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1 AMENDMENT TO HOUSE BILL 825

2 AMENDMENT NO. _____. Amend House Bill 825 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Election Code is amended by changing
5 Sections 7-43, 7-44, 19-2.1, 19-3, 19-4, 19-5, 19-8, 19-12.1,
6 20-3, 20-4, 20-5, and 20-8 and by adding Sections 19-4.5 and
7 20-4.5 as follows:

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

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

13 The following regulations shall be applicable to
14 primaries:

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

16 ~~(a) Unless he declares his party affiliations as required~~

1 ~~by this Article.~~

2 ~~(b) (Blank.)~~

3 ~~(c) (Blank.)~~

4 ~~(c.5) If that person has participated in the town political~~
5 ~~party caucus, under Section 45 50 of the Township Code, of~~
6 ~~another political party by signing an affidavit of voters~~
7 ~~attending the caucus within 45 days before the first day of the~~
8 ~~calendar month in which the primary is held.~~

9 ~~(d) (Blank.)~~

10 (a) ~~(e)~~ In cities, villages and incorporated towns having a
11 board of election commissioners only voters registered as
12 provided by Article 6 of this Act shall be entitled to vote at
13 such primary.

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

19 (Source: P.A. 95-699, eff. 11-9-07.)

20 (10 ILCS 5/7-44) (from Ch. 46, par. 7-44)

21 Sec. 7-44. Voter choice of primary ballot. Any person
22 desiring to vote at a primary shall state his or her name and
23 residence ~~and party affiliation~~ to the primary judges, one of
24 whom shall thereupon announce the same in a distinct tone of
25 voice, sufficiently loud to be heard by all persons in the

1 polling place. When article 4, 5 or 6 is applicable the
2 Certificate of Registered Voter therein prescribed shall be
3 made and signed and the official poll record shall be made. If
4 the person desiring to vote is not challenged, one of the
5 primary judges shall give to him or her one, ~~and only one,~~
6 primary ballot of each of the established political parties
7 nominating candidates for office at the primary election, but
8 the voter may cast a ballot of only one political party. The
9 voter shall return all ballots to the election judge. On party
10 ~~with which he declares himself affiliated, on~~ the back of the
11 ballot cast by the voter, the ~~which such~~ primary judge shall
12 endorse his or her initials in such manner that they may be
13 seen when the primary ballot is properly folded. If the person
14 desiring to vote is challenged he or she shall not receive a
15 primary ballot from the primary judges until he or she shall
16 have established his or her right to vote as ~~hereinafter~~
17 provided in this Article. ~~No person who refuses to state his~~
18 ~~party affiliation shall be allowed to vote at a primary.~~

19 ~~A person who declares his party affiliation with a~~
20 ~~statewide established political party and requests a primary~~
21 ~~ballot of such party may nonetheless also declare his~~
22 ~~affiliation with a political party established only within a~~
23 ~~political subdivision, and may also vote in the primary of such~~
24 ~~local party on the same election day, provided that such voter~~
25 ~~may not vote in both such party primaries with respect to~~
26 ~~offices of the same political subdivision. However, no person~~

1 ~~declaring his affiliation with a statewide established~~
2 ~~political party may vote in the primary of any other statewide~~
3 ~~political party on the same election day.~~

4 (Source: P.A. 81-1535.)

5 (10 ILCS 5/19-2.1) (from Ch. 46, par. 19-2.1)

6 Sec. 19-2.1. At the consolidated primary, general primary,
7 consolidated, and general elections, electors entitled to vote
8 by absentee ballot under the provisions of Section 19-1 may
9 vote in person at the office of the municipal clerk, if the
10 elector is a resident of a municipality not having a board of
11 election commissioners, or at the office of the township clerk
12 or, in counties not under township organization, at the office
13 of the road district clerk if the elector is not a resident of
14 a municipality; provided, in each case that the municipal,
15 township or road district clerk, as the case may be, is
16 authorized to conduct in-person absentee voting pursuant to
17 this Section. Absentee voting in such municipal and township
18 clerk's offices under this Section shall be conducted from the
19 22nd day through the day before the election.

20 Municipal and township clerks (or road district clerks) who
21 have regularly scheduled working hours at regularly designated
22 offices other than a place of residence and whose offices are
23 open for business during the same hours as the office of the
24 election authority shall conduct in-person absentee voting for
25 said elections. Municipal and township clerks (or road district

1 clerks) who have no regularly scheduled working hours but who
2 have regularly designated offices other than a place of
3 residence shall conduct in-person absentee voting for said
4 elections during the hours of 8:30 a.m. to 4:30 p.m. or 9:00
5 a.m. to 5:00 p.m., weekdays, and 9:00 a.m. to 12:00 noon on
6 Saturdays, but not during such hours as the office of the
7 election authority is closed, unless the clerk files a written
8 waiver with the election authority not later than July 1 of
9 each year stating that he or she is unable to conduct such
10 voting and the reasons therefor. Such clerks who conduct
11 in-person absentee voting may extend their hours for that
12 purpose to include any hours in which the election authority's
13 office is open. Municipal and township clerks (or road district
14 clerks) who have no regularly scheduled office hours and no
15 regularly designated offices other than a place of residence
16 may not conduct in-person absentee voting for said elections.
17 The election authority may devise alternative methods for
18 in-person absentee voting before said elections for those
19 precincts located within the territorial area of a municipality
20 or township (or road district) wherein the clerk of such
21 municipality or township (or road district) has waived or is
22 not entitled to conduct such voting. In addition, electors may
23 vote by absentee ballot under the provisions of Section 19-1 at
24 the office of the election authority having jurisdiction over
25 their residence. Unless specifically authorized by the
26 election authority, municipal, township, and road district

1 clerks shall not conduct in-person absentee voting. No less
2 than 45 days before the date of an election, the election
3 authority shall notify the municipal, township, and road
4 district clerks within its jurisdiction if they are to conduct
5 in-person absentee voting. Election authorities, however, may
6 conduct in-person absentee voting in one or more designated
7 appropriate public buildings from the fourth day before the
8 election through the day before the election.

9 In conducting in-person absentee voting under this
10 Section, the respective clerks shall be required to verify the
11 signature of the absentee voter by comparison with the
12 signature on the official registration record card. The clerk
13 also shall reasonably ascertain the identity of such applicant,
14 shall verify that each such applicant is a registered voter,
15 and shall verify the precinct in which he or she is registered
16 and the proper ballots of the political subdivisions in which
17 the applicant resides and is entitled to vote, prior to
18 providing any absentee ballot to such applicant. The clerk
19 shall verify the applicant's registration and from the most
20 recent poll list provided by the county clerk, and if the
21 applicant is not listed on that poll list then by telephoning
22 the office of the county clerk.

23 Absentee voting procedures in the office of the municipal,
24 township and road district clerks shall be subject to all of
25 the applicable provisions of this Article 19, including,
26 without limitation, those procedures relating to primary

1 ballots. Pollwatchers may be appointed to observe in-person
2 absentee voting procedures and view all reasonably requested
3 records relating to the conduct of the election, provided the
4 secrecy of the ballot is not impinged, at the office of the
5 municipal, township or road district clerks' offices where such
6 absentee voting is conducted. Such pollwatchers shall qualify
7 and be appointed in the same manner as provided in Sections
8 7-34 and 17-23, except each candidate, political party or
9 organization of citizens may appoint only one pollwatcher for
10 each location where in-person absentee voting is conducted.
11 Pollwatchers must be registered to vote in Illinois and possess
12 valid pollwatcher credentials. All requirements in this
13 Article applicable to election authorities shall apply to the
14 respective local clerks, except where inconsistent with this
15 Section.

16 The sealed absentee ballots in their carrier envelope shall
17 be delivered by the respective clerks, or by the election
18 authority on behalf of a clerk if the clerk and the election
19 authority agree, to the election authority's central ballot
20 counting location before the close of the polls on the day of
21 the general primary, consolidated primary, consolidated, or
22 general election.

23 Not more than 23 days before the general and consolidated
24 elections, the county clerk shall make available to those
25 municipal, township and road district clerks conducting
26 in-person absentee voting within such county, a sufficient

1 number of applications, absentee ballots, envelopes, and
2 printed voting instruction slips for use by absentee voters in
3 the offices of such clerks. The respective clerks shall receipt
4 for all ballots received, shall return all unused or spoiled
5 ballots to the county clerk on the day of the election and
6 shall strictly account for all ballots received.

7 The ballots delivered to the respective clerks shall
8 include absentee ballots for each precinct in the municipality,
9 township or road district, or shall include such separate
10 ballots for each political subdivision conducting an election
11 of officers or a referendum on that election day as will permit
12 any resident of the municipality, township or road district to
13 vote absentee in the office of the proper clerk.

14 The clerks of all municipalities, townships and road
15 districts may distribute applications for absentee ballot for
16 the use of voters who wish to mail such applications to the
17 appropriate election authority. Such applications for absentee
18 ballots shall be made on forms provided by the election
19 authority. Duplication of such forms by the municipal, township
20 or road district clerk is prohibited.

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

23 (10 ILCS 5/19-3) (from Ch. 46, par. 19-3)

24 Sec. 19-3. Application for such ballot shall be made on
25 blanks to be furnished by the election authority and

1 duplication of such application for ballot is prohibited,
2 except by the election authority. The application for ballot
3 shall be substantially in the following form:

4 APPLICATION FOR BALLOT

5 BY ELECTOR WHO EXPECTS TO BE

6 ABSENT FROM COUNTY

7 To be voted at the election in the County of and
8 State of Illinois, in the precinct of the (1) *township of
9 (2) *City of or (3) *.... ward in the City of

10 I state that I am a resident of the precinct of the
11 (1) *township of (2) *City of or (3) *.... ward in
12 the city of residing at in such city or town in the
13 county of and State of Illinois; that I have lived at such
14 address for month(s) last past; that I am lawfully
15 entitled to vote in such precinct at the election to be
16 held therein on; that I expect to be absent from the
17 county of my residence on the date of holding such election,
18 and that I will have no opportunity to vote in person on that
19 day.

20 I hereby make application for an official ballot or ballots
21 to be voted by me at such election if I am absent from the
22 county of my residence, and I agree that I shall return such
23 ballot or ballots to the official issuing the same prior to the
24 closing of the polls on the date of the election.

25 Under penalties as provided by law pursuant to Section
26 29-10 of The Election Code, the undersigned certifies that the

1 statements set forth in this application are true and correct.

2

3 *fill in either (1), (2) or (3).

4 Post office address to which ballot is mailed:

5

6 ~~However, if application is made for a primary election~~
7 ~~ballot, such application shall designate the name of the~~
8 ~~political party with which the applicant is affiliated.~~

9 APPLICATION FOR BALLOT

10 BY ELECTOR WHO IS JUDGE OF ELECTION

11 IN A PRECINCT OTHER THAN THE PRECINCT

12 IN WHICH HE RESIDES

13 To be voted at the election in the County of and
14 State of Illinois, in the precinct of the (1) *township of
15 (2) *City of or (3) *.... ward in the City of

16 I state that I am affiliated with the party (to be
17 used in primary elections) and that I am a resident of the
18 precinct of the (1) *township of (2) *City of or (3)
19 *.... ward in the city of residing at in such city or
20 town in the county of and State of Illinois; that I have
21 lived at such address for month(s) last past; that I am
22 lawfully entitled to vote in such precinct at the election
23 to be held therein on; that I am a judge of election in
24 precinct or the (1) *.... ward in the city of or (2)
25 *township of or (3) *city, village or incorporated town of
26 in such county and that I will have no opportunity of

1 voting in person on that day:

2 I hereby make application for an official ballot or ballots
3 to be voted by me at such election if I serve as a judge of
4 election in such last named precinct, and I agree that I shall
5 return such ballot or ballots to the official issuing the same
6 prior to the closing of the polls on the date of the election.

7 Under penalties as provided by law pursuant to Section
8 29-10 of The Election Code, the undersigned certifies that the
9 statements set forth in this application are true and correct.

10

11 *fill in either (1), (2) or (3).

12 Post office address to which ballot is mailed:

13

14 APPLICATION FOR BALLOT

15 BY PHYSICALLY INCAPACITATED ELECTOR

16 To be voted at the election in the County of and
17 State of Illinois, in the precinct of the (1) *township of
18 (2) *City of or (3) * ward in the City of

19 I state ~~that I am affiliated with the party (to be~~
20 ~~used in primary elections) and~~ that I am a resident of the
21 precinct of the (1) *township of (2) *City of or (3)
22 * ward in the city of residing at in such city or
23 town in the county of and State of Illinois; that I have
24 lived at such address for month(s) last past; that I am
25 lawfully entitled to vote in such precinct at the election
26 to be held therein on; that I shall be physically

1 incapable of being present at the polls of such precinct on the
2 date of holding such election for the following reasons:

3 I hereby make application for an official ballot or ballots
4 to be voted by me at such election if I am so physically
5 incapacitated, and I agree that I shall return such ballot or
6 ballots to the official issuing the same prior to the closing
7 of the polls on the date of election.

8 Under penalties as provided by law pursuant to Section
9 29-10 of The Election Code, the undersigned certifies that the
10 statements set forth in this application are true and correct.

11

12 *fill in either (1), (2) or (3).

13 Post office address to which ballot is mailed:

14

15 APPLICATION FOR BALLOT

16 BY CHILD SEX OFFENDER ELECTOR

17 To be voted at the election in the County of and
18 State of Illinois, in the precinct of the (1) *township of
19 (2) *City of or (3) *.... ward in the City of

20 I state ~~that I am affiliated with the party (to be~~
21 ~~used in primary elections) and~~ that I am a resident of the
22 precinct of the (1) *township of (2) *City of or (3)
23 *.... ward in the city of residing at in such city or
24 town in the county of and State of Illinois; that I have
25 lived at such address for month(s) last past; that I am
26 lawfully entitled to vote in such precinct at the election

1 to be held therein on; that my assigned precinct polling
2 place is in a school and I will be unable to enter the polling
3 place without violating Section 11-9.3 of the Criminal Code of
4 1961.

5 I hereby make application for an official ballot or ballots
6 to be voted by me at such election because my assigned precinct
7 polling place is in a school and I will be unable to enter the
8 polling place without violating Section 11-9.3 of the Criminal
9 Code of 1961, and I agree that I shall return such ballot or
10 ballots to the official issuing the same prior to the closing
11 of the polls on the date of election.

12 Under penalties as provided by law pursuant to Section
13 29-10 of the Election Code, the undersigned certifies that the
14 statements set forth in this application are true and correct.

15

16 *fill in either (1), (2), or (3).

17 Post office address to which ballot is mailed:

18

19 APPLICATION FOR BALLOT

20 BY ELECTOR OBSERVING RELIGIOUS HOLIDAY

21 To be voted at the election in the county of
22 State of Illinois, in the precinct (1) *township of
23 (2) *City of or (3) *.... ward in the City of

24 I state ~~that I am affiliated with the party (to be~~
25 ~~used in primary elections) and~~ that I am a resident of the
26 precinct of the (1) *township of (2) *City of or (3)

1 *.... ward in the city of residing at in such city or
 2 town in the county of and State of Illinois; that I have
 3 lived at such address for month(s) past, that I am
 4 lawfully entitled to vote in such precinct at the election
 5 to be held therein on; that I shall be unable to be
 6 present at the polls of such precinct on the date of holding
 7 such election because of the tenets of my religion in the
 8 observance of a religious holiday.

9 I hereby make application for an official ballot or ballots
 10 to be voted by me at such election if I am so unable to be
 11 present at the polls of such precinct on the date of the
 12 election because of the tenets of my religion in the observance
 13 of a religious holiday, and I agree that I shall return the
 14 ballot or ballots to the official issuing the same prior to the
 15 closing of the polls on the date of the election.

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 application are true and correct.

19

20 *fill in either (1), (2) or (3).

21 Post office address to which ballot is mailed:

22

23 APPLICATION FOR BALLOT
 24 BY ELECTOR WHO IS AN ELECTION EMPLOYEE
 25 OF STATE'S ATTORNEY, COUNTY CLERK OR
 26 BOARD OF ELECTION COMMISSIONERS

1 ~~Provided, that if application be made for a primary~~
2 ~~election ballot, such application shall designate the name of~~
3 ~~the political party with which the applicant is affiliated.~~

4 APPLICATION FOR

5 TEMPORARILY ABSENT STUDENT BALLOT

6 To be voted at the election in the County of and
7 State of Illinois, in the precinct of the (1) *township of
8 (2) *City of or (3) *.... ward in the City of

9 I state that I am a resident of the precinct of the
10 (1) *township of (2) *City of or (3) *.... ward in
11 the city of residing at in such city or town in the
12 county of and State of Illinois; that I have lived at such
13 address for month(s) last past; that I am lawfully
14 entitled to vote in such precinct at the election to be
15 held therein on; that I am temporarily abiding outside
16 such precinct in the (1) *township of (2) *City of in
17 the county of and State of due to the fact I am a
18 student attending an institution of higher education, and for
19 that reason do not expect to have an opportunity to vote in
20 person on that day.

21 I hereby make application for an official ballot or ballots
22 to be voted by me at such election if I am absent from the
23 precinct of my residence, and I agree that I shall return such
24 ballot or ballots to the official issuing the same prior to the
25 closing of the polls on the date of the election.

26 Under penalties as provided by law pursuant to Section

1 29-10 of The Election Code, the undersigned certifies that the
2 statements set forth in this application are true and correct.

3

4 *fill in either (1), (2) or (3).

5 Post office address to which ballot is mailed:

6

7 ~~However, if application is made for a primary election~~
8 ~~ballot, such application shall designate the name of the~~
9 ~~political party with which the applicant is affiliated.~~

10 In lieu of the separate application blanks heretofore
11 prescribed, the election authority may adopt a standard
12 application blank in substantially the following form for all
13 categories of absentee voters:

14 APPLICATION FOR
15 ABSENT VOTER'S BALLOT

16 To be voted at the election in the County of
17 and State of Illinois, in the precinct of the
18 (1) *township of (2) *City of or (3) *..... ward
19 in the City of

20 I state that I am a resident of the precinct of the
21 (1) *township of (2) *City of or (3) *.....
22 ward in the City of residing at in such city
23 or town in the county of and State of Illinois; that I
24 have lived at such address for months last past; that I
25 am lawfully entitled to vote in such precinct at a
26 election to be held therein on; and that I will be

1 unable to vote in person at the polls of such precinct for the
2 following reasons:

3 (Check One)

4 I expect to be absent from my county of residence.

5 I expect to be temporarily absent from the country.

6 I shall be serving as a judge of election in the
7 precinct which is not my precinct of
8 residence.

9 I shall be observing a religious holiday in
10 accordance with the tenets of my religion.

11 I shall be performing official election duties
12 for an Election Authority,
13 (election authority)

14 or the State Board of
15 Elections.

16 (location)

17 I shall be performing election law enforcement
18 duties in the employment of,
19 (law enforcement agency)

20
21 (location)

22 I am temporarily abiding in the (1) *township of
23 (2) *city of in the county of and State of due to
24 the fact I am a student attending an institution of higher
25 education.

26 I am physically incapacitated.

1 Reason(s) :

2 I have been called for jury duty on said day by

3

4 (court jurisdiction)

5 I hereby make application for an official ballot or ballots
6 to be voted by me at such election and agree that I shall
7 return the ballot or ballots to the election official issuing
8 the same in sufficient time for such official to deliver the
9 ballot or ballots to the proper polling place prior to the
10 closing of the polls on the date of the election.

11 Under penalties as provided by law pursuant to Section
12 29-10 of the Election Code, the undersigned certifies that the
13 statements set forth in this application are true and correct.

14

15 *fill in either (1), (2) or (3). Post office address to which
16 ballot is mailed:

17

18 ~~Provided, that if application is made for a primary~~
19 ~~election, such application shall designate the name of the~~
20 ~~political party with which applicant is affiliated.~~

21 (Source: P.A. 95-440, eff. 8-27-07.)

22 (10 ILCS 5/19-4) (from Ch. 46, par. 19-4)

23 Sec. 19-4. Mailing or delivery of ballots - Time.)
24 Immediately upon the receipt of such application either by
25 mail, not more than 40 days nor less than 5 days prior to such

1 election, or by personal delivery not more than 40 days nor
2 less than one day prior to such election, at the office of such
3 election authority, it shall be the duty of such election
4 authority to examine the records to ascertain whether or not
5 such applicant is lawfully entitled to vote as requested,
6 including a verification of the applicant's signature by
7 comparison with the signature on the official registration
8 record card, and if found so to be entitled to vote, to post
9 within one business day thereafter the name, street address,
10 ward and precinct number or township and district number, as
11 the case may be, of such applicant given on a list, the pages
12 of which are to be numbered consecutively to be kept by such
13 election authority for such purpose in a conspicuous, open and
14 public place accessible to the public at the entrance of the
15 office of such election authority, and in such a manner that
16 such list may be viewed without necessity of requesting
17 permission therefor. Within one day after posting the name and
18 other information of an applicant for an absentee ballot, the
19 election authority shall transmit that name and other posted
20 information to the State Board of Elections, which shall
21 maintain those names and other information in an electronic
22 format on its website, arranged by county and accessible to
23 State and local political committees. Within 2 business days
24 after posting a name and other information on the list within
25 its office, the election authority shall mail, postage prepaid,
26 or deliver in person in such office an official ballot or

1 ballots if more than one are to be voted at said election or if
2 Section 19-4.5 applies. Mail delivery of Temporarily Absent
3 Student ballot applications pursuant to Section 19-12.3 shall
4 be by nonforwardable mail. However, for the consolidated
5 election, absentee ballots for certain precincts may be
6 delivered to applicants not less than 25 days before the
7 election if so much time is required to have prepared and
8 printed the ballots containing the names of persons nominated
9 for offices at the consolidated primary. The election authority
10 shall enclose with each absentee ballot or application written
11 instructions on how voting assistance shall be provided
12 pursuant to Section 17-14 and a document, written and approved
13 by the State Board of Elections, enumerating the circumstances
14 under which a person is authorized to vote by absentee ballot
15 pursuant to this Article; such document shall also include a
16 statement informing the applicant that if he or she falsifies
17 or is solicited by another to falsify his or her eligibility to
18 cast an absentee ballot, such applicant or other is subject to
19 penalties pursuant to Section 29-10 and Section 29-20 of the
20 Election Code. Each election authority shall maintain a list of
21 the name, street address, ward and precinct, or township and
22 district number, as the case may be, of all applicants who have
23 returned absentee ballots to such authority, and the name of
24 such absent voter shall be added to such list within one
25 business day from receipt of such ballot. If the absentee
26 ballot envelope indicates that the voter was assisted in

1 casting the ballot, the name of the person so assisting shall
2 be included on the list. The list, the pages of which are to be
3 numbered consecutively, shall be kept by each election
4 authority in a conspicuous, open, and public place accessible
5 to the public at the entrance of the office of the election
6 authority and in a manner that the list may be viewed without
7 necessity of requesting permission for viewing.

8 Each election authority shall maintain a list for each
9 election of the voters to whom it has issued absentee ballots.
10 The list shall be maintained for each precinct within the
11 jurisdiction of the election authority. Prior to the opening of
12 the polls on election day, the election authority shall deliver
13 to the judges of election in each precinct the list of
14 registered voters in that precinct to whom absentee ballots
15 have been issued by mail.

16 Each election authority shall maintain a list for each
17 election of voters to whom it has issued temporarily absent
18 student ballots. The list shall be maintained for each election
19 jurisdiction within which such voters temporarily abide.
20 Immediately after the close of the period during which
21 application may be made by mail for absentee ballots, each
22 election authority shall mail to each other election authority
23 within the State a certified list of all such voters
24 temporarily abiding within the jurisdiction of the other
25 election authority.

26 In the event that the return address of an application for

1 ballot by a physically incapacitated elector is that of a
2 facility licensed or certified under the Nursing Home Care Act,
3 within the jurisdiction of the election authority, and the
4 applicant is a registered voter in the precinct in which such
5 facility is located, the ballots shall be prepared and
6 transmitted to a responsible judge of election no later than 9
7 a.m. on the Saturday, Sunday or Monday immediately preceding
8 the election as designated by the election authority under
9 Section 19-12.2. Such judge shall deliver in person on the
10 designated day the ballot to the applicant on the premises of
11 the facility from which application was made. The election
12 authority shall by mail notify the applicant in such facility
13 that the ballot will be delivered by a judge of election on the
14 designated day.

15 All applications for absentee ballots shall be available at
16 the office of the election authority for public inspection upon
17 request from the time of receipt thereof by the election
18 authority until 30 days after the election, except during the
19 time such applications are kept in the office of the election
20 authority pursuant to Section 19-7, and except during the time
21 such applications are in the possession of the judges of
22 election.

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

24 (10 ILCS 5/19-4.5 new)

25 Sec. 19-4.5. Primary ballots.

1 (a) A person entitled to vote by absentee ballot at a
2 primary shall not be required to declare his or her political
3 party affiliation and shall be provided with the ballots of all
4 established political parties nominating candidates for
5 offices for which the absentee voter is entitled to vote at
6 that primary. That absentee voter may mark, cast, and have
7 counted the primary ballot of only one established political
8 party.

9 (b) With respect to the marking, casting, and counting of
10 primary ballots, absentee voting shall be conducted in
11 accordance with Sections 7-43 and 7-44 of this Code as well as
12 the provisions of this Article.

13 (c) When voting absentee at a primary by means other than
14 in-person absentee voting, the voter shall be instructed to
15 return all ballots to the election authority.

16 (10 ILCS 5/19-5) (from Ch. 46, par. 19-5)

17 Sec. 19-5. It shall be the duty of the election authority
18 to fold the ballot or ballots in the manner specified by the
19 statute for folding ballots prior to their deposit in the
20 ballot box, and to enclose such ballot or ballots in an
21 envelope unsealed to be furnished by him, which envelope shall
22 bear upon the face thereof the name, official title and post
23 office address of the election authority, and upon the other
24 side if the ballot is to go to an elector who is to be out of
25 the county on the day of the election a printed certification

1 in substantially the following form:

2 I state that I am a resident of the precinct of the
3 (1) *township of (2) *City of or (3) *.... ward in
4 the city of residing at in such city or town in the
5 county of and State of Illinois, that I have lived at such
6 address for months last past; that I am lawfully entitled
7 to vote in such precinct at the election to be held on
8; and I expect to be absent from the county of my residence
9 on the date of such election.

10 *fill in either (1), (2) or (3).

11 I further state that I personally marked the enclosed
12 ballot in secret.

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

17

18 If the ballot is to go to an elector who is physically
19 incapacitated the envelope shall bear upon the back thereof a
20 certification in substantially the following form:

21 I state that I am a resident of the precinct of the
22 (1) *township of (2) *City of or (3) *.... ward in
23 the city of residing at in such city or town in the
24 county of and State of Illinois, that I have lived at such
25 address for months last past; that I am lawfully entitled
26 to vote in such precinct at the election to be held on

1; that I shall be physically incapable of being present at
2 the polls of such precinct on the date of holding such
3 election.

4 *fill in either (1), (2) or (3).

5 I further state that I personally marked the enclosed
6 ballot in secret. If I received assistance in casting my
7 ballot, I further attest that, due to physical incapacity, I
8 marked the enclosed ballot in secret with the assistance of

9

10 (Individual rendering assistance)

11

12 (Residence Address)

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

17

18 In the case of a voter who is voting absentee by reason of
19 physical incapacity, marking a ballot in secret includes
20 marking a ballot with the assistance of another individual,
21 other than a candidate whose name appears on the ballot (unless
22 the voter is the spouse or a parent, child, brother, or sister
23 of the candidate), the voter's employer, an agent of that
24 employer or an officer or agent of the voter's union, when the
25 voter's physical incapacity necessitates such assistance.

26 If the ballot is to go to an elector who will be unable to

1 enter his or her precinct polling place without violating
2 Section 11-9.3 of the Criminal Code of 1961, the envelope shall
3 bear upon the back thereof a certification in substantially the
4 following form:

5 I state that I am a resident of the precinct of the
6 (1) *township of (2) *City of or (3) *.... ward in
7 the city of residing at in said city or town in the
8 county of and State of Illinois, that I have lived at such
9 address for months last past; that I am lawfully entitled
10 to vote in such precinct at the election to be held on
11; that my assigned precinct polling place is in a school
12 and I will be unable to enter the polling place without
13 violating Section 11-9.3 of the Criminal Code of 1961.

14 *fill in either (1), (2), or (3).

15 I further state that I personally marked the enclosed
16 ballot in secret.

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

21

22 If the ballot is to go to an elector who is unable to be
23 present at the polls on the date of the election because of the
24 observance of a religious holiday, the envelope shall bear upon
25 the back thereof a certification in substantially the following
26 form:

1 I state that I am a resident of the precinct of the
 2 (1) *township of (2) *City of or (3) *.... ward in
 3 the city of residing at in said city or town in the
 4 county of and State of Illinois, that I have lived at such
 5 address for months last past; that I am lawfully entitled
 6 to vote in such precinct at the election to be held on
 7; that I shall be unable to be present at the polls of such
 8 precinct on the date of holding such election because of the
 9 tenets of my religion in the observance of a religious holiday.
 10 *fill in either (1), (2) or (3).

11 I further state that I personally marked the enclosed
 12 ballot in secret.

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

17

18 If the ballot is to go to an elector who is unable to be
 19 present at the polls on the date of the election because he or
 20 she is confined or detained in jail pending acquittal or
 21 conviction of a crime, the envelope shall bear upon the back
 22 thereof a certification in substantially the following form:

23 I state that I am a resident of the precinct of the
 24 (1) *township of (2) *City of.... or (3) *.... ward in the
 25 city of residing at in that city or town in the
 26 county of and State of Illinois, that I have lived at such

1 address for months last past; that I am lawfully entitled
2 to vote in such precinct at the election to be held on
3; that I shall be unable to be present at the polls of such
4 precinct on the date of holding such election because of my
5 confinement or detention in jail pending acquittal or
6 conviction of a crime.

7 *fill in either (1), (2) or (3).

8 I further state that I personally marked the enclosed
9 ballot in secret.

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

14

15 If the ballot is to go to an elector who is temporarily
16 abiding outside the precinct in which he is registered to vote
17 due to the fact he is a student attending an institution of
18 higher education the envelope shall bear upon the back thereof
19 a certification in substantially the following form:

20 I state that I am a resident of the precinct of the
21 (1) *township of (2) *City of or (3) *.... ward in
22 the city of residing at in such city or town in the
23 county of and State of Illinois, that I have lived at such
24 address for months last past; that I am lawfully entitled
25 to vote in such precinct at the election to be held on
26; and I expect to be absent from the precinct of my

1 residence on the date of such election because I am temporarily
 2 abiding outside such precinct in the (1) *township of (2)
 3 *city of in the county of and State of due to the
 4 fact I am a student attending an institution of higher
 5 education.

6 *fill in either (1), (2) or (3).

7 I further state that I personally marked the enclosed
 8 ballot in secret.

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

13

14 If the election authority adopts the standard absentee
 15 ballot application blank provided in Section 19-3, the printed
 16 certification on the absentee ballot envelope shall be in
 17 substantially the following form:

18 I state that I am a resident of the precinct of the
 19 (1) *township of..... (2) *City of or (3) *..... ward
 20 in the city of residing at in said city or town
 21 in the county of and State of Illinois, that I have
 22 lived at such address for months last past; that I shall
 23 be unable to be present at the polls of such precinct on the
 24 date of holding such election for the reason indicated on the
 25 application for ballot enclosed herein.

26 *fill in either (1), (2) or (3).

1 I further state that I personally marked the enclosed
 2 ballot in secret. If I received assistance in casting my
 3 ballot, I further attest that, due to physical incapacity, I
 4 marked the enclosed ballot in secret with the assistance of

5
 6 (Individual rendering assistance)
 7
 8 (Residence Address)

9 Under penalties of perjury provided by law pursuant to
 10 Section 29-10 of the Election Code, the undersigned certifies
 11 that the statements set forth in this certification are true
 12 and correct.

13

14 In the case of a voter who is voting absentee by reason of
 15 physical incapacity, marking a ballot in secret includes
 16 marking a ballot with the assistance of another individual,
 17 other than a candidate whose name appears on the ballot (unless
 18 the voter is the spouse or a parent, child, brother, or sister
 19 of the candidate), the voter's employer, an agent of that
 20 employer, or an officer or agent of the voter's union, when the
 21 voter's physical incapacity necessitates such assistance.

22 ~~Provided, that if the ballot enclosed is to be voted at a~~
 23 ~~primary election, the certification shall designate the name of~~
 24 ~~the political party with which the voter is affiliated.~~

25 In addition to the above, the election authority shall
 26 provide printed slips giving full instructions regarding the

1 manner of marking and returning the ballot in order that the
2 same may be counted, and shall furnish one of such printed
3 slips to each of such applicants at the same time the ballot is
4 delivered to him. Such instructions shall include the following
5 statement: "In signing the certification on the absentee ballot
6 envelope, you are attesting that you personally marked this
7 absentee ballot in secret. If you are physically unable to mark
8 the ballot, a friend or relative may assist you after
9 completing the enclosed affidavit. Federal and State laws
10 prohibit a candidate whose name appears on the ballot (unless
11 you are the spouse or a parent, child, brother, or sister of
12 the candidate), your employer, your employer's agent or an
13 officer or agent of your union from assisting physically
14 disabled voters."

15 In addition to the above, if a ballot to be provided to an
16 elector pursuant to this Section contains a public question
17 described in subsection (b) of Section 28-6 and the territory
18 concerning which the question is to be submitted is not
19 described on the ballot due to the space limitations of such
20 ballot, the election authority shall provide a printed copy of
21 a notice of the public question, which shall include a
22 description of the territory in the manner required by Section
23 16-7. The notice shall be furnished to the elector at the same
24 time the ballot is delivered to the elector.

25 (Source: P.A. 94-637, eff. 1-1-06; 95-440, eff. 8-27-07.)

1 (10 ILCS 5/19-8) (from Ch. 46, par. 19-8)

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

3 (a) (Blank.)

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

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

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

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

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

1 ballots under subsection (c).

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

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

18 (g) The procedures set forth in Articles 17 and 18 and,
19 with respect to primaries, in Section 19-4.5 of this Code shall
20 apply to all ballots counted under this Section. In addition,
21 within 2 days after an absentee ballot, other than an in-person
22 absentee ballot, is received, but in all cases before the close
23 of the period for counting provisional ballots, the election
24 judge or official shall compare the voter's signature on the
25 certification envelope of that absentee ballot with the
26 signature of the voter on file in the office of the election

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

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

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

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

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

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

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

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

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

25 (g-10) All absentee ballots determined to be valid shall be
26 added to the vote totals for the precincts for which they were

1 cast in the order in which the ballots were opened.

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

5 (Source: P.A. 94-557, eff. 8-12-05; 94-1000, eff. 7-3-06;
6 95-699, eff. 11-9-07.)

7 (10 ILCS 5/19-12.1) (from Ch. 46, par. 19-12.1)

8 Sec. 19-12.1. Any qualified elector who has secured an
9 Illinois Disabled Person Identification Card in accordance
10 with The Illinois Identification Card Act, indicating that the
11 person named thereon has a Class 1A or Class 2 disability or
12 any qualified voter who has a permanent physical incapacity of
13 such a nature as to make it improbable that he will be able to
14 be present at the polls at any future election, or any voter
15 who is a resident of a facility licensed or certified pursuant
16 to the Nursing Home Care Act and has a condition or disability
17 of such a nature as to make it improbable that he will be able
18 to be present at the polls at any future election, may secure a
19 disabled voter's or nursing home resident's identification
20 card, which will enable him to vote under this Article as a
21 physically incapacitated or nursing home voter.

22 Application for a disabled voter's or nursing home
23 resident's identification card shall be made either: (a) in
24 writing, with voter's sworn affidavit, to the county clerk or
25 board of election commissioners, as the case may be, and shall

1 be accompanied by the affidavit of the attending physician
2 specifically describing the nature of the physical incapacity
3 or the fact that the voter is a nursing home resident and is
4 physically unable to be present at the polls on election days;
5 or (b) by presenting, in writing or otherwise, to the county
6 clerk or board of election commissioners, as the case may be,
7 proof that the applicant has secured an Illinois Disabled
8 Person Identification Card indicating that the person named
9 thereon has a Class 1A or Class 2 disability. Upon the receipt
10 of either the sworn-to application and the physician's
11 affidavit or proof that the applicant has secured an Illinois
12 Disabled Person Identification Card indicating that the person
13 named thereon has a Class 1A or Class 2 disability, the county
14 clerk or board of election commissioners shall issue a disabled
15 voter's or nursing home resident's identification card. Such
16 identification cards shall be issued for a period of 5 years,
17 upon the expiration of which time the voter may secure a new
18 card by making application in the same manner as is prescribed
19 for the issuance of an original card, accompanied by a new
20 affidavit of the attending physician. The date of expiration of
21 such five-year period shall be made known to any interested
22 person by the election authority upon the request of such
23 person. Applications for the renewal of the identification
24 cards shall be mailed to the voters holding such cards not less
25 than 3 months prior to the date of expiration of the cards.

26 Each disabled voter's or nursing home resident's

1 identification card shall bear an identification number, which
2 shall be clearly noted on the voter's original and duplicate
3 registration record cards. In the event the holder becomes
4 physically capable of resuming normal voting, he must surrender
5 his disabled voter's or nursing home resident's identification
6 card to the county clerk or board of election commissioners
7 before the next election.

8 The holder of a disabled voter's or nursing home resident's
9 identification card may make application by mail for an
10 official ballot within the time prescribed by Section 19-2.
11 Such application shall contain the same information as is
12 included in the form of application for ballot by a physically
13 incapacitated elector prescribed in Section 19-3 except that it
14 shall also include the applicant's disabled voter's
15 identification card number and except that it need not be sworn
16 to. If an examination of the records discloses that the
17 applicant is lawfully entitled to vote, he shall be mailed a
18 ballot or ballots as provided in Section 19-4 and, if
19 applicable, in Section 19-4.5. The ballot envelope shall be the
20 same as that prescribed in Section 19-5 for physically disabled
21 voters, and the manner of voting and returning the ballot shall
22 be the same as that provided in this Article for other absentee
23 ballots, except that a statement to be subscribed to by the
24 voter but which need not be sworn to shall be placed on the
25 ballot envelope in lieu of the affidavit prescribed by Section
26 19-5.

1 Any person who knowingly subscribes to a false statement in
2 connection with voting under this Section shall be guilty of a
3 Class A misdemeanor.

4 (Source: P.A. 86-820; 86-875; 86-1028.)

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

6 Sec. 20-3. The election authority shall furnish the
7 following applications for absentee registration or absentee
8 ballot which shall be considered a method of application in
9 lieu of the official postcard.

10 1. Members of the United States Service, citizens of the
11 United States temporarily residing outside the territorial
12 limits of the United States, and certified program participants
13 under the Address Confidentiality for Victims of Domestic
14 Violence Act may make application within the periods prescribed
15 in Sections 20-2 or 20-2.1, as the case may be. Such
16 application shall be substantially in the following form:

17 "APPLICATION FOR BALLOT

18 To be voted at the..... election in the precinct in
19 which is located my residence at....., in the
20 city/village/township of(insert home address)
21 County of..... and State of Illinois.

22 I state that I am a citizen of the United States; that on
23 (insert date of election) I shall have resided in the State of
24 Illinois and in the election precinct for 30 days; that on the
25 above date I shall be the age of 18 years or above; that I am

1 lawfully entitled to vote in such precinct at that election;
2 that I am (check category 1, 2, or 3 below):

3 1. () a member of the United States Service,

4 2. () a citizen of the United States temporarily residing
5 outside the territorial limits of the United States and that I
6 expect to be absent from the said county of my residence on the
7 date of holding such election, and that I will have no
8 opportunity to vote in person on that day.

9 3. () a certified program participant under the Address
10 Confidentiality for Victims of Domestic Violence Act.

11 I hereby make application for an official ballot or ballots
12 to be voted by me at such election if I am absent from the said
13 county of my residence, and I agree that I shall return said
14 ballot or ballots to the election authority prior to the
15 closing of the polls on the date of the election or shall
16 destroy said ballot or ballots.

17 (Check below only if category 2 or 3 and not previously
18 registered)

19 () I hereby make application to become registered as a
20 voter and agree to return the forms and affidavits for
21 registration to the election authority not later than 30 days
22 before the election.

23 Under penalties as provided by law pursuant to Article 29
24 of The Election Code, the undersigned certifies that the
25 statements set forth in this application are true and correct.

26

1 Post office address or service address to which
 2 registration materials or ballot should be mailed
 3
 4
 5
 6"

7 ~~If application is made for a primary election ballot, such~~
 8 ~~application shall designate the name of the political party~~
 9 ~~with which the applicant is affiliated.~~

10 Such applications may be obtained from the election
 11 authority having jurisdiction over the person's precinct of
 12 residence.

13 2. A spouse or dependent of a member of the United States
 14 Service, said spouse or dependent being a registered voter in
 15 the county, may make application on behalf of said person in
 16 the office of the election authority within the periods
 17 prescribed in Section 20-2 which shall be substantially in the
 18 following form:

19 "APPLICATION FOR BALLOT to be voted at the..... election
 20 in the precinct in which is located the residence of the person
 21 for whom this application is made at.....(insert
 22 residence address) in the city/village/township of.....
 23 County of..... and State of Illinois.

24 I certify that the following named person.....
 25 (insert name of person) is a member of the United States
 26 Service.

1 I state that said person is a citizen of the United States;
 2 that on (insert date of election) said person shall have
 3 resided in the State of Illinois and in the election precinct
 4 for which this application is made for 30 days; that on the
 5 above date said person shall be the age of 18 years or above;
 6 that said person is lawfully entitled to vote in such precinct
 7 at that election; that said person is a member of the United
 8 States Service, and that in the course of his duties said
 9 person expects to be absent from his county of residence on the
 10 date of holding such election, and that said person will have
 11 no opportunity to vote in person on that day.

12 I hereby make application for an official ballot or ballots
 13 to be voted by said person at such election and said person
 14 agrees that he shall return said ballot or ballots to the
 15 election authority prior to the closing of the polls on the day
 16 of the election, or shall destroy said ballot or ballots.

17 I hereby certify that I am the (mother, father, sister,
 18 brother, husband or wife) of the said elector, and that I am a
 19 registered voter in the election precinct for which this
 20 application is made. (Strike all but one that is applicable.)

21 Under penalties as provided by law pursuant to Article 29
 22 of The Election Code, the undersigned certifies that the
 23 statements set forth in this application are true and correct.

24 Name of applicant

25 Residence address

26 City/village/township.....

1 Service address to which ballot should be mailed:
 2
 3
 4
 5"

6 ~~If application is made for a primary election ballot, such~~
 7 ~~application shall designate the name of the political party~~
 8 ~~with which the person for whom application is made is~~
 9 ~~affiliated.~~

10 Such applications may be obtained from the election
 11 authority having jurisdiction over the voting precinct in which
 12 the person for whom application is made is entitled to vote.
 13 (Source: P.A. 91-494, eff. 1-1-00.)

14 (10 ILCS 5/20-4) (from Ch. 46, par. 20-4)
 15 Sec. 20-4. Immediately upon the receipt of the official
 16 postcard or an application as provided in Section 20-3 within
 17 the times heretofore prescribed, the election authority shall
 18 ascertain whether or not such applicant is legally entitled to
 19 vote as requested, including verification of the applicant's
 20 signature by comparison with the signature on the official
 21 registration record card, if any. If the election authority
 22 ascertains that the applicant is lawfully entitled to vote, it
 23 shall enter the name, street address, ward and precinct number
 24 of such applicant on a list to be posted in his or its office in
 25 a place accessible to the public. Within one day after posting

1 the name and other information of an applicant for a ballot,
2 the election authority shall transmit that name and posted
3 information to the State Board of Elections, which shall
4 maintain the names and other information in an electronic
5 format on its website, arranged by county and accessible to
6 State and local political committees. As soon as the official
7 ballot is prepared the election authority shall immediately
8 deliver the same to the applicant in person or by mail, in the
9 manner prescribed in Section 20-4.5, when applicable, and
10 Section 20-5.

11 If any such election authority receives a second or
12 additional application which it believes is from the same
13 person, he or it shall submit it to the chief judge of the
14 circuit court or any judge of that court designated by the
15 chief judge. If the chief judge or his designate determines
16 that the application submitted to him is a second or additional
17 one, he shall so notify the election authority who shall
18 disregard the second or additional application.

19 The election authority shall maintain a list for each
20 election of the voters to whom it has issued absentee ballots.
21 The list shall be maintained for each precinct within the
22 jurisdiction of the election authority. Prior to the opening of
23 the polls on election day, the election authority shall deliver
24 to the judges of election in each precinct the list of
25 registered voters in that precinct to whom absentee ballots
26 have been issued.

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

2 (10 ILCS 5/20-4.5 new)

3 Sec. 20-4.5. Primary ballots.

4 (a) A person entitled to vote by absentee ballot at a
5 primary shall not be required to declare his or her political
6 party affiliation and shall be provided with the ballots of all
7 established political parties nominating candidates for
8 offices for which the absentee voter is entitled to vote at
9 that primary. That absentee voter may mark, cast, and have
10 counted the primary ballot of only one established political
11 party.

12 (b) With respect to the marking, casting, and counting of
13 primary ballots, absentee voting shall be conducted in
14 accordance with Sections 7-43 and 7-44 of this Code as well as
15 the provisions of this Article.

16 (c) When voting absentee at a primary, the voter shall be
17 instructed to return all ballots to the election authority.

18 (10 ILCS 5/20-5) (from Ch. 46, par. 20-5)

19 Sec. 20-5. The election authority shall fold the ballot or
20 ballots in the manner specified by the statute for folding
21 ballots prior to their deposit in the ballot box and shall
22 enclose such ballot in an envelope unsealed to be furnished by
23 it, which envelope shall bear upon the face thereof the name,
24 official title and post office address of the election

1 authority, and upon the other side of such envelope there shall
2 be printed a certification in substantially the following form:

3 "CERTIFICATION

4 I state that I am a resident/former resident of the
5 precinct of the city/village/township of,
6 (Designation to be made by Election Authority) or of the
7 ward in the city of (Designation to be made by
8 Election Authority) residing at in said
9 city/village/township in the county of and State of
10 Illinois; that I am a

- 11 1. () member of the United States Service
- 12 2. () citizen of the United States temporarily residing
13 outside the territorial limits of the United States
- 14 3. () nonresident civilian citizen

15 and desire to cast the enclosed ballot pursuant to Article 20
16 of The Election Code; that I am lawfully entitled to vote in
17 such precinct at the election to be held on
18

19 I further state that I marked the enclosed ballot in
20 secret.

21 Under penalties as provided by law pursuant to Article 29
22 of The Election Code, the undersigned certifies that the
23 statements set forth in this certification are true and
24 correct.

25 (Name)
26

1 (Service Address)"
 2
 3
 4

5 ~~If the ballot enclosed is to be voted at a primary~~
 6 ~~election, the certification shall designate the name of the~~
 7 ~~political party with which the voter is affiliated.~~

8 In addition to the above, the election authority shall
 9 provide printed slips giving full instructions regarding the
 10 manner of completing the forms and affidavits for absentee
 11 registration or the manner of marking and returning the ballot
 12 in order that the same may be counted, and shall furnish one of
 13 the printed slips to each of the applicants at the same time
 14 the registration materials or ballot is delivered to him.

15 In addition to the above, if a ballot to be provided to an
 16 elector pursuant to this Section contains a public question
 17 described in subsection (b) of Section 28-6 and the territory
 18 concerning which the question is to be submitted is not
 19 described on the ballot due to the space limitations of such
 20 ballot, the election authority shall provide a printed copy of
 21 a notice of the public question, which shall include a
 22 description of the territory in the manner required by Section
 23 16-7. The notice shall be furnished to the elector at the same
 24 time the ballot is delivered to the elector.

25 The envelope in which such registration or such ballot is
 26 mailed to the voter as well as the envelope in which the

1 registration materials or the ballot is returned by the voter
2 shall have printed across the face thereof two parallel
3 horizontal red bars, each one-quarter inch wide, extending from
4 one side of the envelope to the other side, with an intervening
5 space of one-quarter inch, the top bar to be one and
6 one-quarter inches from the top of the envelope, and with the
7 words "Official Election Balloting Material-VIA AIR MAIL"
8 between the bars. In the upper right corner of such envelope in
9 a box, there shall be printed the words: "U.S. Postage Paid 42
10 USC 1973". All printing on the face of such envelopes shall be
11 in red, including an appropriate inscription or blank in the
12 upper left corner of return address of sender.

13 (Source: P.A. 84-1467.)

14 (10 ILCS 5/20-8) (from Ch. 46, par. 20-8)

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

16 (a) (Blank.)

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

25 (c) Each absent voter's ballot that is mailed to an

1 election authority and postmarked by the midnight preceding the
2 opening of the polls on election day, but that is received by
3 the election authority after the polls close on election day
4 and before the close of the period for counting provisional
5 ballots cast at that election, shall be endorsed by the
6 receiving authority with the day and hour of receipt and shall
7 be counted at the central ballot counting location of the
8 election authority during the period for counting provisional
9 ballots.

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

23 (d) Special write-in absentee voter's blank ballots
24 returned to an election authority, by any means authorized by
25 this Article, and received by the election authority at any
26 time before the closing of the polls on election day shall be

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

16 (e) Except as otherwise provided in this Section, absent
17 voters' ballots and special write-in absentee voter's blank
18 ballots received by the election authority after the closing of
19 the polls on the day of election shall be endorsed by the
20 person receiving the ballots with the day and hour of receipt
21 and shall be safely kept unopened by the election authority for
22 the period of time required for the preservation of ballots
23 used at the election, and shall then, without being opened, be
24 destroyed in like manner as the used ballots of that election.

25 (f) Counting required under this Section to begin on
26 election day after the closing of the polls shall commence no

1 later than 8:00 p.m. and shall be conducted by a panel or
2 panels of election judges appointed in the manner provided by
3 law. The counting shall continue until all absent voters'
4 ballots and special write-in absentee voter's blank ballots
5 required to be counted on election day have been counted.

6 (g) The procedures set forth in Articles 17 and 18 and,
7 with respect to primaries, in Section 20-4.5 of this Code shall
8 apply to all ballots counted under this Section. In addition,
9 within 2 days after a ballot subject to this Article is
10 received, but in all cases before the close of the period for
11 counting provisional ballots, the election judge or official
12 shall compare the voter's signature on the certification
13 envelope of that ballot with the signature of the voter on file
14 in the office of the election authority. If the election judge
15 or official determines that the 2 signatures match, and that
16 the voter is otherwise qualified to cast a ballot under this
17 Article, the election authority shall cast and count the ballot
18 on election day or the day the ballot is determined to be
19 valid, whichever is later, adding the results to the precinct
20 in which the voter is registered. If the election judge or
21 official determines that the signatures do not match, or that
22 the voter is not qualified to cast a ballot under this Article,
23 then without opening the certification envelope, the judge or
24 official shall mark across the face of the certification
25 envelope the word "Rejected" and shall not cast or count the
26 ballot.

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

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

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

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

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

11 If the election judge or official determines that any of
12 these reasons apply, the judge or official shall mark across
13 the face of the certification envelope the word "Rejected" and
14 shall not cast or count the ballot.

15 (g-5) If a ballot subject to this Article is rejected by
16 the election judge or official for any reason, the election
17 authority shall, within 2 days after the rejection but in all
18 cases before the close of the period for counting provisional
19 ballots, notify the voter that his or her ballot was rejected.
20 The notice shall inform the voter of the reason or reasons the
21 ballot was rejected and shall state that the voter may appear
22 before the election authority, on or before the 14th day after
23 the election, to show cause as to why the ballot should not be
24 rejected. The voter may present evidence to the election
25 authority supporting his or her contention that the ballot
26 should be counted. The election authority shall appoint a panel

1 of 3 election judges to review the contested ballot,
2 application, and certification envelope, as well as any
3 evidence submitted by the absentee voter. No more than 2
4 election judges on the reviewing panel shall be of the same
5 political party. The reviewing panel of election judges shall
6 make a final determination as to the validity of the contested
7 ballot. The judges' determination shall not be reviewable
8 either administratively or judicially.

9 A ballot subject to this subsection that is determined to
10 be valid shall be counted before the close of the period for
11 counting provisional ballots.

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

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

18 (Source: P.A. 94-557, eff. 8-12-05; 94-1000, eff. 7-3-06;
19 95-699, eff. 11-9-07.)".