect to
19 continue to choose aldermen from wards, the city clerk and city
20 treasurer shall be nominated and elected in the same manner as
21 provided in this Article 5 for the nomination and election of
22 the mayor and councilmen. To achieve this result: wherever the
23 term "mayor or commissioners" appears in Sections 4-3-7 through
24 4-3-18, it shall be construed to include the words "or clerk or

1 treasurer". The names of candidates for nomination shall be
2 placed on the primary election ballot prescribed in Section
3 5-2-13 and such ballot shall be modified to include the heading
4 "For Clerk--Vote for one" immediately following the names of
5 candidates for councilmen and to include the heading "For
6 Treasurer--Vote for one" immediately following the names of
7 candidates for clerk. The names of the 4 ~~2~~ candidates receiving
8 the highest number of votes for each of the respective offices
9 shall be placed on the general municipal election ballot
10 prescribed in Section 5-2-13 which ballot shall be modified to
11 include such offices and names in the same manner as is
12 provided in this section for the primary ballot. If any
13 candidate nominated for the office of clerk or treasurer dies
14 or withdraws before the general municipal election the name of
15 the person receiving the fifth ~~third~~ highest number of votes
16 for nomination to that office shall be placed on the ballot for
17 that election.

18 However, in any city not exceeding 100,000 inhabitants
19 which adopts this Article 5 and elects a mayor and aldermen or
20 councilmen as provided in Section 5-2-12, or Sections 5-2-18
21 through 5-2-18.8, the council may, in lieu of electing a clerk
22 and treasurer as provided in the above paragraph, provide by
23 ordinance that the clerk or treasurer or both for such city be
24 appointed by the mayor with the approval of the city council.
25 If such officers are appointed their terms of office, duties,
26 compensation and amount of bond required shall be the same as

1 if they were elected.

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

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

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

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

6 (65 ILCS 5/4-3-13 rep.)

7 (65 ILCS 5/4-3-14 rep.)

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

11 Section 25. The School Code is amended by changing Section
12 24-2 as follows:

13 (105 ILCS 5/24-2) (from Ch. 122, par. 24-2)

14 Sec. 24-2. Holidays. Teachers shall not be required to
15 teach on Saturdays; nor shall teachers or other school
16 employees, other than noncertificated school employees whose
17 presence is necessary because of an emergency or for the
18 continued operation and maintenance of school facilities or
19 property, be required to work on legal school holidays, which
20 are January 1, New Year's Day; the third Monday in January, the
21 Birthday of Dr. Martin Luther King, Jr.; February 12, the
22 Birthday of President Abraham Lincoln; the first Monday in
23 March (to be known as Casimir Pulaski's birthday); Good Friday;

1 the day designated as Memorial Day by federal law; July 4,
2 Independence Day; the first Monday in September, Labor Day; the
3 second Monday in October, Columbus Day; November 11, Veteran's
4 Day; the Thursday in November commonly called Thanksgiving Day;
5 and December 25, Christmas Day. School boards may grant special
6 holidays whenever in their judgment such action is advisable,
7 ~~except that no school board or board of education may designate~~
8 ~~or observe as a special holiday on which teachers or other~~
9 ~~school employees are not required to work the days on which~~
10 ~~general elections for members of the Illinois House of~~
11 ~~Representatives are held.~~ No deduction shall be made from the
12 time or compensation of a school employee on account of any
13 legal or special holiday.

14 Commemorative holidays, which recognize specified
15 patriotic, civic, cultural or historical persons, activities,
16 or events, are regular school days. Commemorative holidays are:
17 January 28 (to be known as Christa McAuliffe Day and observed
18 as a commemoration of space exploration), February 15 (the
19 birthday of Susan B. Anthony), March 29 (Viet Nam War Veterans
20 Day), September 11 (September 11th Day of Remembrance), the
21 school day immediately preceding Veteran's Day (Korean War
22 Veterans Day), October 1 (Recycling Day), December 7 (Pearl
23 Harbor Veterans Day) and any day so appointed by the President
24 or Governor. School boards may establish commemorative
25 holidays whenever in their judgment such action is advisable.
26 School boards shall include instruction relative to

1 commemorated persons, activities, or events on the
2 commemorative holiday or at any other time during the school
3 year and at any point in the curriculum when such instruction
4 may be deemed appropriate. The State Board of Education shall
5 prepare and make available to school boards instructional
6 materials relative to commemorated persons, activities, or
7 events which may be used by school boards in conjunction with
8 any instruction provided pursuant to this paragraph.

9 City of Chicago School District 299 shall observe March 4
10 of each year as a commemorative holiday. This holiday shall be
11 known as Mayors' Day which shall be a day to commemorate and be
12 reminded of the past Chief Executive Officers of the City of
13 Chicago, and in particular the late Mayor Richard J. Daley and
14 the late Mayor Harold Washington. If March 4 falls on a
15 Saturday or Sunday, Mayors' Day shall be observed on the
16 following Monday.

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

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

20 Section 99. Effective date. This Act takes effect upon
21 becoming law.