

SB2314



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

SB2314

Introduced 2/14/2008, by Sen. Susan Garrett

SYNOPSIS AS INTRODUCED:

10 ILCS 5/19-13

from Ch. 46, par. 19-13

Amends the Election Code. With respect to a voter entitled to personal delivery of a ballot due to admission to a hospital, nursing home, or rehabilitation center not more than 5 days before an election, includes persons who, if released before or on the day of the election, are expected to be homebound and unable to travel to the polling place.

LRB095 19198 JAM 45444 b

A BILL FOR

1 AN ACT concerning elections.

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

4 Section 5. The Election Code is amended by changing Section
5 19-13 as follows:

6 (10 ILCS 5/19-13) (from Ch. 46, par. 19-13)

7 Sec. 19-13. Any qualified voter who has been admitted to a
8 hospital, nursing home, or rehabilitation center due to an
9 illness or physical injury not more than 5 days before an
10 election shall be entitled to personal delivery of an absentee
11 ballot in the hospital, nursing home, or rehabilitation center
12 subject to the following conditions:

13 (1) The voter completes the Application for Physically
14 Incapacitated Elector as provided in Section 19-3, stating as
15 reasons therein that he is a patient in (name
16 of hospital/home/center), located at,
17 (address of hospital/home/center),
18 (county, city/village), was admitted for
19 (nature of illness or physical injury), on
20 (date of admission), and does not expect to be
21 released from the hospital/home/center on or before the day of
22 election or, if released, is expected to be homebound on the
23 day of the election and unable to travel to the polling place.

1 (2) The voter's physician completes a Certificate of
2 Attending Physician in a form substantially as follows:

3 CERTIFICATE OF ATTENDING PHYSICIAN

4 I state that I am a physician, duly licensed to practice in
5 the State of; that is a patient in
6 (name of hospital/home/center), located at
7 (address of hospital/home/center),
8 (county, city/village); that such individual
9 was admitted for (nature of illness or physical
10 injury), on (date of admission); and that I have
11 examined such individual in the State in which I am licensed to
12 practice medicine and do not expect such individual to be
13 released from the hospital/home/center on or before the day of
14 election or, if released, to be able to travel to the polling
15 place on election day.

16 Under penalties as provided by law pursuant to Section
17 29-10 of The Election Code, the undersigned certifies that the
18 statements set forth in this certification are true and
19 correct.

20 (Signature)

21 (Date licensed)

22 (3) Any person who is registered to vote in the same
23 precinct as the admitted voter or any legal relative of the
24 admitted voter may present such voter's absentee ballot
25 application, completed as prescribed in paragraph 1,
26 accompanied by the physician's certificate, completed as

1 prescribed in paragraph 2, to the election authority. Such
2 precinct voter or relative shall execute and sign an affidavit
3 furnished by the election authority attesting that he is a
4 registered voter in the same precinct as the admitted voter or
5 that he is a legal relative of the admitted voter and stating
6 the nature of the relationship. Such precinct voter or relative
7 shall further attest that he has been authorized by the
8 admitted voter to obtain his absentee ballot from the election
9 authority and deliver such ballot to him in the hospital, home,
10 or center.

11 Upon receipt of the admitted voter's application,
12 physician's certificate, and the affidavit of the precinct
13 voter or the relative, the election authority shall examine the
14 registration records to determine if the applicant is qualified
15 to vote and, if found to be qualified, shall provide the
16 precinct voter or the relative the absentee ballot for delivery
17 to the applicant ~~in the hospital, home, or center.~~

18 Upon receipt of the absentee ballot, the admitted voter
19 shall mark the ballot in secret and subscribe to the
20 certifications on the absentee ballot return envelope. After
21 depositing the ballot in the return envelope and securely
22 sealing the envelope, such voter shall give the envelope to the
23 precinct voter or the relative who shall deliver it to the
24 election authority in sufficient time for the ballot to be
25 delivered by the election authority to the election authority's
26 central ballot counting location before 7 p.m. on election day.

1 Upon receipt of the admitted voter's absentee ballot, the
2 ballot shall be counted in the manner prescribed in this
3 Article.

4 (Source: P.A. 94-18, eff. 6-14-05; 94-1000, eff. 7-3-06.)