

HB5471



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

HB5471

by Rep. Linda Chapa LaVia

SYNOPSIS AS INTRODUCED:

10 ILCS 5/24-1

from Ch. 46, par. 24-1

Amends the Election Code. Provides that the State Board of Elections may authorize the use of voting machines certified or approved by an election authority of another state, provided that the other state's certification requirements are substantially similar to the requirements of certification in Illinois. Effective immediately.

LRB098 15747 MGM 50778 b

A BILL FOR

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 Section
5 24-1 as follows:

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

7 Sec. 24-1. The election authority in all jurisdictions when
8 voting machines are used shall, except as otherwise provided in
9 this Code, provide a voting machine or voting machines for any
10 or all of the election precincts or election districts, as the
11 case may be, for which the election authority is by law charged
12 with the duty of conducting an election or elections. A voting
13 machine or machines sufficient in number to provide a machine
14 for each 400 voters or fraction thereof shall be supplied for
15 use at all elections. However, no such voting machine shall be
16 used, purchased, or adopted, and no person or entity may have a
17 written contract, including a contract contingent upon
18 certification of the voting machines, to sell, lease, or loan
19 voting machines to an election authority, until the board of
20 voting machine commissioners hereinafter provided for, or a
21 majority thereof, shall have made and filed a report certifying
22 that they have examined such machine; that it affords each
23 elector an opportunity to vote in absolute secrecy; that it

1 enables each elector to vote a ticket selected in part from the
2 nominees of one party, and in part from the nominees of any or
3 all other parties, and in part from independent nominees
4 printed in the columns of candidates for public office, and in
5 part of persons not in nomination by any party or upon any
6 independent ticket; that it enables each elector to vote a
7 written or printed ballot of his own selection, for any person
8 for any office for whom he may desire to vote; that it enables
9 each elector to vote for all candidates for whom he is entitled
10 to vote, and prevents him from voting for any candidate for any
11 office more than once, unless he is lawfully entitled to cast
12 more than one vote for one candidate, and in that event permits
13 him to cast only as many votes for that candidate as he is by
14 law entitled, and no more; that it prevents the elector from
15 voting for more than one person for the same office, unless he
16 is lawfully entitled to vote for more than one person therefor,
17 and in that event permits him to vote for as many persons for
18 that office as he is by law entitled, and no more; that it
19 identifies when an elector has not voted for all statewide
20 constitutional offices; and that such machine will register
21 correctly by means of exact counters every vote cast for the
22 regular tickets thereon; and has the capacity to contain the
23 tickets of at least 5 political parties with the names of all
24 the candidates thereon, together with all propositions in the
25 form provided by law, where such form is prescribed, and where
26 no such provision is made for the form thereof, then in brief

1 form, not to exceed 75 words; that all votes cast on the
2 machine on a regular ballot or ballots shall be registered;
3 that voters may, by means of irregular ballots or otherwise
4 vote for any person for any office, although such person may
5 not have been nominated by any party and his name may not
6 appear on such machine; that when a vote is cast for any person
7 for any such office, when his name does not appear on the
8 machine, the elector cannot vote for any other name on the
9 machine for the same office; that each elector can,
10 understandingly and within the period of 4 minutes cast his
11 vote for all candidates of his choice; that the machine is so
12 constructed that the candidates for presidential electors of
13 any party can be voted for only by voting for the ballot label
14 containing a bracket within which are the names of the
15 candidates for President and Vice-President of the party or
16 group; that the machine is provided with a lock or locks by the
17 use of which any movement of the voting or registering
18 mechanism is absolutely prevented so that it cannot be tampered
19 with or manipulated for any purpose; that the machine is
20 susceptible of being closed during the progress of the voting
21 so that no person can see or know the number of votes
22 registered for any candidate; that each elector is permitted to
23 vote for or against any question, proposition or amendment upon
24 which he is entitled to vote, and is prevented from voting for
25 or against any question, proposition or amendment upon which he
26 is not entitled to vote; that the machine is capable of

1 adjustment by the election authority, so as to permit the
2 elector, at a party primary election, to vote only for the
3 candidates seeking nomination by the political party in which
4 primary he is entitled to vote: Provided, also that no such
5 machine or machines shall be purchased, unless the party or
6 parties making the sale shall guarantee in writing to keep the
7 machine or machines in good working order for 5 years without
8 additional cost and shall give a sufficient bond conditioned to
9 that effect.

10 The State Board of Elections may authorize the use of
11 voting machines certified or approved by an election authority
12 of another state, provided that the other state's certification
13 requirements are substantially similar to the requirements of
14 certification under this Section.

15 (Source: P.A. 94-1000, eff. 7-3-06; 95-699, eff. 11-9-07.)

16 Section 99. Effective date. This Act takes effect upon
17 becoming law.