



## 96TH GENERAL ASSEMBLY

### State of Illinois

2009 and 2010

HB1113

Introduced 2/11/2009, by Rep. Mike Boland

#### SYNOPSIS AS INTRODUCED:

See Index

Amends the Election Code. Provides for the use of mail-in ballots for the general primary held in 2010 in a county selected by the State Board of Elections. Provides that the election authority shall mail ballots to each registered voter not more than 40 nor less than 5 days before the date of the election. Establishes procedures for the return of the ballots. Provides for the delivery of ballots to the judges of election. Provides for the casting of mail-in ballots. Provides that the State Board of Elections shall adopt rules and procedures for the implementation of the use of mail-in ballots within 270 days after the effective date of the bill. Requires the State Board to report to the General Assembly on the problems and successes of conducting the election by mail. Contains other provisions. Amends the State Mandates Act to require implementation without reimbursement. Effective immediately.

LRB096 03956 JAM 13991 b

1 AN ACT concerning elections.

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

4 Section 5. The Election Code is amended by changing  
5 Sections 4-11, 7-5, 7-15, 7-16, 13-1, 13-2, 14-1, 14-3.1,  
6 24A-6, and 24B-6 and adding the Article 19B heading and  
7 Sections 19B-5, 19B-10, 19B-15, 19B-20, 19B-25, 19B-30,  
8 19B-35, 19B-40, 19B-45, 19B-50, 19B-55, and 19B-60 as follows:

9 (10 ILCS 5/4-11) (from Ch. 46, par. 4-11)

10 Sec. 4-11. At least 2 weeks prior to the general November  
11 election in each even numbered year and the consolidated  
12 election in each odd-numbered year the county clerk shall cause  
13 a list to be made for each precinct of all names upon the  
14 registration record cards not marked or erased, in alphabetical  
15 order, with the address, provided, that such list may be  
16 arranged geographically, by street and number, in numerical  
17 order, with respect to all precincts in which all, or  
18 substantially all residences of voters therein shall be located  
19 upon and numbered along streets, avenues, courts, or other  
20 highways which are either named or numbered, upon direction  
21 either of the county board or of the circuit court. On the  
22 list, the county clerk shall indicate, by italics, asterisk, or  
23 other means, the names of all persons who have registered since

1 the last regularly scheduled election in the consolidated  
2 schedule of elections established in Section 2A-1.1 of this  
3 Act. The county clerk shall cause such precinct lists to be  
4 printed or typed in sufficient numbers to meet all reasonable  
5 demands, and upon application a copy of the same shall be given  
6 to any person applying therefor. By such time, the county clerk  
7 shall give the precinct lists to the chairman of a county  
8 central committee of an established political party, as such  
9 party is defined in Section 10-2 of this Act, or to the  
10 chairman's duly authorized representative. Within 30 days of  
11 the effective date of this Amendatory Act of 1983, the county  
12 clerk shall give the precinct lists compiled prior to the  
13 general November election of 1982 to the chairman of county  
14 central committee of an established political party or to the  
15 chairman's duly authorized representative.

16 Subject to the provisions of Article 19B, prior to the  
17 opening of the polls for other elections, the county clerk  
18 shall transmit or deliver to the judges of election of each  
19 polling place a corrected list of registered voters in the  
20 precinct, or the names of persons added to and erased or  
21 withdrawn from the list for such precinct. At other times such  
22 list, currently corrected, shall be kept available for public  
23 inspection in the office of the county clerk.

24 Within 60 days after each general election the county clerk  
25 shall indicate by italics, asterisk, or other means, on the  
26 list of registered voters in each precinct, each registrant who

1 voted at that general election, and shall provide a copy of  
2 such list to the chairman of the county central committee of  
3 each established political party or to the chairman's duly  
4 authorized representative.

5 Within 60 days after the effective date of this amendatory  
6 Act of 1983, the county clerk shall indicate by italics,  
7 asterisk, or other means, on the list of registered voters in  
8 each precinct, each registrant who voted at the general  
9 election of 1982, and shall provide a copy of such coded list  
10 to the chairman of the county central committee of each  
11 established political party or to the chairman's duly  
12 authorized representative.

13 The county clerk may charge a fee to reimburse the actual  
14 cost of duplicating each copy of a list provided under either  
15 of the 2 preceding paragraphs.

16 (Source: P.A. 90-358, eff. 1-1-98.)

17 (10 ILCS 5/7-5) (from Ch. 46, par. 7-5)

18 Sec. 7-5. (a) Primary elections shall be held on the dates  
19 prescribed in Article 2A.

20 (b) Notwithstanding the provisions of any other statute, no  
21 primary shall be held for an established political party in any  
22 township, municipality, or ward thereof, where the nomination  
23 of such party for every office to be voted upon by the electors  
24 of such township, municipality, or ward thereof, is  
25 uncontested. Whenever a political party's nomination of

1 candidates is uncontested as to one or more, but not all, of  
2 the offices to be voted upon by the electors of a township,  
3 municipality, or ward thereof, then a primary shall be held for  
4 that party in such township, municipality, or ward thereof;  
5 provided that the primary ballot shall not include those  
6 offices within such township, municipality, or ward thereof,  
7 for which the nomination is uncontested. For purposes of this  
8 Article, the nomination of an established political party of a  
9 candidate for election to an office shall be deemed to be  
10 uncontested where not more than the number of persons to be  
11 nominated have timely filed valid nomination papers seeking the  
12 nomination of such party for election to such office.

13 (c) Notwithstanding the provisions of any other statute, no  
14 primary election shall be held for an established political  
15 party for any special primary election called for the purpose  
16 of filling a vacancy in the office of representative in the  
17 United States Congress where the nomination of such political  
18 party for said office is uncontested. For the purposes of this  
19 Article, the nomination of an established political party of a  
20 candidate for election to said office shall be deemed to be  
21 uncontested where not more than the number of persons to be  
22 nominated have timely filed valid nomination papers seeking the  
23 nomination of such established party for election to said  
24 office. This subsection (c) shall not apply if such primary  
25 election is conducted on a regularly scheduled election day.

26 (d) Notwithstanding the provisions in subsection (b) and

1 (c) of this Section whenever a person who has not timely filed  
2 valid nomination papers and who intends to become a write-in  
3 candidate for a political party's nomination for any office for  
4 which the nomination is uncontested files a written statement  
5 or notice of that intent with the State Board of Elections or  
6 the local election official with whom nomination papers for  
7 such office are filed, a primary ballot shall be prepared and a  
8 primary shall be held for that office. Such statement or notice  
9 shall be filed on or before the date established in this  
10 Article for certifying candidates for the primary ballot. Such  
11 statement or notice shall contain (i) the name and address of  
12 the person intending to become a write-in candidate, (ii) a  
13 statement that the person is a qualified primary elector of the  
14 political party from whom the nomination is sought, (iii) a  
15 statement that the person intends to become a write-in  
16 candidate for the party's nomination, and (iv) the office the  
17 person is seeking as a write-in candidate. An election  
18 authority shall have no duty to conduct a primary and prepare a  
19 primary ballot for any office for which the nomination is  
20 uncontested, unless a statement or notice meeting the  
21 requirements of this Section is filed in a timely manner.

22 (e) Except for the general primary election conducted under  
23 Article 19B, the polls shall be open from 6:00 a.m. to 7:00  
24 p.m. The State Board of Elections shall adopt rules for the  
25 conduct of the election under Article 19B.

26 (Source: P.A. 86-873.)

1 (10 ILCS 5/7-15) (from Ch. 46, par. 7-15)

2 Sec. 7-15. At least 60 days prior to each general and  
3 consolidated primary, the election authority shall provide  
4 public notice, calculated to reach elderly and handicapped  
5 voters, of the availability of registration and voting aids  
6 under the Federal Voting Accessibility for the Elderly and  
7 Handicapped Act, of the availability of assistance in marking  
8 the ballot, procedures for voting by absentee ballot, and  
9 procedures for early voting by personal appearance. At least 20  
10 days before the general primary the county clerk of each  
11 county, and not more than 30 nor less than 10 days before the  
12 consolidated primary the election authority, shall prepare in  
13 the manner provided in this Act, a notice of such primary which  
14 notice shall state the time and place of holding the primary,  
15 the procedures for using mail-in ballots in the election  
16 subject to Article 19B, the hours during which the polls will  
17 be open, the offices for which candidates will be nominated at  
18 such primary and the political parties entitled to participate  
19 therein, notwithstanding that no candidate of any such  
20 political party may be entitled to have his name printed on the  
21 primary ballot. Such notice shall also include the list of  
22 addresses of precinct polling places for the consolidated  
23 primary unless such list is separately published by the  
24 election authority not less than 10 days before the  
25 consolidated primary.

1           In counties, municipalities, or towns having fewer than  
2 500,000 inhabitants notice of the general primary shall be  
3 published once in two or more newspapers published in the  
4 county, municipality or town, as the case may be, or if there  
5 is no such newspaper, then in any two or more newspapers  
6 published in the county and having a general circulation  
7 throughout the community.

8           In counties, municipalities, or towns having 500,000 or  
9 more inhabitants notice of the general primary shall be  
10 published at least 15 days prior to the primary by the same  
11 authorities and in the same manner as notice of election for  
12 general elections are required to be published in counties,  
13 municipalities or towns of 500,000 or more inhabitants under  
14 this Act.

15           Notice of the consolidated primary shall be published once  
16 in one or more newspapers published in each political  
17 subdivision having such primary, and if there is no such  
18 newspaper, then published once in a local, community newspaper  
19 having general circulation in the subdivision, and also once in  
20 a newspaper published in the county wherein the political  
21 subdivisions, or portions thereof, having such primary are  
22 situated.

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

24           (10 ILCS 5/7-16) (from Ch. 46, par. 7-16)

25           Sec. 7-16. Each election authority in each county shall



1 prepare and cause to be printed the primary ballot of each  
2 political party for each precinct in his respective  
3 jurisdiction.

4 The election authority shall, at least 45 days prior to the  
5 date of the primary election, have a sufficient number of  
6 ballots printed so that such ballots will be available for  
7 mailing 45 days prior to the primary election to persons who  
8 have filed application for a ballot under the provisions of  
9 Article 20 of this Act.

10 If a general primary election is subject to the provisions  
11 of Article 19B, the election authority shall, not more than 40  
12 nor less than 5 days before the date of the election, mail a  
13 ballot to each registered voter.

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

15 (10 ILCS 5/13-1) (from Ch. 46, par. 13-1)

16 Sec. 13-1. In counties not under township organization, the  
17 county board of commissioners shall at its meeting in July in  
18 each even-numbered year appoint in each election precinct 5  
19 capable and discreet persons meeting the qualifications of  
20 Section 13-4 to be judges of election. Where neither voting  
21 machines nor electronic, mechanical or electric voting systems  
22 are used, the county board may, for any precinct with respect  
23 to which the board considers such action necessary or desirable  
24 in view of the number of voters, and shall for general  
25 elections for any precinct containing more than 600 registered

1 voters, appoint in addition to the 5 judges of election a team  
2 of 5 tally judges. In such precincts the judges of election  
3 shall preside over the election during the hours the polls are  
4 open, and the tally judges, with the assistance of the holdover  
5 judges designated pursuant to Section 13-6.2, shall count the  
6 vote after the closing of the polls. However, the County Board  
7 of Commissioners may appoint 3 judges of election to serve in  
8 lieu of the 5 judges of election otherwise required by this  
9 Section to serve in any emergency referendum, or in any  
10 odd-year regular election or in any special primary or special  
11 election called for the purpose of filling a vacancy in the  
12 office of representative in the United States Congress or to  
13 nominate candidates for such purpose. If a general primary  
14 election is conducted under Article 19B, the County Board of  
15 Commissioners shall appoint a team of 5 tally judges to serve  
16 in lieu of the 5 judges of election otherwise required by this  
17 Section. The tally judges shall possess the same qualifications  
18 and shall be appointed in the same manner and with the same  
19 division between political parties as is provided for judges of  
20 election.

21 In addition to such precinct judges, the county board of  
22 commissioners shall appoint special panels of 3 judges each,  
23 who shall possess the same qualifications and shall be  
24 appointed in the same manner and with the same division between  
25 political parties as is provided for other judges of election.  
26 The number of such panels of judges required shall be

1 determined by regulations of the State Board of Elections which  
2 shall base the required numbers of special panels on the number  
3 of registered voters in the jurisdiction or the number of  
4 absentee ballots voted at recent elections, or any combination  
5 of such factors.

6 Such appointment shall be confirmed by the court as  
7 provided in Section 13-3 of this Article. No more than 3  
8 persons of the same political party shall be appointed judges  
9 of the same election precinct or election judge panel. The  
10 appointment shall be made in the following manner: The county  
11 board of commissioners shall select and approve 3 persons as  
12 judges of election in each election precinct from a certified  
13 list, furnished by the chairman of the County Central Committee  
14 of the first leading political party in such precinct; and the  
15 county board of commissioners shall also select and approve 2  
16 persons as judges of election in each election precinct from a  
17 certified list, furnished by the chairman of the County Central  
18 Committee of the second leading political party. However, if  
19 only 3 judges of election serve in each election precinct, no  
20 more than 2 persons of the same political party shall be judges  
21 of election in the same election precinct; and which political  
22 party is entitled to 2 judges of election and which political  
23 party is entitled to one judge of election shall be determined  
24 in the same manner as set forth in the next two preceding  
25 sentences with regard to 5 election judges in each precinct.  
26 Such certified list shall be filed with the county clerk not

1 less than 10 days before the annual meeting of the county board  
2 of commissioners. Such list shall be arranged according to  
3 precincts. The chairman of each county central committee shall,  
4 insofar as possible, list persons who reside within the  
5 precinct in which they are to serve as judges. However, he may,  
6 in his sole discretion, submit the names of persons who reside  
7 outside the precinct but within the county embracing the  
8 precinct in which they are to serve. He must, however, submit  
9 the names of at least 2 residents of the precinct for each  
10 precinct in which his party is to have 3 judges and must submit  
11 the name of at least one resident of the precinct for each  
12 precinct in which his party is to have 2 judges. The county  
13 board of commissioners shall acknowledge in writing to each  
14 county chairman the names of all persons submitted on such  
15 certified list and the total number of persons listed thereon.  
16 If no such list is filed or such list is incomplete (that is,  
17 no names or an insufficient number of names are furnished for  
18 certain election precincts), the county board of commissioners  
19 shall make or complete such list from the names contained in  
20 the supplemental list provided for in Section 13-1.1. The  
21 election judges shall hold their office for 2 years from their  
22 appointment, and until their successors are duly appointed in  
23 the manner provided in this Act. The county board of  
24 commissioners shall fill all vacancies in the office of judge  
25 of election at any time in the manner provided in this Act.

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

1 (10 ILCS 5/13-2) (from Ch. 46, par. 13-2)

2 Sec. 13-2. In counties under the township organization the  
3 county board shall at its meeting in July in each even-numbered  
4 year except in counties containing a population of 3,000,000  
5 inhabitants or over and except when such judges are appointed  
6 by election commissioners, select in each election precinct in  
7 the county, 5 capable and discreet persons to be judges of  
8 election who shall possess the qualifications required by this  
9 Act for such judges. Where neither voting machines nor  
10 electronic, mechanical or electric voting systems are used, the  
11 county board may, for any precinct with respect to which the  
12 board considers such action necessary or desirable in view of  
13 the number of voters, and shall for general elections for any  
14 precinct containing more than 600 registered voters, appoint in  
15 addition to the 5 judges of election a team of 5 tally judges.  
16 In such precincts the judges of election shall preside over the  
17 election during the hours the polls are open, and the tally  
18 judges, with the assistance of the holdover judges designated  
19 pursuant to Section 13-6.2, shall count the vote after the  
20 closing of the polls. The tally judges shall possess the same  
21 qualifications and shall be appointed in the same manner and  
22 with the same division between political parties as is provided  
23 for judges of election.

24 However, the county board may appoint 3 judges of election  
25 to serve in lieu of the 5 judges of election otherwise required

1 by this Section to serve in any emergency referendum, or in any  
2 odd-year regular election or in any special primary or special  
3 election called for the purpose of filling a vacancy in the  
4 office of representative in the United States Congress or to  
5 nominate candidates for such purpose.

6 If a general primary election is conducted under Article  
7 19B, the county board shall appoint a team of 5 tally judges to  
8 serve in lieu of the 5 judges of election otherwise required by  
9 this Section.

10 In addition to such precinct judges, the county board shall  
11 appoint special panels of 3 judges each, who shall possess the  
12 same qualifications and shall be appointed in the same manner  
13 and with the same division between political parties as is  
14 provided for other judges of election. The number of such  
15 panels of judges required shall be determined by regulations of  
16 the State Board of Elections, which shall base the required  
17 number of special panels on the number of registered voters in  
18 the jurisdiction or the number of absentee ballots voted at  
19 recent elections or any combination of such factors.

20 No more than 3 persons of the same political party shall be  
21 appointed judges in the same election district or undivided  
22 precinct. The election of the judges of election in the various  
23 election precincts shall be made in the following manner: The  
24 county board shall select and approve 3 of the election judges  
25 in each precinct from a certified list furnished by the  
26 chairman of the County Central Committee of the first leading

1 political party in such election precinct and shall also select  
2 and approve 2 judges of election in each election precinct from  
3 a certified list furnished by the chairman of the County  
4 Central Committee of the second leading political party in such  
5 election precinct. However, if only 3 judges of election serve  
6 in each election precinct, no more than 2 persons of the same  
7 political party shall be judges of election in the same  
8 election precinct; and which political party is entitled to 2  
9 judges of election and which political party is entitled to one  
10 judge of election shall be determined in the same manner as set  
11 forth in the next two preceding sentences with regard to 5  
12 election judges in each precinct. The respective County Central  
13 Committee chairman shall notify the county board by June 1 of  
14 each odd-numbered year immediately preceding the annual  
15 meeting of the county board whether or not such certified list  
16 will be filed by such chairman. Such list shall be arranged  
17 according to precincts. The chairman of each county central  
18 committee shall, insofar as possible, list persons who reside  
19 within the precinct in which they are to serve as judges.  
20 However, he may, in his sole discretion, submit the names of  
21 persons who reside outside the precinct but within the county  
22 embracing the precinct in which they are to serve. He must,  
23 however, submit the names of at least 2 residents of the  
24 precinct for each precinct in which his party is to have 3  
25 judges and must submit the name of at least one resident of the  
26 precinct for each precinct in which his party is to have 2

1 judges. Such certified list, if filed, shall be filed with the  
2 county clerk not less than 20 days before the annual meeting of  
3 the county board. The county board shall acknowledge in writing  
4 to each county chairman the names of all persons submitted on  
5 such certified list and the total number of persons listed  
6 thereon. If no such list is filed or the list is incomplete  
7 (that is, no names or an insufficient number of names are  
8 furnished for certain election precincts), the county board  
9 shall make or complete such list from the names contained in  
10 the supplemental list provided for in Section 13-1.1. Provided,  
11 further, that in any case where a township has been or shall be  
12 redistricted, in whole or in part, subsequent to one general  
13 election for Governor, and prior to the next, the judges of  
14 election to be selected for all new or altered precincts shall  
15 be selected in that one of the methods above detailed, which  
16 shall be applicable according to the facts and circumstances of  
17 the particular case, but the majority of such judges for each  
18 such precinct shall be selected from the first leading  
19 political party, and the minority judges from the second  
20 leading political party. Provided, further, that in counties  
21 having a population of 1,000,000 inhabitants or over the  
22 selection of judges of election shall be made in the same  
23 manner in all respects as in other counties, except that the  
24 provisions relating to tally judges are inapplicable to such  
25 counties and except that the county board shall meet during the  
26 month of January for the purpose of making such selection and



1 the chairman of each county central committee shall notify the  
2 county board by the preceding October 1 whether or not the  
3 certified list will be filed. Such judges of election shall  
4 hold their office for 2 years from their appointment and until  
5 their successors are duly appointed in the manner provided in  
6 this Act. The county board shall fill all vacancies in the  
7 office of judges of elections at any time in the manner herein  
8 provided.

9 Such selections under this Section shall be confirmed by  
10 the circuit court as provided in Section 13-3 of this Article.  
11 (Source: P.A. 94-1000, eff. 7-3-06.)

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 If a general primary election is conducted under Article  
11 19B, the board of election commissioners shall appoint a team  
12 of 5 tally judges to serve in lieu of the 5 judges of election  
13 otherwise required by this Section.

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

15 (1) be citizens of the United States;

16 (2) be of good repute and character and not subject to  
17 the registration requirement of the Sex Offender  
18 Registration Act;

19 (3) be able to speak, read and write the English  
20 language;

21 (4) be skilled in the 4 fundamental rules of  
22 arithmetic;

23 (5) be of good understanding and capable;

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

26 (7) reside and be entitled to vote in the precinct in

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

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

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

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

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

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

22                 (5) has the written approval of his or her parent or  
23                 legal guardian;

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

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

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

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

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

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

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

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

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

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

15           (Source: P.A. 95-699, eff. 11-9-07; 95-818, eff. 1-1-09;  
16 revised 9-5-08.)

17           (10 ILCS 5/14-3.1) (from Ch. 46, par. 14-3.1)

18           Sec. 14-3.1. The board of election commissioners shall,  
19 during the month of July of each even-numbered year, select for  
20 each election precinct within the jurisdiction of the board 5  
21 persons to be judges of election who shall possess the  
22 qualifications required by this Act for such judges. The  
23 selection shall be made by a county board of election  
24 commissioners in the following manner: the county board of  
25 election commissioners shall select and approve 3 persons as

1 judges of election in each election precinct from a certified  
2 list furnished by the chairman of the county central committee  
3 of the first leading political party in that precinct; the  
4 county board of election commissioners also shall select and  
5 approve 2 persons as judges of election in each election  
6 precinct from a certified list furnished by the chairman of the  
7 county central committee of the second leading political party  
8 in that precinct. The selection by a municipal board of  
9 election commissioners shall be made in the following manner:  
10 for each precinct, 3 judges shall be selected from one of the 2  
11 leading political parties and the other 2 judges shall be  
12 selected from the other leading political party; the parties  
13 entitled to 3 and 2 judges, respectively, in the several  
14 precincts shall be determined as provided in Section 14-4.  
15 However, a Board of Election Commissioners may appoint three  
16 judges of election to serve in lieu of the 5 judges of election  
17 otherwise required by this Section to serve in any emergency  
18 referendum, or in any odd-year regular election or in any  
19 special primary or special election called for the purpose of  
20 filling a vacancy in the office of representative in the United  
21 States Congress or to nominate candidates for such purpose.

22 If a general primary election is conducted under Article  
23 19B, a Board of Election Commissioners shall appoint a team of  
24 5 tally judges to serve in lieu of the 5 judges of election  
25 otherwise required by this Section.

26 If only 3 judges of election serve in each election

1 precinct, no more than 2 persons of the same political party  
2 shall be judges of election in the same election precinct, and  
3 which political party is entitled to 2 judges of election and  
4 which political party is entitled to one judge of election  
5 shall be determined as set forth in this Section for a county  
6 board of election commissioners' selection of 5 election judges  
7 in each precinct or in Section 14-4 for a municipal board of  
8 election commissioners' selection of election judges in each  
9 precinct, whichever is appropriate. In addition to such  
10 precinct judges, the board of election commissioners shall  
11 appoint special panels of 3 judges each, who shall possess the  
12 same qualifications and shall be appointed in the same manner  
13 and with the same division between political parties as is  
14 provided for other judges of election. The number of such  
15 panels of judges required shall be determined by regulation of  
16 the State Board of Elections, which shall base the required  
17 number of special panels on the number of registered voters in  
18 the jurisdiction or the number of absentee ballots voted at  
19 recent elections or any combination of such factors. A  
20 municipal board of election commissioners shall make the  
21 selections of persons qualified under Section 14-1 from  
22 certified lists furnished by the chairman of the respective  
23 county central committees of the 2 leading political parties.  
24 Lists furnished by chairmen of county central committees under  
25 this Section shall be arranged according to precincts. The  
26 chairman of each county central committee shall, insofar as

1 possible, list persons who reside within the precinct in which  
2 they are to serve as judges. However, he may, in his sole  
3 discretion, submit the names of persons who reside outside the  
4 precinct but within the county embracing the precinct in which  
5 they are to serve. He must, however, submit the names of at  
6 least 2 residents of the precinct for each precinct in which  
7 his party is to have 3 judges and must submit the name of at  
8 least one resident of the precinct for each precinct in which  
9 his party is to have 2 judges. The board of election  
10 commissioners shall no later than March 1 of each even-numbered  
11 year notify the chairmen of the respective county central  
12 committees of their responsibility to furnish such lists, and  
13 each such chairman shall furnish the board of election  
14 commissioners with the list for his party on or before May 1 of  
15 each even-numbered year. The board of election commissioners  
16 shall acknowledge in writing to each county chairman the names  
17 of all persons submitted on such certified list and the total  
18 number of persons listed thereon. If no such list is furnished  
19 or if no names or an insufficient number of names are furnished  
20 for certain precincts, the board of election commissioners  
21 shall make or complete such list from the names contained in  
22 the supplemental list provided for in Section 14-3.2. Judges of  
23 election shall hold their office for 2 years from their  
24 appointment and until their successors are duly appointed in  
25 the manner herein provided. The board of election commissioners  
26 shall, subject to the provisions of Section 14-3.2, fill all



1 vacancies in the office of judges of election at any time in  
2 the manner herein provided.

3 Such selections under this Section shall be confirmed by  
4 the court as provided in Section 14-5.

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

6 (10 ILCS 5/Art.19B heading new)

7 Article 19B. MAIL-IN BALLOTS FOR THE GENERAL PRIMARY ELECTION

8 (10 ILCS 5/19B-5 new)

9 Sec. 19B-5. Pilot program; voting in the general primary  
10 election. In the year 2010, the State Board of Elections shall  
11 select one county with a population of less than 3,000,000 for  
12 a pilot program using mail-in ballots. Any qualified elector of  
13 that county may vote at the general primary election for  
14 offices listed in subsection (b) of Section 2A-1.2 through  
15 ballots mailed to the voter and returned to the proper election  
16 authority by mail.

17 Each election authority in the county participating in the  
18 program shall compile and keep current a list of voters who are  
19 eligible to vote under this Article. The list shall include the  
20 last mailing address of each voter.

21 (10 ILCS 5/19B-10 new)

22 Sec. 19B-10. Time for mailing ballots. The election  
23 authority, not more than 40 nor less than 5 days before the

1 general primary election held in 2010, shall mail, postage  
2 prepaid, an official ballot, or ballots if more than one are to  
3 be voted at the election, to each registered voter eligible to  
4 vote under this Article. The ballot or ballots shall be mailed  
5 to each voter's last mailing address and shall be marked "DO  
6 NOT FORWARD - ADDRESS CORRECTION REQUESTED" or any other  
7 similar statement that is in accordance with United States  
8 postal service regulations.

9 The election authority shall maintain a list for each  
10 election of the voters to whom ballots have been issued. The  
11 list shall be maintained for each precinct within the  
12 jurisdiction of the election authority.

13 (10 ILCS 5/19B-15 new)

14 Sec. 19B-15. Enclosure of ballots in unsealed envelope;  
15 certification; instructions for marking and returning ballots.  
16 The election authority shall fold the ballot or ballots in the  
17 manner specified by the statute for folding ballots prior to  
18 their deposit in the ballot box, and shall enclose the ballot  
19 or ballots in an unsealed envelope to be furnished by the  
20 election authority. The envelope shall bear on its face the  
21 name, official title, and post office address of the election  
22 authority.

23 The printed certificate on the envelope shall be in  
24 substantially the following form:

25 "I state that I am a resident of the ..... precinct of

1 the (1)\* township of ..... (2)\* city of ..... (3)\*  
 2 ..... ward in the city of ..... residing at  
 3 ..... in the city or town in the county of ..... and  
 4 State of Illinois, that I have lived at the address for ...  
 5 months last past; and that I am lawfully entitled to vote in  
 6 the precinct at the election to be held on .....

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

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

12  
 13 .....

14 (Individual rendering assistance)

15  
 16 .....

17 (Residence address)

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

22  
 23 ....."

24 In addition, the election authority shall provide printed  
 25 slips giving full instructions regarding the manner of marking  
 26 and returning the ballot in order that the same may be counted,

1 and shall furnish one of the printed slips to each voter at the  
2 same time the ballot is mailed to the voter. The instructions  
3 shall include the following statement: "In signing the  
4 certification on the ballot envelope, you are attesting that  
5 you personally marked this ballot in secret. If you are  
6 physically unable to mark the ballot, a friend or relative may  
7 assist you after completing the enclosed affidavit. Federal and  
8 State laws prohibit your employer, your employer's agent, or an  
9 officer or agent of your union from assisting physically  
10 disabled voters."

11 In addition, if a ballot to be provided to a voter under  
12 this Section contains a public question described in subsection  
13 (b) of Section 28-6 and the territory concerning the question  
14 to be submitted is not described on the ballot due to that  
15 space limitations of the ballot, the election authority shall  
16 provide a printed copy of the notice of the public question,  
17 which shall included a description of the territory in the  
18 manner required by Section 16-7. The notice shall be furnished  
19 to the voter at the time the ballot is mailed to the voter.

20 (10 ILCS 5/19B-20 new)

21 Sec. 19B-20. Certification of voters; return of ballots.  
22 The voter shall make and subscribe to the certification  
23 provided for on the return envelope for the ballot, and the  
24 ballot or ballots shall be folded by the voter in the manner  
25 required to be folded before depositing the ballot in the

1 ballot box, and shall be deposited in the envelope and the  
 2 envelope securely sealed. The voter shall then endorse his or  
 3 her certificate on the back of the envelope, and the envelope  
 4 shall be mailed by the voter, postage prepaid, to the election  
 5 authority issuing the ballot, or if more convenient, it may be  
 6 delivered in person, by either the voter or by a spouse,  
 7 parent, child, brother, or sister of the voter, or by a company  
 8 licensed by the Illinois Commerce Commission under the Illinois  
 9 Commercial Transportation Law that is engaged in the business  
 10 of making deliveries. If a voter gives his or her ballot and  
 11 ballot envelope to a spouse, parent, child, brother, or sister  
 12 of the voter, or to a company that is engaged in the business  
 13 of making deliveries for delivery to the election authority,  
 14 the voter shall give an authorization form to the person making  
 15 the delivery. The person making the delivery shall present the  
 16 authorization to the election authority. The authorization  
 17 shall be in substantially the following form:

18 "I ..... (voter) authorize .....  
 19 to take my ballot to the office of the election authority.

20 ..... .....

21 Date Signature of voter

22 ..... .....

23 Town Address

24 ..... .....

25 Date Signature of authorized

26 Individual

1 ..... .....

2 Town Relationship (if any)"

3 (10 ILCS 5/19B-25 new)

4 Sec. 19B-25. Receipt of ballots. Upon receipt of the  
5 voter's ballot, the election authority shall enclose the  
6 unopened ballot in a large or carrier envelope that shall be  
7 securely sealed and endorsed with the name and official title  
8 of the officer and the words, "This envelope contains a ballot  
9 and must be opened on election day", together with the number  
10 and description of the precinct in which the ballot is to be  
11 voted, and the officer shall safely keep the envelope in his or  
12 her office until counted as provided in Section 19B-30.

13 (10 ILCS 5/19B-30 new)

14 Sec. 19B-30. Counting of ballots. The ballots received by  
15 the election authority before 7:00 p.m. of the day of the  
16 general primary election shall be counted at the office of the  
17 election authority by the tally judges, appointed under this  
18 Code for that purpose. The counting shall commence no later  
19 than 8:00 p.m. The counting shall continue until all ballots  
20 received have been counted.

21 The procedures set forth in Section 19B-35 of this Act and  
22 Articles 17 and 18 of this Code shall apply to all ballots  
23 counted under this provision, including comparing the  
24 signature on the ballot envelope with the signature of the

1 voter on the permanent voter registration record card taken  
2 from the master file; except the votes shall be recorded  
3 without regard to precinct designation, except for precinct  
4 offices.

5 (10 ILCS 5/19B-35 new)

6 Sec. 19B-35. Casting ballots; comparison of signatures;  
7 rejection of ballots. The tally judges shall cast the voter's  
8 ballots separately, and as each ballot is taken shall open the  
9 outer or carrier envelope, announce the voter's name, and  
10 compare the signature on the permanent voter registration  
11 record card taken from the master file with the signature upon  
12 the certification on the ballot envelope. In case the judges  
13 find the certification properly executed, that the signatures  
14 correspond, and that the applicant is a duly qualified elector,  
15 they shall open the envelope containing the ballot in such a  
16 manner as not to deface or destroy the certification, or mark  
17 or tear the ballots therein contained without unfolding or  
18 permitting the ballot to be unfolded or examined, and having  
19 endorsed the ballot in like manner as other ballots are  
20 required to be endorsed, shall deposit the same in the proper  
21 ballot box or boxes and enter the voter's name in the poll book  
22 the same as if the voter had been present and voted in person.  
23 The judges shall place the ballot certification envelopes in a  
24 separate envelope as per the direction of the election  
25 authority. The envelope containing the ballot certification

1 envelopes shall be retained by the election authority and  
2 preserved in like manner as the official poll record.

3 In case the signatures do not correspond, or that the voter  
4 is not a duly qualified elector, or that the ballot envelope is  
5 open or has been opened and resealed, without opening the  
6 envelope the judge of election shall mark across the face  
7 thereof, "Rejected", giving the reason therefor.

8 In case the ballot envelope contains more than one ballot  
9 of any kind, the ballots shall not be counted, but shall be  
10 marked "Rejected", giving the reason therefor.

11 The voter's envelope, and the voter's envelope with its  
12 contents unopened when the vote is rejected, shall be retained  
13 and preserved in the manner now provided for the retention and  
14 preservation of official ballots rejected at the election.

15 (10 ILCS 5/19B-40 new)

16 Sec. 19B-40. Pollwatchers. On election day, pollwatchers  
17 shall be permitted to be present during the casting of the mail  
18 ballots, and the vote of any voter may be challenged for cause  
19 the same as if he or she were present and voted in person, and  
20 the tally judges or a majority of them shall have power and  
21 authority to hear and determine the legality of the ballot;  
22 provided, however, that if a challenge to any voter's right to  
23 vote is sustained, notice of the same must be given by the  
24 tally judges by mail addressed to the voter's place of  
25 residence.



1       Where ballots are counted on the day of the election in the  
2 office of the election authority as provided in Section 19B-30  
3 of this Article, each political party, candidate, and qualified  
4 civic organization shall be entitled to have present one  
5 pollwatcher for each panel of election judges therein assigned.  
6 The pollwatchers shall be subject to the same provisions as are  
7 proscribed for pollwatchers in Section 7-34 and 17-23 of this  
8 Code, and shall be permitted to observe the signature  
9 comparison between that which is on the ballot envelope and  
10 that which is on the permanent voter registration record card  
11 taken from the master file.

12       (10 ILCS 5/19B-45 new)

13       Sec. 19B-45. Death of an elector before election day.  
14 Whenever it shall be made to appear by due proof to the tally  
15 judges that any elector who has marked and forwarded his or her  
16 ballot as provided in this Article has died before the date of  
17 the election, then the ballot of the deceased voter shall be  
18 retained by the tally judges in the same manner as provided for  
19 rejected ballots; but the casting of the ballot of a deceased  
20 voter shall not invalidate the election.

21       (10 ILCS 5/19B-50 new)

22       Sec. 19B-50. Application to jurisdiction using voting  
23 machines. In all jurisdictions in which voting machines are  
24 used, all the provisions of the Article relating to the

1 furnishing of ballot boxes, printing, and furnishing official  
2 ballots and supplies in the number provided by law, the  
3 canvassing of the ballots and making the proper return of the  
4 result of the election shall, to the extent necessary to make  
5 this Article effective, apply with full force and effect.

6 (10 ILCS 5/19B-55 new)

7 Sec. 19B-55. Adoption of rules for mail-in ballots. The  
8 State Board of Elections shall conduct public hearings and  
9 adopt rules and procedures for the implementation of the use of  
10 mail-in ballots within 270 days after the effective date of  
11 this amendatory Act of the 96th General Assembly.

12 (b) In addition to any other duties prescribed by law, the  
13 State Board of Elections shall:

14 (1) prescribe the form of materials to be used in the  
15 conduct of mail-in ballot elections;

16 (2) establish procedures consistent with this Article  
17 for the conduct of mail-in ballot elections; and

18 (3) supervise the conduct of mail-in ballot elections.

19 (10 ILCS 5/19B-60 new)

20 Sec. 19B-60. Report. After the general primary election in  
21 2010, the State Board of Elections must report to the General  
22 Assembly on the problems and successes of conducting the  
23 election with mail-in ballots.

1 (10 ILCS 5/24A-6) (from Ch. 46, par. 24A-6)

2 Sec. 24A-6. The ballot information, whether placed on the  
3 ballot or on the marking device, shall, as far as practicable,  
4 be in the order of arrangement provided for paper ballots,  
5 except that such information may be in vertical or horizontal  
6 rows, or in a number of separate pages. Ballots for all  
7 questions or propositions to be voted on must be provided in  
8 the same manner and must be arranged on or in the marking  
9 device or on the ballot sheet in the places provided for such  
10 purposes.

11 When an electronic voting system utilizes a ballot label  
12 booklet and ballot card, ballots for candidates, ballots  
13 calling for a constitutional convention, constitutional  
14 amendment ballots, judicial retention ballots, public  
15 measures, and all propositions to be voted upon may be placed  
16 on the electronic voting device by providing in the ballot  
17 booklet separate ballot label pages or series of pages  
18 distinguished by differing colors as provided below. When an  
19 electronic voting system utilizes a ballot sheet, ballots  
20 calling for a constitutional convention, constitutional  
21 amendment ballots and judicial retention ballots shall be  
22 placed on the ballot sheet by providing a separate portion of  
23 the ballot sheet for each such kind of ballot which shall be  
24 printed in ink of a color distinct from the color of ink used  
25 in printing any other portion of the ballot sheet. Ballots for  
26 candidates, public measures and all other propositions to be

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

1 the same ballot label page or series of pages or on the same  
2 portion of the ballot sheet, as the case may be. Ballot label  
3 pages for candidates shall be on paper of white color, except  
4 that in primary elections the ballot label page or pages for  
5 the candidates of each respective political party shall be of  
6 the color designated by the election official in charge of the  
7 election for that political party's candidates; provided that  
8 the ballot label pages or pages for candidates for use at the  
9 nonpartisan and consolidated elections may be on paper of  
10 different colors, except blue, whenever necessary or desirable  
11 to facilitate distinguishing between the pages for different  
12 political subdivisions. On each page of the candidate booklet,  
13 where the election is made to list ballot information  
14 vertically, the party affiliation of each candidate or the word  
15 "independent" shall appear immediately to the left of the  
16 candidate's name, and the name of candidates for the same  
17 office shall be listed vertically under the title of that  
18 office. If no candidate or candidates file for an office and if  
19 no person or persons file a declaration as a write-in candidate  
20 for that office, then below the title of that office the  
21 election authority instead shall print "No Candidate". In the  
22 case of nonpartisan elections for officers of political  
23 subdivisions, unless the statute or an ordinance adopted  
24 pursuant to Article VII of the Constitution requires otherwise,  
25 the listing of such nonpartisan candidates shall not include  
26 any party or "independent" designation. Ballot label pages for

1 judicial retention ballots shall be on paper of green color,  
2 and ballot label pages for all public measures and other  
3 propositions shall be on paper of some other distinct and  
4 different color. In primary elections, a separate ballot label  
5 booklet, marking device and voting booth shall be used for each  
6 political party holding a primary, with the ballot label  
7 booklet arranged to include ballot label pages of the  
8 candidates of the party and public measures and other  
9 propositions to be voted upon on the day of the primary  
10 election. One ballot card may be used for recording the voter's  
11 vote or choice on all such ballots, proposals, public measures  
12 or propositions, and such ballot card shall be arranged so as  
13 to record the voter's vote or choice in a separate column or  
14 columns for each such kind of ballot, proposal, public measure  
15 or proposition.

16 If the ballot label booklet includes both candidates for  
17 office and public measures or propositions to be voted on, the  
18 election official in charge of the election shall divide the  
19 pages by protruding tabs identifying the division of the pages,  
20 and printing on such tabs "Candidates" and "Propositions".

21 The ballot card and all of its columns and the ballot card  
22 envelope shall be of the color prescribed for candidate's  
23 ballots at the general or primary election, whichever is being  
24 held. At an election where no candidates are being nominated or  
25 elected, the ballot card, its columns, and the ballot card  
26 envelope shall be of a color designated by the election

1 official in charge of the election.

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

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

7 Absentee ballots may consist of ballot cards, envelopes,  
8 paper ballots or ballot sheets voted in person in the office of  
9 the election official in charge of the election or voted by  
10 mail. Where a ballot card is used for voting by mail it must be  
11 accompanied by a punching tool or other appropriate marking  
12 device, voter instructions and a specimen ballot showing the  
13 proper positions to vote on the ballot card or ballot sheet for  
14 each party, candidate, proposal, public measure or  
15 proposition, and in the case of a ballot card must be mounted  
16 on a suitable material to receive the punched out chip.

17 Ballots for use in the general primary election conducted  
18 under Article 19B may consist of ballot cards, envelopes, paper  
19 ballots, or ballot sheets. Where a ballot card is used for  
20 voting by mail it must be accompanied by a punching tool or  
21 other appropriate marking device, voter instructions, and a  
22 specimen ballot showing the proper positions to vote on the  
23 ballot card or ballot sheet for each candidate, proposal,  
24 public measure, or proposition, and in the case of a ballot  
25 card must be mounted on a suitable material to receive the  
26 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. 95-699, eff. 11-9-07; 95-862, eff. 8-19-08.)

9 (10 ILCS 5/24B-6)

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

23 All propositions, including but not limited to  
24 propositions calling for a constitutional convention,  
25 constitutional amendment, judicial retention, and public



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

1 portion of the ballot sheet or marking device. More than one  
2 proposition for retention of judges in office may be placed on  
3 the same portion of the ballot sheet or marking device. Names  
4 of candidates shall be printed in black. The party affiliation  
5 of each candidate or the word "independent" shall appear near  
6 or under the candidate's name, and the names of candidates for  
7 the same office shall be listed vertically under the title of  
8 that office, on separate pages of the marking device, or as  
9 otherwise approved by the State Board of Elections. If no  
10 candidate or candidates file for an office and if no person or  
11 persons file a declaration as a write-in candidate for that  
12 office, then below the title of that office the election  
13 authority instead shall print "No Candidate". In the case of  
14 nonpartisan elections for officers of political subdivisions,  
15 unless the statute or an ordinance adopted pursuant to Article  
16 VII of the Constitution requires otherwise, the listing of  
17 nonpartisan candidates shall not include any party or  
18 "independent" designation. Judicial retention questions and  
19 ballot questions for all public measures and other propositions  
20 shall be designated by borders or grey screens on the ballot or  
21 marking device. In primary elections, a separate ballot, or  
22 displays on the marking device, shall be used for each  
23 political party holding a primary, with the ballot or marking  
24 device arranged to include names of the candidates of the party  
25 and public measures and other propositions to be voted upon on  
26 the day of the primary election.

1           If the ballot includes both candidates for office and  
2 public measures or propositions to be voted on, the election  
3 official in charge of the election shall divide the ballot or  
4 displays on the marking device in sections for "Candidates" and  
5 "Propositions", or separate ballots may be used.

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

11           Ballots for use in the general primary election conducted  
12 under Article 19B may consist of envelopes, paper ballots, or  
13 ballot sheets. Where a Precinct Tabulation Optical Scan  
14 Technology ballot is used for voting by mail it must be  
15 accompanied by voter instructions.

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

20           (Source: P.A. 95-699, eff. 11-9-07; 95-862, eff. 8-19-08.)

21           Section 90. The State Mandates Act is amended by adding  
22 Section 8.33 as follows:

23           (30 ILCS 805/8.33 new)

24           Sec. 8.33. Exempt mandate. Notwithstanding Sections 6 and 8

1 of this Act, no reimbursement by the State is required for the  
2 implementation of any mandate created by this amendatory Act of  
3 the 96th General Assembly.

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

1		INDEX
2		Statutes amended in order of appearance
3	10 ILCS 5/4-11	from Ch. 46, par. 4-11
4	10 ILCS 5/7-5	from Ch. 46, par. 7-5
5	10 ILCS 5/7-15	from Ch. 46, par. 7-15
6	10 ILCS 5/7-16	from Ch. 46, par. 7-16
7	10 ILCS 5/13-1	from Ch. 46, par. 13-1
8	10 ILCS 5/13-2	from Ch. 46, par. 13-2
9	10 ILCS 5/14-1	from Ch. 46, par. 14-1
10	10 ILCS 5/14-3.1	from Ch. 46, par. 14-3.1
11	10 ILCS 5/Art.19B heading	
12	new	
13	10 ILCS 5/19B-5 new	
14	10 ILCS 5/19B-10 new	
15	10 ILCS 5/19B-15 new	
16	10 ILCS 5/19B-20 new	
17	10 ILCS 5/19B-25 new	
18	10 ILCS 5/19B-30 new	
19	10 ILCS 5/19B-35 new	
20	10 ILCS 5/19B-40 new	
21	10 ILCS 5/19B-45 new	
22	10 ILCS 5/19B-50 new	
23	10 ILCS 5/19B-55 new	
24	10 ILCS 5/19B-60 new	
25	10 ILCS 5/24A-6	from Ch. 46, par. 24A-6

HB1113

- 45 -

LRB096 03956 JAM 13991 b

- 1 10 ILCS 5/24B-6
- 2 30 ILCS 805/8.33 new