



Rep. Barbara Flynn Currie

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LRB097 17968 PJG 70318 a

1 AMENDMENT TO SENATE BILL 3722

2 AMENDMENT NO. _____. Amend Senate Bill 3722, AS AMENDED,
3 by replacing everything after the enacting clause with the
4 following:

5 "Section 5. The Election Code is amended by changing
6 Sections 4-50, 5-50, 6-100, 9-1.8, 9-1.9, 9-1.15, 9-2, 9-3,
7 9-7, 9-8.5, 9-8.6, 9-10, 9-15, 9-28.5, 16-6, 18A-5, 18A-15,
8 19-2.1, 19-3, 19A-15, and 24C-12 and by adding Section 1-11 as
9 follows:

10 (10 ILCS 5/1-11 new)

11 Sec. 1-11. Public university voting. For the 2012 general
12 election, each appropriate election authority shall, in
13 addition to the early voting conducted at locations otherwise
14 required by law, conduct early voting in a high traffic
15 location on the campus of a public university within the
16 election authority's jurisdiction. For the purposes of this

1 Section, "public university" means the University of Illinois
2 at its campuses in Urbana-Champaign and Springfield, Southern
3 Illinois University at its campuses in Carbondale and
4 Edwardsville, Eastern Illinois University, Illinois State
5 University, Northern Illinois University, and Western Illinois
6 University at its campuses in Macomb and Moline. The voting
7 required by this Section to be conducted on campus must be
8 conducted as otherwise required by Article 19A of this Code. If
9 an election authority has voting equipment that can accommodate
10 a ballot in every form required in the election authority's
11 jurisdiction, then the election authority shall extend early
12 voting under this Section to any registered voter in the
13 election authority's jurisdiction. However, if the election
14 authority does not have voting equipment that can accommodate a
15 ballot in every form required in the election authority's
16 jurisdiction, then the election authority may limit early
17 voting under this Section to registered voters in precincts
18 where the public university is located and precincts bordering
19 the university. Each public university shall make the space
20 available in a high traffic area for, and cooperate and
21 coordinate with the appropriate election authority in, the
22 implementation of this Section. This Section is repealed on May
23 31, 2013.

24 (10 ILCS 5/4-50)

25 Sec. 4-50. Grace period. Notwithstanding any other

1 provision of this Code to the contrary, each election authority
2 shall establish procedures for the registration of voters and
3 for change of address during the period from the close of
4 registration for a primary or election and until the 3rd ~~7th~~
5 day before the primary or election. During this grace period,
6 an unregistered qualified elector may register to vote, and a
7 registered voter may submit a change of address form, in person
8 in the office of the election authority or at a voter
9 registration location specifically designated for this purpose
10 by the election authority. The election authority shall
11 register that individual, or change a registered voter's
12 address, in the same manner as otherwise provided by this
13 Article for registration and change of address.

14 If a voter who registers or changes address during this
15 grace period wishes to vote at the first election or primary
16 occurring after the grace period, he or she must do so by grace
17 period voting, either in person in the office of the election
18 authority or at a location specifically designated for this
19 purpose by the election authority, or by mail, at the
20 discretion of the election authority. Grace period voting shall
21 be in a manner substantially similar to voting under Article
22 19.

23 Within one day after a voter casts a grace period ballot,
24 the election authority shall transmit the voter's name, street
25 address, and precinct, ward, township, and district numbers, as
26 the case may be, to the State Board of Elections, which shall

1 maintain those names and that information in an electronic
2 format on its website, arranged by county and accessible to
3 State and local political committees. The name of each person
4 issued a grace period ballot shall also be placed on the
5 appropriate precinct list of persons to whom absentee and early
6 ballots have been issued, for use as provided in Sections 17-9
7 and 18-5.

8 A person who casts a grace period ballot shall not be
9 permitted to revoke that ballot and vote another ballot with
10 respect to that primary or election. Ballots cast by persons
11 who register or change address during the grace period must be
12 transmitted to and counted at the election authority's central
13 ballot counting location and shall not be transmitted to and
14 counted at precinct polling places. The grace period ballots
15 determined to be valid shall be added to the vote totals for
16 the precincts for which they were cast in the order in which
17 the ballots were opened.

18 (Source: P.A. 96-441, eff. 1-1-10.)

19 (10 ILCS 5/5-50)

20 Sec. 5-50. Grace period. Notwithstanding any other
21 provision of this Code to the contrary, each election authority
22 shall establish procedures for the registration of voters and
23 for change of address during the period from the close of
24 registration for a primary or election and until the 3rd ~~7th~~
25 day before the primary or election. During this grace period,

1 an unregistered qualified elector may register to vote, and a
2 registered voter may submit a change of address form, in person
3 in the office of the election authority or at a voter
4 registration location specifically designated for this purpose
5 by the election authority. The election authority shall
6 register that individual, or change a registered voter's
7 address, in the same manner as otherwise provided by this
8 Article for registration and change of address.

9 If a voter who registers or changes address during this
10 grace period wishes to vote at the first election or primary
11 occurring after the grace period, he or she must do so by grace
12 period voting, either in person in the office of the election
13 authority or at a location specifically designated for this
14 purpose by the election authority, or by mail, at the
15 discretion of the election authority. Grace period voting shall
16 be in a manner substantially similar to voting under Article
17 19.

18 Within one day after a voter casts a grace period ballot,
19 the election authority shall transmit the voter's name, street
20 address, and precinct, ward, township, and district numbers, as
21 the case may be, to the State Board of Elections, which shall
22 maintain those names and that information in an electronic
23 format on its website, arranged by county and accessible to
24 State and local political committees. The name of each person
25 issued a grace period ballot shall also be placed on the
26 appropriate precinct list of persons to whom absentee and early

1 ballots have been issued, for use as provided in Sections 17-9
2 and 18-5.

3 A person who casts a grace period ballot shall not be
4 permitted to revoke that ballot and vote another ballot with
5 respect to that primary or election. Ballots cast by persons
6 who register or change address during the grace period must be
7 transmitted to and counted at the election authority's central
8 ballot counting location and shall not be transmitted to and
9 counted at precinct polling places. The grace period ballots
10 determined to be valid shall be added to the vote totals for
11 the precincts for which they were cast in the order in which
12 the ballots were opened.

13 (Source: P.A. 96-441, eff. 1-1-10.)

14 (10 ILCS 5/6-100)

15 Sec. 6-100. Grace period. Notwithstanding any other
16 provision of this Code to the contrary, each election authority
17 shall establish procedures for the registration of voters and
18 for change of address during the period from the close of
19 registration for a primary or election and until the 3rd ~~7th~~
20 day before the primary or election. During this grace period,
21 an unregistered qualified elector may register to vote, and a
22 registered voter may submit a change of address form, in person
23 in the office of the election authority or at a voter
24 registration location specifically designated for this purpose
25 by the election authority. The election authority shall

1 register that individual, or change a registered voter's
2 address, in the same manner as otherwise provided by this
3 Article for registration and change of address.

4 If a voter who registers or changes address during this
5 grace period wishes to vote at the first election or primary
6 occurring after the grace period, he or she must do so by grace
7 period voting, either in person in the office of the election
8 authority or at a location specifically designated for this
9 purpose by the election authority, or by mail, at the
10 discretion of the election authority. Grace period voting shall
11 be in a manner substantially similar to voting under Article
12 19.

13 Within one day after a voter casts a grace period ballot,
14 the election authority shall transmit the voter's name, street
15 address, and precinct, ward, township, and district numbers, as
16 the case may be, to the State Board of Elections, which shall
17 maintain those names and that information in an electronic
18 format on its website, arranged by county and accessible to
19 State and local political committees. The name of each person
20 issued a grace period ballot shall also be placed on the
21 appropriate precinct list of persons to whom absentee and early
22 ballots have been issued, for use as provided in Sections 17-9
23 and 18-5.

24 A person who casts a grace period ballot shall not be
25 permitted to revoke that ballot and vote another ballot with
26 respect to that primary or election. Ballots cast by persons

1 who register or change address during the grace period must be
2 transmitted to and counted at the election authority's central
3 ballot counting location and shall not be transmitted to and
4 counted at precinct polling places. The grace period ballots
5 determined to be valid shall be added to the vote totals for
6 the precincts for which they were cast in the order in which
7 the ballots were opened.

8 (Source: P.A. 96-441, eff. 1-1-10.)

9 (10 ILCS 5/9-1.8) (from Ch. 46, par. 9-1.8)

10 Sec. 9-1.8. Political committees.

11 (a) "Political committee" includes a candidate political
12 committee, a political party committee, a political action
13 committee, ~~and~~ a ballot initiative committee, and an
14 independent expenditure committee.

15 (b) "Candidate political committee" means the candidate
16 himself or herself or any natural person, trust, partnership,
17 corporation, or other organization or group of persons
18 designated by the candidate that accepts contributions or makes
19 expenditures during any 12-month period in an aggregate amount
20 exceeding \$3,000 on behalf of the candidate.

21 (c) "Political party committee" means the State central
22 committee of a political party, a county central committee of a
23 political party, a legislative caucus committee, or a committee
24 formed by a ward or township committeeman of a political party.
25 For purposes of this Article, a "legislative caucus committee"

1 means a committee established for the purpose of electing
2 candidates to the General Assembly by the person elected
3 President of the Senate, Minority Leader of the Senate, Speaker
4 of the House of Representatives, Minority Leader of the House
5 of Representatives, or a committee established by 5 or more
6 members of the same caucus of the Senate or 10 or more members
7 of the same caucus of the House of Representatives.

8 (d) "Political action committee" means any natural person,
9 trust, partnership, committee, association, corporation, or
10 other organization or group of persons, other than a candidate,
11 political party, candidate political committee, or political
12 party committee, that accepts contributions or makes
13 expenditures during any 12-month period in an aggregate amount
14 exceeding \$3,000 on behalf of or in opposition to a candidate
15 or candidates for public office. "Political action committee"
16 includes any natural person, trust, partnership, committee,
17 association, corporation, or other organization or group of
18 persons, other than a candidate, political party, candidate
19 political committee, or political party committee, that makes
20 electioneering communications during any 12-month period in an
21 aggregate amount exceeding \$3,000 related to any candidate or
22 candidates for public office.

23 (e) "Ballot initiative committee" means any natural
24 person, trust, partnership, committee, association,
25 corporation, or other organization or group of persons that
26 accepts contributions or makes expenditures during any

1 12-month period in an aggregate amount exceeding \$3,000 in
2 support of or in opposition to any question of public policy to
3 be submitted to the electors. "Ballot initiative committee"
4 includes any natural person, trust, partnership, committee,
5 association, corporation, or other organization or group of
6 persons that makes electioneering communications during any
7 12-month period in an aggregate amount exceeding \$3,000 related
8 to any question of public policy to be submitted to the voters.
9 The \$3,000 threshold applies to any contributions or
10 expenditures received or made with the purpose of securing a
11 place on the ballot for, advocating the defeat or passage of,
12 or engaging in electioneering communication regarding the
13 question of public policy, regardless of the method of
14 initiation of the question of public policy and regardless of
15 whether petitions have been circulated or filed with the
16 appropriate office or whether the question has been adopted and
17 certified by the governing body.

18 (f) "Independent expenditure committee" means any trust,
19 partnership, committee, association, corporation, or other
20 organization or group of persons formed for the exclusive
21 purpose of making independent expenditures during any 12-month
22 period in an aggregate amount exceeding \$3,000 in support of or
23 in opposition to (i) the nomination for election, election,
24 retention, or defeat of any public official or candidate or
25 (ii) any question of public policy to be submitted to the
26 electors. "Independent expenditure committee" also includes

1 any trust, partnership, committee, association, corporation,
2 or other organization or group of persons that makes
3 electioneering communications that are not made in connection,
4 consultation, or concert with or at the request or suggestion
5 of a public official or candidate, a public official's or
6 candidate's designated political committee or campaign, or an
7 agent or agents of the public official, candidate, or political
8 committee or campaign during any 12-month period in an
9 aggregate amount exceeding \$3,000 related to (i) the nomination
10 for election, election, retention, or defeat of any public
11 official or candidate or (ii) any question of public policy to
12 be submitted to the voters.

13 (Source: P.A. 95-963, eff. 1-1-09; 96-832, eff. 1-1-11.)

14 (10 ILCS 5/9-1.9) (from Ch. 46, par. 9-1.9)

15 Sec. 9-1.9. Election cycle. "Election cycle" means any of
16 the following:

17 (1) For a candidate political committee organized to
18 support a candidate to be elected at a general primary election
19 or general election, (i) the period beginning January 1
20 following the general election for the office to which a
21 candidate seeks nomination or election and ending on the day of
22 the general primary election for that office or (ii) the period
23 beginning the day after a general primary election for the
24 office to which the candidate seeks nomination or election and
25 through December 31 following the general election.

1 (2) Notwithstanding paragraph (1), for a candidate
2 political committee organized to support a candidate for the
3 General Assembly, (i) the period beginning January 1 following
4 a general election and ending on the day of the next general
5 primary election or (ii) the period beginning the day after the
6 general primary election and ending on December 31 following a
7 general election.

8 (3) For a candidate political committee organized to
9 support a candidate for a retention election, (i) the period
10 beginning January 1 following the general election at which the
11 candidate was elected through the day the candidate files a
12 declaration of intent to seek retention or (ii) the period
13 beginning the day after the candidate files a declaration of
14 intent to seek retention through December 31 following the
15 retention election.

16 (4) For a candidate political committee organized to
17 support a candidate to be elected at a consolidated primary
18 election or consolidated election, (i) the period beginning
19 July 1 following a consolidated election and ending on the day
20 of the consolidated primary election or (ii) the period
21 beginning the day after the consolidated primary election and
22 ending on June 30 following a consolidated election.

23 (5) For a political party committee, political action
24 committee, ~~or~~ ballot initiative committee, or independent
25 expenditure committee, the period beginning on January 1 and
26 ending on December 31 of each calendar year.

1 (Source: P.A. 96-832, eff. 1-1-11.)

2 (10 ILCS 5/9-1.15)

3 Sec. 9-1.15. Independent expenditure. "Independent
4 expenditure" means any payment, gift, donation, or expenditure
5 of funds (i) by a natural person or political committee for the
6 purpose of making electioneering communications or of
7 expressly advocating for or against the nomination for
8 election, election, retention, or defeat of a clearly
9 identifiable public official or candidate or for or against any
10 question of public policy to be submitted to the voters and
11 (ii) that is not made in connection, consultation, or concert
12 with or at the request or suggestion of the public official or
13 candidate, the public official's or candidate's designated
14 political committee or campaign, or the agent or agents of the
15 public official, candidate, or political committee or
16 campaign.

17 (Source: P.A. 96-832, eff. 7-1-10.)

18 (10 ILCS 5/9-2) (from Ch. 46, par. 9-2)

19 Sec. 9-2. Political committee designations.

20 (a) Every political committee shall be designated as a (i)
21 candidate political committee, (ii) political party committee,
22 (iii) political action committee, ~~or~~ (iv) ballot initiative
23 committee, or (v) independent expenditure committee.

24 (b) Beginning January 1, 2011, no public official or

1 candidate for public office may maintain or establish more than
2 one candidate political committee for each office that public
3 official or candidate holds or is seeking. The name of each
4 candidate political committee shall identify the name of the
5 public official or candidate supported by the candidate
6 political committee. If a candidate establishes separate
7 candidate political committees for each public office, the name
8 of each candidate political committee shall also include the
9 public office to which the candidate seeks nomination for
10 election, election, or retention. If a candidate establishes
11 one candidate political committee for multiple offices elected
12 at different elections, then the candidate shall designate an
13 election cycle, as defined in Section 9-1.9, for purposes of
14 contribution limitations and reporting requirements set forth
15 in this Article. No political committee, other than a candidate
16 political committee, may include the name of a candidate in its
17 name.

18 (c) Beginning January 1, 2011, no State central committee
19 of a political party, county central committee of a political
20 party, committee formed by a ward or township committeeman, or
21 committee established for the purpose of electing candidates to
22 the General Assembly may maintain or establish more than one
23 political party committee. The name of the committee must
24 include the name of the political party.

25 (d) Beginning January 1, 2011, no natural person, trust,
26 partnership, committee, association, corporation, or other

1 organization or group of persons forming a political action
2 committee shall maintain or establish more than one political
3 action committee. The name of a political action committee must
4 include the name of the entity forming the committee. This
5 subsection does not apply to independent expenditure
6 committees.

7 (e) Beginning January 1, 2011, the name of a ballot
8 initiative committee must include words describing the
9 question of public policy and whether the group supports or
10 opposes the question.

11 (f) Every political committee shall designate a chairman
12 and a treasurer. The same person may serve as both chairman and
13 treasurer of any political committee. A candidate who
14 administers his own campaign contributions and expenditures
15 shall be deemed a political committee for purposes of this
16 Article and shall designate himself as chairman, treasurer, or
17 both chairman and treasurer of such political committee. The
18 treasurer of a political committee shall be responsible for
19 keeping the records and filing the statements and reports
20 required by this Article.

21 (g) No contribution and no expenditure shall be accepted or
22 made by or on behalf of a political committee at a time when
23 there is a vacancy in the office of chairman or treasurer
24 thereof. No expenditure shall be made for or on behalf of a
25 political committee without the authorization of its chairman
26 or treasurer, or their designated agents.

1 (h) For purposes of implementing the changes made by this
2 amendatory Act of the 96th General Assembly, every political
3 committee in existence on the effective date of this amendatory
4 Act of the 96th General Assembly shall make the designation
5 required by this Section by December 31, 2010.

6 (Source: P.A. 96-832, eff. 7-1-10.)

7 (10 ILCS 5/9-3) (from Ch. 46, par. 9-3)

8 Sec. 9-3. Political committee statement of organization.

9 (a) Every political committee shall file with the State
10 Board of Elections a statement of organization within 10
11 business days of the creation of such committee, except any
12 political committee created within the 30 days before an
13 election shall file a statement of organization within 2
14 business days in person, by facsimile transmission, or by
15 electronic mail. Any change in information previously
16 submitted in a statement of organization shall be reported, as
17 required for the original statement of organization by this
18 Section, within 10 days following that change. A political
19 committee that acts as both a state political committee and a
20 local political committee shall file a copy of each statement
21 of organization with the State Board of Elections and the
22 county clerk. The Board shall impose a civil penalty of \$50 per
23 business day upon political committees for failing to file or
24 late filing of a statement of organization. Such penalties
25 shall not exceed \$5,000, and shall not exceed \$10,000 for

1 statewide office political committees. There shall be no fine
2 if the statement is mailed and postmarked at least 72 hours
3 prior to the filing deadline.

4 In addition to the civil penalties authorized by this
5 Section, the State Board of Elections or any other political
6 committee may apply to the circuit court for a temporary
7 restraining order or a preliminary or permanent injunction
8 against the political committee to cease the expenditure of
9 funds and to cease operations until the statement of
10 organization is filed.

11 For the purpose of this Section, "statewide office" means
12 the Governor, Lieutenant Governor, Secretary of State,
13 Attorney General, State Treasurer, and State Comptroller.

14 (b) The statement of organization shall include:

15 (1) the name and address of the political committee and
16 the designation required by Section 9-2;

17 (2) the scope, area of activity, party affiliation, and
18 purposes of the political committee;

19 (3) the name, address, and position of each custodian
20 of the committee's books and accounts;

21 (4) the name, address, and position of the committee's
22 principal officers, including the chairman, treasurer, and
23 officers and members of its finance committee, if any;

24 (5) the name and address of any sponsoring entity;

25 (6) a statement of what specific disposition of
26 residual fund will be made in the event of the dissolution

1 or termination of the committee;

2 (7) a listing of all banks or other financial
3 institutions, safety deposit boxes, and any other
4 repositories or custodians of funds used by the committee;
5 and

6 (8) the amount of funds available for campaign
7 expenditures as of the filing date of the committee's
8 statement of organization.

9 For purposes of this Section, a "sponsoring entity" is (i)
10 any person, organization, corporation, or association that
11 contributes at least 33% of the total funding of the political
12 committee or (ii) any person or other entity that is registered
13 or is required to register under the Lobbyist Registration Act
14 and contributes at least 33% of the total funding of the
15 political committee.

16 (c) Each statement of organization required to be filed in
17 accordance with this Section shall be verified, dated, and
18 signed by either the treasurer of the political committee
19 making the statement or the candidate on whose behalf the
20 statement is made and shall contain substantially the following
21 verification:

22 "VERIFICATION:

23 I declare that this statement of organization (including
24 any accompanying schedules and statements) has been examined by
25 me and, to the best of my knowledge and belief, is a true,
26 correct, and complete statement of organization as required by

1 Article 9 of the Election Code. I understand that willfully
2 filing a false or incomplete statement is subject to a civil
3 penalty of at least \$1,001 and up to \$5,000.

4

5 (date of filing) (signature of person making the statement)".

6 (d) The statement of organization for a ballot initiative
7 committee also shall include a verification signed by the
8 chairperson of the committee that (i) the committee is formed
9 for the purpose of supporting or opposing a question of public
10 policy, (ii) all contributions and expenditures of the
11 committee will be used for the purpose described in the
12 statement of organization, (iii) the committee may accept
13 unlimited contributions from any source, provided that the
14 ballot initiative committee does not make contributions or
15 expenditures in support of or opposition to a candidate or
16 candidates for nomination for election, election, or
17 retention, and (iv) failure to abide by these requirements
18 shall deem the committee in violation of this Article.

19 (d-5) The statement of organization for an independent
20 expenditure committee also shall include a verification signed
21 by the chairperson of the committee that (i) the committee is
22 formed for the exclusive purpose of making independent
23 expenditures, (ii) all contributions and expenditures of the
24 committee will be used for the purpose described in the
25 statement of organization, (iii) the committee may accept
26 unlimited contributions from any source, provided that the

1 independent expenditure committee does not make contributions
2 to any candidate political committee, political party
3 committee, or political action committee, and (iv) failure to
4 abide by these requirements shall deem the committee in
5 violation of this Article.

6 (e) For purposes of implementing the changes made by this
7 amendatory Act of the 96th General Assembly, every political
8 committee in existence on the effective date of this amendatory
9 Act of the 96th General Assembly shall file the statement
10 required by this Section with the Board by December 31, 2010.

11 (Source: P.A. 96-832, eff. 7-1-10.)

12 (10 ILCS 5/9-7) (from Ch. 46, par. 9-7)

13 Sec. 9-7. Records and accounts.

14 (1) Except as provided in subsection (2), the ~~The~~ treasurer
15 of a political committee shall keep a detailed and exact
16 account of-

17 (a) the total of all contributions made to or for the
18 committee;

19 (b) the full name and mailing address of every person
20 making a contribution and the date and amount thereof;

21 (c) the total of all expenditures made by or on behalf
22 of the committee;

23 (d) the full name and mailing address of every person
24 to whom any expenditure is made, and the date and amount
25 thereof;

1 (e) proof of payment, stating the particulars, for
2 every expenditure made by or on behalf of the committee.

3 The treasurer shall preserve all records and accounts
4 required by this section for a period of 2 years.

5 (2) The treasurer of a political committee shall keep a
6 detailed and exact account of the total amount of contributions
7 made to or for a committee at an event licensed under Section
8 8.1 of the Raffles Act. For an event licensed under Section
9 8.1, the treasurer is not required to keep a detailed and exact
10 account of the full name and mailing address of a person who
11 purchases tickets at the event in an amount that does not
12 exceed \$150.

13 (Source: P.A. 96-832, eff. 1-1-11.)

14 (10 ILCS 5/9-8.5)

15 Sec. 9-8.5. Limitations on campaign contributions.

16 (a) It is unlawful for a political committee to accept
17 contributions except as provided in this Section.

18 (b) During an election cycle, a candidate political
19 committee may not accept contributions with an aggregate value
20 over the following: (i) \$5,000 from any individual, (ii)
21 \$10,000 from any corporation, labor organization, or
22 association, or (iii) \$50,000 from a candidate political
23 committee or political action committee. A candidate political
24 committee may accept contributions in any amount from a
25 political party committee except during an election cycle in

1 which the candidate seeks nomination at a primary election.
2 During an election cycle in which the candidate seeks
3 nomination at a primary election, a candidate political
4 committee may not accept contributions from political party
5 committees with an aggregate value over the following: (i)
6 \$200,000 for a candidate political committee established to
7 support a candidate seeking nomination to statewide office,
8 (ii) \$125,000 for a candidate political committee established
9 to support a candidate seeking nomination to the Senate, the
10 Supreme Court or Appellate Court in the First Judicial
11 District, or an office elected by all voters in a county with
12 1,000,000 or more residents, (iii) \$75,000 for a candidate
13 political committee established to support a candidate seeking
14 nomination to the House of Representatives, the Supreme Court
15 or Appellate Court for a Judicial District other than the First
16 Judicial District, an office elected by all voters of a county
17 of fewer than 1,000,000 residents, and municipal and county
18 offices in Cook County other than those elected by all voters
19 of Cook County, and (iv) \$50,000 for a candidate political
20 committee established to support the nomination of a candidate
21 to any other office. A candidate political committee
22 established to elect a candidate to the General Assembly may
23 accept contributions from only one legislative caucus
24 committee. A candidate political committee may not accept
25 contributions from a ballot initiative committee or from an
26 independent expenditure committee.

1 (c) During an election cycle, a political party committee
2 may not accept contributions with an aggregate value over the
3 following: (i) \$10,000 from any individual, (ii) \$20,000 from
4 any corporation, labor organization, or association, or (iii)
5 \$50,000 from a political action committee. A political party
6 committee may accept contributions in any amount from another
7 political party committee or a candidate political committee,
8 except as provided in subsection (c-5). Nothing in this Section
9 shall limit the amounts that may be transferred between a ~~State~~
10 political party committee established under subsection (a) of
11 Section 7-8 of this Code and an affiliated federal political
12 committee established under the Federal Election Code by the
13 same political party. A political party committee may not
14 accept contributions from a ballot initiative committee or from
15 an independent expenditure committee. A political party
16 committee established by a legislative caucus may not accept
17 contributions from another political party committee
18 established by a legislative caucus.

19 (c-5) During the period beginning on the date candidates
20 may begin circulating petitions for a primary election and
21 ending on the day of the primary election, a political party
22 committee may not accept contributions with an aggregate value
23 over \$50,000 from a candidate political committee or political
24 party committee. A political party committee may accept
25 contributions in any amount from a candidate political
26 committee or political party committee if the political party

1 committee receiving the contribution filed a statement of
2 nonparticipation in the primary as provided in subsection
3 (c-10). The Task Force on Campaign Finance Reform shall study
4 and make recommendations on the provisions of this subsection
5 to the Governor and General Assembly by September 30, 2012.
6 This subsection becomes inoperative on July 1, 2013 and
7 thereafter no longer applies.

8 (c-10) A political party committee that does not intend to
9 make contributions to candidates to be nominated at a general
10 primary election or consolidated primary election may file a
11 Statement of Nonparticipation in a Primary Election with the
12 Board. The Statement of Nonparticipation shall include a
13 verification signed by the chairperson and treasurer of the
14 committee that (i) the committee will not make contributions or
15 coordinated expenditures in support of or opposition to a
16 candidate or candidates to be nominated at the general primary
17 election or consolidated primary election (select one) to be
18 held on (insert date), (ii) the political party committee may
19 accept unlimited contributions from candidate political
20 committees and political party committees, provided that the
21 political party committee does not make contributions to a
22 candidate or candidates to be nominated at the primary
23 election, and (iii) failure to abide by these requirements
24 shall deem the political party committee in violation of this
25 Article and subject the committee to a fine of no more than
26 150% of the total contributions or coordinated expenditures

1 made by the committee in violation of this Article. This
2 subsection becomes inoperative on July 1, 2013 and thereafter
3 no longer applies.

4 (d) During an election cycle, a political action committee
5 may not accept contributions with an aggregate value over the
6 following: (i) \$10,000 from any individual, (ii) \$20,000 from
7 any corporation, labor organization, political party
8 committee, or association, or (iii) \$50,000 from a political
9 action committee or candidate political committee. A political
10 action committee may not accept contributions from a ballot
11 initiative committee or from an independent expenditure
12 committee.

13 (e) A ballot initiative committee may accept contributions
14 in any amount from any source, provided that the committee
15 files the document required by Section 9-3 of this Article and
16 files the disclosure reports required by the provisions of this
17 Article.

18 (e-5) An independent expenditure committee may accept
19 contributions in any amount from any source, provided that the
20 committee files the document required by Section 9-3 of this
21 Article and files the disclosure reports required by the
22 provisions of this Article.

23 (f) Nothing in this Section shall prohibit a political
24 committee from dividing the proceeds of joint fundraising
25 efforts; provided that no political committee may receive more
26 than the limit from any one contributor, and provided that an

1 independent expenditure committee may not conduct joint
2 fundraising efforts with a candidate political committee or a
3 political party committee.

4 (g) On January 1 of each odd-numbered year, the State Board
5 of Elections shall adjust the amounts of the contribution
6 limitations established in this Section for inflation as
7 determined by the Consumer Price Index for All Urban Consumers
8 as issued by the United States Department of Labor and rounded
9 to the nearest \$100. The State Board shall publish this
10 information on its official website.

11 (h) Self-funding candidates. If a public official, a
12 candidate, or the public official's or candidate's immediate
13 family contributes or loans to the public official's or
14 candidate's political committee or to other political
15 committees that transfer funds to the public official's or
16 candidate's political committee or makes independent
17 expenditures for the benefit of the public official's or
18 candidate's campaign during the 12 months prior to an election
19 in an aggregate amount of more than (i) \$250,000 for statewide
20 office or (ii) \$100,000 for all other elective offices, then
21 the public official or candidate shall file with the State
22 Board of Elections, within one day, a Notification of
23 Self-funding that shall detail each contribution or loan made
24 by the public official, the candidate, or the public official's
25 or candidate's immediate family. Within 2 business days after
26 the filing of a Notification of Self-funding, the notification

1 shall be posted on the Board's website and the Board shall give
2 official notice of the filing to each candidate for the same
3 office as the public official or candidate making the filing,
4 including the public official or candidate filing the
5 Notification of Self-funding. Upon receiving notice from the
6 Board, all candidates for that office, including the public
7 official or candidate who filed a Notification of Self-funding,
8 shall be permitted to accept contributions in excess of any
9 contribution limits imposed by subsection (b). For the purposes
10 of this subsection, "immediate family" means the spouse,
11 parent, or child of a public official or candidate.

12 (h-5) If a natural person or independent expenditure
13 committee makes independent expenditures in support of or in
14 opposition to the campaign of a particular public official or
15 candidate in an aggregate amount of more than (i) \$250,000 for
16 statewide office or (ii) \$100,000 for all other elective
17 offices in an election cycle, as reported in a written
18 disclosure filed under subsection (a) of Section 9-8.6 or
19 subsection (e-5) of Section 9-10, then the State Board of
20 Elections shall, within 2 business days after the filing of the
21 disclosure, post the disclosure on the Board's website and give
22 official notice of the disclosure to each candidate for the
23 same office as the public official or candidate for whose
24 benefit the natural person or independent expenditure
25 committee made independent expenditures. Upon receiving notice
26 from the Board, all candidates for that office in that

1 election, including the public official or candidate for whose
2 benefit the natural person or independent expenditure
3 committee made independent expenditures, shall be permitted to
4 accept contributions in excess of any contribution limits
5 imposed by subsection (b). The Campaign Finance Task Force
6 shall submit a report to the Governor and General Assembly no
7 later than February 1, 2013. The report shall examine and make
8 recommendations regarding the provisions in this subsection
9 including, but not limited to, case law concerning independent
10 expenditures, the manner in which independent expenditures are
11 handled in the other states and at the federal level,
12 independent expenditures made in Illinois during the 2012
13 general primary and, separately, the 2012 general election, and
14 independent expenditures made at the federal level during the
15 2012 general election. The Task Force shall conduct at least 2
16 public hearings regarding independent expenditures.

17 (i) For the purposes of this Section, a corporation, labor
18 organization, association, or a political action committee
19 established by a corporation, labor organization, or
20 association may act as a conduit in facilitating the delivery
21 to a political action committee of contributions made through
22 dues, levies, or similar assessments and the political action
23 committee may report the contributions in the aggregate,
24 provided that: (i) contributions made through ~~the~~ dues, levies,
25 or similar assessments paid by any natural person, corporation,
26 labor organization, or association in a calendar year may not

1 exceed the limits set forth in this Section; ~~and~~ (ii) the
2 corporation, labor organization, association, or a political
3 action committee established by a corporation, labor
4 organization, or association facilitating the delivery of
5 contributions maintains a list of natural persons,
6 corporations, labor organizations, and associations that paid
7 the dues, levies, or similar assessments from which the
8 contributions comprising the aggregate amount derive; and
9 (iii) contributions made through dues, levies, or similar
10 assessments paid by any natural person, corporation, labor
11 organization, or association that exceed \$500 in a quarterly
12 reporting period shall be itemized on the committee's quarterly
13 report and may not be reported in the aggregate. A political
14 action committee facilitating the delivery of contributions or
15 receiving contributions shall disclose the amount of
16 contributions made through dues delivered or received and the
17 name of the corporation, labor organization, association, or
18 political action committee delivering the contributions, if
19 applicable. On January 1 of each odd-numbered year, the State
20 Board of Elections shall adjust the amounts of the contribution
21 limitations established in this subsection for inflation as
22 determined by the Consumer Price Index for All Urban Consumers
23 as issued by the United States Department of Labor and rounded
24 to the nearest \$100. The State Board shall publish this
25 information on its official website.

26 (j) A political committee that receives a contribution or

1 transfer in violation of this Section shall dispose of the
2 contribution or transfer by returning the contribution or
3 transfer, or an amount equal to the contribution or transfer,
4 to the contributor or transferor or donating the contribution
5 or transfer, or an amount equal to the contribution or
6 transfer, to a charity. A contribution or transfer received in
7 violation of this Section that is not disposed of as provided
8 in this subsection within 30 ~~15~~ days after the Board sends
9 notification to the political committee of the excess
10 contribution by certified mail ~~its receipt~~ shall escheat to the
11 General Revenue Fund and the political committee shall be
12 deemed in violation of this Section and subject to a civil
13 penalty not to exceed 150% of the total amount of the
14 contribution.

15 (k) For the purposes of this Section, "statewide office"
16 means the Governor, Lieutenant Governor, Attorney General,
17 Secretary of State, Comptroller, and Treasurer.

18 (l) This Section is repealed if and when the United States
19 Supreme Court invalidates contribution limits on committees
20 formed to assist candidates, political parties, corporations,
21 associations, or labor organizations established by or
22 pursuant to federal law.

23 (Source: P.A. 96-832, eff. 1-1-11.)

24 (10 ILCS 5/9-8.6)

25 Sec. 9-8.6. Independent expenditures.

1 (a) An independent expenditure is not considered a
2 contribution to a political committee. An expenditure made by a
3 natural person or political committee for an electioneering
4 communication in connection, consultation, or concert with or
5 at the request or suggestion of the public official or
6 candidate, the public official's or candidate's candidate
7 political committee, or the agent or agents of the public
8 official, candidate, or political committee or campaign shall
9 not be considered an independent expenditure but rather shall
10 be considered a contribution to the public official's or
11 candidate's candidate political committee.

12 A natural person who makes an independent expenditure
13 supporting or opposing a public official or candidate that,
14 alone or in combination with any other independent expenditure
15 made by that natural person supporting or opposing that public
16 official or candidate during any 12-month period, equals an
17 aggregate value of at least \$3,000 must file a written
18 disclosure with the State Board of Elections within 2 business
19 days after making any expenditure that results in the natural
20 person meeting or exceeding the \$3,000 threshold. A natural
21 person who has made a written disclosure with the State Board
22 of Elections shall have a continuing obligation to report
23 further expenditures in relation to the same election, in
24 \$1,000 increments, to the State Board until the conclusion of
25 that election. A natural person who makes an independent
26 expenditure supporting or opposing a public official or

1 candidate that, alone or in combination with any other
2 independent expenditure made by that natural person supporting
3 or opposing that public official or candidate during the
4 election cycle, equals an aggregate value of more than (i)
5 \$250,000 for statewide office or (ii) \$100,000 for all other
6 elective offices must file a written disclosure with the State
7 Board of Elections within 2 business days after making any
8 expenditure that results in the natural person exceeding the
9 applicable threshold. Each disclosure must identify the
10 natural person, the public official or candidate supported or
11 opposed, the date, amount, and nature of each independent
12 expenditure, and the natural person's occupation and employer.

13 (b) Any entity other than a natural person that makes
14 expenditures of any kind in an aggregate amount exceeding
15 \$3,000 during any 12-month period supporting or opposing a
16 public official or candidate must organize as a political
17 committee in accordance with this Article.

18 (c) Every political committee that makes independent
19 expenditures must report all such independent expenditures as
20 required under Section 9-10 of this Article.

21 (d) In the event that a political committee organized as an
22 independent expenditure committee makes a contribution to any
23 other political committee other than another independent
24 expenditure committee or a ballot initiative committee, the
25 State Board shall assess a fine equal to the amount of any
26 contribution received in the preceding 2 years by the

1 independent expenditure committee that exceeded the limits for
2 a political action committee set forth in subsection (d) of
3 Section 9-8.5.

4 (Source: P.A. 96-832, eff. 7-1-10.)

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

6 Sec. 9-10. Disclosure of contributions and expenditures.

7 (a) The treasurer of every political committee shall file
8 with the Board reports of campaign contributions and
9 expenditures as required by this Section on forms to be
10 prescribed or approved by the Board.

11 (b) Every political committee shall file quarterly reports
12 of campaign contributions, expenditures, and independent
13 expenditures. The reports shall cover the period January 1
14 through March 31, April 1 through June 30, July 1 through
15 September 30, and October 1 through December 31 of each year. A
16 political committee shall file quarterly reports no later than
17 the 15th day of the month following each period. Reports of
18 contributions and expenditures must be filed to cover the
19 prescribed time periods even though no contributions or
20 expenditures may have been received or made during the period.
21 The Board shall assess a civil penalty not to exceed \$5,000 for
22 failure to file a report required by this subsection. The fine,
23 however, shall not exceed \$1,000 for a first violation if the
24 committee files less than 10 days after the deadline. There
25 shall be no fine if the report is mailed and postmarked at

1 least 72 hours prior to the filing deadline. When considering
2 the amount of the fine to be imposed, the Board shall consider
3 whether the violation was committed inadvertently,
4 negligently, knowingly, or intentionally and any past
5 violations of this Section.

6 (c) A political committee shall file a report of any
7 contribution of \$1,000 or more electronically with the Board
8 within 5 business days after receipt of the contribution,
9 except that the report shall be filed within 2 business days
10 after receipt if (i) the contribution is received 30 or fewer
11 days before the date of an election and (ii) the political
12 committee supports or opposes a candidate or public question on
13 the ballot at that election or makes expenditures in excess of
14 \$500 on behalf of or in opposition to a candidate, candidates,
15 a public question, or public questions on the ballot at that
16 election. The State Board shall allow filings of reports of
17 contributions of \$1,000 or more by political committees that
18 are not required to file electronically to be made by facsimile
19 transmission. The Board shall assess a civil penalty for
20 failure to file a report required by this subsection. Failure
21 to report each contribution is a separate violation of this
22 subsection. The Board shall impose fines for willful or wanton
23 violations of this subsection (c) not to exceed 150% of the
24 total amount of the contributions that were untimely reported,
25 but in no case shall it be less than 10% of the total amount of
26 the contributions that were untimely reported. When

1 considering the amount of the fine to be imposed for willful or
2 wanton violations, the Board shall consider the number of days
3 the contribution was reported late and past violations of this
4 Section and Section 9-3. The Board may impose a fine for
5 negligent or inadvertent violations of this subsection not to
6 exceed 50% of the total amount of the contributions that were
7 untimely reported, or the Board may waive the fine. When
8 considering whether to impose a fine and the amount of the
9 fine, the Board shall consider the following factors: (1)
10 whether the political committee made an attempt to disclose the
11 contribution and any attempts made to correct the violation,
12 (2) whether the violation is attributed to a clerical or
13 computer error, (3) the amount of the contribution, (4) whether
14 the violation arose from a discrepancy between the date the
15 contribution was reported transferred by a political committee
16 and the date the contribution was received by a political
17 committee, (5) the number of days the contribution was reported
18 late, and (6) past violations of this Section and Section 9-3
19 by the political committee.

20 (d) For the purpose of this Section, a contribution is
21 considered received on the date (i) a monetary contribution was
22 deposited in a bank, financial institution, or other repository
23 of funds for the committee, (ii) the date a committee receives
24 notice a monetary contribution was deposited by an entity used
25 to process financial transactions by credit card or other
26 entity used for processing a monetary contribution that was

1 deposited in a bank, financial institution, or other repository
2 of funds for the committee, or (iii) the public official,
3 candidate, or political committee receives the notification of
4 contribution of goods or services as required under subsection
5 (b) of Section 9-6.

6 (e) A political committee that makes independent
7 expenditures of \$1,000 or more during the period 30 days or
8 fewer before an election shall electronically file a report
9 with the Board within 5 business days after making the
10 independent expenditure. The report shall contain the
11 information required in Section 9-11(c) of this Article.

12 (e-5) An independent expenditure committee that makes an
13 independent expenditure supporting or opposing a public
14 official or candidate that, alone or in combination with any
15 other independent expenditure made by that independent
16 expenditure committee supporting or opposing that public
17 official or candidate during the election cycle, equals an
18 aggregate value of more than (i) \$250,000 for statewide office
19 or (ii) \$100,000 for all other elective offices must file a
20 written disclosure with the State Board of Elections within 2
21 business days after making any expenditure that results in the
22 independent expenditure committee exceeding the applicable
23 threshold. The Board shall assess a civil penalty against an
24 independent expenditure committee for failure to file the
25 disclosure required by this subsection not to exceed (i) \$500
26 for an initial failure to file the required disclosure and (ii)

1 \$1,000 for each subsequent failure to file the required
2 disclosure.

3 (f) A copy of each report or statement filed under this
4 Article shall be preserved by the person filing it for a period
5 of two years from the date of filing.

6 (Source: P.A. 95-6, eff. 6-20-07; 95-957, eff. 1-1-09; 96-832,
7 eff. 1-1-11.)

8 (10 ILCS 5/9-15) (from Ch. 46, par. 9-15)

9 Sec. 9-15. It shall be the duty of the Board-

10 (1) to develop prescribed forms for filing statements
11 of organization and required reports;

12 (2) to prepare, publish, and furnish to the appropriate
13 persons a manual of instructions setting forth recommended
14 uniform methods of bookkeeping and reporting under this
15 Article;

16 (3) to prescribe suitable rules and regulations to
17 carry out the provisions of this Article. Such rules and
18 regulations shall be published and made available to the
19 public;

20 (4) to send by first class mail, after the general
21 primary election in even numbered years, to the chairman of
22 each regularly constituted State central committee, county
23 central committee and, in counties with a population of
24 more than 3,000,000, to the committeemen of each township
25 and ward organization of each political party notice of

1 their obligations under this Article, along with a form for
2 filing the statement of organization;

3 (5) to promptly make all reports and statements filed
4 under this Article available for public inspection and
5 copying no later than 2 business days after their receipt
6 and to permit copying of any such report or statement at
7 the expense of the person requesting the copy;

8 (6) to develop a filing, coding, and cross-indexing
9 system consistent with the purposes of this Article;

10 (7) to compile and maintain a list of all statements or
11 parts of statements pertaining to each candidate;

12 (8) to prepare and publish such reports as the Board
13 may deem appropriate; ~~and~~

14 (9) to annually notify each political committee that
15 has filed a statement of organization with the Board of the
16 filing dates for each quarterly report, provided that such
17 notification shall be made by first-class mail unless the
18 political committee opts to receive notification
19 electronically via email; and -

20 (10) to promptly send, by first class mail directed
21 only to the officers of a political committee, and by
22 certified mail to the address of the political committee,
23 written notice of any fine or penalty assessed or imposed
24 against the political committee under this Article.

25 (Source: P.A. 96-1263, eff. 1-1-11.)

1 (10 ILCS 5/9-28.5)

2 Sec. 9-28.5. Injunctive relief for electioneering
3 communications.

4 (a) Whenever the Attorney General, or a State's Attorney
5 with jurisdiction over any portion of the relevant electorate,
6 believes that any person, as defined in Section 9-1.6, is
7 making, producing, publishing, republishing, or broadcasting
8 an electioneering communication paid for by any person, as
9 defined in Section 9-1.6, who has not first complied with the
10 registration and disclosure requirements of this Article, he or
11 she may bring an action in the name of the People of the State
12 of Illinois or, in the case of a State's Attorney, the People
13 of the County, against such person or persons to restrain by
14 preliminary or permanent injunction the making, producing,
15 publishing, republishing, or broadcasting of such
16 electioneering communication until the registration and
17 disclosure requirements have been met.

18 (b) Any political committee that believes any person, as
19 defined in Section 9-1.6, is making, producing, publishing,
20 republishing, or broadcasting an electioneering communication
21 paid for by any person, as defined in Section 9-1.6, who has
22 not first complied with the registration and disclosure
23 requirements of this Article may bring an action in the circuit
24 court against such person or persons to restrain by preliminary
25 or permanent injunction the making, producing, publishing,
26 republishing, or broadcasting of such electioneering

1 communication until the registration and disclosure
2 requirements have been met.

3 (c) Whenever the Attorney General, or a State's Attorney
4 with jurisdiction over any portion of the relevant electorate,
5 believes that any person, as defined in Section 9-1.6, is
6 engaging in independent expenditures, as defined in this
7 Article, who has not first complied with the registration and
8 disclosure requirements of this Article, he or she may bring an
9 action in the name of the People of the State of Illinois or,
10 in the case of a State's Attorney, the People of the County,
11 against such person or persons to restrain by preliminary or
12 permanent injunction the making of such expenditures until the
13 registration and disclosure requirements have been met.

14 (d) Any political committee that believes any person, as
15 defined in Section 9-1.6, is engaging in independent
16 expenditures, as defined in this Article, who has not first
17 complied with the registration and disclosure requirements of
18 this Article may bring an action in the circuit court against
19 such person or persons to restrain by preliminary or permanent
20 injunction the making of independent expenditures until the
21 registration and disclosure requirements have been met.

22 (Source: P.A. 96-832, eff. 7-1-10.)

23 (10 ILCS 5/16-6) (from Ch. 46, par. 16-6)

24 Sec. 16-6. Whenever one or more proposals for amendment of
25 the constitution or the calling of a constitutional convention

1 or any combination thereof is or are to be voted upon by the
 2 people, the proposition or propositions for the adoption or
 3 rejection of such amendment or amendments or convention shall
 4 be submitted upon a ballot separate from the "Official Ballot"
 5 containing the names of candidates for State and other offices
 6 to be voted at such election. Such separate ballot shall be
 7 printed upon paper of a distinctly blue color and shall, as
 8 near as may be practicable, be of uniform size and blue color,
 9 but any variation in the size of such ballots or in the
 10 tincture of blue employed shall not affect or impair the
 11 validity thereof. Preceding each proposal to amend the
 12 constitution shall be printed the brief explanation of the
 13 amendment, prepared by the General Assembly, or in the case of
 14 a proposed amendment initiated by petition pursuant to Section
 15 3 of Article XIV of the Constitution of the State of Illinois
 16 by the principal proponents of the amendment as approved by the
 17 Attorney General, and immediately below the explanation, the
 18 proposition shall be printed in substantially the following
 19 form:

20 -----
 21 YES For the proposed amendment
 22 ----- to Article _____ (or Section
 23 NO _____ of Article _____) of
 24 the Constitution.
 25 -----

26 In the case of a proposition for the calling of a

1 constitutional convention, such proposition shall be printed
2 in substantially the following form:

3 -----
4 YES For the calling
5 ----- of a Constitutional
6 NO Convention.
7 -----

8 On the back or outside of the ballot so as to appear when
9 folded, shall be printed the words "CONSTITUTION BALLOT",
10 followed by the designation of the polling place for which the
11 ballot is prepared, the date of the election and a facsimile of
12 the signature of the clerk or other officer who has caused the
13 ballots to be printed. Immediately above the words
14 "CONSTITUTION BALLOT" in the case of a proposition for the
15 calling of a constitutional convention or a proposition to
16 amend the Constitution the following legend shall be printed in
17 bold face type:

18 "NOTICE

19 THE FAILURE TO VOTE THIS BALLOT MAY BE ~~IS~~ THE EQUIVALENT OF
20 A NEGATIVE VOTE, BECAUSE A CONVENTION SHALL BE CALLED OR THE
21 AMENDMENT SHALL BECOME EFFECTIVE IF APPROVED BY EITHER
22 THREE-FIFTHS OF THOSE VOTING ON THE QUESTION OR A MAJORITY OF
23 THOSE VOTING IN THE ELECTION. (THIS IS NOT TO BE CONSTRUED AS A
24 DIRECTION THAT YOUR VOTE IS REQUIRED TO BE CAST EITHER IN FAVOR
25 OF OR IN OPPOSITION TO THE PROPOSITION HEREIN CONTAINED.)

26 WHETHER YOU VOTE THIS BALLOT OR NOT YOU MUST RETURN IT TO

1 THE ELECTION JUDGE WHEN YOU LEAVE THE VOTING BOOTH".

2 ~~Immediately above the words "CONSTITUTION BALLOT" in the~~
3 ~~case of a proposition to amend the Constitution the following~~
4 ~~legend shall be printed in bold face type:~~

5 **"NOTICE**

6 ~~WHETHER YOU VOTE THIS BALLOT OR NOT YOU MUST RETURN IT TO~~
7 ~~THE ELECTION JUDGE WHEN YOU LEAVE THE VOTING BOOTH."~~

8 If a proposition for the calling of a constitutional
9 convention is submitted at the same election as one or more
10 propositions to amend the constitution, the proposition for the
11 calling of a constitutional convention shall be printed at the
12 top of the ballot. In such case, the back or outside of the
13 ballot shall be printed the same as if it were a proposal
14 solely to amend the constitution.

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

19 (Source: P.A. 81-163.)

20 (10 ILCS 5/18A-5)

21 Sec. 18A-5. Provisional voting; general provisions.

22 (a) A person who claims to be a registered voter is
23 entitled to cast a provisional ballot under the following
24 circumstances:

25 (1) The person's name does not appear on the official

1 list of eligible voters for the precinct in which the
2 person seeks to vote. The official list is the centralized
3 statewide voter registration list established and
4 maintained in accordance with Section 1A-25;

5 (2) The person's voting status has been challenged by
6 an election judge, a pollwatcher, or any legal voter and
7 that challenge has been sustained by a majority of the
8 election judges;

9 (3) A federal or State court order extends the time for
10 closing the polls beyond the time period established by
11 State law and the person votes during the extended time
12 period; ~~or~~

13 (4) The voter registered to vote by mail and is
14 required by law to present identification when voting
15 either in person or by absentee ballot, but fails to do so;
16 ~~or~~

17 (5) The voter's name appears on the list of voters who
18 voted during the early voting period, but the voter claims
19 not to have voted during the early voting period; or

20 (6) The voter received an absentee ballot but did not
21 return the absentee ballot to the election authority.

22 (b) The procedure for obtaining and casting a provisional
23 ballot at the polling place shall be as follows:

24 (1) After first verifying through an examination of the
25 precinct register that the person's address is within the
26 precinct boundaries, an election judge at the polling place

1 shall notify a person who is entitled to cast a provisional
 2 ballot pursuant to subsection (a) that he or she may cast a
 3 provisional ballot in that election. An election judge must
 4 accept any information provided by a person who casts a
 5 provisional ballot that the person believes supports his or
 6 her claim that he or she is a duly registered voter and
 7 qualified to vote in the election. However, if the person's
 8 residence address is outside the precinct boundaries, the
 9 election judge shall inform the person of that fact, give
 10 the person the appropriate telephone number of the election
 11 authority in order to locate the polling place assigned to
 12 serve that address, and instruct the person to go to the
 13 proper polling place to vote.

14 (2) The person shall execute a written form provided by
 15 the election judge that shall state or contain all of the
 16 following that is available:

17 (i) an affidavit stating the following:

18 State of Illinois, County of,
 19 Township, Precinct, Ward
 20, I,, do solemnly
 21 swear (or affirm) that: I am a citizen of the United
 22 States; I am 18 years of age or older; I have resided
 23 in this State and in this precinct for 30 days
 24 preceding this election; I have not voted in this
 25 election; I am a duly registered voter in every
 26 respect; and I am eligible to vote in this election.

1 Signature Printed Name of Voter Printed
2 Residence Address of Voter City State
3 Zip Code Telephone Number Date of
4 Birth and Illinois Driver's License Number
5 or Last 4 digits of Social Security Number
6 or State Identification Card Number issued to
7 you by the Illinois Secretary of State.....

8 (ii) A box for the election judge to check one of the 6
9 ~~3~~ reasons why the person was given a provisional ballot
10 under subsection (a) of Section 18A-5.

11 (iii) An area for the election judge to affix his or
12 her signature and to set forth any facts that support or
13 oppose the allegation that the person is not qualified to
14 vote in the precinct in which the person is seeking to
15 vote.

16 The written affidavit form described in this subsection
17 (b) (2) must be printed on a multi-part form prescribed by the
18 county clerk or board of election commissioners, as the case
19 may be.

20 (3) After the person executes the portion of the written
21 affidavit described in subsection (b) (2) (i) of this Section,
22 the election judge shall complete the portion of the written
23 affidavit described in subsection (b) (2) (iii) and (b) (2) (iv).

24 (4) The election judge shall give a copy of the completed
25 written affidavit to the person. The election judge shall place
26 the original written affidavit in a self-adhesive clear plastic

1 packing list envelope that must be attached to a separate
2 envelope marked as a "provisional ballot envelope". The
3 election judge shall also place any information provided by the
4 person who casts a provisional ballot in the clear plastic
5 packing list envelope. Each county clerk or board of election
6 commissioners, as the case may be, must design, obtain or
7 procure self-adhesive clear plastic packing list envelopes and
8 provisional ballot envelopes that are suitable for
9 implementing this subsection (b) (4) of this Section.

10 (5) The election judge shall provide the person with a
11 provisional ballot, written instructions for casting a
12 provisional ballot, and the provisional ballot envelope with
13 the clear plastic packing list envelope affixed to it, which
14 contains the person's original written affidavit and, if any,
15 information provided by the provisional voter to support his or
16 her claim that he or she is a duly registered voter. An
17 election judge must also give the person written information
18 that states that any person who casts a provisional ballot
19 shall be able to ascertain, pursuant to guidelines established
20 by the State Board of Elections, whether the provisional vote
21 was counted in the official canvass of votes for that election
22 and, if the provisional vote was not counted, the reason that
23 the vote was not counted.

24 (6) After the person has completed marking his or her
25 provisional ballot, he or she shall place the marked ballot
26 inside of the provisional ballot envelope, close and seal the

1 envelope, and return the envelope to an election judge, who
2 shall then deposit the sealed provisional ballot envelope into
3 a securable container separately identified and utilized for
4 containing sealed provisional ballot envelopes. Ballots that
5 are provisional because they are cast after 7:00 p.m. by court
6 order shall be kept separate from other provisional ballots.
7 Upon the closing of the polls, the securable container shall be
8 sealed with filament tape provided for that purpose, which
9 shall be wrapped around the box lengthwise and crosswise, at
10 least twice each way, and each of the election judges shall
11 sign the seal.

12 (c) Instead of the affidavit form described in subsection
13 (b), the county clerk or board of election commissioners, as
14 the case may be, may design and use a multi-part affidavit form
15 that is imprinted upon or attached to the provisional ballot
16 envelope described in subsection (b). If a county clerk or
17 board of election commissioners elects to design and use its
18 own multi-part affidavit form, then the county clerk or board
19 of election commissioners shall establish a mechanism for
20 accepting any information the provisional voter has supplied to
21 the election judge to support his or her claim that he or she
22 is a duly registered voter. In all other respects, a county
23 clerk or board of election commissioners shall establish
24 procedures consistent with subsection (b).

25 (d) The county clerk or board of election commissioners, as
26 the case may be, shall use the completed affidavit form

1 described in subsection (b) to update the person's voter
2 registration information in the State voter registration
3 database and voter registration database of the county clerk or
4 board of election commissioners, as the case may be. If a
5 person is later determined not to be a registered voter based
6 on Section 18A-15 of this Code, then the affidavit shall be
7 processed by the county clerk or board of election
8 commissioners, as the case may be, as a voter registration
9 application.

10 (Source: P.A. 93-574, eff. 8-21-03; 93-1071, eff. 1-18-05;
11 94-645, eff. 8-22-05.)

12 (10 ILCS 5/18A-15)

13 Sec. 18A-15. Validating and counting provisional ballots.

14 (a) The county clerk or board of election commissioners
15 shall complete the validation and counting of provisional
16 ballots within 14 calendar days of the day of the election. The
17 county clerk or board of election commissioners shall have 7
18 calendar days from the completion of the validation and
19 counting of provisional ballots to conduct its final canvass.
20 The State Board of Elections shall complete within 31 calendar
21 days of the election or sooner if all the returns are received,
22 its final canvass of the vote for all public offices.

23 (b) If a county clerk or board of election commissioners
24 determines that all of the following apply, then a provisional
25 ballot is valid and shall be counted as a vote:

1 (1) The provisional voter cast the provisional ballot
2 in the correct precinct based on the address provided by
3 the provisional voter. The provisional voter's affidavit
4 shall serve as a change of address request by that voter
5 for registration purposes for the next ensuing election if
6 it bears an address different from that in the records of
7 the election authority;

8 (2) The affidavit executed by the provisional voter
9 pursuant to subsection (b) (2) of Section 18A-5 contains, at
10 a minimum, the provisional voter's first and last name,
11 house number and street name, and signature or mark; ~~and~~

12 (3) the provisional voter is a registered voter based
13 on information available to the county clerk or board of
14 election commissioners provided by or obtained from any of
15 the following:

16 i. the provisional voter;

17 ii. an election judge;

18 iii. the statewide voter registration database
19 maintained by the State Board of Elections;

20 iv. the records of the county clerk or board of
21 election commissioners' database; or

22 v. the records of the Secretary of State; and ~~and~~

23 (4) For a provisional ballot cast under item (6) of
24 subsection (a) of Section 18A-5, the voter did not vote by
25 absentee ballot in the election at which the provisional
26 ballot was cast.

1 (c) With respect to subsection (b) (3) of this Section, the
2 county clerk or board of election commissioners shall
3 investigate and record whether or not the specified information
4 is available from each of the 5 identified sources. If the
5 information is available from one or more of the identified
6 sources, then the county clerk or board of election
7 commissioners shall seek to obtain the information from each of
8 those sources until satisfied, with information from at least
9 one of those sources, that the provisional voter is registered
10 and entitled to vote. The county clerk or board of election
11 commissioners shall use any information it obtains as the basis
12 for determining the voter registration status of the
13 provisional voter. If a conflict exists among the information
14 available to the county clerk or board of election
15 commissioners as to the registration status of the provisional
16 voter, then the county clerk or board of election commissioners
17 shall make a determination based on the totality of the
18 circumstances. In a case where the above information equally
19 supports or opposes the registration status of the voter, the
20 county clerk or board of election commissioners shall decide in
21 favor of the provisional voter as being duly registered to
22 vote. If the statewide voter registration database maintained
23 by the State Board of Elections indicates that the provisional
24 voter is registered to vote, but the county clerk's or board of
25 election commissioners' voter registration database indicates
26 that the provisional voter is not registered to vote, then the

1 information found in the statewide voter registration database
2 shall control the matter and the provisional voter shall be
3 deemed to be registered to vote. If the records of the county
4 clerk or board of election commissioners indicates that the
5 provisional voter is registered to vote, but the statewide
6 voter registration database maintained by the State Board of
7 Elections indicates that the provisional voter is not
8 registered to vote, then the information found in the records
9 of the county clerk or board of election commissioners shall
10 control the matter and the provisional voter shall be deemed to
11 be registered to vote. If the provisional voter's signature on
12 his or her provisional ballot request varies from the signature
13 on an otherwise valid registration application solely because
14 of the substitution of initials for the first or middle name,
15 the election authority may not reject the provisional ballot.

16 (d) In validating the registration status of a person
17 casting a provisional ballot, the county clerk or board of
18 election commissioners shall not require a provisional voter to
19 complete any form other than the affidavit executed by the
20 provisional voter under subsection (b) (2) of Section 18A-5. In
21 addition, the county clerk or board of election commissioners
22 shall not require all provisional voters or any particular
23 class or group of provisional voters to appear personally
24 before the county clerk or board of election commissioners or
25 as a matter of policy require provisional voters to submit
26 additional information to verify or otherwise support the

1 information already submitted by the provisional voter. The
2 provisional voter may, within 2 calendar days after the
3 election, submit additional information to the county clerk or
4 board of election commissioners. This information must be
5 received by the county clerk or board of election commissioners
6 within the 2-calendar-day period.

7 (e) If the county clerk or board of election commissioners
8 determines that subsection (b) (1), (b) (2), or (b) (3) does not
9 apply, then the provisional ballot is not valid and may not be
10 counted. The provisional ballot envelope containing the ballot
11 cast by the provisional voter may not be opened. The county
12 clerk or board of election commissioners shall write on the
13 provisional ballot envelope the following: "Provisional ballot
14 determined invalid."

15 (f) If the county clerk or board of election commissioners
16 determines that a provisional ballot is valid under this
17 Section, then the provisional ballot envelope shall be opened.
18 The outside of each provisional ballot envelope shall also be
19 marked to identify the precinct and the date of the election.

20 (g) Provisional ballots determined to be valid shall be
21 counted at the election authority's central ballot counting
22 location and shall not be counted in precincts. The provisional
23 ballots determined to be valid shall be added to the vote
24 totals for the precincts from which they were cast in the order
25 in which the ballots were opened. The validation and counting
26 of provisional ballots shall be subject to the provisions of

1 this Code that apply to pollwatchers. If the provisional
2 ballots are a ballot of a punch card voting system, then the
3 provisional ballot shall be counted in a manner consistent with
4 Article 24A. If the provisional ballots are a ballot of optical
5 scan or other type of approved electronic voting system, then
6 the provisional ballots shall be counted in a manner consistent
7 with Article 24B.

8 (h) As soon as the ballots have been counted, the election
9 judges or election officials shall, in the presence of the
10 county clerk or board of election commissioners, place each of
11 the following items in a separate envelope or bag: (1) all
12 provisional ballots, voted or spoiled; (2) all provisional
13 ballot envelopes of provisional ballots voted or spoiled; and
14 (3) all executed affidavits of the provisional ballots voted or
15 spoiled. All provisional ballot envelopes for provisional
16 voters who have been determined not to be registered to vote
17 shall remain sealed. The county clerk or board of election
18 commissioners shall treat the provisional ballot envelope
19 containing the written affidavit as a voter registration
20 application for that person for the next election and process
21 that application. The election judges or election officials
22 shall then securely seal each envelope or bag, initial the
23 envelope or bag, and plainly mark on the outside of the
24 envelope or bag in ink the precinct in which the provisional
25 ballots were cast. The election judges or election officials
26 shall then place each sealed envelope or bag into a box, secure

1 and seal it in the same manner as described in item (6) of
2 subsection (b) of Section 18A-5. Each election judge or
3 election official shall take and subscribe an oath before the
4 county clerk or board of election commissioners that the
5 election judge or election official securely kept the ballots
6 and papers in the box, did not permit any person to open the
7 box or otherwise touch or tamper with the ballots and papers in
8 the box, and has no knowledge of any other person opening the
9 box. For purposes of this Section, the term "election official"
10 means the county clerk, a member of the board of election
11 commissioners, as the case may be, and their respective
12 employees.

13 (Source: P.A. 93-574, eff. 8-21-03; 94-645, eff. 8-22-05;
14 94-1000, eff. 7-3-06.)

15 (10 ILCS 5/19-2.1) (from Ch. 46, par. 19-2.1)

16 Sec. 19-2.1. At the consolidated primary, general primary,
17 consolidated, and general elections, electors entitled to vote
18 by absentee ballot under the provisions of Section 19-1 may
19 vote in person at the office of the municipal clerk, if the
20 elector is a resident of a municipality not having a board of
21 election commissioners, or at the office of the township clerk
22 or, in counties not under township organization, at the office
23 of the road district clerk if the elector is not a resident of
24 a municipality; provided, in each case that the municipal,
25 township or road district clerk, as the case may be, is

1 authorized to conduct in-person absentee voting pursuant to
2 this Section. Absentee voting in such municipal and township
3 clerk's offices under this Section shall be conducted from the
4 22nd day through the day before the election.

5 Municipal and township clerks (or road district clerks) who
6 have regularly scheduled working hours at regularly designated
7 offices other than a place of residence and whose offices are
8 open for business during the same hours as the office of the
9 election authority shall conduct in-person absentee voting for
10 said elections. Municipal and township clerks (or road district
11 clerks) who have no regularly scheduled working hours but who
12 have regularly designated offices other than a place of
13 residence shall conduct in-person absentee voting for said
14 elections during the hours of 8:30 a.m. to 4:30 p.m. or 9:00
15 a.m. to 5:00 p.m., weekdays, and 9:00 a.m. to 12:00 noon on
16 Saturdays, but not during such hours as the office of the
17 election authority is closed, unless the clerk files a written
18 waiver with the election authority not later than July 1 of
19 each year stating that he or she is unable to conduct such
20 voting and the reasons therefor. Such clerks who conduct
21 in-person absentee voting may extend their hours for that
22 purpose to include any hours in which the election authority's
23 office is open. Municipal and township clerks (or road district
24 clerks) who have no regularly scheduled office hours and no
25 regularly designated offices other than a place of residence
26 may not conduct in-person absentee voting for said elections.

1 The election authority may devise alternative methods for
2 in-person absentee voting before said elections for those
3 precincts located within the territorial area of a municipality
4 or township (or road district) wherein the clerk of such
5 municipality or township (or road district) has waived or is
6 not entitled to conduct such voting. In addition, electors may
7 vote by absentee ballot under the provisions of Section 19-1 at
8 the office of the election authority having jurisdiction over
9 their residence. Unless specifically authorized by the
10 election authority, municipal, township, and road district
11 clerks shall not conduct in-person absentee voting. No less
12 than 45 days before the date of an election, the election
13 authority shall notify the municipal, township, and road
14 district clerks within its jurisdiction if they are to conduct
15 in-person absentee voting. Election authorities, however, may
16 conduct in-person absentee voting in one or more designated
17 appropriate public buildings from the fourth day before the
18 election through the day before the election.

19 In conducting in-person absentee voting under this
20 Section, the respective clerks shall be required to verify the
21 signature of the absentee voter by comparison with the
22 signature on the official registration record card. The clerk
23 also shall reasonably ascertain the identity of such applicant,
24 shall verify that each such applicant is a registered voter,
25 and shall verify the precinct in which he or she is registered
26 and the proper ballots of the political subdivisions in which

1 the applicant resides and is entitled to vote, prior to
2 providing any absentee ballot to such applicant. The clerk
3 shall verify the applicant's registration and from the most
4 recent poll list provided by the county clerk, and if the
5 applicant is not listed on that poll list then by telephoning
6 the office of the county clerk.

7 Absentee voting procedures in the office of the municipal,
8 township and road district clerks shall be subject to all of
9 the applicable provisions of this Article 19. Pollwatchers may
10 be appointed to observe in-person absentee voting procedures
11 and view all reasonably requested records relating to the
12 conduct of the election, provided the secrecy of the ballot is
13 not impinged, at the office of the municipal, township or road
14 district clerks' offices where such absentee voting is
15 conducted. Such pollwatchers shall qualify and be appointed in
16 the same manner as provided in Sections 7-34 and 17-23, except
17 each candidate, political party or organization of citizens may
18 appoint only one pollwatcher for each location where in-person
19 absentee voting is conducted. Pollwatchers must be registered
20 to vote in Illinois and possess valid pollwatcher credentials.
21 All requirements in this Article applicable to election
22 authorities shall apply to the respective local clerks, except
23 where inconsistent with this Section.

24 The sealed absentee ballots in their carrier envelope shall
25 be delivered by the respective clerks, or by the election
26 authority on behalf of a clerk if the clerk and the election

1 authority agree, to the election authority's central ballot
2 counting location before the close of the polls on the day of
3 the general primary, consolidated primary, consolidated, or
4 general election.

5 Not more than 23 days before the general and consolidated
6 elections, the county clerk shall make available to those
7 municipal, township and road district clerks conducting
8 in-person absentee voting within such county, a sufficient
9 number of applications, absentee ballots, envelopes, and
10 printed voting instruction slips for use by absentee voters in
11 the offices of such clerks. The respective clerks shall receipt
12 for all ballots received, shall return all unused or spoiled
13 ballots to the county clerk on the day of the election and
14 shall strictly account for all ballots received.

15 The ballots delivered to the respective clerks shall
16 include absentee ballots for each precinct in the municipality,
17 township or road district, or shall include such separate
18 ballots for each political subdivision conducting an election
19 of officers or a referendum on that election day as will permit
20 any resident of the municipality, township or road district to
21 vote absentee in the office of the proper clerk.

22 The clerks of all municipalities, townships and road
23 districts may distribute applications for absentee ballot for
24 the use of voters who wish to mail such applications to the
25 appropriate election authority. Any person may produce,
26 reproduce, distribute, or return to an election authority the

1 application for absentee ballot. Upon receipt, the appropriate
2 election authority shall accept and promptly process any
3 application for absentee ballot.

4 (Source: P.A. 96-1008, eff. 7-6-10.)

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

6 Sec. 19-3. The application for absentee ballot shall be
7 substantially in the following form:

8 APPLICATION FOR ABSENTEE BALLOT

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

12 I state that I am a resident of the precinct of the
13 (1) *township of (2) *City of or (3) *.... ward in
14 the city of residing at in such city or town in the
15 county of and State of Illinois; that I have lived at such
16 address for month(s) last past; that I am lawfully
17 entitled to vote in such precinct at the election to be
18 held therein on; and that I wish to vote by absentee
19 ballot.

20 I hereby make application for an official ballot or ballots
21 to be voted by me at such election, and I agree that I shall
22 return such ballot or ballots to the official issuing the same
23 prior to the closing of the polls on the date of the election
24 or, if returned by mail, postmarked no later than midnight
25 preceding election day, for counting no later than during the

1 period for counting provisional ballots, the last day of which
2 is the 14th day following election day.

3 I understand that this application is made for an official
4 absentee ballot or ballots to be voted by me at the election
5 specified in this application and that I must submit a separate
6 application for an official absentee ballot or ballots to be
7 voted by me at any subsequent 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 However, if application is made for a primary election
16 ballot, such application shall require the applicant to
17 designate the name of the political party with which the
18 applicant is affiliated.

19 Any person may produce, reproduce, distribute, or return to
20 an election authority the application for absentee ballot. Upon
21 receipt, the appropriate election authority shall accept and
22 promptly process any application for absentee ballot submitted
23 in a form substantially similar to that required by this
24 Section, including any substantially similar production or
25 reproduction generated by the applicant.

26 (Source: P.A. 95-440, eff. 8-27-07; 96-312, eff. 1-1-10;

1 96-553, eff. 8-17-09; 96-1000, eff. 7-2-10; 96-1008, eff.
2 7-6-10.)

3 (10 ILCS 5/19A-15)

4 Sec. 19A-15. Period for early voting; hours.

5 (a) The period for early voting by personal appearance
6 begins the 15th ~~22nd~~ day preceding a general primary,
7 consolidated primary, consolidated, or general election and
8 extends through the 3rd ~~5th~~ day before election day.

9 (b) A permanent polling place for early voting must remain
10 open during the hours of 8:30 a.m. to 4:30 p.m., or 9:00 a.m.
11 to 5:00 p.m., on weekdays and 9:00 a.m. to 12:00 p.m. on
12 Saturdays, Sundays, and holidays; except that, in addition to
13 the hours required by this subsection, a permanent early voting
14 polling place designated by an election authority under
15 subsection (c) of Section 19A-10 must remain open for a total
16 of at least 8 hours on any holiday during the early voting
17 period and a total of at least 14 hours on the final weekend
18 during the early voting period.

19 (c) Notwithstanding subsections (a) and (b), an election
20 authority may close an early voting polling place if the
21 building in which the polling place is located has been closed
22 by the State or unit of local government in response to a
23 severe weather emergency. In the event of a closure, the
24 election authority shall conduct early voting on the 2nd day
25 before election day from 8:30 a.m. to 4:30 p.m. or 9:00 a.m. to

1 5:00 p.m. The election authority shall notify the State Board
2 of Elections of any closure and shall make reasonable efforts
3 to provide notice to the public of the extended early voting
4 period.

5 (Source: P.A. 96-637, eff. 1-1-10; 97-81, eff. 7-5-11.)

6 (10 ILCS 5/24C-12)

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

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

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

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

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

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

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

1 equipment for reentry of ballots unless provided the proper
2 code from an authorized representative of the election
3 authority.

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

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

1 information from the copy which has been posted.

2 Until December 31, 2015 ~~2011~~, in elections at which
3 fractional cumulative votes are cast for candidates, the
4 tabulation of those fractional cumulative votes may be made by
5 the election authority at its central office location, and 4
6 copies of a "Certificate of Results" shall be printed by the
7 automatic tabulation equipment and shall be posted in 4
8 conspicuous places at the central office location where those
9 fractional cumulative votes have been tabulated.

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

14 The precinct judges of election shall select a bi-partisan
15 team of 2 judges, who shall immediately return the ballots in a
16 sealed container, along with all other election materials and
17 equipment as instructed by the election authority; provided,
18 however, that such container must first be sealed by the
19 election judges with filament tape or other approved sealing
20 devices provided for the purpose in a manner that the ballots
21 cannot be removed from the container without breaking the seal
22 or filament tape and disturbing any signatures affixed by the
23 election judges to the container. The election authority shall
24 keep the office of the election authority, or any receiving
25 stations designated by the authority, open for at least 12
26 consecutive hours after the polls close or until the ballots

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

17 (Source: P.A. 95-699, eff. 11-9-07; 96-1549, eff. 3-10-11.)

18 Section 99. Effective date. This Act takes effect July 1,
19 2012.".