



Sen. Don Harmon

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LRB098 02624 MGM 60400 a

1 AMENDMENT TO HOUSE BILL 105

2 AMENDMENT NO. _____. Amend House Bill 105, AS AMENDED, by
3 replacing everything after the enacting clause with the
4 following:

5 "Section 1. Short title. This Act may be cited as the
6 Minimum Wage Increase Referendum Act.

7 Section 5. Referendum. The State Board of Elections shall
8 cause a statewide advisory public question to be submitted to
9 the voters at the general election to be held on November 4,
10 2014. The question shall appear in the following form:

11 "Shall the minimum wage in Illinois for adults over the age
12 of 18 be raised to \$10 per hour by January 1, 2015?"

13 The votes on the question shall be recorded as "Yes" or "No".

14 Section 10. Certification. The State Board of Elections
15 shall immediately certify the question to be submitted to the

1 voters of the entire State under Section 5 to each election
2 authority in Illinois.

3 Section 15. Conflicts. If any provision of this Act
4 conflicts with any other law, this Act controls.

5 Section 90. Repeal. This Act is repealed on January 1,
6 2015.

7 Section 900. The Election Code is amended by changing
8 Sections 1-12, 4-50, 5-50, 6-100, 9-9.5, 10-6, 10-8, 10-10,
9 11-6, 13-2.5, 14-4.5, 18A-5, 18A-15, 19-2, 19A-10, 19A-15, and
10 19A-35 as follows:

11 (10 ILCS 5/1-12)

12 Sec. 1-12. Public university voting.

13 (a) Each appropriate election authority shall, in addition
14 to the early voting conducted at locations otherwise required
15 by law, conduct early voting in a high traffic location on the
16 campus of a public university within the election authority's
17 jurisdiction. ~~For the purposes of this Section, "public~~
18 ~~university" means the University of Illinois at its campuses in~~
19 ~~Urbana-Champaign and Springfield, Southern Illinois University~~
20 ~~at its campuses in Carbondale and Edwardsville, Eastern~~
21 ~~Illinois University, Illinois State University, Northern~~
22 ~~Illinois University, and Western Illinois University at its~~

1 ~~campuses in Macomb and Moline.~~ The voting required by this
2 subsection (a) Section to be conducted on campus must be
3 conducted as otherwise required by Article 19A of this Code. If
4 an election authority has voting equipment that can accommodate
5 a ballot in every form required in the election authority's
6 jurisdiction, then the election authority shall extend early
7 voting under this Section to any registered voter in the
8 election authority's jurisdiction. However, if the election
9 authority does not have voting equipment that can accommodate a
10 ballot in every form required in the election authority's
11 jurisdiction, then the election authority may limit early
12 voting under this Section to registered voters in precincts
13 where the public university is located and precincts bordering
14 the university. Each public university shall make the space
15 available in a high traffic area for, and cooperate and
16 coordinate with the appropriate election authority in, the
17 implementation of this subsection (a) Section.

18 (b) Each appropriate election authority shall, in addition
19 to the voting conducted at locations otherwise required by law,
20 conduct in-person absentee voting on election day in a
21 high-traffic location on the campus of a public university
22 within the election authority's jurisdiction. The procedures
23 for conducting in-person absentee voting at a site established
24 pursuant to this subsection (b) shall, to the extent
25 practicable, be the same procedures required by Article 19 of
26 this Code for in-person absentee ballots. The election

1 authority may limit in-person absentee voting under this
2 subsection (b) to registered voters in precincts where the
3 public university is located and precincts bordering the
4 university. The election authority shall have voting equipment
5 and ballots necessary to accommodate registered voters who may
6 cast an in-person absentee ballot at a site established
7 pursuant to this subsection (b). Each public university shall
8 make the space available in a high-traffic area for, and
9 cooperate and coordinate with the appropriate election
10 authority in, the implementation of this subsection (b).

11 (c) For the purposes of this Section, "public university"
12 means the University of Illinois at its campuses in
13 Urbana-Champaign and Springfield, Southern Illinois University
14 at its campuses in Carbondale and Edwardsville, Eastern
15 Illinois University, Illinois State University, Northern
16 Illinois University, and Western Illinois University at its
17 campuses in Macomb and Moline.

18 (Source: P.A. 98-115, eff. 7-29-13.)

19 (10 ILCS 5/4-50)

20 Sec. 4-50. Grace period. Notwithstanding any other
21 provision of this Code to the contrary, each election authority
22 shall establish procedures for the registration of voters and
23 for change of address during the period from the close of
24 registration for a primary or election and until the 3rd day
25 before the primary or election, except that during the 2014

1 general election the period shall extend until the polls close
2 on election day. During this grace period, an unregistered
3 qualified elector may register to vote, and a registered voter
4 may submit a change of address form, in person in the office of
5 the election authority or at a voter registration location
6 specifically designated for this purpose by the election
7 authority. During the 2014 general election, an unregistered
8 qualified elector may register to vote, and a registered voter
9 may submit a change of address form, in person at any permanent
10 polling place for early voting established under Section 19A-10
11 through election day. The election authority shall register
12 that individual, or change a registered voter's address, in the
13 same manner as otherwise provided by this Article for
14 registration and change of address.

15 If a voter who registers or changes address during this
16 grace period wishes to vote at the first election or primary
17 occurring after the grace period, he or she must do so by grace
18 period voting. The election authority shall offer in-person
19 grace period voting at the authority's office and any permanent
20 polling place where grace period registration is required by
21 this Section; and may offer in-person grace period voting at
22 additional locations specifically designated for the purpose
23 of grace period voting by the election authority. The election
24 authority may allow grace period voting by mail only if the
25 election authority has no ballots prepared at the authority's
26 office. Grace period voting shall be in a manner substantially

1 similar to voting under Article 19.

2 Within one day after a voter casts a grace period ballot,
3 or within one day after the ballot is received by the election
4 authority if the election authority allows grace period voting
5 by mail, the election authority shall transmit by electronic
6 means pursuant to a process established by the State Board of
7 Elections the voter's name, street address, e-mail address, and
8 precinct, ward, township, and district numbers, as the case may
9 be, to the State Board of Elections, which shall maintain those
10 names and that information in an electronic format on its
11 website, arranged by county and accessible to State and local
12 political committees. The name of each person issued a grace
13 period ballot shall also be placed on the appropriate precinct
14 list of persons to whom absentee and early ballots have been
15 issued, for use as provided in Sections 17-9 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. 97-766, eff. 7-6-12; 98-115, eff. 7-29-13.)

1 (10 ILCS 5/5-50)

2 Sec. 5-50. Grace period. Notwithstanding any other
3 provision of this Code to the contrary, each election authority
4 shall establish procedures for the registration of voters and
5 for change of address during the period from the close of
6 registration for a primary or election and until the 3rd day
7 before the primary or election, except that during the 2014
8 general election the period shall extend until the polls close
9 on election day. During this grace period, an unregistered
10 qualified elector may register to vote, and a registered voter
11 may submit a change of address form, in person in the office of
12 the election authority or at a voter registration location
13 specifically designated for this purpose by the election
14 authority. During the 2014 general election, an unregistered
15 qualified elector may register to vote, and a registered voter
16 may submit a change of address form, in person at any permanent
17 polling place for early voting established pursuant to Section
18 19A-10 through election day. The election authority shall
19 register that individual, or change a registered voter's
20 address, in the same manner as otherwise provided by this
21 Article for registration and change of address.

22 If a voter who registers or changes address during this
23 grace period wishes to vote at the first election or primary
24 occurring after the grace period, he or she must do so by grace
25 period voting. The election authority shall offer in-person

1 grace period voting at his or her office and any permanent
2 polling place where grace period registration is required by
3 this Section; and may offer in-person grace period voting at
4 additional locations specifically designated for the purpose
5 of grace period voting by the election authority. The election
6 authority may allow grace period voting by mail only if the
7 election authority has no ballots prepared at the authority's
8 office. Grace period voting shall be in a manner substantially
9 similar to voting under Article 19.

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

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

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

8 (Source: P.A. 97-766, eff. 7-6-12; 98-115, eff. 7-29-13.)

9 (10 ILCS 5/6-100)

10 Sec. 6-100. Grace period. Notwithstanding any other
11 provision of this Code to the contrary, each election authority
12 shall establish procedures for the registration of voters and
13 for change of address during the period from the close of
14 registration for a primary or election and until the 3rd day
15 before the primary or election, except that during the 2014
16 general election the period shall extend until the polls close
17 on election day. During this grace period, an unregistered
18 qualified elector may register to vote, and a registered voter
19 may submit a change of address form, in person in the office of
20 the election authority or at a voter registration location
21 specifically designated for this purpose by the election
22 authority. During the 2014 general election, an unregistered
23 qualified elector may register to vote, and a registered voter
24 may submit a change of address form, in person at any permanent
25 polling place for early voting established pursuant to Section

1 19A-10 through election day. The election authority shall
2 register that individual, or change a registered voter's
3 address, in the same manner as otherwise provided by this
4 Article for registration and change of address.

5 If a voter who registers or changes address during this
6 grace period wishes to vote at the first election or primary
7 occurring after the grace period. The election authority shall
8 offer in-person grace period voting at the authority's office
9 and any permanent polling place where grace period registration
10 is required by this Section; and may offer in-person grace
11 period voting at additional locations specifically designated
12 for the purpose of grace period voting by the election
13 authority. The election authority may allow grace period voting
14 by mail only if the election authority has no ballots prepared
15 at the authority's office. Grace period voting shall be in a
16 manner substantially similar to voting under Article 19.

17 Within one day after a voter casts a grace period ballot,
18 or within one day after the ballot is received by the election
19 authority if the election authority allows grace period voting
20 by mail, the election authority shall transmit by electronic
21 means pursuant to a process established by the State Board of
22 Elections the voter's name, street address, e-mail address, and
23 precinct, ward, township, and district numbers, as the case may
24 be, to the State Board of Elections, which shall maintain those
25 names and that information in an electronic format on its
26 website, arranged by county and accessible to State and local

1 political committees. The name of each person issued a grace
2 period ballot shall also be placed on the appropriate precinct
3 list of persons to whom absentee and early ballots have been
4 issued, for use as provided in Sections 17-9 and 18-5.

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

15 (Source: P.A. 97-766, eff. 7-6-12; 98-115, eff. 7-29-13.)

16 (10 ILCS 5/9-9.5)

17 Sec. 9-9.5. Disclosures in political communications.

18 (a) Any political committee, organized under the Election
19 Code, that makes an expenditure for a pamphlet, circular,
20 handbill, Internet or telephone communication, radio,
21 television, or print advertisement, or other communication
22 directed at voters and mentioning the name of a candidate in
23 the next upcoming election shall ensure that the name of the
24 political committee paying for any part of the communication,
25 including, but not limited to, its preparation and

1 distribution, is identified clearly within the communication
2 as the payor. This subsection does not apply to items that are
3 too small to contain the required disclosure. This subsection
4 does not apply to an expenditure for the preparation, ~~or~~
5 distribution, or publication of any ~~printed~~ communication
6 directed at constituents of a member of the General Assembly if
7 the expenditure is made by a political committee in accordance
8 with subsection (c) of Section 9-8.10. Nothing in this
9 subsection shall require disclosure on any telephone
10 communication using random sampling or other scientific survey
11 methods to gauge public opinion for or against any candidate or
12 question of public policy.

13 Whenever any vendor or other person provides any of the
14 services listed in this subsection, other than any telephone
15 communication using random sampling or other scientific survey
16 methods to gauge public opinion for or against any candidate or
17 question of public policy, the vendor or person shall keep and
18 maintain records showing the name and address of the person who
19 purchased or requested the services and the amount paid for the
20 services. The records required by this subsection shall be kept
21 for a period of one year after the date upon which payment was
22 received for the services.

23 (b) Any political committee, organized under this Code,
24 that makes an expenditure for a pamphlet, circular, handbill,
25 Internet or telephone communication, radio, television, or
26 print advertisement, or other communication directed at voters

1 and (i) mentioning the name of a candidate in the next upcoming
2 election, without that candidate's permission, or (ii)
3 advocating for or against a public policy position shall ensure
4 that the name of the political committee paying for any part of
5 the communication, including, but not limited to, its
6 preparation and distribution, is identified clearly within the
7 communication. Nothing in this subsection shall require
8 disclosure on any telephone communication using random
9 sampling or other scientific survey methods to gauge public
10 opinion for or against any candidate or question of public
11 policy.

12 (c) A political committee organized under this Code shall
13 not make an expenditure for any unsolicited telephone call to
14 the line of a residential telephone customer in this State
15 using any method to block or otherwise circumvent that
16 customer's use of a caller identification service.

17 (Source: P.A. 98-115, eff. 7-29-13.)

18 (10 ILCS 5/10-6) (from Ch. 46, par. 10-6)

19 Sec. 10-6. Time and manner of filing. Certificates of
20 nomination and nomination papers for the nomination of
21 candidates for offices to be filled by electors of the entire
22 State, or any district not entirely within a county, or for
23 congressional, state legislative or judicial offices, shall be
24 presented to the principal office of the State Board of
25 Elections not more than 141 nor less than 134 days previous to

1 the day of election for which the candidates are nominated. The
2 State Board of Elections shall endorse the certificates of
3 nomination or nomination papers, as the case may be, and the
4 date and hour of presentment to it. Except as otherwise
5 provided in this section, all other certificates for the
6 nomination of candidates shall be filed with the county clerk
7 of the respective counties not more than 141 but at least 134
8 days previous to the day of such election. Certificates of
9 nomination and nomination papers for the nomination of
10 candidates for school district offices to be filled at
11 consolidated elections shall be filed with the election
12 authority in which the principal office of the school district
13 is located not more than 113 nor less than 106 days before the
14 consolidated election. Certificates of nomination and
15 nomination papers for the nomination of candidates for the
16 other offices of political subdivisions to be filled at regular
17 elections other than the general election shall be filed with
18 the local election official of such subdivision:

19 (1) (Blank);

20 (2) not more than 113 nor less than 106 days prior to
21 the consolidated election; or

22 (3) not more than 113 nor less than 106 days prior to
23 the general primary in the case of municipal offices to be
24 filled at the general primary election; or

25 (4) not more than 99 nor less than 92 days before the
26 consolidated primary in the case of municipal offices to be

1 elected on a nonpartisan basis pursuant to law (including
2 without limitation, those municipal offices subject to
3 Articles 4 and 5 of the Municipal Code); or

4 (5) not more than 113 nor less than 106 days before the
5 municipal primary in even numbered years for such
6 nonpartisan municipal offices where annual elections are
7 provided; or

8 (6) in the case of petitions for the office of
9 multi-township assessor, such petitions shall be filed
10 with the election authority not more than 113 nor less than
11 106 days before the consolidated election.

12 However, where a political subdivision's boundaries are
13 co-extensive with or are entirely within the jurisdiction of a
14 municipal board of election commissioners, the certificates of
15 nomination and nomination papers for candidates for such
16 political subdivision offices shall be filed in the office of
17 such Board.

18 (Source: P.A. 95-699, eff. 11-9-07; 96-1008, eff. 7-6-10.)

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

20 Sec. 10-8. Certificates of nomination and nomination
21 papers, and petitions to submit public questions to a
22 referendum, being filed as required by this Code, and being in
23 apparent conformity with the provisions of this Act, shall be
24 deemed to be valid unless objection thereto is duly made in
25 writing within 5 business days after the last day for filing

1 the certificate of nomination or nomination papers or petition
2 for a public question, with the following exceptions:

3 A. In the case of petitions to amend Article IV of the
4 Constitution of the State of Illinois, there shall be a
5 period of 35 business days after the last day for the
6 filing of such petitions in which objections can be filed.

7 B. In the case of petitions for advisory questions of
8 public policy to be submitted to the voters of the entire
9 State, there shall be a period of 35 business days after
10 the last day for the filing of such petitions in which
11 objections can be filed.

12 Any legal voter of the political subdivision or district in
13 which the candidate or public question is to be voted on, or
14 any legal voter in the State in the case of a proposed
15 amendment to Article IV of the Constitution or an advisory
16 public question to be submitted to the voters of the entire
17 State, having objections to any certificate of nomination or
18 nomination papers or petitions filed, shall file an objector's
19 petition together with 2 copies ~~a copy~~ thereof in the principal
20 office or the permanent branch office of the State Board of
21 Elections, or in the office of the election authority or local
22 election official with whom the certificate of nomination,
23 nomination papers or petitions are on file. Objection petitions
24 that do not include 2 copies thereof, shall not be accepted. In
25 the case of nomination papers or certificates of nomination,
26 the State Board of Elections, election authority or local

1 election official shall note the day and hour upon which such
2 objector's petition is filed, and shall, not later than 12:00
3 noon on the second business day after receipt of the petition,
4 transmit by registered mail or receipted personal delivery the
5 certificate of nomination or nomination papers and the original
6 objector's petition to the chairman of the proper electoral
7 board designated in Section 10-9 hereof, or his authorized
8 agent, and shall transmit a copy by registered mail or
9 receipted personal delivery of the objector's petition, to the
10 candidate whose certificate of nomination or nomination papers
11 are objected to, addressed to the place of residence designated
12 in said certificate of nomination or nomination papers. In the
13 case of objections to a petition for a proposed amendment to
14 Article IV of the Constitution or for an advisory public
15 question to be submitted to the voters of the entire State, the
16 State Board of Elections shall note the day and hour upon which
17 such objector's petition is filed and shall transmit a copy of
18 the objector's petition by registered mail or receipted
19 personal delivery to the person designated on a certificate
20 attached to the petition as the principal proponent of such
21 proposed amendment or public question, or as the proponents'
22 attorney, for the purpose of receiving notice of objections. In
23 the case of objections to a petition for a public question, to
24 be submitted to the voters of a political subdivision, or
25 district thereof, the election authority or local election
26 official with whom such petition is filed shall note the day

1 and hour upon which such objector's petition was filed, and
2 shall, not later than 12:00 noon on the second business day
3 after receipt of the petition, transmit by registered mail or
4 receipted personal delivery the petition for the public
5 question and the original objector's petition to the chairman
6 of the proper electoral board designated in Section 10-9
7 hereof, or his authorized agent, and shall transmit a copy by
8 registered mail or receipted personal delivery, of the
9 objector's petition to the person designated on a certificate
10 attached to the petition as the principal proponent of the
11 public question, or as the proponent's attorney, for the
12 purposes of receiving notice of objections.

13 The objector's petition shall give the objector's name and
14 residence address, and shall state fully the nature of the
15 objections to the certificate of nomination or nomination
16 papers or petitions in question, and shall state the interest
17 of the objector and shall state what relief is requested of the
18 electoral board.

19 The provisions of this Section and of Sections 10-9, 10-10
20 and 10-10.1 shall also apply to and govern objections to
21 petitions for nomination filed under Article 7 or Article 8,
22 except as otherwise provided in Section 7-13 for cases to which
23 it is applicable, and also apply to and govern petitions for
24 the submission of public questions under Article 28.

25 (Source: P.A. 86-1348.)

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

2 Sec. 10-10. Within 24 hours after the receipt of the
3 certificate of nomination or nomination papers or proposed
4 question of public policy, as the case may be, and the
5 objector's petition, the chairman of the electoral board other
6 than the State Board of Elections shall send a call by
7 registered or certified mail to each of the members of the
8 electoral board, and to the objector who filed the objector's
9 petition, and either to the candidate whose certificate of
10 nomination or nomination papers are objected to or to the
11 principal proponent or attorney for proponents of a question of
12 public policy, as the case may be, whose petitions are objected
13 to, and shall also cause the sheriff of the county or counties
14 in which such officers and persons reside to serve a copy of
15 such call upon each of such officers and persons, which call
16 shall set out the fact that the electoral board is required to
17 meet to hear and pass upon the objections to nominations made
18 for the office, designating it, and shall state the day, hour
19 and place at which the electoral board shall meet for the
20 purpose, which place shall be in the county court house in the
21 county in the case of the County Officers Electoral Board, the
22 Municipal Officers Electoral Board, the Township Officers
23 Electoral Board or the Education Officers Electoral Board,
24 except that the Municipal Officers Electoral Board, the
25 Township Officers Electoral Board, and the Education Officers
26 Electoral Board may meet at the location where the governing

1 body of the municipality, township, or community college
2 district, respectively, holds its regularly scheduled
3 meetings, if that location is available; provided that voter
4 records may be removed from the offices of an election
5 authority only at the discretion and under the supervision of
6 the election authority. In those cases where the State Board of
7 Elections is the electoral board designated under Section 10-9,
8 the chairman of the State Board of Elections shall, within 24
9 hours after the receipt of the certificate of nomination or
10 nomination papers or petitions for a proposed amendment to
11 Article IV of the Constitution or proposed statewide question
12 of public policy, send a call by registered or certified mail
13 to the objector who files the objector's petition, and either
14 to the candidate whose certificate of nomination or nomination
15 papers are objected to or to the principal proponent or
16 attorney for proponents of the proposed Constitutional
17 amendment or statewide question of public policy and shall
18 state the day, hour and place at which the electoral board
19 shall meet for the purpose, which place may be in the Capitol
20 Building or in the principal or permanent branch office of the
21 State Board. The day of the meeting shall not be less than 3
22 nor more than 5 days after the receipt of the certificate of
23 nomination or nomination papers and the objector's petition by
24 the chairman of the electoral board.

25 The electoral board shall have the power to administer
26 oaths and to subpoena and examine witnesses and at the request

1 of either party and only upon a vote by a majority of its
2 members, may authorize the chairman to ~~may~~ issue subpoenas
3 requiring the attendance of witnesses and subpoenas duces tecum
4 requiring the production of such books, papers, records and
5 documents as may be evidence of any matter under inquiry before
6 the electoral board, in the same manner as witnesses are
7 subpoenaed in the Circuit Court.

8 Service of such subpoenas shall be made by any sheriff or
9 other person in the same manner as in cases in such court and
10 the fees of such sheriff shall be the same as is provided by
11 law, and shall be paid by the objector or candidate who causes
12 the issuance of the subpoena. In case any person so served
13 shall knowingly neglect or refuse to obey any such subpoena, or
14 to testify, the electoral board shall at once file a petition
15 in the circuit court of the county in which such hearing is to
16 be heard, or has been attempted to be heard, setting forth the
17 facts, of such knowing refusal or neglect, and accompanying the
18 petition with a copy of the citation and the answer, if one has
19 been filed, together with a copy of the subpoena and the return
20 of service thereon, and shall apply for an order of court
21 requiring such person to attend and testify, and forthwith
22 produce books and papers, before the electoral board. Any
23 circuit court of the state, excluding the judge who is sitting
24 on the electoral board, upon such showing shall order such
25 person to appear and testify, and to forthwith produce such
26 books and papers, before the electoral board at a place to be

1 fixed by the court. If such person shall knowingly fail or
2 refuse to obey such order of the court without lawful excuse,
3 the court shall punish him or her by fine and imprisonment, as
4 the nature of the case may require and may be lawful in cases
5 of contempt of court.

6 The electoral board on the first day of its meeting shall
7 adopt rules of procedure for the introduction of evidence and
8 the presentation of arguments and may, in its discretion,
9 provide for the filing of briefs by the parties to the
10 objection or by other interested persons.

11 In the event of a State Electoral Board hearing on
12 objections to a petition for an amendment to Article IV of the
13 Constitution pursuant to Section 3 of Article XIV of the
14 Constitution, or to a petition for a question of public policy
15 to be submitted to the voters of the entire State, the
16 certificates of the county clerks and boards of election
17 commissioners showing the results of the random sample of
18 signatures on the petition shall be prima facie valid and
19 accurate, and shall be presumed to establish the number of
20 valid and invalid signatures on the petition sheets reviewed in
21 the random sample, as prescribed in Section 28-11 and 28-12 of
22 this Code. Either party, however, may introduce evidence at
23 such hearing to dispute the findings as to particular
24 signatures. In addition to the foregoing, in the absence of
25 competent evidence presented at such hearing by a party
26 substantially challenging the results of a random sample, or

1 showing a different result obtained by an additional sample,
2 this certificate of a county clerk or board of election
3 commissioners shall be presumed to establish the ratio of valid
4 to invalid signatures within the particular election
5 jurisdiction.

6 The electoral board shall take up the question as to
7 whether or not the certificate of nomination or nomination
8 papers or petitions are in proper form, and whether or not they
9 were filed within the time and under the conditions required by
10 law, and whether or not they are the genuine certificate of
11 nomination or nomination papers or petitions which they purport
12 to be, and whether or not in the case of the certificate of
13 nomination in question it represents accurately the decision of
14 the caucus or convention issuing it, and in general shall
15 decide whether or not the certificate of nomination or
16 nominating papers or petitions on file are valid or whether the
17 objections thereto should be sustained and the decision of a
18 majority of the electoral board shall be final subject to
19 judicial review as provided in Section 10-10.1. The electoral
20 board must state its findings in writing and must state in
21 writing which objections, if any, it has sustained. A copy of
22 the decision shall be served upon the parties to the
23 proceedings in open proceedings before the electoral board. If
24 a party does not appear for receipt of the decision, the
25 decision shall be deemed to have been served on the absent
26 party on the date when a copy of the decision is personally

1 delivered or on the date when a copy of the decision is
2 deposited in the Unites States mail, in a sealed envelope or
3 package, with postage prepaid, addressed to each party affected
4 by the decision or to such party's attorney of record, if any,
5 at the address on record for such person in the files of the
6 electoral board.

7 Upon the expiration of the period within which a proceeding
8 for judicial review must be commenced under Section 10-10.1,
9 the electoral board shall, unless a proceeding for judicial
10 review has been commenced within such period, transmit, by
11 registered or certified mail, a certified copy of its ruling,
12 together with the original certificate of nomination or
13 nomination papers or petitions and the original objector's
14 petition, to the officer or board with whom the certificate of
15 nomination or nomination papers or petitions, as objected to,
16 were on file, and such officer or board shall abide by and
17 comply with the ruling so made to all intents and purposes.

18 (Source: P.A. 98-115, eff. 7-29-13.)

19 (10 ILCS 5/11-6) (from Ch. 46, par. 11-6)

20 Sec. 11-6. Within 60 days after the effective date of this
21 amendatory Act of the 98th General Assembly, each election
22 authority shall transmit to the principal office of the State
23 Board of Elections and publish on any website maintained by the
24 election authority maps in electronic portable document format
25 (.PDF) showing the current boundaries of all the precincts

1 within its jurisdiction. Whenever election precincts in an
2 election jurisdiction have been redivided or readjusted, the
3 county board or board of election commissioners shall prepare
4 maps in electronic portable document format (.PDF) showing such
5 election precinct boundaries no later than 90 days before the
6 next scheduled election. The maps shall show the boundaries of
7 all political subdivisions and districts. The county board or
8 board of election commissioners shall immediately forward
9 copies thereof to the chairman of each county central committee
10 in the county, to each township, ward, or precinct
11 committeeman, and each local election official whose political
12 subdivision is wholly or partly in the county and, upon
13 request, shall furnish copies thereof to each candidate for
14 political or public office in the county and shall transmit
15 copies thereof to the principal office of the State Board of
16 Elections and publish copies thereof on any website maintained
17 by the election authority.

18 ~~Within 60 days of the effective date of this amendatory Act of~~
19 ~~1983, each election authority shall transmit to the principal~~
20 ~~office of the State Board of Elections maps showing the current~~
21 ~~boundaries of all the precincts within its jurisdiction.~~
22 ~~Whenever election precincts in an election jurisdiction have~~
23 ~~been redivided or readjusted, the county board or board of~~
24 ~~election commissioners shall prepare maps showing such~~
25 ~~election precinct boundaries no later than 45 days before the~~
26 ~~next scheduled election. The maps, or transparent overlays,~~

1 ~~shall show the boundaries of all political subdivisions and~~
2 ~~districts. The county board or board of election commissioners~~
3 ~~shall immediately forward copies thereof to the chairman of~~
4 ~~each county central committee in the county, to each township,~~
5 ~~ward or precinct committeeman and each local election official~~
6 ~~whose political subdivision is wholly or partly in the county~~
7 ~~and, upon request, shall furnish copies thereof to each~~
8 ~~candidate for political or public office in the county and~~
9 ~~shall transmit copies thereof to the principal office of the~~
10 ~~State Board of Elections.~~

11 (Source: P.A. 84-861.)

12 (10 ILCS 5/13-2.5)

13 Sec. 13-2.5. Time off from work to serve as election judge.
14 Any person who is appointed as an election judge under Section
15 13-1 or 13-2 may, after giving his or her employer at least 20
16 days' written notice, be absent from his or her place of work
17 for the purpose of serving as an election judge. An employer
18 may not penalize an employee for that absence other than a
19 deduction in salary for the time the employee was absent from
20 his or her place of employment. An employer may not require an
21 employee to use earned vacation time or any form of paid leave
22 time to serve as an election judge.

23 This Section does not apply to an employer with fewer than
24 25 employees. An employer with more than 25 employees shall not
25 be required to permit more than 10% of the employees to be

1 absent under this Section on the same election day.

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

3 (10 ILCS 5/14-4.5)

4 Sec. 14-4.5. Time off from work to serve as election judge.

5 Any person who is appointed as an election judge under Section
6 13-1 or 13-2 may, after giving his or her employer at least 20
7 days' written notice, be absent from his or her place of work
8 for the purpose of serving as an election judge. An employer
9 may not penalize an employee for that absence other than a
10 deduction in salary for the time the employee was absent from
11 his or her place of employment. An employer may not require an
12 employee to use earned vacation time or any form of paid leave
13 time to serve as an election judge.

14 This Section does not apply to an employer with fewer than
15 25 employees. An employer with more than 25 employees shall not
16 be required to permit more than 10% of the employees to be
17 absent under this Section on the same election day.

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

19 (10 ILCS 5/18A-5)

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

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

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

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

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

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

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

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

19 (6) The voter received an absentee ballot but did not
20 return the absentee ballot to the election authority; or ~~-~~

21 (7) The voter registered to vote during the grace
22 period on the day before election day or on election day
23 during the 2014 general election.

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

26 (1) After first verifying through an examination of the

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

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

19 (i) an affidavit stating the following:

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

1 in this election; I am a duly registered voter in
2 every respect; and I am eligible to vote in this
3 election. Signature Printed Name of Voter
4 Printed Residence Address of Voter
5 City State Zip Code Telephone
6 Number Date of Birth and Illinois
7 Driver's License Number or Last 4 digits of
8 Social Security Number or State
9 Identification Card Number issued to you by the
10 Illinois Secretary of State.....

11 (ii) A box for the election judge to check one of
12 the 6 reasons why the person was given a provisional
13 ballot under subsection (a) of Section 18A-5.

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

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

23 (3) After the person executes the portion of the
24 written affidavit described in subsection (b)(2)(i) of
25 this Section, the election judge shall complete the portion
26 of the written affidavit described in subsection

1 (b) (2) (iii) and (b) (2) (iv).

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

15 (5) The election judge shall provide the person with a
16 provisional ballot, written instructions for casting a
17 provisional ballot, and the provisional ballot envelope
18 with the clear plastic packing list envelope affixed to it,
19 which contains the person's original written affidavit
20 and, if any, information provided by the provisional voter
21 to support his or her claim that he or she is a duly
22 registered voter. An election judge must also give the
23 person written information that states that any person who
24 casts a provisional ballot shall be able to ascertain,
25 pursuant to guidelines established by the State Board of
26 Elections, whether the provisional vote was counted in the

1 official canvass of votes for that election and, if the
2 provisional vote was not counted, the reason that the vote
3 was not counted.

4 (6) After the person has completed marking his or her
5 provisional ballot, he or she shall place the marked ballot
6 inside of the provisional ballot envelope, close and seal
7 the envelope, and return the envelope to an election judge,
8 who shall then deposit the sealed provisional ballot
9 envelope into a securable container separately identified
10 and utilized for containing sealed provisional ballot
11 envelopes. Ballots that are provisional because they are
12 cast after 7:00 p.m. by court order shall be kept separate
13 from other provisional ballots. Upon the closing of the
14 polls, the securable container shall be sealed with
15 filament tape provided for that purpose, which shall be
16 wrapped around the box lengthwise and crosswise, at least
17 twice each way, and each of the election judges shall sign
18 the seal.

19 (c) Instead of the affidavit form described in subsection
20 (b), the county clerk or board of election commissioners, as
21 the case may be, may design and use a multi-part affidavit form
22 that is imprinted upon or attached to the provisional ballot
23 envelope described in subsection (b). If a county clerk or
24 board of election commissioners elects to design and use its
25 own multi-part affidavit form, then the county clerk or board
26 of election commissioners shall establish a mechanism for

1 accepting any information the provisional voter has supplied to
2 the election judge to support his or her claim that he or she
3 is a duly registered voter. In all other respects, a county
4 clerk or board of election commissioners shall establish
5 procedures consistent with subsection (b).

6 (d) The county clerk or board of election commissioners, as
7 the case may be, shall use the completed affidavit form
8 described in subsection (b) to update the person's voter
9 registration information in the State voter registration
10 database and voter registration database of the county clerk or
11 board of election commissioners, as the case may be. If a
12 person is later determined not to be a registered voter based
13 on Section 18A-15 of this Code, then the affidavit shall be
14 processed by the county clerk or board of election
15 commissioners, as the case may be, as a voter registration
16 application.

17 (Source: P.A. 97-766, eff. 7-6-12.)

18 (10 ILCS 5/18A-15)

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

20 (a) The county clerk or board of election commissioners
21 shall complete the validation and counting of provisional
22 ballots within 14 calendar days of the day of the election. The
23 county clerk or board of election commissioners shall have 7
24 calendar days from the completion of the validation and
25 counting of provisional ballots to conduct its final canvass.

1 The State Board of Elections shall complete within 31 calendar
2 days of the election or sooner if all the returns are received,
3 its final canvass of the vote for all public offices.

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

7 (1) the provisional voter cast the provisional ballot
8 in the correct precinct based on the address provided by
9 the provisional voter unless the provisional voter cast a
10 ballot pursuant to paragraph (7) of subsection (a) of
11 Section 18A-5, in which case the provisional ballot must
12 have been cast in the correct election jurisdiction based
13 on the address provided. The provisional voter's affidavit
14 shall serve as a change of address request by that voter
15 for registration purposes for the next ensuing election if
16 it bears an address different from that in the records of
17 the election authority. Votes for federal and statewide
18 offices on a provisional ballot cast in the incorrect
19 precinct that meet the other requirements of this
20 subsection shall be valid and counted in accordance with
21 rules adopted by the State Board of Elections. As used in
22 this item, "federal office" is defined as provided in
23 Section 20-1 and "statewide office" means the Governor,
24 Attorney General, Secretary of State, Comptroller, and
25 Treasurer. Votes for General Assembly, countywide,
26 citywide, or township office on a provisional ballot cast

1 in the incorrect precinct but in the correct legislative
2 district, representative district, county, municipality,
3 or township, as the case may be, shall be valid and counted
4 in accordance with rules adopted by the State Board of
5 Elections. As used in this item, "citywide office" means an
6 office elected by the electors of an entire municipality.
7 As used in this item, "township office" means an office
8 elected by the electors of an entire township;

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

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

17 i. the provisional voter;

18 ii. an election judge;

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

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

23 v. the records of the Secretary of State; and

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

1 ballot was cast.

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

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

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

1 additional information to verify or otherwise support the
2 information already submitted by the provisional voter. Within
3 2 calendar days after the election, the election authority
4 shall transmit by electronic means pursuant to a process
5 established by the State Board of Elections the name, street
6 address, e-mail address, and precinct, ward, township, and
7 district numbers, as the case may be, of each person casting a
8 provisional ballot 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 provisional voter
12 may, within 7 calendar days after the election, submit
13 additional information to the county clerk or board of election
14 commissioners. This information must be received by the county
15 clerk or board of election commissioners within the
16 7-calendar-day period.

17 (e) If the county clerk or board of election commissioners
18 determines that subsection (b) (1), (b) (2), or (b) (3) does not
19 apply, then the provisional ballot is not valid and may not be
20 counted. The provisional ballot envelope containing the ballot
21 cast by the provisional voter may not be opened. The county
22 clerk or board of election commissioners shall write on the
23 provisional ballot envelope the following: "Provisional ballot
24 determined invalid."

25 (f) If the county clerk or board of election commissioners
26 determines that a provisional ballot is valid under this

1 Section, then the provisional ballot envelope shall be opened.
2 The outside of each provisional ballot envelope shall also be
3 marked to identify the precinct and the date of the election.

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

18 (h) As soon as the ballots have been counted, the election
19 judges or election officials shall, in the presence of the
20 county clerk or board of election commissioners, place each of
21 the following items in a separate envelope or bag: (1) all
22 provisional ballots, voted or spoiled; (2) all provisional
23 ballot envelopes of provisional ballots voted or spoiled; and
24 (3) all executed affidavits of the provisional ballots voted or
25 spoiled. All provisional ballot envelopes for provisional
26 voters who have been determined not to be registered to vote

1 shall remain sealed. The county clerk or board of election
2 commissioners shall treat the provisional ballot envelope
3 containing the written affidavit as a voter registration
4 application for that person for the next election and process
5 that application. The election judges or election officials
6 shall then securely seal each envelope or bag, initial the
7 envelope or bag, and plainly mark on the outside of the
8 envelope or bag in ink the precinct in which the provisional
9 ballots were cast. The election judges or election officials
10 shall then place each sealed envelope or bag into a box, secure
11 and seal it in the same manner as described in item (6) of
12 subsection (b) of Section 18A-5. Each election judge or
13 election official shall take and subscribe an oath before the
14 county clerk or board of election commissioners that the
15 election judge or election official securely kept the ballots
16 and papers in the box, did not permit any person to open the
17 box or otherwise touch or tamper with the ballots and papers in
18 the box, and has no knowledge of any other person opening the
19 box. For purposes of this Section, the term "election official"
20 means the county clerk, a member of the board of election
21 commissioners, as the case may be, and their respective
22 employees.

23 (Source: P.A. 97-766, eff. 7-6-12; 98-115, eff. 7-29-13.)

24 (10 ILCS 5/19-2) (from Ch. 46, par. 19-2)

25 Sec. 19-2. Any elector as defined in Section 19-1 may by

1 mail or electronically on the website of the appropriate
2 election authority, not more than 90 ~~40~~ nor less than 5 days
3 prior to the date of such election, or by personal delivery not
4 more than 90 ~~40~~ nor less than one day prior to the date of such
5 election, make application to the county clerk or to the Board
6 of Election Commissioners for an official ballot for the
7 voter's precinct to be voted at such election. The URL address
8 at which voters may electronically request an absentee ballot
9 shall be fixed no later than 90 calendar days before an
10 election and shall not be changed until after the election.

11 Such a ballot shall be delivered to the elector only upon
12 separate application by the elector for each election.

13 (Source: P.A. 97-81, eff. 7-5-11; 98-115, eff. 7-29-13.)

14 (10 ILCS 5/19A-10)

15 Sec. 19A-10. Permanent polling places for early voting.

16 (a) An election authority may establish permanent polling
17 places for early voting by personal appearance at locations
18 throughout the election authority's jurisdiction, including
19 but not limited to a municipal clerk's office, a township
20 clerk's office, a road district clerk's office, or a county or
21 local public agency office. Except as otherwise provided in
22 subsection (b), any person entitled to vote early by personal
23 appearance may do so at any polling place established for early
24 voting.

25 (b) If it is impractical for the election authority to

1 provide at each polling place for early voting a ballot in
2 every form required in the election authority's jurisdiction,
3 the election authority may:

4 (1) provide appropriate forms of ballots to the office
5 of the municipal clerk in a municipality not having a board
6 of election commissioners; the township clerk; or in
7 counties not under township organization, the road
8 district clerk; and

9 (2) limit voting at that polling place to registered
10 voters in that municipality, ward or group of wards,
11 township, or road district.

12 If the early voting polling place does not have the correct
13 ballot form for a person seeking to vote early, the election
14 judge or election official conducting early voting at that
15 polling place shall inform the person of that fact, give the
16 person the appropriate telephone number of the election
17 authority in order to locate an early voting polling place with
18 the correct ballot form for use in that person's assigned
19 precinct, and instruct the person to go to the proper early
20 voting polling place to vote early.

21 (c) During each general primary and general election, each
22 election authority in a county with a population over 250,000
23 shall establish at least one permanent polling place for early
24 voting by personal appearance at a location within each of the
25 3 largest municipalities within its jurisdiction. If any of the
26 3 largest municipalities is over 80,000, the election authority

1 shall establish at least 2 permanent polling places within the
2 municipality. All population figures shall be determined by the
3 federal census.

4 (d) During each general primary and general election, each
5 board of election commissioners established under Article 6 of
6 this Code in any city, village, or incorporated town with a
7 population over 100,000 shall establish at least 2 permanent
8 polling places for early voting by personal appearance. All
9 population figures shall be determined by the federal census.

10 (e) During each general primary and general election, each
11 election authority in a county with a population of over
12 100,000 but under 250,000 persons shall establish at least one
13 polling place for early voting by personal appearance. The
14 location for early voting may be the election authority's main
15 office or another location designated by the election
16 authority. The election authority may designate additional
17 sites for early voting by personal appearance. All population
18 figures shall be determined by the federal census.

19 (Source: P.A. 94-645, eff. 8-22-05; 95-699, eff. 11-9-07.)

20 (10 ILCS 5/19A-15)

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

22 (a) The period for early voting by personal appearance
23 begins the 15th day preceding a general primary, consolidated
24 primary, consolidated, or general election and extends through
25 the 3rd day before election day, except that for the 2014

1 general election the period for early voting by personal
2 appearance shall extend through the 2nd day before election
3 day.

4 (b) Except as otherwise provided by this Section, a A
5 permanent polling place for early voting must remain open
6 during the hours of 8:30 a.m. to 4:30 p.m., or 9:00 a.m. to
7 5:00 p.m., on weekdays and 9:00 a.m. to 12:00 p.m. on Saturdays
8 and holidays, and 12:00 p.m. to 3:00 p.m. on Sundays; except
9 that, in addition to the hours required by this subsection, a
10 permanent early voting polling place designated by an election
11 authority under subsection (c) of Section 19A-10 must remain
12 open for a total of at least 8 hours on any holiday during the
13 early voting period and a total of at least 14 hours on the
14 final weekend during the early voting period. For the 2014
15 general election, a permanent polling place for early voting
16 must remain open during the hours of 8:30 a.m. to 4:30 p.m. or
17 9:00 a.m. to 5:00 p.m. on weekdays, except that beginning 8
18 days before election day, a permanent polling place for early
19 voting must remain open during the hours of 8:30 a.m. to 7:00
20 p.m., or 9:00 a.m. to 7:00 p.m.. For the 2014 general election,
21 a permanent polling place for early voting shall remain open
22 during the hours of 9:00 a.m. to 12:00 p.m. on Saturdays and
23 10:00 a.m. to 4:00 p.m. on Sundays; except that, in addition to
24 the hours required by this subsection (b), a permanent early
25 voting place designated by an election authority under
26 subsection (c) of Section 19A-10 must remain open for a total

1 of at least 14 hours on the final weekend during the early
2 voting period.

3 (c) Notwithstanding subsections (a) and (b), an election
4 authority may close an early voting polling place if the
5 building in which the polling place is located has been closed
6 by the State or unit of local government in response to a
7 severe weather emergency. In the event of a closure, the
8 election authority shall conduct early voting on the 2nd day
9 before election day from 8:30 a.m. to 4:30 p.m. or 9:00 a.m. to
10 5:00 p.m. The election authority shall notify the State Board
11 of Elections of any closure and shall make reasonable efforts
12 to provide notice to the public of the extended early voting
13 period.

14 (d) Notwithstanding subsections (a) and (b), in 2013 only,
15 an election authority may close an early voting place on Good
16 Friday, Holy Saturday, and Easter Sunday, provided that the
17 early voting place remains open 2 hours later on April 3, 4,
18 and 5 of 2013. The election authority shall notify the State
19 Board of Elections of any closure and shall provide notice to
20 the public of the closure and the extended hours during the
21 final week.

22 (Source: P.A. 97-81, eff. 7-5-11; 97-766, eff. 7-6-12; 98-4,
23 eff. 3-12-13; 98-115, eff. 7-29-13.)

24 (10 ILCS 5/19A-35)

25 Sec. 19A-35. Procedure for voting.

1 (a) Not more than 23 days before the start of the election,
2 the county clerk shall make available to the election official
3 conducting early voting by personal appearance a sufficient
4 number of early ballots, envelopes, and printed voting
5 instruction slips for the use of early voters. The election
6 official shall receipt for all ballots received and shall
7 return unused or spoiled ballots at the close of the early
8 voting period to the county clerk and must strictly account for
9 all ballots received. The ballots delivered to the election
10 official must include early ballots for each precinct in the
11 election authority's jurisdiction and must include separate
12 ballots for each political subdivision conducting an election
13 of officers or a referendum at that election.

14 (b) In conducting early voting under this Article, the
15 election judge or official is required to verify the signature
16 of the early voter by comparison with the signature on the
17 official registration card, and the judge or official must
18 verify (i) the identity of the applicant, (ii) that the
19 applicant is a registered voter, (iii) the precinct in which
20 the applicant is registered, and (iv) the proper ballots of the
21 political subdivision in which the applicant resides and is
22 entitled to vote before providing an early ballot to the
23 applicant. Except for during the 2014 general election, the ~~The~~
24 applicant's identity must be verified by the applicant's
25 presentation of an Illinois driver's license, a non-driver
26 identification card issued by the Illinois Secretary of State,

1 a photo identification card issued by a university or college,
2 or another government-issued identification document
3 containing the applicant's photograph. The election judge or
4 official must verify the applicant's registration from the most
5 recent poll list provided by the election authority, and if the
6 applicant is not listed on that poll list, by telephoning the
7 office of the election authority.

8 (b-5) A person requesting an early voting ballot to whom an
9 absentee ballot was issued may vote early if the person submits
10 that absentee ballot to the judges of election or official
11 conducting early voting for cancellation. If the voter is
12 unable to submit the absentee ballot, it shall be sufficient
13 for the voter to submit to the judges or official (i) a portion
14 of the absentee ballot if the absentee ballot was torn or
15 mutilated or (ii) an affidavit executed before the judges or
16 official specifying that (A) the voter never received an
17 absentee ballot or (B) the voter completed and returned an
18 absentee ballot and was informed that the election authority
19 did not receive that absentee ballot.

20 (b-10) Within one day after a voter casts an early voting
21 ballot, the election authority shall transmit the voter's name,
22 street address, and precinct, ward, township, and district
23 numbers, as the case may be, to the State Board of Elections,
24 which shall maintain those names and that information in an
25 electronic format on its website, arranged by county and
26 accessible to State and local political committees.

1 (b-15) Immediately after voting an early ballot, the voter
2 shall be instructed whether the voting equipment accepted or
3 rejected the ballot or identified that ballot as under-voted
4 for a statewide constitutional office. A voter whose ballot is
5 identified as under-voted may return to the voting booth and
6 complete the voting of that ballot. A voter whose early voting
7 ballot is not accepted by the voting equipment may, upon
8 surrendering the ballot, request and vote another early voting
9 ballot. The voter's surrendered ballot shall be initialed by
10 the election judge or official conducting the early voting and
11 handled as provided in the appropriate Article governing the
12 voting equipment used.

13 (c) The sealed early ballots in their carrier envelope
14 shall be delivered by the election authority to the central
15 ballot counting location before the close of the polls on the
16 day of the election.

17 (Source: P.A. 95-699, eff. 11-9-07; 96-317, eff. 1-1-10.)

18 Section 905. The School Code is amended by changing Section
19 9-11.1 as follows:

20 (105 ILCS 5/9-11.1) (from Ch. 122, par. 9-11.1)

21 Sec. 9-11.1. The county clerk or the board of election
22 commissioners, as the case may be, of the jurisdiction in which
23 the principal office of the school district is located ~~local~~
24 ~~election official~~ shall conduct a lottery to determine the

1 ballot order of candidates for full terms in the event of any
2 simultaneous petition filings. Such candidate lottery shall be
3 conducted as follows:

4 All petitions filed by persons waiting in line as of 8:00
5 a.m. on the first day for filing, or as of the normal opening
6 hour of the office involved on such day, shall be deemed
7 simultaneously filed as of 8:00 a.m. or the normal opening
8 hour, as the case may be. Petitions filed by mail and received
9 after midnight of the first day for filing and in the first
10 mail delivery or pickup of that day shall be deemed
11 simultaneously filed as of 8:00 a.m. of that day or as of the
12 normal opening hour of such day, as the case may be. All
13 petitions received thereafter shall be deemed filed in the
14 order of actual receipt. However, 2 or more petitions filed
15 within the last hour of the filing deadline shall be deemed
16 filed simultaneously.

17 Where 2 or more petitions are received simultaneously for
18 the same office as of 8:00 a.m. on the first day for petition
19 filing, or as of the normal opening hour of the office of the
20 county clerk or the board of election commissioners, as the
21 case may be, the county clerk or the board of election
22 commissioners ~~local election official, the local election~~
23 ~~official~~ with whom such petitions are filed shall break ties
24 and determine the order of filing by means of a lottery or
25 other fair and impartial method of random selection. Such
26 lottery shall be conducted within 9 days following the last day

1 for petition filing and shall be open to the public. Seven days
2 written notice of the time and place of conducting such random
3 selection shall be given by the county clerk or the board of
4 election commissioners ~~local election official~~ to all
5 candidates who filed their petitions simultaneously and to each
6 organization of citizens within the election jurisdiction
7 which was entitled, under the general election law, at the next
8 preceding election, to have pollwatchers present on the day of
9 election. The county clerk or the board of election
10 commissioners ~~local election official~~ shall post in a
11 conspicuous, open and public place, at the entrance of his or
12 her office, notice of the time and place of such lottery.

13 All candidates shall be certified in the order in which
14 their petitions have been filed and in the manner prescribed by
15 Section 10-15 of the general election law. Where candidates
16 have filed simultaneously, they shall be certified in the order
17 prescribed by this Section and prior to candidates who filed
18 for the same office at a later time.

19 Where elections are conducted for unexpired terms, a second
20 lottery to determine ballot order shall be conducted for
21 candidates who simultaneously file petitions for such
22 unexpired terms. Such lottery shall be conducted in the same
23 manner as prescribed by this Section for full term candidates.

24 (Source: P.A. 84-1338.)

25 Section 997. Severability. If any provision of this Act or

1 its application to any person or circumstance is held invalid,
2 the invalidity of that provision or application does not affect
3 other provisions or applications of this Act that can be given
4 effect without the invalid provision or application.

5 Section 999. Effective date. This Act takes effect upon
6 becoming law.".