

1 AN ACT concerning elections.

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

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

9 (10 ILCS 5/1-11 new)

10 Sec. 1-11. Public university voting. For the 2012 general
11 election, each appropriate election authority shall, in
12 addition to the early voting conducted at locations otherwise
13 required by law, conduct early voting in a high traffic
14 location on the campus of a public university within the
15 election authority's jurisdiction. For the purposes of this
16 Section, "public university" means the University of Illinois
17 at its campuses in Urbana-Champaign and Springfield, Southern
18 Illinois University at its campuses in Carbondale and
19 Edwardsville, Eastern Illinois University, Illinois State
20 University, Northern Illinois University, and Western Illinois
21 University at its campuses in Macomb and Moline. The voting
22 required by this Section to be conducted on campus must be
23 conducted as otherwise required by Article 19A of this Code. If

1 an election authority has voting equipment that can accommodate
2 a ballot in every form required in the election authority's
3 jurisdiction, then the election authority shall extend early
4 voting under this Section to any registered voter in the
5 election authority's jurisdiction. However, if the election
6 authority does not have voting equipment that can accommodate a
7 ballot in every form required in the election authority's
8 jurisdiction, then the election authority may limit early
9 voting under this Section to registered voters in precincts
10 where the public university is located and precincts bordering
11 the university. Each public university shall make the space
12 available in a high traffic area for, and cooperate and
13 coordinate with the appropriate election authority in, the
14 implementation of this Section. This Section is repealed on May
15 31, 2013.

16 (10 ILCS 5/4-50)

17 Sec. 4-50. Grace period. Notwithstanding any other
18 provision of this Code to the contrary, each election authority
19 shall establish procedures for the registration of voters and
20 for change of address during the period from the close of
21 registration for a primary or election and until the 3rd ~~7th~~
22 day before the primary or election. During this grace period,
23 an unregistered qualified elector may register to vote, and a
24 registered voter may submit a change of address form, in person
25 in the office of the election authority or at a voter

1 registration location specifically designated for this purpose
2 by the election authority. The election authority shall
3 register that individual, or change a registered voter's
4 address, in the same manner as otherwise provided by this
5 Article for registration and change of address.

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

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

26 A person who casts a grace period ballot shall not be

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

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

11 (10 ILCS 5/5-50)

12 Sec. 5-50. Grace period. Notwithstanding any other
13 provision of this Code to the contrary, each election authority
14 shall establish procedures for the registration of voters and
15 for change of address during the period from the close of
16 registration for a primary or election and until the 3rd ~~7th~~
17 day before the primary or election. During this grace period,
18 an unregistered qualified elector may register to vote, and a
19 registered voter may submit a change of address form, in person
20 in the office of the election authority or at a voter
21 registration location specifically designated for this purpose
22 by the election authority. The election authority shall
23 register that individual, or change a registered voter's
24 address, in the same manner as otherwise provided by this
25 Article for registration and change of address.

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

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

21 A person who casts a grace period ballot shall not be
22 permitted to revoke that ballot and vote another ballot with
23 respect to that primary or election. Ballots cast by persons
24 who register or change address during the grace period must be
25 transmitted to and counted at the election authority's central
26 ballot counting location and shall not be transmitted to and

1 counted at precinct polling places. The grace period ballots
2 determined to be valid shall be added to the vote totals for
3 the precincts for which they were cast in the order in which
4 the ballots were opened.

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

6 (10 ILCS 5/6-100)

7 Sec. 6-100. Grace period. Notwithstanding any other
8 provision of this Code to the contrary, each election authority
9 shall establish procedures for the registration of voters and
10 for change of address during the period from the close of
11 registration for a primary or election and until the 3rd ~~7th~~
12 day before the primary or election. During this grace period,
13 an unregistered qualified elector may register to vote, and a
14 registered voter may submit a change of address form, in person
15 in the office of the election authority or at a voter
16 registration location specifically designated for this purpose
17 by the election authority. The election authority shall
18 register that individual, or change a registered voter's
19 address, in the same manner as otherwise provided by this
20 Article for registration and change of address.

21 If a voter who registers or changes address during this
22 grace period wishes to vote at the first election or primary
23 occurring after the grace period, he or she must do so by grace
24 period voting, either in person in the office of the election
25 authority or at a location specifically designated for this

1 purpose by the election authority, or by mail, at the
2 discretion of the election authority. Grace period voting shall
3 be in a manner substantially similar to voting under Article
4 19.

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

16 A person who casts a grace period ballot shall not be
17 permitted to revoke that ballot and vote another ballot with
18 respect to that primary or election. Ballots cast by persons
19 who register or change address during the grace period must be
20 transmitted to and counted at the election authority's central
21 ballot counting location and shall not be transmitted to and
22 counted at precinct polling places. The grace period ballots
23 determined to be valid shall be added to the vote totals for
24 the precincts for which they were cast in the order in which
25 the ballots were opened.

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

1 (10 ILCS 5/9-1.8) (from Ch. 46, par. 9-1.8)

2 Sec. 9-1.8. Political committees.

3 (a) "Political committee" includes a candidate political
4 committee, a political party committee, a political action
5 committee, ~~and~~ a ballot initiative committee, and an
6 independent expenditure committee.

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

13 (c) "Political party committee" means the State central
14 committee of a political party, a county central committee of a
15 political party, a legislative caucus committee, or a committee
16 formed by a ward or township committeeman of a political party.
17 For purposes of this Article, a "legislative caucus committee"
18 means a committee established for the purpose of electing
19 candidates to the General Assembly by the person elected
20 President of the Senate, Minority Leader of the Senate, Speaker
21 of the House of Representatives, Minority Leader of the House
22 of Representatives, or a committee established by 5 or more
23 members of the same caucus of the Senate or 10 or more members
24 of the same caucus of the House of Representatives.

25 (d) "Political action committee" means any natural person,

1 trust, partnership, committee, association, corporation, or
2 other organization or group of persons, other than a candidate,
3 political party, candidate political committee, or political
4 party committee, that accepts contributions or makes
5 expenditures during any 12-month period in an aggregate amount
6 exceeding \$3,000 on behalf of or in opposition to a candidate
7 or candidates for public office. "Political action committee"
8 includes any natural person, trust, partnership, committee,
9 association, corporation, or other organization or group of
10 persons, other than a candidate, political party, candidate
11 political committee, or political party committee, that makes
12 electioneering communications during any 12-month period in an
13 aggregate amount exceeding \$3,000 related to any candidate or
14 candidates for public office.

15 (e) "Ballot initiative committee" means any natural
16 person, trust, partnership, committee, association,
17 corporation, or other organization or group of persons that
18 accepts contributions or makes expenditures during any
19 12-month period in an aggregate amount exceeding \$3,000 in
20 support of or in opposition to any question of public policy to
21 be submitted to the electors. "Ballot initiative committee"
22 includes any natural person, trust, partnership, committee,
23 association, corporation, or other organization or group of
24 persons that makes electioneering communications during any
25 12-month period in an aggregate amount exceeding \$3,000 related
26 to any question of public policy to be submitted to the voters.

1 The \$3,000 threshold applies to any contributions or
2 expenditures received or made with the purpose of securing a
3 place on the ballot for, advocating the defeat or passage of,
4 or engaging in electioneering communication regarding the
5 question of public policy, regardless of the method of
6 initiation of the question of public policy and regardless of
7 whether petitions have been circulated or filed with the
8 appropriate office or whether the question has been adopted and
9 certified by the governing body.

10 (f) "Independent expenditure committee" means any trust,
11 partnership, committee, association, corporation, or other
12 organization or group of persons formed for the exclusive
13 purpose of making independent expenditures during any 12-month
14 period in an aggregate amount exceeding \$3,000 in support of or
15 in opposition to (i) the nomination for election, election,
16 retention, or defeat of any public official or candidate or
17 (ii) any question of public policy to be submitted to the
18 electors. "Independent expenditure committee" also includes
19 any trust, partnership, committee, association, corporation,
20 or other organization or group of persons that makes
21 electioneering communications that are not made in connection,
22 consultation, or concert with or at the request or suggestion
23 of a public official or candidate, a public official's or
24 candidate's designated political committee or campaign, or an
25 agent or agents of the public official, candidate, or political
26 committee or campaign during any 12-month period in an

1 aggregate amount exceeding \$3,000 related to (i) the nomination
2 for election, election, retention, or defeat of any public
3 official or candidate or (ii) any question of public policy to
4 be submitted to the voters.

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

6 (10 ILCS 5/9-1.9) (from Ch. 46, par. 9-1.9)

7 Sec. 9-1.9. Election cycle. "Election cycle" means any of
8 the following:

9 (1) For a candidate political committee organized to
10 support a candidate to be elected at a general primary election
11 or general election, (i) the period beginning January 1
12 following the general election for the office to which a
13 candidate seeks nomination or election and ending on the day of
14 the general primary election for that office or (ii) the period
15 beginning the day after a general primary election for the
16 office to which the candidate seeks nomination or election and
17 through December 31 following the general election.

18 (2) Notwithstanding paragraph (1), for a candidate
19 political committee organized to support a candidate for the
20 General Assembly, (i) the period beginning January 1 following
21 a general election and ending on the day of the next general
22 primary election or (ii) the period beginning the day after the
23 general primary election and ending on December 31 following a
24 general election.

25 (3) For a candidate political committee organized to

1 support a candidate for a retention election, (i) the period
2 beginning January 1 following the general election at which the
3 candidate was elected through the day the candidate files a
4 declaration of intent to seek retention or (ii) the period
5 beginning the day after the candidate files a declaration of
6 intent to seek retention through December 31 following the
7 retention election.

8 (4) For a candidate political committee organized to
9 support a candidate to be elected at a consolidated primary
10 election or consolidated election, (i) the period beginning
11 July 1 following a consolidated election and ending on the day
12 of the consolidated primary election or (ii) the period
13 beginning the day after the consolidated primary election and
14 ending on June 30 following a consolidated election.

15 (5) For a political party committee, political action
16 committee, ~~or~~ ballot initiative committee, or independent
17 expenditure committee, the period beginning on January 1 and
18 ending on December 31 of each calendar year.

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

20 (10 ILCS 5/9-1.15)

21 Sec. 9-1.15. Independent expenditure. "Independent
22 expenditure" means any payment, gift, donation, or expenditure
23 of funds (i) by a natural person or political committee for the
24 purpose of making electioneering communications or of
25 expressly advocating for or against the nomination for

1 election, election, retention, or defeat of a clearly
2 identifiable public official or candidate or for or against any
3 question of public policy to be submitted to the voters and
4 (ii) that is not made in connection, consultation, or concert
5 with or at the request or suggestion of the public official or
6 candidate, the public official's or candidate's designated
7 political committee or campaign, or the agent or agents of the
8 public official, candidate, or political committee or
9 campaign.

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

11 (10 ILCS 5/9-2) (from Ch. 46, par. 9-2)

12 Sec. 9-2. Political committee designations.

13 (a) Every political committee shall be designated as a (i)
14 candidate political committee, (ii) political party committee,
15 (iii) political action committee, ~~or~~ (iv) ballot initiative
16 committee, or (v) independent expenditure committee.

17 (b) Beginning January 1, 2011, no public official or
18 candidate for public office may maintain or establish more than
19 one candidate political committee for each office that public
20 official or candidate holds or is seeking. The name of each
21 candidate political committee shall identify the name of the
22 public official or candidate supported by the candidate
23 political committee. If a candidate establishes separate
24 candidate political committees for each public office, the name
25 of each candidate political committee shall also include the

1 public office to which the candidate seeks nomination for
2 election, election, or retention. If a candidate establishes
3 one candidate political committee for multiple offices elected
4 at different elections, then the candidate shall designate an
5 election cycle, as defined in Section 9-1.9, for purposes of
6 contribution limitations and reporting requirements set forth
7 in this Article. No political committee, other than a candidate
8 political committee, may include the name of a candidate in its
9 name.

10 (c) Beginning January 1, 2011, no State central committee
11 of a political party, county central committee of a political
12 party, committee formed by a ward or township committeeman, or
13 committee established for the purpose of electing candidates to
14 the General Assembly may maintain or establish more than one
15 political party committee. The name of the committee must
16 include the name of the political party.

17 (d) Beginning January 1, 2011, no natural person, trust,
18 partnership, committee, association, corporation, or other
19 organization or group of persons forming a political action
20 committee shall maintain or establish more than one political
21 action committee. The name of a political action committee must
22 include the name of the entity forming the committee. This
23 subsection does not apply to independent expenditure
24 committees.

25 (e) Beginning January 1, 2011, the name of a ballot
26 initiative committee must include words describing the

1 question of public policy and whether the group supports or
2 opposes the question.

3 (f) Every political committee shall designate a chairman
4 and a treasurer. The same person may serve as both chairman and
5 treasurer of any political committee. A candidate who
6 administers his own campaign contributions and expenditures
7 shall be deemed a political committee for purposes of this
8 Article and shall designate himself as chairman, treasurer, or
9 both chairman and treasurer of such political committee. The
10 treasurer of a political committee shall be responsible for
11 keeping the records and filing the statements and reports
12 required by this Article.

13 (g) No contribution and no expenditure shall be accepted or
14 made by or on behalf of a political committee at a time when
15 there is a vacancy in the office of chairman or treasurer
16 thereof. No expenditure shall be made for or on behalf of a
17 political committee without the authorization of its chairman
18 or treasurer, or their designated agents.

19 (h) For purposes of implementing the changes made by this
20 amendatory Act of the 96th General Assembly, every political
21 committee in existence on the effective date of this amendatory
22 Act of the 96th General Assembly shall make the designation
23 required by this Section by December 31, 2010.

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

25 (10 ILCS 5/9-3) (from Ch. 46, par. 9-3)

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

2 (a) Every political committee shall file with the State
3 Board of Elections a statement of organization within 10
4 business days of the creation of such committee, except any
5 political committee created within the 30 days before an
6 election shall file a statement of organization within 2
7 business days in person, by facsimile transmission, or by
8 electronic mail. Any change in information previously
9 submitted in a statement of organization shall be reported, as
10 required for the original statement of organization by this
11 Section, within 10 days following that change. A political
12 committee that acts as both a state political committee and a
13 local political committee shall file a copy of each statement
14 of organization with the State Board of Elections and the
15 county clerk. The Board shall impose a civil penalty of \$50 per
16 business day upon political committees for failing to file or
17 late filing of a statement of organization. Such penalties
18 shall not exceed \$5,000, and shall not exceed \$10,000 for
19 statewide office political committees. There shall be no fine
20 if the statement is mailed and postmarked at least 72 hours
21 prior to the filing deadline.

22 In addition to the civil penalties authorized by this
23 Section, the State Board of Elections or any other political
24 committee may apply to the circuit court for a temporary
25 restraining order or a preliminary or permanent injunction
26 against the political committee to cease the expenditure of

1 funds and to cease operations until the statement of
2 organization is filed.

3 For the purpose of this Section, "statewide office" means
4 the Governor, Lieutenant Governor, Secretary of State,
5 Attorney General, State Treasurer, and State Comptroller.

6 (b) The statement of organization shall include:

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

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

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

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

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

17 (6) a statement of what specific disposition of
18 residual fund will be made in the event of the dissolution
19 or termination of the committee;

20 (7) a listing of all banks or other financial
21 institutions, safety deposit boxes, and any other
22 repositories or custodians of funds used by the committee;
23 and

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

1 For purposes of this Section, a "sponsoring entity" is (i)
 2 any person, organization, corporation, or association that
 3 contributes at least 33% of the total funding of the political
 4 committee or (ii) any person or other entity that is registered
 5 or is required to register under the Lobbyist Registration Act
 6 and contributes at least 33% of the total funding of the
 7 political committee.

8 (c) Each statement of organization required to be filed in
 9 accordance with this Section shall be verified, dated, and
 10 signed by either the treasurer of the political committee
 11 making the statement or the candidate on whose behalf the
 12 statement is made and shall contain substantially the following
 13 verification:

14 "VERIFICATION:

15 I declare that this statement of organization (including
 16 any accompanying schedules and statements) has been examined by
 17 me and, to the best of my knowledge and belief, is a true,
 18 correct, and complete statement of organization as required by
 19 Article 9 of the Election Code. I understand that willfully
 20 filing a false or incomplete statement is subject to a civil
 21 penalty of at least \$1,001 and up to \$5,000.

22
 23 (date of filing) (signature of person making the statement)".

24 (d) The statement of organization for a ballot initiative
 25 committee also shall include a verification signed by the
 26 chairperson of the committee that (i) the committee is formed

1 for the purpose of supporting or opposing a question of public
2 policy, (ii) all contributions and expenditures of the
3 committee will be used for the purpose described in the
4 statement of organization, (iii) the committee may accept
5 unlimited contributions from any source, provided that the
6 ballot initiative committee does not make contributions or
7 expenditures in support of or opposition to a candidate or
8 candidates for nomination for election, election, or
9 retention, and (iv) failure to abide by these requirements
10 shall deem the committee in violation of this Article.

11 (d-5) The statement of organization for an independent
12 expenditure committee also shall include a verification signed
13 by the chairperson of the committee that (i) the committee is
14 formed for the exclusive purpose of making independent
15 expenditures, (ii) all contributions and expenditures of the
16 committee will be used for the purpose described in the
17 statement of organization, (iii) the committee may accept
18 unlimited contributions from any source, provided that the
19 independent expenditure committee does not make contributions
20 to any candidate political committee, political party
21 committee, or political action committee, and (iv) failure to
22 abide by these requirements shall deem the committee in
23 violation of this Article.

24 (e) For purposes of implementing the changes made by this
25 amendatory Act of the 96th General Assembly, every political
26 committee in existence on the effective date of this amendatory

1 Act of the 96th General Assembly shall file the statement
2 required by this Section with the Board by December 31, 2010.

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

4 (10 ILCS 5/9-7) (from Ch. 46, par. 9-7)

5 Sec. 9-7. Records and accounts.

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

9 (a) the total of all contributions made to or for the
10 committee;

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

13 (c) the total of all expenditures made by or on behalf
14 of the committee;

15 (d) the full name and mailing address of every person
16 to whom any expenditure is made, and the date and amount
17 thereof;

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

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

22 (2) The treasurer of a political committee shall keep a
23 detailed and exact account of the total amount of contributions
24 made to or for a committee at an event licensed under Section
25 8.1 of the Raffles Act. For an event licensed under Section

1 8.1, the treasurer is not required to keep a detailed and exact
2 account of the full name and mailing address of a person who
3 purchases tickets at the event in an amount that does not
4 exceed \$150.

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

6 (10 ILCS 5/9-8.5)

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

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

10 (b) During an election cycle, a candidate political
11 committee may not accept contributions with an aggregate value
12 over the following: (i) \$5,000 from any individual, (ii)
13 \$10,000 from any corporation, labor organization, or
14 association, or (iii) \$50,000 from a candidate political
15 committee or political action committee. A candidate political
16 committee may accept contributions in any amount from a
17 political party committee except during an election cycle in
18 which the candidate seeks nomination at a primary election.
19 During an election cycle in which the candidate seeks
20 nomination at a primary election, a candidate political
21 committee may not accept contributions from political party
22 committees with an aggregate value over the following: (i)
23 \$200,000 for a candidate political committee established to
24 support a candidate seeking nomination to statewide office,
25 (ii) \$125,000 for a candidate political committee established

1 to support a candidate seeking nomination to the Senate, the
2 Supreme Court or Appellate Court in the First Judicial
3 District, or an office elected by all voters in a county with
4 1,000,000 or more residents, (iii) \$75,000 for a candidate
5 political committee established to support a candidate seeking
6 nomination to the House of Representatives, the Supreme Court
7 or Appellate Court for a Judicial District other than the First
8 Judicial District, an office elected by all voters of a county
9 of fewer than 1,000,000 residents, and municipal and county
10 offices in Cook County other than those elected by all voters
11 of Cook County, and (iv) \$50,000 for a candidate political
12 committee established to support the nomination of a candidate
13 to any other office. A candidate political committee
14 established to elect a candidate to the General Assembly may
15 accept contributions from only one legislative caucus
16 committee. A candidate political committee may not accept
17 contributions from a ballot initiative committee or from an
18 independent expenditure committee.

19 (c) During an election cycle, a political party committee
20 may not accept contributions with an aggregate value over the
21 following: (i) \$10,000 from any individual, (ii) \$20,000 from
22 any corporation, labor organization, or association, or (iii)
23 \$50,000 from a political action committee. A political party
24 committee may accept contributions in any amount from another
25 political party committee or a candidate political committee,
26 except as provided in subsection (c-5). Nothing in this Section

1 shall limit the amounts that may be transferred between a ~~State~~
2 political party committee established under subsection (a) of
3 Section 7-8 of this Code and an affiliated federal political
4 committee established under the Federal Election Code by the
5 same political party. A political party committee may not
6 accept contributions from a ballot initiative committee or from
7 an independent expenditure committee. A political party
8 committee established by a legislative caucus may not accept
9 contributions from another political party committee
10 established by a legislative caucus.

11 (c-5) During the period beginning on the date candidates
12 may begin circulating petitions for a primary election and
13 ending on the day of the primary election, a political party
14 committee may not accept contributions with an aggregate value
15 over \$50,000 from a candidate political committee or political
16 party committee. A political party committee may accept
17 contributions in any amount from a candidate political
18 committee or political party committee if the political party
19 committee receiving the contribution filed a statement of
20 nonparticipation in the primary as provided in subsection
21 (c-10). The Task Force on Campaign Finance Reform shall study
22 and make recommendations on the provisions of this subsection
23 to the Governor and General Assembly by September 30, 2012.
24 This subsection becomes inoperative on July 1, 2013 and
25 thereafter no longer applies.

26 (c-10) A political party committee that does not intend to

1 make contributions to candidates to be nominated at a general
2 primary election or consolidated primary election may file a
3 Statement of Nonparticipation in a Primary Election with the
4 Board. The Statement of Nonparticipation shall include a
5 verification signed by the chairperson and treasurer of the
6 committee that (i) the committee will not make contributions or
7 coordinated expenditures in support of or opposition to a
8 candidate or candidates to be nominated at the general primary
9 election or consolidated primary election (select one) to be
10 held on (insert date), (ii) the political party committee may
11 accept unlimited contributions from candidate political
12 committees and political party committees, provided that the
13 political party committee does not make contributions to a
14 candidate or candidates to be nominated at the primary
15 election, and (iii) failure to abide by these requirements
16 shall deem the political party committee in violation of this
17 Article and subject the committee to a fine of no more than
18 150% of the total contributions or coordinated expenditures
19 made by the committee in violation of this Article. This
20 subsection becomes inoperative on July 1, 2013 and thereafter
21 no longer applies.

22 (d) During an election cycle, a political action committee
23 may not accept contributions with an aggregate value over the
24 following: (i) \$10,000 from any individual, (ii) \$20,000 from
25 any corporation, labor organization, political party
26 committee, or association, or (iii) \$50,000 from a political

1 action committee or candidate political committee. A political
2 action committee may not accept contributions from a ballot
3 initiative committee or from an independent expenditure
4 committee.

5 (e) A ballot initiative committee may accept contributions
6 in any amount from any source, provided that the committee
7 files the document required by Section 9-3 of this Article and
8 files the disclosure reports required by the provisions of this
9 Article.

10 (e-5) An independent expenditure committee may accept
11 contributions in any amount from any source, provided that the
12 committee files the document required by Section 9-3 of this
13 Article and files the disclosure reports required by the
14 provisions of this Article.

15 (f) Nothing in this Section shall prohibit a political
16 committee from dividing the proceeds of joint fundraising
17 efforts; provided that no political committee may receive more
18 than the limit from any one contributor, and provided that an
19 independent expenditure committee may not conduct joint
20 fundraising efforts with a candidate political committee or a
21 political party committee.

22 (g) On January 1 of each odd-numbered year, the State Board
23 of Elections shall adjust the amounts of the contribution
24 limitations established in this Section for inflation as
25 determined by the Consumer Price Index for All Urban Consumers
26 as issued by the United States Department of Labor and rounded

1 to the nearest \$100. The State Board shall publish this
2 information on its official website.

3 (h) Self-funding candidates. If a public official, a
4 candidate, or the public official's or candidate's immediate
5 family contributes or loans to the public official's or
6 candidate's political committee or to other political
7 committees that transfer funds to the public official's or
8 candidate's political committee or makes independent
9 expenditures for the benefit of the public official's or
10 candidate's campaign during the 12 months prior to an election
11 in an aggregate amount of more than (i) \$250,000 for statewide
12 office or (ii) \$100,000 for all other elective offices, then
13 the public official or candidate shall file with the State
14 Board of Elections, within one day, a Notification of
15 Self-funding that shall detail each contribution or loan made
16 by the public official, the candidate, or the public official's
17 or candidate's immediate family. Within 2 business days after
18 the filing of a Notification of Self-funding, the notification
19 shall be posted on the Board's website and the Board shall give
20 official notice of the filing to each candidate for the same
21 office as the public official or candidate making the filing,
22 including the public official or candidate filing the
23 Notification of Self-funding. Upon receiving notice from the
24 Board, all candidates for that office, including the public
25 official or candidate who filed a Notification of Self-funding,
26 shall be permitted to accept contributions in excess of any

1 contribution limits imposed by subsection (b). For the purposes
2 of this subsection, "immediate family" means the spouse,
3 parent, or child of a public official or candidate.

4 (h-5) If a natural person or independent expenditure
5 committee makes independent expenditures in support of or in
6 opposition to the campaign of a particular public official or
7 candidate in an aggregate amount of more than (i) \$250,000 for
8 statewide office or (ii) \$100,000 for all other elective
9 offices in an election cycle, as reported in a written
10 disclosure filed under subsection (a) of Section 9-8.6 or
11 subsection (e-5) of Section 9-10, then the State Board of
12 Elections shall, within 2 business days after the filing of the
13 disclosure, post the disclosure on the Board's website and give
14 official notice of the disclosure to each candidate for the
15 same office as the public official or candidate for whose
16 benefit the natural person or independent expenditure
17 committee made independent expenditures. Upon receiving notice
18 from the Board, all candidates for that office in that
19 election, including the public official or candidate for whose
20 benefit the natural person or independent expenditure
21 committee made independent expenditures, shall be permitted to
22 accept contributions in excess of any contribution limits
23 imposed by subsection (b). The Campaign Finance Task Force
24 shall submit a report to the Governor and General Assembly no
25 later than February 1, 2013. The report shall examine and make
26 recommendations regarding the provisions in this subsection

1 including, but not limited to, case law concerning independent
2 expenditures, the manner in which independent expenditures are
3 handled in the other states and at the federal level,
4 independent expenditures made in Illinois during the 2012
5 general primary and, separately, the 2012 general election, and
6 independent expenditures made at the federal level during the
7 2012 general election. The Task Force shall conduct at least 2
8 public hearings regarding independent expenditures.

9 (i) For the purposes of this Section, a corporation, labor
10 organization, association, or a political action committee
11 established by a corporation, labor organization, or
12 association may act as a conduit in facilitating the delivery
13 to a political action committee of contributions made through
14 dues, levies, or similar assessments and the political action
15 committee may report the contributions in the aggregate,
16 provided that: (i) contributions made through ~~the~~ dues, levies,
17 or similar assessments paid by any natural person, corporation,
18 labor organization, or association in a calendar year may not
19 exceed the limits set forth in this Section; ~~and~~ (ii) the
20 corporation, labor organization, association, or a political
21 action committee established by a corporation, labor
22 organization, or association facilitating the delivery of
23 contributions maintains a list of natural persons,
24 corporations, labor organizations, and associations that paid
25 the dues, levies, or similar assessments from which the
26 contributions comprising the aggregate amount derive; and

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

18 (j) A political committee that receives a contribution or
19 transfer in violation of this Section shall dispose of the
20 contribution or transfer by returning the contribution or
21 transfer, or an amount equal to the contribution or transfer,
22 to the contributor or transferor or donating the contribution
23 or transfer, or an amount equal to the contribution or
24 transfer, to a charity. A contribution or transfer received in
25 violation of this Section that is not disposed of as provided
26 in this subsection within 30 ~~15~~ days after the Board sends

1 notification to the political committee of the excess
2 contribution by certified mail ~~its receipt~~ shall escheat to the
3 General Revenue Fund and the political committee shall be
4 deemed in violation of this Section and subject to a civil
5 penalty not to exceed 150% of the total amount of the
6 contribution.

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

10 (l) This Section is repealed if and when the United States
11 Supreme Court invalidates contribution limits on committees
12 formed to assist candidates, political parties, corporations,
13 associations, or labor organizations established by or
14 pursuant to federal law.

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

16 (10 ILCS 5/9-8.6)

17 Sec. 9-8.6. Independent expenditures.

18 (a) An independent expenditure is not considered a
19 contribution to a political committee. An expenditure made by a
20 natural person or political committee for an electioneering
21 communication in connection, consultation, or concert with or
22 at the request or suggestion of the public official or
23 candidate, the public official's or candidate's candidate
24 political committee, or the agent or agents of the public
25 official, candidate, or political committee or campaign shall

1 not be considered an independent expenditure but rather shall
2 be considered a contribution to the public official's or
3 candidate's candidate political committee.

4 A natural person who makes an independent expenditure
5 supporting or opposing a public official or candidate that,
6 alone or in combination with any other independent expenditure
7 made by that natural person supporting or opposing that public
8 official or candidate during any 12-month period, equals an
9 aggregate value of at least \$3,000 must file a written
10 disclosure with the State Board of Elections within 2 business
11 days after making any expenditure that results in the natural
12 person meeting or exceeding the \$3,000 threshold. A natural
13 person who has made a written disclosure with the State Board
14 of Elections shall have a continuing obligation to report
15 further expenditures in relation to the same election, in
16 \$1,000 increments, to the State Board until the conclusion of
17 that election. A natural person who makes an independent
18 expenditure supporting or opposing a public official or
19 candidate that, alone or in combination with any other
20 independent expenditure made by that natural person supporting
21 or opposing that public official or candidate during the
22 election cycle, equals an aggregate value of more than (i)
23 \$250,000 for statewide office or (ii) \$100,000 for all other
24 elective offices must file a written disclosure with the State
25 Board of Elections within 2 business days after making any
26 expenditure that results in the natural person exceeding the

1 applicable threshold. Each disclosure must identify the
2 natural person, the public official or candidate supported or
3 opposed, the date, amount, and nature of each independent
4 expenditure, and the natural person's occupation and employer.

5 (b) Any entity other than a natural person that makes
6 expenditures of any kind in an aggregate amount exceeding
7 \$3,000 during any 12-month period supporting or opposing a
8 public official or candidate must organize as a political
9 committee in accordance with this Article.

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

13 (d) In the event that a political committee organized as an
14 independent expenditure committee makes a contribution to any
15 other political committee other than another independent
16 expenditure committee or a ballot initiative committee, the
17 State Board shall assess a fine equal to the amount of any
18 contribution received in the preceding 2 years by the
19 independent expenditure committee that exceeded the limits for
20 a political action committee set forth in subsection (d) of
21 Section 9-8.5.

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

23 (10 ILCS 5/9-10) (from Ch. 46, par. 9-10)

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

25 (a) The treasurer of every political committee shall file

1 with the Board reports of campaign contributions and
2 expenditures as required by this Section on forms to be
3 prescribed or approved by the Board.

4 (b) Every political committee shall file quarterly reports
5 of campaign contributions, expenditures, and independent
6 expenditures. The reports shall cover the period January 1
7 through March 31, April 1 through June 30, July 1 through
8 September 30, and October 1 through December 31 of each year. A
9 political committee shall file quarterly reports no later than
10 the 15th day of the month following each period. Reports of
11 contributions and expenditures must be filed to cover the
12 prescribed time periods even though no contributions or
13 expenditures may have been received or made during the period.
14 The Board shall assess a civil penalty not to exceed \$5,000 for
15 failure to file a report required by this subsection. The fine,
16 however, shall not exceed \$1,000 for a first violation if the
17 committee files less than 10 days after the deadline. There
18 shall be no fine if the report is mailed and postmarked at
19 least 72 hours prior to the filing deadline. When considering
20 the amount of the fine to be imposed, the Board shall consider
21 whether the violation was committed inadvertently,
22 negligently, knowingly, or intentionally and any past
23 violations of this Section.

24 (c) A political committee shall file a report of any
25 contribution of \$1,000 or more electronically with the Board
26 within 5 business days after receipt of the contribution,

1 except that the report shall be filed within 2 business days
2 after receipt if (i) the contribution is received 30 or fewer
3 days before the date of an election and (ii) the political
4 committee supports or opposes a candidate or public question on
5 the ballot at that election or makes expenditures in excess of
6 \$500 on behalf of or in opposition to a candidate, candidates,
7 a public question, or public questions on the ballot at that
8 election. The State Board shall allow filings of reports of
9 contributions of \$1,000 or more by political committees that
10 are not required to file electronically to be made by facsimile
11 transmission. The Board shall assess a civil penalty for
12 failure to file a report required by this subsection. Failure
13 to report each contribution is a separate violation of this
14 subsection. The Board shall impose fines for willful or wanton
15 violations of this subsection (c) not to exceed 150% of the
16 total amount of the contributions that were untimely reported,
17 but in no case shall it be less than 10% of the total amount of
18 the contributions that were untimely reported. When
19 considering the amount of the fine to be imposed for willful or
20 wanton violations, the Board shall consider the number of days
21 the contribution was reported late and past violations of this
22 Section and Section 9-3. The Board may impose a fine for
23 negligent or inadvertent violations of this subsection not to
24 exceed 50% of the total amount of the contributions that were
25 untimely reported, or the Board may waive the fine. When
26 considering whether to impose a fine and the amount of the

1 fine, the Board shall consider the following factors: (1)
2 whether the political committee made an attempt to disclose the
3 contribution and any attempts made to correct the violation,
4 (2) whether the violation is attributed to a clerical or
5 computer error, (3) the amount of the contribution, (4) whether
6 the violation arose from a discrepancy between the date the
7 contribution was reported transferred by a political committee
8 and the date the contribution was received by a political
9 committee, (5) the number of days the contribution was reported
10 late, and (6) past violations of this Section and Section 9-3
11 by the political committee.

12 (d) For the purpose of this Section, a contribution is
13 considered received on the date (i) a monetary contribution was
14 deposited in a bank, financial institution, or other repository
15 of funds for the committee, (ii) the date a committee receives
16 notice a monetary contribution was deposited by an entity used
17 to process financial transactions by credit card or other
18 entity used for processing a monetary contribution that was
19 deposited in a bank, financial institution, or other repository
20 of funds for the committee, or (iii) the public official,
21 candidate, or political committee receives the notification of
22 contribution of goods or services as required under subsection
23 (b) of Section 9-6.

24 (e) A political committee that makes independent
25 expenditures of \$1,000 or more during the period 30 days or
26 fewer before an election shall electronically file a report

1 with the Board within 5 business days after making the
2 independent expenditure. The report shall contain the
3 information required in Section 9-11(c) of this Article.

4 (e-5) An independent expenditure committee that makes an
5 independent expenditure supporting or opposing a public
6 official or candidate that, alone or in combination with any
7 other independent expenditure made by that independent
8 expenditure committee supporting or opposing that public
9 official or candidate during the election cycle, equals an
10 aggregate value of more than (i) \$250,000 for statewide office
11 or (ii) \$100,000 for all other elective offices must file a
12 written disclosure with the State Board of Elections within 2
13 business days after making any expenditure that results in the
14 independent expenditure committee exceeding the applicable
15 threshold. The Board shall assess a civil penalty against an
16 independent expenditure committee for failure to file the
17 disclosure required by this subsection not to exceed (i) \$500
18 for an initial failure to file the required disclosure and (ii)
19 \$1,000 for each subsequent failure to file the required
20 disclosure.

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

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

1 (10 ILCS 5/9-15) (from Ch. 46, par. 9-15)

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

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

5 (2) to prepare, publish, and furnish to the appropriate
6 persons a manual of instructions setting forth recommended
7 uniform methods of bookkeeping and reporting under this
8 Article;

9 (3) to prescribe suitable rules and regulations to
10 carry out the provisions of this Article. Such rules and
11 regulations shall be published and made available to the
12 public;

13 (4) to send by first class mail, after the general
14 primary election in even numbered years, to the chairman of
15 each regularly constituted State central committee, county
16 central committee and, in counties with a population of
17 more than 3,000,000, to the committeemen of each township
18 and ward organization of each political party notice of
19 their obligations under this Article, along with a form for
20 filing the statement of organization;

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

26 (6) to develop a filing, coding, and cross-indexing

1 system consistent with the purposes of this Article;

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

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

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

12 (10) to promptly send, by first class mail directed
13 only to the officers of a political committee, and by
14 certified mail to the address of the political committee,
15 written notice of any fine or penalty assessed or imposed
16 against the political committee under this Article.

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

18 (10 ILCS 5/9-28.5)

19 Sec. 9-28.5. Injunctive relief for electioneering
20 communications.

21 (a) Whenever the Attorney General, or a State's Attorney
22 with jurisdiction over any portion of the relevant electorate,
23 believes that any person, as defined in Section 9-1.6, is
24 making, producing, publishing, republishing, or broadcasting
25 an electioneering communication paid for by any person, as

1 defined in Section 9-1.6, who has not first complied with the
2 registration and disclosure requirements of this Article, he or
3 she may bring an action in the name of the People of the State
4 of Illinois or, in the case of a State's Attorney, the People
5 of the County, against such person or persons to restrain by
6 preliminary or permanent injunction the making, producing,
7 publishing, republishing, or broadcasting of such
8 electioneering communication until the registration and
9 disclosure requirements have been met.

10 (b) Any political committee that believes any person, as
11 defined in Section 9-1.6, is making, producing, publishing,
12 republishing, or broadcasting an electioneering communication
13 paid for by any person, as defined in Section 9-1.6, who has
14 not first complied with the registration and disclosure
15 requirements of this Article may bring an action in the circuit
16 court against such person or persons to restrain by preliminary
17 or permanent injunction the making, producing, publishing,
18 republishing, or broadcasting of such electioneering
19 communication until the registration and disclosure
20 requirements have been met.

21 (c) Whenever the Attorney General, or a State's Attorney
22 with jurisdiction over any portion of the relevant electorate,
23 believes that any person, as defined in Section 9-1.6, is
24 engaging in independent expenditures, as defined in this
25 Article, who has not first complied with the registration and
26 disclosure requirements of this Article, he or she may bring an

1 action in the name of the People of the State of Illinois or,
2 in the case of a State's Attorney, the People of the County,
3 against such person or persons to restrain by preliminary or
4 permanent injunction the making of such expenditures until the
5 registration and disclosure requirements have been met.

6 (d) Any political committee that believes any person, as
7 defined in Section 9-1.6, is engaging in independent
8 expenditures, as defined in this Article, who has not first
9 complied with the registration and disclosure requirements of
10 this Article may bring an action in the circuit court against
11 such person or persons to restrain by preliminary or permanent
12 injunction the making of independent expenditures until the
13 registration and disclosure requirements have been met.

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

15 (10 ILCS 5/16-6) (from Ch. 46, par. 16-6)

16 Sec. 16-6. Whenever one or more proposals for amendment of
17 the constitution or the calling of a constitutional convention
18 or any combination thereof is or are to be voted upon by the
19 people, the proposition or propositions for the adoption or
20 rejection of such amendment or amendments or convention shall
21 be submitted upon a ballot separate from the "Official Ballot"
22 containing the names of candidates for State and other offices
23 to be voted at such election. Such separate ballot shall be
24 printed upon paper of a distinctly blue color and shall, as
25 near as may be practicable, be of uniform size and blue color,

1 but any variation in the size of such ballots or in the
 2 tincture of blue employed shall not affect or impair the
 3 validity thereof. Preceding each proposal to amend the
 4 constitution shall be printed the brief explanation of the
 5 amendment, prepared by the General Assembly, or in the case of
 6 a proposed amendment initiated by petition pursuant to Section
 7 3 of Article XIV of the Constitution of the State of Illinois
 8 by the principal proponents of the amendment as approved by the
 9 Attorney General, and immediately below the explanation, the
 10 proposition shall be printed in substantially the following
 11 form:

12 -----
 13 YES For the proposed amendment
 14 ----- to Article _____ (or Section
 15 NO _____ of Article _____) of
 16 the Constitution.
 17 -----

18 In the case of a proposition for the calling of a
 19 constitutional convention, such proposition shall be printed
 20 in substantially the following form:

21 -----
 22 YES For the calling
 23 ----- of a Constitutional
 24 NO Convention.
 25 -----

26 On the back or outside of the ballot so as to appear when

1 folded, shall be printed the words "CONSTITUTION BALLOT",
2 followed by the designation of the polling place for which the
3 ballot is prepared, the date of the election and a facsimile of
4 the signature of the clerk or other officer who has caused the
5 ballots to be printed. Immediately above the words
6 "CONSTITUTION BALLOT" in the case of a proposition for the
7 calling of a constitutional convention or a proposition to
8 amend the Constitution the following legend shall be printed in
9 bold face type:

10 "NOTICE

11 THE FAILURE TO VOTE THIS BALLOT MAY BE ~~IS~~ THE EQUIVALENT OF
12 A NEGATIVE VOTE, BECAUSE A CONVENTION SHALL BE CALLED OR THE
13 AMENDMENT SHALL BECOME EFFECTIVE IF APPROVED BY EITHER
14 THREE-FIFTHS OF THOSE VOTING ON THE QUESTION OR A MAJORITY OF
15 THOSE VOTING IN THE ELECTION. (THIS IS NOT TO BE CONSTRUED AS A
16 DIRECTION THAT YOUR VOTE IS REQUIRED TO BE CAST EITHER IN FAVOR
17 OF OR IN OPPOSITION TO THE PROPOSITION HEREIN CONTAINED.)

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

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

23 ~~"NOTICE~~

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

26 If a proposition for the calling of a constitutional

1 convention is submitted at the same election as one or more
2 propositions to amend the constitution, the proposition for the
3 calling of a constitutional convention shall be printed at the
4 top of the ballot. In such case, the back or outside of the
5 ballot shall be printed the same as if it were a proposal
6 solely to amend the constitution.

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

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

12 (10 ILCS 5/18A-5)

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

14 (a) A person who claims to be a registered voter is
15 entitled to cast a provisional ballot under the following
16 circumstances:

17 (1) The person's name does not appear on the official
18 list of eligible voters for the precinct in which the
19 person seeks to vote. The official list is the centralized
20 statewide voter registration list established and
21 maintained in accordance with Section 1A-25;

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

1 (3) A federal or State court order extends the time for
2 closing the polls beyond the time period established by
3 State law and the person votes during the extended time
4 period; ~~or~~

5 (4) The voter registered to vote by mail and is
6 required by law to present identification when voting
7 either in person or by absentee ballot, but fails to do so;
8 ~~or~~

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

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

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

16 (1) After first verifying through an examination of the
17 precinct register that the person's address is within the
18 precinct boundaries, an election judge at the polling place
19 shall notify a person who is entitled to cast a provisional
20 ballot pursuant to subsection (a) that he or she may cast a
21 provisional ballot in that election. An election judge must
22 accept any information provided by a person who casts a
23 provisional ballot that the person believes supports his or
24 her claim that he or she is a duly registered voter and
25 qualified to vote in the election. However, if the person's
26 residence address is outside the precinct boundaries, the

1 election judge shall inform the person of that fact, give
 2 the person the appropriate telephone number of the election
 3 authority in order to locate the polling place assigned to
 4 serve that address, and instruct the person to go to the
 5 proper polling place to vote.

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

9 (i) an affidavit stating the following:

10 State of Illinois, County of,
 11 Township, Precinct, Ward
 12, I,, do solemnly
 13 swear (or affirm) that: I am a citizen of the United
 14 States; I am 18 years of age or older; I have resided
 15 in this State and in this precinct for 30 days
 16 preceding this election; I have not voted in this
 17 election; I am a duly registered voter in every
 18 respect; and I am eligible to vote in this election.
 19 Signature Printed Name of Voter Printed
 20 Residence Address of Voter City State
 21 Zip Code Telephone Number Date of
 22 Birth and Illinois Driver's License Number
 23 or Last 4 digits of Social Security Number
 24 or State Identification Card Number issued to
 25 you by the Illinois Secretary of State.....

26 (ii) A box for the election judge to check one of the 6

1 3 reasons why the person was given a provisional ballot
2 under subsection (a) of Section 18A-5.

3 (iii) An area for the election judge to affix his or
4 her signature and to set forth any facts that support or
5 oppose the allegation that the person is not qualified to
6 vote in the precinct in which the person is seeking to
7 vote.

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

12 (3) After the person executes the portion of the written
13 affidavit described in subsection (b) (2) (i) of this Section,
14 the election judge shall complete the portion of the written
15 affidavit described in subsection (b) (2) (iii) and (b) (2) (iv).

16 (4) The election judge shall give a copy of the completed
17 written affidavit to the person. The election judge shall place
18 the original written affidavit in a self-adhesive clear plastic
19 packing list envelope that must be attached to a separate
20 envelope marked as a "provisional ballot envelope". The
21 election judge shall also place any information provided by the
22 person who casts a provisional ballot in the clear plastic
23 packing list envelope. Each county clerk or board of election
24 commissioners, as the case may be, must design, obtain or
25 procure self-adhesive clear plastic packing list envelopes and
26 provisional ballot envelopes that are suitable for

1 implementing this subsection (b) (4) of this Section.

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

16 (6) After the person has completed marking his or her
17 provisional ballot, he or she shall place the marked ballot
18 inside of the provisional ballot envelope, close and seal the
19 envelope, and return the envelope to an election judge, who
20 shall then deposit the sealed provisional ballot envelope into
21 a securable container separately identified and utilized for
22 containing sealed provisional ballot envelopes. Ballots that
23 are provisional because they are cast after 7:00 p.m. by court
24 order shall be kept separate from other provisional ballots.
25 Upon the closing of the polls, the securable container shall be
26 sealed with filament tape provided for that purpose, which

1 shall be wrapped around the box lengthwise and crosswise, at
2 least twice each way, and each of the election judges shall
3 sign the seal.

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

17 (d) The county clerk or board of election commissioners, as
18 the case may be, shall use the completed affidavit form
19 described in subsection (b) to update the person's voter
20 registration information in the State voter registration
21 database and voter registration database of the county clerk or
22 board of election commissioners, as the case may be. If a
23 person is later determined not to be a registered voter based
24 on Section 18A-15 of this Code, then the affidavit shall be
25 processed by the county clerk or board of election
26 commissioners, as the case may be, as a voter registration

1 application.

2 (Source: P.A. 93-574, eff. 8-21-03; 93-1071, eff. 1-18-05;
3 94-645, eff. 8-22-05.)

4 (10 ILCS 5/18A-15)

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

6 (a) The county clerk or board of election commissioners
7 shall complete the validation and counting of provisional
8 ballots within 14 calendar days of the day of the election. The
9 county clerk or board of election commissioners shall have 7
10 calendar days from the completion of the validation and
11 counting of provisional ballots to conduct its final canvass.
12 The State Board of Elections shall complete within 31 calendar
13 days of the election or sooner if all the returns are received,
14 its final canvass of the vote for all public offices.

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

18 (1) The provisional voter cast the provisional ballot
19 in the correct precinct based on the address provided by
20 the provisional voter. The provisional voter's affidavit
21 shall serve as a change of address request by that voter
22 for registration purposes for the next ensuing election if
23 it bears an address different from that in the records of
24 the election authority;

25 (2) The affidavit executed by the provisional voter

1 pursuant to subsection (b) (2) of Section 18A-5 contains, at
2 a minimum, the provisional voter's first and last name,
3 house number and street name, and signature or mark; ~~and~~

4 (3) the provisional voter is a registered voter based
5 on information available to the county clerk or board of
6 election commissioners provided by or obtained from any of
7 the following:

8 i. the provisional voter;

9 ii. an election judge;

10 iii. the statewide voter registration database
11 maintained by the State Board of Elections;

12 iv. the records of the county clerk or board of
13 election commissioners' database; or

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

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

19 (c) With respect to subsection (b) (3) of this Section, the
20 county clerk or board of election commissioners shall
21 investigate and record whether or not the specified information
22 is available from each of the 5 identified sources. If the
23 information is available from one or more of the identified
24 sources, then the county clerk or board of election
25 commissioners shall seek to obtain the information from each of
26 those sources until satisfied, with information from at least

1 one of those sources, that the provisional voter is registered
2 and entitled to vote. The county clerk or board of election
3 commissioners shall use any information it obtains as the basis
4 for determining the voter registration status of the
5 provisional voter. If a conflict exists among the information
6 available to the county clerk or board of election
7 commissioners as to the registration status of the provisional
8 voter, then the county clerk or board of election commissioners
9 shall make a determination based on the totality of the
10 circumstances. In a case where the above information equally
11 supports or opposes the registration status of the voter, the
12 county clerk or board of election commissioners shall decide in
13 favor of the provisional voter as being duly registered to
14 vote. If the statewide voter registration database maintained
15 by the State Board of Elections indicates that the provisional
16 voter is registered to vote, but the county clerk's or board of
17 election commissioners' voter registration database indicates
18 that the provisional voter is not registered to vote, then the
19 information found in the statewide voter registration database
20 shall control the matter and the provisional voter shall be
21 deemed to be registered to vote. If the records of the county
22 clerk or board of election commissioners indicates that the
23 provisional voter is registered to vote, but the statewide
24 voter registration database maintained by the State Board of
25 Elections indicates that the provisional voter is not
26 registered to vote, then the information found in the records

1 of the county clerk or board of election commissioners shall
2 control the matter and the provisional voter shall be deemed to
3 be registered to vote. If the provisional voter's signature on
4 his or her provisional ballot request varies from the signature
5 on an otherwise valid registration application solely because
6 of the substitution of initials for the first or middle name,
7 the election authority may not reject the provisional ballot.

8 (d) In validating the registration status of a person
9 casting a provisional ballot, the county clerk or board of
10 election commissioners shall not require a provisional voter to
11 complete any form other than the affidavit executed by the
12 provisional voter under subsection (b) (2) of Section 18A-5. In
13 addition, the county clerk or board of election commissioners
14 shall not require all provisional voters or any particular
15 class or group of provisional voters to appear personally
16 before the county clerk or board of election commissioners or
17 as a matter of policy require provisional voters to submit
18 additional information to verify or otherwise support the
19 information already submitted by the provisional voter. The
20 provisional voter may, within 2 calendar days after the
21 election, submit additional information to the county clerk or
22 board of election commissioners. This information must be
23 received by the county clerk or board of election commissioners
24 within the 2-calendar-day period.

25 (e) If the county clerk or board of election commissioners
26 determines that subsection (b) (1), (b) (2), or (b) (3) does not

1 apply, then the provisional ballot is not valid and may not be
2 counted. The provisional ballot envelope containing the ballot
3 cast by the provisional voter may not be opened. The county
4 clerk or board of election commissioners shall write on the
5 provisional ballot envelope the following: "Provisional ballot
6 determined invalid."

7 (f) If the county clerk or board of election commissioners
8 determines that a provisional ballot is valid under this
9 Section, then the provisional ballot envelope shall be opened.
10 The outside of each provisional ballot envelope shall also be
11 marked to identify the precinct and the date of the election.

12 (g) Provisional ballots determined to be valid shall be
13 counted at the election authority's central ballot counting
14 location and shall not be counted in precincts. The provisional
15 ballots determined to be valid shall be added to the vote
16 totals for the precincts from which they were cast in the order
17 in which the ballots were opened. The validation and counting
18 of provisional ballots shall be subject to the provisions of
19 this Code that apply to pollwatchers. If the provisional
20 ballots are a ballot of a punch card voting system, then the
21 provisional ballot shall be counted in a manner consistent with
22 Article 24A. If the provisional ballots are a ballot of optical
23 scan or other type of approved electronic voting system, then
24 the provisional ballots shall be counted in a manner consistent
25 with Article 24B.

26 (h) As soon as the ballots have been counted, the election

1 judges or election officials shall, in the presence of the
2 county clerk or board of election commissioners, place each of
3 the following items in a separate envelope or bag: (1) all
4 provisional ballots, voted or spoiled; (2) all provisional
5 ballot envelopes of provisional ballots voted or spoiled; and
6 (3) all executed affidavits of the provisional ballots voted or
7 spoiled. All provisional ballot envelopes for provisional
8 voters who have been determined not to be registered to vote
9 shall remain sealed. The county clerk or board of election
10 commissioners shall treat the provisional ballot envelope
11 containing the written affidavit as a voter registration
12 application for that person for the next election and process
13 that application. The election judges or election officials
14 shall then securely seal each envelope or bag, initial the
15 envelope or bag, and plainly mark on the outside of the
16 envelope or bag in ink the precinct in which the provisional
17 ballots were cast. The election judges or election officials
18 shall then place each sealed envelope or bag into a box, secure
19 and seal it in the same manner as described in item (6) of
20 subsection (b) of Section 18A-5. Each election judge or
21 election official shall take and subscribe an oath before the
22 county clerk or board of election commissioners that the
23 election judge or election official securely kept the ballots
24 and papers in the box, did not permit any person to open the
25 box or otherwise touch or tamper with the ballots and papers in
26 the box, and has no knowledge of any other person opening the

1 box. For purposes of this Section, the term "election official"
2 means the county clerk, a member of the board of election
3 commissioners, as the case may be, and their respective
4 employees.

5 (Source: P.A. 93-574, eff. 8-21-03; 94-645, eff. 8-22-05;
6 94-1000, eff. 7-3-06.)

7 (10 ILCS 5/19-2.1) (from Ch. 46, par. 19-2.1)

8 Sec. 19-2.1. At the consolidated primary, general primary,
9 consolidated, and general elections, electors entitled to vote
10 by absentee ballot under the provisions of Section 19-1 may
11 vote in person at the office of the municipal clerk, if the
12 elector is a resident of a municipality not having a board of
13 election commissioners, or at the office of the township clerk
14 or, in counties not under township organization, at the office
15 of the road district clerk if the elector is not a resident of
16 a municipality; provided, in each case that the municipal,
17 township or road district clerk, as the case may be, is
18 authorized to conduct in-person absentee voting pursuant to
19 this Section. Absentee voting in such municipal and township
20 clerk's offices under this Section shall be conducted from the
21 22nd day through the day before the election.

22 Municipal and township clerks (or road district clerks) who
23 have regularly scheduled working hours at regularly designated
24 offices other than a place of residence and whose offices are
25 open for business during the same hours as the office of the

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

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

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

25 Absentee voting procedures in the office of the municipal,
26 township and road district clerks shall be subject to all of

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

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

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

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

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

14 The clerks of all municipalities, townships and road
15 districts may distribute applications for absentee ballot for
16 the use of voters who wish to mail such applications to the
17 appropriate election authority. Any person may produce,
18 reproduce, distribute, or return to an election authority the
19 application for absentee ballot. Upon receipt, the appropriate
20 election authority shall accept and promptly process any
21 application for absentee ballot.

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

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

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

1 APPLICATION FOR ABSENTEE BALLOT

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

5 I state that I am a resident of the precinct of the
6 (1) *township of (2) *City of or (3) *.... ward in
7 the city of residing at in such city or town in the
8 county of and State of Illinois; that I have lived at such
9 address for month(s) last past; that I am lawfully
10 entitled to vote in such precinct at the election to be
11 held therein on; and that I wish to vote by absentee
12 ballot.

13 I hereby make application for an official ballot or ballots
14 to be voted by me at such election, and I agree that I shall
15 return such ballot or ballots to the official issuing the same
16 prior to the closing of the polls on the date of the election
17 or, if returned by mail, postmarked no later than midnight
18 preceding election day, for counting no later than during the
19 period for counting provisional ballots, the last day of which
20 is the 14th day following election day.

21 I understand that this application is made for an official
22 absentee ballot or ballots to be voted by me at the election
23 specified in this application and that I must submit a separate
24 application for an official absentee ballot or ballots to be
25 voted by me at any subsequent election.

26 Under penalties as provided by law pursuant to Section

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

3

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

5 Post office address to which ballot is mailed:

6

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

11 Any person may produce, reproduce, distribute, or return to
12 an election authority the application for absentee ballot. Upon
13 receipt, the appropriate election authority shall accept and
14 promptly process any application for absentee ballot submitted
15 in a form substantially similar to that required by this
16 Section, including any substantially similar production or
17 reproduction generated by the applicant.

18 (Source: P.A. 95-440, eff. 8-27-07; 96-312, eff. 1-1-10;
19 96-553, eff. 8-17-09; 96-1000, eff. 7-2-10; 96-1008, eff.
20 7-6-10.)

21 (10 ILCS 5/19A-15)

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

23 (a) The period for early voting by personal appearance
24 begins the 15th ~~22nd~~ day preceding a general primary,
25 consolidated primary, consolidated, or general election and

1 extends through the 3rd ~~5th~~ day before election day.

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

12 (c) Notwithstanding subsections (a) and (b), an election
13 authority may close an early voting polling place if the
14 building in which the polling place is located has been closed
15 by the State or unit of local government in response to a
16 severe weather emergency. In the event of a closure, the
17 election authority shall conduct early voting on the 2nd day
18 before election day from 8:30 a.m. to 4:30 p.m. or 9:00 a.m. to
19 5:00 p.m. The election authority shall notify the State Board
20 of Elections of any closure and shall make reasonable efforts
21 to provide notice to the public of the extended early voting
22 period.

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

24 (10 ILCS 5/24C-12)

25 Sec. 24C-12. Procedures for Counting and Tallying of

1 Ballots. In an election jurisdiction where a Direct Recording
2 Electronic Voting System is used, the following procedures for
3 counting and tallying the ballots shall apply:

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

26 After the judges have determined that a person is qualified

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

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

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

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

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

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

6 The totals for all candidates and propositions shall be
7 tabulated. One copy of an "In-Precinct Totals Report" shall be
8 generated by the automatic tabulating equipment for return to
9 the election authority. One copy of an "In-Precinct Totals
10 Report" shall be generated and posted in a conspicuous place
11 inside the polling place, provided that any authorized
12 pollwatcher or other official authorized to be present in the
13 polling place to observe the counting of ballots is present.
14 The judges of election shall provide, if requested, a set for
15 each authorized pollwatcher or other official authorized to be
16 present in the polling place to observe the counting of
17 ballots. In addition, sufficient time shall be provided by the
18 judges of election to the pollwatchers to allow them to copy
19 information from the copy which has been posted.

20 Until December 31, 2015 ~~2011~~, in elections at which
21 fractional cumulative votes are cast for candidates, the
22 tabulation of those fractional cumulative votes may be made by
23 the election authority at its central office location, and 4
24 copies of a "Certificate of Results" shall be printed by the
25 automatic tabulation equipment and shall be posted in 4
26 conspicuous places at the central office location where those

1 fractional cumulative votes have been tabulated.

2 If instructed by the election authority, the judges of
3 election shall cause the tabulated returns to be transmitted
4 electronically to the offices of the election authority via
5 modem or other electronic medium.

6 The precinct judges of election shall select a bi-partisan
7 team of 2 judges, who shall immediately return the ballots in a
8 sealed container, along with all other election materials and
9 equipment as instructed by the election authority; provided,
10 however, that such container must first be sealed by the
11 election judges with filament tape or other approved sealing
12 devices provided for the purpose in a manner that the ballots
13 cannot be removed from the container without breaking the seal
14 or filament tape and disturbing any signatures affixed by the
15 election judges to the container. The election authority shall
16 keep the office of the election authority, or any receiving
17 stations designated by the authority, open for at least 12
18 consecutive hours after the polls close or until the ballots
19 and election material and equipment from all precincts within
20 the jurisdiction of the election authority have been returned
21 to the election authority. Ballots and election materials and
22 equipment returned to the office of the election authority
23 which are not signed and sealed as required by law shall not be
24 accepted by the election authority until the judges returning
25 the ballots make and sign the necessary corrections. Upon
26 acceptance of the ballots and election materials and equipment

1 by the election authority, the judges returning the ballots
2 shall take a receipt signed by the election authority and
3 stamped with the time and date of the return. The election
4 judges whose duty it is to return any ballots and election
5 materials and equipment as provided shall, in the event the
6 ballots, materials or equipment cannot be found when needed, on
7 proper request, produce the receipt which they are to take as
8 above provided.

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

10 Section 99. Effective date. This Act takes effect July 1,
11 2012.