



## 99TH GENERAL ASSEMBLY

### State of Illinois

2015 and 2016

HB5582

by Rep. Barbara Flynn Currie

#### SYNOPSIS AS INTRODUCED:

See Index

Amends the Election Code. Changes specified references to the required postmark date for vote by mail ballots to "no later than election day" to conform to other changes from Public Act 98-1171. Provides that in the event that the return address of an application for ballot by a physically incapacitated elector is that of a facility licensed or certified under specified Acts and the applicant is a registered voter in the precinct in which such facility is located, the ballots shall be prepared and transmitted to a responsible judge of election no later than 9 a.m. on the Friday, Saturday, Sunday, or Monday (previously, only Saturday, Sunday, or Monday) immediately preceding the election as designated by the election authority. Provides that the period for early voting by personal appearance begins the 15th (rather than 40th) day preceding an election. Provides that the envelope in which a vote by mail ballot is returned to the election authority may be delivered by any person authorized by the voter. Provides that any person who, having voted once, knowingly during any election (previously, on the same election day) where the ballot or machine lists any of the same candidates and issues listed on the ballot or machine previously used for voting by that person, (a) files an application to vote in the same or another polling place or (b) accepts a ballot or enters a voting machine (except to legally give assistance under the Code), shall be guilty of a Class 3 felony. Provides that certificates of nomination and nomination papers for the nomination of candidates for school district offices to be filled at consolidated elections shall be filed with the county clerk or county board of election commissioners of the county (was previously required to be filed with the "election authority") in which the principal office of the school district is located not more than 113 nor less than 106 days before the consolidated election. Amends the School Code. Removes a provision that provided that the county clerk or the county board of election commissioners shall receive and file only those petitions which include a statement of candidacy, the required number of voter signatures, the notarized signature of the petition circulator and a receipt from the County Clerk showing that the candidate has filed a statement of economic interest on or before the last day to file as required by the Illinois Governmental Ethics Act. Effective immediately.

LRB099 16644 MLM 44640 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  
5 Sections 1-12, 1A-16.8, 10-6, 16-5, 19-3, 19-4, 19A-15, 20-2,  
6 20-2.1, 20-2.2, 20-2.3, 20-3, 20-6, 20-8, and 29-5 as follows:

7 (10 ILCS 5/1-12)

8 Sec. 1-12. Public university voting.

9 (a) Each appropriate election authority shall, in addition  
10 to the early voting conducted at locations otherwise required  
11 by law, conduct early voting, grace period registration, and  
12 grace period voting at the student union on the campus of a  
13 public university within the election authority's  
14 jurisdiction. The voting required by this subsection (a) to be  
15 conducted on campus must be conducted from the 6th day before a  
16 general primary or general election until and including the 4th  
17 day before a general primary or general election from 10:00  
18 a.m. to 5 p.m. and as otherwise required by Article 19A of this  
19 Code, except that the voting required by this subsection (a)  
20 need not be conducted during a consolidated primary or  
21 consolidated election. If an election authority has voting  
22 equipment that can accommodate a ballot in every form required  
23 in the election authority's jurisdiction, then the election

1 authority shall extend early voting and grace period  
2 registration and voting under this Section to any registered  
3 voter in the election authority's jurisdiction. However, if the  
4 election authority does not have voting equipment that can  
5 accommodate a ballot in every form required in the election  
6 authority's jurisdiction, then the election authority may  
7 limit early voting and grace period registration and voting  
8 under this Section to voters in precincts where the public  
9 university is located and precincts bordering the university.  
10 Each public university shall make the space available at the  
11 student union for, and cooperate and coordinate with the  
12 appropriate election authority in, the implementation of this  
13 subsection (a).

14 (b) (Blank).

15 (c) For the purposes of this Section, "public university"  
16 means the University of Illinois, Illinois State University,  
17 Chicago State University, Governors State University, Southern  
18 Illinois University, Northern Illinois University, Eastern  
19 Illinois University, Western Illinois University, and  
20 Northeastern Illinois University.

21 (d) For the purposes of this Section, "student union" means  
22 the Student Center at 750 S. Halsted on the University of  
23 Illinois-Chicago campus; the Public Affairs Center at the  
24 University of Illinois at Springfield or a new building  
25 completed after the effective date of this Act housing student  
26 government at the University of Illinois at Springfield; the

1 Illini Union at the University of Illinois at Urbana-Champaign;  
2 the SIUC Student Center at the Southern Illinois University at  
3 Carbondale campus; the Morris University Center at the Southern  
4 Illinois University at Edwardsville campus; the University  
5 Union at the Western Illinois University at the Macomb campus;  
6 the Holmes Student Center at the Northern Illinois University  
7 campus; the University Union at the Eastern Illinois University  
8 campus; NEIU Student Union at the Northeastern Illinois  
9 University campus; the Bone Student Center at the Illinois  
10 State University campus; the Cordell Reed Student Union at the  
11 Chicago State University campus; and the Hall of Governors in  
12 Building D at the Governors State University campus.

13 (Source: P.A. 98-115, eff. 7-29-13; 98-691, eff. 7-1-14;  
14 98-1171, eff. 6-1-15.)

15 (10 ILCS 5/1A-16.8)

16 Sec. 1A-16.8. Automatic transfer of registration based  
17 upon information from the National Change of Address database.  
18 The State Board of Elections shall cross-reference the  
19 statewide voter registration database against the United  
20 States Postal Service's National Change of Address database  
21 twice each calendar year, April 15 and October 1 in  
22 odd-numbered years and April 15 and December 1 in even-numbered  
23 years, and shall share the findings with the election  
24 authorities. An election authority shall automatically  
25 register any voter who has moved into its jurisdiction from

1 another jurisdiction in Illinois or has moved within its  
2 jurisdiction provided that:

3 (1) the election authority whose jurisdiction includes  
4 the new registration address provides the voter an  
5 opportunity to reject the change in registration address  
6 through a mailing, sent by non-forwardable mail, to the new  
7 registration address, and

8 (2) when the election authority whose jurisdiction  
9 includes the previous registration address is a different  
10 election authority, then that election authority provides  
11 the same opportunity through a mailing, sent by forwardable  
12 mail, to the previous registration address.

13 This change in registration shall trigger the same  
14 inter-jurisdictional or intra-jurisdictional workflows as if  
15 the voter completed a new registration card, including the  
16 cancellation of the voter's previous registration. Should the  
17 registration of a voter be changed from one address to another  
18 within the State and should the voter appear at the polls and  
19 offer to vote from the prior registration address, attesting  
20 that the prior registration address is the true current  
21 address, the voter, if confirmed by the election authority as  
22 having been registered at the prior registration address and  
23 canceled only by the process authorized by this Section, shall  
24 be issued a regular ballot, and the change of registration  
25 address shall be canceled. If the election authority is unable  
26 to immediately confirm the registration, the voter shall be

1 issued a provisional ballot ~~and the provisional ballot shall be~~  
2 ~~counted.~~

3 (Source: P.A. 98-1171, eff. 6-1-15.)

4 (10 ILCS 5/10-6) (from Ch. 46, par. 10-6)

5 Sec. 10-6. Time and manner of filing. Certificates of  
6 nomination and nomination papers for the nomination of  
7 candidates for offices to be filled by electors of the entire  
8 State, or any district not entirely within a county, or for  
9 congressional, state legislative or judicial offices, shall be  
10 presented to the principal office of the State Board of  
11 Elections not more than 141 nor less than 134 days previous to  
12 the day of election for which the candidates are nominated. The  
13 State Board of Elections shall endorse the certificates of  
14 nomination or nomination papers, as the case may be, and the  
15 date and hour of presentment to it. Except as otherwise  
16 provided in this section, all other certificates for the  
17 nomination of candidates shall be filed with the county clerk  
18 of the respective counties not more than 141 but at least 134  
19 days previous to the day of such election. Certificates of  
20 nomination and nomination papers for the nomination of  
21 candidates for school district offices to be filled at  
22 consolidated elections shall be filed with the county clerk or  
23 county board of election commissioners of the county ~~election~~  
24 ~~authority~~ in which the principal office of the school district  
25 is located not more than 113 nor less than 106 days before the

1 consolidated election. Certificates of nomination and  
2 nomination papers for the nomination of candidates for the  
3 other offices of political subdivisions to be filled at regular  
4 elections other than the general election shall be filed with  
5 the appropriate election authority ~~local election official~~ of  
6 such subdivision:

7 (1) (Blank);

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

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

13 (4) not more than 99 nor less than 92 days before the  
14 consolidated primary in the case of municipal offices to be  
15 elected on a nonpartisan basis that is subject to a primary  
16 election pursuant to law ~~(including without limitation,~~  
17 ~~those municipal offices subject to Articles 4 and 5 of the~~  
18 ~~Municipal Code);~~ or

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

23 (6) in the case of petitions for the office of  
24 multi-township assessor, such petitions shall be filed  
25 with the election authority not more than 113 nor less than  
26 106 days before the consolidated election.

1           However, where a political subdivision's boundaries are  
2 co-extensive with or are entirely within the jurisdiction of a  
3 municipal board of election commissioners, the certificates of  
4 nomination and nomination papers for candidates for such  
5 political subdivision offices shall be filed in the office of  
6 such Board.

7           (Source: P.A. 98-691, eff. 7-1-14.)

8           (10 ILCS 5/16-5) (from Ch. 46, par. 16-5)

9           Sec. 16-5. For all elections to which this article applies,  
10 the county clerks, in their respective counties, shall have  
11 charge of the printing of the ballots for all elections,  
12 including referenda, and shall furnish them to the judges of  
13 election. In municipalities and counties having a board of  
14 election commissioners, such board shall have charge of the  
15 printing of the ballots and furnish them to the judges of  
16 election within the territory under their jurisdiction.  
17 Ballots shall be printed and in possession of the respective  
18 election authorities at least two days before each election and  
19 subject to the inspection of candidates and their agents; if  
20 any mistakes be discovered they shall be corrected without  
21 delay. ~~The election authority shall cause to be delivered to~~  
22 ~~the judges of election at the polling place of each precinct or~~  
23 ~~district, not less than twelve hours before the time fixed by~~  
24 ~~law for the opening of the polls therein, at least 10% more~~  
25 ~~ballots of the kind to be voted in such precinct or district~~



1 ~~than the number of voters registered therein for the purposes~~  
2 ~~of such election, such ballots shall be put up in separate~~  
3 ~~sealed packages, with marks on the outside clearly designating~~  
4 ~~the polling place for which they are intended and the number of~~  
5 ~~ballots enclosed, and receipt therefor shall be given by the~~  
6 ~~judges of election to whom they are delivered, which receipt~~  
7 ~~shall be preserved by the election authority.~~ The election  
8 authority shall provide and retain at its office an ample  
9 supply of ballots, in addition to those distributed to the  
10 several voting precincts or districts, and if at any time on or  
11 before the day of election the ballots furnished to any  
12 precinct shall be lost, destroyed or exhausted before the polls  
13 are closed, on written application signed by a majority of the  
14 judges he or they shall immediately cause to be delivered to  
15 such judges at the polling place, such additional supply of  
16 ballots as may be required and sufficient to comply with the  
17 provisions of this Act.

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

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

20 Sec. 19-3. The application for vote by mail ballot shall be  
21 substantially in the following form:

22 APPLICATION FOR VOTE BY MAIL BALLOT

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

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

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

17 I understand that this application is made for an official  
18 vote by mail ballot or ballots to be voted by me at the  
19 election specified in this application and that I must submit a  
20 separate application for an official vote by mail ballot or  
21 ballots to be voted by me at any subsequent election.

22 Under penalties as provided by law pursuant to Section  
23 29-10 of The Election Code, the undersigned certifies that the  
24 statements set forth in this application are true and correct.

25 .....

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

1 Post office address to which ballot is mailed:

2 .....

3 However, if application is made for a primary election  
4 ballot, such application shall require the applicant to  
5 designate the name of the political party with which the  
6 applicant is affiliated.

7 If application is made electronically, the applicant shall  
8 mark the box associated with the above described statement  
9 included as part of the online application certifying that the  
10 statements set forth in this application are true and correct,  
11 and a signature is not required.

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

19 (Source: P.A. 97-766, eff. 7-6-12; 98-115, eff. 7-29-13;  
20 98-1171, eff. 6-1-15.)

21 (10 ILCS 5/19-4) (from Ch. 46, par. 19-4)

22 Sec. 19-4. Mailing or delivery of ballots; time.  
23 Immediately upon the receipt of such application either by mail  
24 or electronic means, not more than 90 days nor less than 5 days  
25 prior to such election, or by personal delivery not more than

1 90 days nor less than one day prior to such election, at the  
2 office of such election authority, it shall be the duty of such  
3 election authority to examine the records to ascertain whether  
4 or not such applicant is lawfully entitled to vote as  
5 requested, including a verification of the applicant's  
6 signature by comparison with the signature on the official  
7 registration record card, and if found so to be entitled to  
8 vote, to post within one business day thereafter the name,  
9 street address, ward and precinct number or township and  
10 district number, as the case may be, of such applicant given on  
11 a list, the pages of which are to be numbered consecutively to  
12 be kept by such election authority for such purpose in a  
13 conspicuous, open and public place accessible to the public at  
14 the entrance of the office of such election authority, and in  
15 such a manner that such list may be viewed without necessity of  
16 requesting permission therefor. Within one day after posting  
17 the name and other information of an applicant for a vote by  
18 mail ballot, the election authority shall transmit by  
19 electronic means pursuant to a process established by the State  
20 Board of Elections that name and other posted information to  
21 the State Board of Elections, which shall maintain those names  
22 and other information in an electronic format on its website,  
23 arranged by county and accessible to State and local political  
24 committees. Within 2 business days after posting a name and  
25 other information on the list within its office, but no sooner  
26 than 40 days before an election, the election authority shall

1 mail, postage prepaid, or deliver in person in such office an  
2 official ballot or ballots if more than one are to be voted at  
3 said election. Mail delivery of Temporarily Absent Student  
4 ballot applications pursuant to Section 19-12.3 shall be by  
5 nonforwardable mail. However, for the consolidated election,  
6 vote by mail ballots for certain precincts may be delivered to  
7 applicants not less than 25 days before the election if so much  
8 time is required to have prepared and printed the ballots  
9 containing the names of persons nominated for offices at the  
10 consolidated primary. The election authority shall enclose  
11 with each vote by mail ballot or application written  
12 instructions on how voting assistance shall be provided  
13 pursuant to Section 17-14 and a document, written and approved  
14 by the State Board of Elections, informing the vote by mail  
15 voter of the required postage for returning the application and  
16 ballot, and enumerating the circumstances under which a person  
17 is authorized to vote by vote by mail ballot pursuant to this  
18 Article; such document shall also include a statement informing  
19 the applicant that if he or she falsifies or is solicited by  
20 another to falsify his or her eligibility to cast a vote by  
21 mail ballot, such applicant or other is subject to penalties  
22 pursuant to Section 29-10 and Section 29-20 of the Election  
23 Code. Each election authority shall maintain a list of the  
24 name, street address, ward and precinct, or township and  
25 district number, as the case may be, of all applicants who have  
26 returned vote by mail ballots to such authority, and the name

1 of such vote by mail voter shall be added to such list within  
2 one business day from receipt of such ballot. If the vote by  
3 mail ballot envelope indicates that the voter was assisted in  
4 casting the ballot, the name of the person so assisting shall  
5 be included on the list. The list, the pages of which are to be  
6 numbered consecutively, shall be kept by each election  
7 authority in a conspicuous, open, and public place accessible  
8 to the public at the entrance of the office of the election  
9 authority and in a manner that the list may be viewed without  
10 necessity of requesting permission for viewing.

11 Each election authority shall maintain a list for each  
12 election of the voters to whom it has issued vote by mail  
13 ballots. The list shall be maintained for each precinct within  
14 the jurisdiction of the election authority. Prior to the  
15 opening of the polls on election day, the election authority  
16 shall deliver to the judges of election in each precinct the  
17 list of registered voters in that precinct to whom vote by mail  
18 ballots have been issued by mail.

19 Each election authority shall maintain a list for each  
20 election of voters to whom it has issued temporarily absent  
21 student ballots. The list shall be maintained for each election  
22 jurisdiction within which such voters temporarily abide.  
23 Immediately after the close of the period during which  
24 application may be made by mail or electronic means for vote by  
25 mail ballots, each election authority shall mail to each other  
26 election authority within the State a certified list of all

1 such voters temporarily abiding within the jurisdiction of the  
2 other election authority.

3 In the event that the return address of an application for  
4 ballot by a physically incapacitated elector is that of a  
5 facility licensed or certified under the Nursing Home Care Act,  
6 the Specialized Mental Health Rehabilitation Act of 2013, the  
7 ID/DD Community Care Act, or the MC/DD Act, within the  
8 jurisdiction of the election authority, and the applicant is a  
9 registered voter in the precinct in which such facility is  
10 located, the ballots shall be prepared and transmitted to a  
11 responsible judge of election no later than 9 a.m. on the  
12 Friday, Saturday, Sunday, or Monday immediately preceding the  
13 election as designated by the election authority under Section  
14 19-12.2. Such judge shall deliver in person on the designated  
15 day the ballot to the applicant on the premises of the facility  
16 from which application was made. The election authority shall  
17 by mail notify the applicant in such facility that the ballot  
18 will be delivered by a judge of election on the designated day.

19 All applications for vote by mail ballots shall be  
20 available at the office of the election authority for public  
21 inspection upon request from the time of receipt thereof by the  
22 election authority until 30 days after the election, except  
23 during the time such applications are kept in the office of the  
24 election authority pursuant to Section 19-7, and except during  
25 the time such applications are in the possession of the judges  
26 of election.

1 (Source: P.A. 98-104, eff. 7-22-13; 98-115, eff. 7-29-13;  
2 98-756, eff. 7-16-14; 98-1171, eff. 6-1-15; 99-180, eff.  
3 7-29-15.)

4 (10 ILCS 5/19A-15)

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

6 (a) The period for early voting by personal appearance  
7 begins the 15th ~~40th~~ day preceding a general primary,  
8 consolidated primary, consolidated, or general election and  
9 extends through the end of the day before election day.

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

25 (c) Notwithstanding subsection (b), an election authority



1 may close an early voting polling place if the building in  
2 which the polling place is located has been closed by the State  
3 or unit of local government in response to a severe weather  
4 emergency or other force majeure. The election authority shall  
5 notify the State Board of Elections of any closure and shall  
6 make reasonable efforts to provide notice to the public of an  
7 alternative location for early voting.

8 (d) (Blank).

9 (Source: P.A. 97-81, eff. 7-5-11; 97-766, eff. 7-6-12; 98-4,  
10 eff. 3-12-13; 98-115, eff. 7-29-13; 98-691, eff. 7-1-14;  
11 98-1171, eff. 6-1-15.)

12 (10 ILCS 5/20-2) (from Ch. 46, par. 20-2)

13 Sec. 20-2. Any member of the United States Service,  
14 otherwise qualified to vote, who expects in the course of his  
15 duties to be absent from the county in which he resides on the  
16 day of holding any election may make application for a vote by  
17 mail ballot to the election authority having jurisdiction over  
18 his precinct of residence on the official postcard or on a form  
19 furnished by the election authority as prescribed by Section  
20 20-3 of this Article not less than 10 days before the election.  
21 A request pursuant to this Section shall entitle the applicant  
22 to a vote by mail ballot for every election in one calendar  
23 year. The original application for ballot shall be kept in the  
24 office of the election authority for one year as authorization  
25 to send a ballot to the voter for each election to be held

1 within that calendar year. A certified copy of such application  
2 for ballot shall be sent each election with the vote by mail  
3 ballot to the election authority's central ballot counting  
4 location to be used in lieu of the original application for  
5 ballot. No registration shall be required in order to vote  
6 pursuant to this Section.

7 Ballots under this Section shall be mailed by the election  
8 authority in the manner prescribed by Section 20-5 of this  
9 Article and not otherwise. Ballots voted under this Section  
10 must be returned postmarked no later than ~~midnight preceding~~  
11 election day and received for counting at the central ballot  
12 counting location of the election authority during the period  
13 for counting provisional ballots, the last day of which is the  
14 14th day following election day.

15 (Source: P.A. 98-1171, eff. 6-1-15.)

16 (10 ILCS 5/20-2.1) (from Ch. 46, par. 20-2.1)

17 Sec. 20-2.1. Citizens of the United States temporarily  
18 residing outside the territorial limits of the United States  
19 who are not registered but otherwise qualified to vote and who  
20 expect to be absent from their county of residence during the  
21 periods of voter registration provided for in Articles 4, 5 or  
22 6 of this Code and on the day of holding any election, may make  
23 simultaneous application to the election authority having  
24 jurisdiction over their precinct of residence for registration  
25 by mail and vote by mail ballot not less than 30 days before

1 the election. Such application may be made on the official  
2 postcard or on a form furnished by the election authority as  
3 prescribed by Section 20-3 of this Article or by facsimile or  
4 electronic transmission. A request pursuant to this Section  
5 shall entitle the applicant to a vote by mail ballot for every  
6 election in one calendar year. The original application for  
7 ballot shall be kept in the office of the election authority  
8 for one year as authorization to send a ballot to the voter for  
9 each election to be held within that calendar year. A certified  
10 copy of such application for ballot shall be sent each election  
11 with the vote by mail ballot to the election authority's  
12 central ballot counting location to be used in lieu of the  
13 original application for ballot.

14 Registration shall be required in order to vote pursuant to  
15 this Section. However, if the election authority receives one  
16 of such applications after 30 days but not less than 10 days  
17 before a Federal election, said applicant shall be sent a  
18 ballot containing the Federal offices only and registration for  
19 that election shall be waived.

20 Ballots under this Section shall be delivered by the  
21 election authority in the manner prescribed by Section 20-5 of  
22 this Article in person, by mail, or, if requested by the  
23 applicant and the election authority has the capability, by  
24 facsimile transmission or by electronic transmission.

25 Ballots voted under this Section must be returned  
26 postmarked no later than ~~midnight~~ preceding election day and

1 received for counting at the central ballot counting location  
2 of the election authority during the period for counting  
3 provisional ballots, the last day of which is the 14th day  
4 following election day.

5 (Source: P.A. 98-1171, eff. 6-1-15.)

6 (10 ILCS 5/20-2.2) (from Ch. 46, par. 20-2.2)

7 Sec. 20-2.2. Any non-resident civilian citizen, otherwise  
8 qualified to vote, may make application to the election  
9 authority having jurisdiction over his precinct of former  
10 residence for a vote by mail ballot containing the Federal  
11 offices only not less than 10 days before a Federal election.  
12 Such application may be made on the official postcard or by  
13 facsimile or electronic transmission. A request pursuant to  
14 this Section shall entitle the applicant to a vote by mail  
15 ballot for every election in one calendar year at which Federal  
16 offices are filled. The original application for ballot shall  
17 be kept in the office of the election authority for one year as  
18 authorization to send a ballot to the voter for each election  
19 to be held within that calendar year at which Federal offices  
20 are filled. A certified copy of such application for ballot  
21 shall be sent each election with the vote by mail ballot to the  
22 election authority's central ballot counting location to be  
23 used in lieu of the original application for ballot. No  
24 registration shall be required in order to vote pursuant to  
25 this Section. Ballots under this Section shall be delivered by

1 the election authority in the manner prescribed by Section 20-5  
2 of this Article in person, by mail, or, if requested by the  
3 applicant and the election authority has the capability, by  
4 facsimile transmission or by electronic transmission. Ballots  
5 voted under this Section must be returned postmarked no later  
6 than ~~midnight preceding~~ election day and received for counting  
7 at the central ballot counting location of the election  
8 authority during the period for counting provisional ballots,  
9 the last day of which is the 14th day following election day.

10 (Source: P.A. 98-1171, eff. 6-1-15.)

11 (10 ILCS 5/20-2.3) (from Ch. 46, par. 20-2.3)

12 Sec. 20-2.3. Members of the Armed Forces and their spouses  
13 and dependents. Any member of the United States Armed Forces  
14 while on active duty, and his or her spouse and dependents,  
15 otherwise qualified to vote, who expects in the course of his  
16 or her duties to be absent from the county in which he or she  
17 resides on the day of holding any election, in addition to any  
18 other method of making application for vote by mail ballot  
19 under this Article, may make application for a vote by mail  
20 ballot to the election authority having jurisdiction over his  
21 or her precinct of residence by a facsimile machine or  
22 electronic transmission not less than 10 days before the  
23 election.

24 Ballots under this Section shall be delivered by the  
25 election authority in the manner prescribed by Section 20-5 of

1 this Article in person, by mail, or, if requested by the  
2 applicant and the election authority has the capability, by  
3 facsimile transmission or by electronic transmission. Ballots  
4 voted under this Section must be returned postmarked no later  
5 than ~~midnight preceding~~ election day and received for counting  
6 at the central ballot counting location of the election  
7 authority during the period for counting provisional ballots,  
8 the last day of which is the 14th day following election day.  
9 (Source: P.A. 98-1171, eff. 6-1-15.)

10 (10 ILCS 5/20-3) (from Ch. 46, par. 20-3)

11 Sec. 20-3. The election authority shall furnish the  
12 following applications for registration by mail or vote by mail  
13 ballot which shall be considered a method of application in  
14 lieu of the official postcard.

15 1. Members of the United States Service, citizens of the  
16 United States temporarily residing outside the territorial  
17 limits of the United States, and certified program participants  
18 under the Address Confidentiality for Victims of Domestic  
19 Violence Act may make application within the periods prescribed  
20 in Sections 20-2 or 20-2.1, as the case may be. Such  
21 application shall be substantially in the following form:

22 "APPLICATION FOR BALLOT

23 To be voted at the..... election in the precinct in  
24 which is located my residence at....., in the  
25 city/village/township of .....(insert home address)

1 County of..... and State of Illinois.

2 I state that I am a citizen of the United States; that on  
3 (insert date of election) I shall have resided in the State of  
4 Illinois and in the election precinct for 30 days; that on the  
5 above date I shall be the age of 18 years or above; that I am  
6 lawfully entitled to vote in such precinct at that election;  
7 that I am (check category 1, 2, or 3 below):

8 1. ( ) a member of the United States Service,

9 2. ( ) a citizen of the United States temporarily residing  
10 outside the territorial limits of the United States and that I  
11 expect to be absent from the said county of my residence on the  
12 date of holding such election, and that I will have no  
13 opportunity to vote in person on that day.

14 3. ( ) a certified program participant under the Address  
15 Confidentiality for Victims of Domestic Violence Act.

16 I hereby make application for an official ballot or ballots  
17 to be voted by me at such election if I am absent from the said  
18 county of my residence, and I agree that I shall return said  
19 ballot or ballots to the election authority postmarked no later  
20 than ~~midnight preceding~~ election day, for counting no later  
21 than during the period for counting provisional ballots, the  
22 last day of which is the 14th day following election day or  
23 shall destroy said ballot or ballots.

24 (Check below only if category 2 or 3 and not previously  
25 registered)

26 ( ) I hereby make application to become registered as a

1 voter and agree to return the forms and affidavits for  
2 registration to the election authority not later than 30 days  
3 before the election.

4 Under penalties as provided by law pursuant to Article 29  
5 of The Election Code, the undersigned certifies that the  
6 statements set forth in this application are true and correct.

7 .....  
8 Post office address or service address to which  
9 registration materials or ballot should be mailed  
10 .....  
11 .....  
12 .....  
13 ....."

14 If application is made for a primary election ballot, such  
15 application shall designate the name of the political party  
16 with which the applicant is affiliated.

17 Such applications may be obtained from the election  
18 authority having jurisdiction over the person's precinct of  
19 residence.

20 2. A spouse or dependent of a member of the United States  
21 Service, said spouse or dependent being a registered voter in  
22 the county, may make application on behalf of said person in  
23 the office of the election authority within the periods  
24 prescribed in Section 20-2 which shall be substantially in the  
25 following form:

26 "APPLICATION FOR BALLOT to be voted at the..... election



1 in the precinct in which is located the residence of the person  
2 for whom this application is made at.....(insert  
3 residence address) in the city/village/township of.....  
4 County of..... and State of Illinois.

5 I certify that the following named person.....  
6 (insert name of person) is a member of the United States  
7 Service.

8 I state that said person is a citizen of the United States;  
9 that on (insert date of election) said person shall have  
10 resided in the State of Illinois and in the election precinct  
11 for which this application is made for 30 days; that on the  
12 above date said person shall be the age of 18 years or above;  
13 that said person is lawfully entitled to vote in such precinct  
14 at that election; that said person is a member of the United  
15 States Service, and that in the course of his duties said  
16 person expects to be absent from his county of residence on the  
17 date of holding such election, and that said person will have  
18 no opportunity to vote in person on that day.

19 I hereby make application for an official ballot or ballots  
20 to be voted by said person at such election and said person  
21 agrees that he shall return said ballot or ballots to the  
22 election authority postmarked no later than ~~midnight preceding~~  
23 election day, for counting no later than during the period for  
24 counting provisional ballots, the last day of which is the 14th  
25 day following election day, or shall destroy said ballot or  
26 ballots.

1 I hereby certify that I am the (mother, father, sister,  
 2 brother, husband or wife) of the said elector, and that I am a  
 3 registered voter in the election precinct for which this  
 4 application is made. (Strike all but one that is applicable.)

5 Under penalties as provided by law pursuant to Article 29  
 6 of The Election Code, the undersigned certifies that the  
 7 statements set forth in this application are true and correct.

8 Name of applicant .....  
 9 Residence address .....  
 10 City/village/township.....

11 Service address to which ballot should be mailed:  
 12 .....  
 13 .....  
 14 .....  
 15 ....."

16 If application is made for a primary election ballot, such  
 17 application shall designate the name of the political party  
 18 with which the person for whom application is made is  
 19 affiliated.

20 Such applications may be obtained from the election  
 21 authority having jurisdiction over the voting precinct in which  
 22 the person for whom application is made is entitled to vote.

23 (Source: P.A. 98-1171, eff. 6-1-15.)

24 (10 ILCS 5/20-6) (from Ch. 46, par. 20-6)

25 Sec. 20-6. Such vote by mail voter shall make and subscribe

1 to the certifications provided for in the application and on  
2 the return envelope for the ballot, and such ballot or ballots  
3 shall then be folded by such voter in the manner required to be  
4 folded before depositing the same in the ballot box, and be  
5 deposited in such envelope and the envelope securely sealed.  
6 The envelope in which the ballot is returned to the election  
7 authority may be delivered (i) by mail, postage paid, (ii) by  
8 any person authorized by the voter ~~in person, by the spouse,~~  
9 ~~parent, child, brother, or sister of the voter,~~ or (iii) by a  
10 company engaged in the business of making deliveries of  
11 property and licensed as a motor carrier of property by the  
12 Illinois Commerce Commission under the Illinois Commercial  
13 Transportation Law.

14 (Source: P.A. 98-1171, eff. 6-1-15.)

15 (10 ILCS 5/20-8) (from Ch. 46, par. 20-8)

16 Sec. 20-8. Time and place of counting ballots.

17 (a) (Blank.)

18 (b) Each vote by mail voter's ballot returned to an  
19 election authority, by any means authorized by this Article,  
20 and received by that election authority may be processed by the  
21 election authority beginning on the 15th day before election  
22 day in the central ballot counting location of the election  
23 authority, but the results of the processing may not be counted  
24 until the day of the election after 7:00 p.m., except as  
25 provided in subsections (g) and (g-5).

1           (c) Each vote by mail voter's ballot that is mailed to an  
2 election authority and postmarked no later than election day,  
3 but that is received by the election authority after the polls  
4 close on election day and before the close of the period for  
5 counting provisional ballots cast at that election, shall be  
6 endorsed by the receiving authority with the day and hour of  
7 receipt and shall be counted at the central ballot counting  
8 location of the election authority during the period for  
9 counting provisional ballots.

10           Each vote by mail voter's ballot that is mailed to an  
11 election authority absent a postmark, but that is received by  
12 the election authority after the polls close on election day  
13 and before the close of the period for counting provisional  
14 ballots cast at that election, shall be endorsed by the  
15 receiving authority with the day and hour of receipt, opened to  
16 inspect the date inserted on the certification, and, if the  
17 certification date is a date preceding the election day and the  
18 ballot is otherwise found to be valid under the requirements of  
19 this Section, counted at the central ballot counting location  
20 of the election authority during the period for counting  
21 provisional ballots. Absent a date on the certification, the  
22 ballot shall not be counted.

23           (d) Special write-in vote by mail voter's blank ballots  
24 returned to an election authority, by any means authorized by  
25 this Article, and received by the election authority at any  
26 time before the closing of the polls on election day shall be

1 endorsed by the receiving election authority with the day and  
2 hour of receipt and shall be counted at the central ballot  
3 counting location of the election authority during the same  
4 period provided for counting vote by mail voters' ballots under  
5 subsections (b), (g), and (g-5). Special write-in vote by mail  
6 voter's blank ballot that are mailed to an election authority  
7 and postmarked no later than ~~by midnight preceding the opening~~  
8 ~~of the polls on~~ election day, but that are received by the  
9 election authority after the polls close on election day and  
10 before the closing of the period for counting provisional  
11 ballots cast at that election, shall be endorsed by the  
12 receiving authority with the day and hour of receipt and shall  
13 be counted at the central ballot counting location of the  
14 election authority during the same periods provided for  
15 counting vote by mail voters' ballots under subsection (c).

16 (e) Except as otherwise provided in this Section, vote by  
17 mail voters' ballots and special write-in vote by mail voter's  
18 blank ballots received by the election authority after the  
19 closing of the polls on the day of election shall be endorsed  
20 by the person receiving the ballots with the day and hour of  
21 receipt and shall be safely kept unopened by the election  
22 authority for the period of time required for the preservation  
23 of ballots used at the election, and shall then, without being  
24 opened, be destroyed in like manner as the used ballots of that  
25 election.

26 (f) Counting required under this Section to begin on

1 election day after the closing of the polls shall commence no  
2 later than 8:00 p.m. and shall be conducted by a panel or  
3 panels of election judges appointed in the manner provided by  
4 law. The counting shall continue until all vote by mail voters'  
5 ballots and special write-in vote by mail voter's blank ballots  
6 required to be counted on election day have been counted.

7 (g) The procedures set forth in Articles 17 and 18 of this  
8 Code shall apply to all ballots counted under this Section. In  
9 addition, within 2 days after a ballot subject to this Article  
10 is received, but in all cases before the close of the period  
11 for counting provisional ballots, the election judge or  
12 official shall compare the voter's signature on the  
13 certification envelope of that ballot with the signature of the  
14 voter on file in the office of the election authority. If the  
15 election judge or official determines that the 2 signatures  
16 match, and that the voter is otherwise qualified to cast a  
17 ballot under this Article, the election authority shall cast  
18 and count the ballot on election day or the day the ballot is  
19 determined to be valid, whichever is later, adding the results  
20 to the precinct in which the voter is registered. If the  
21 election judge or official determines that the signatures do  
22 not match, or that the voter is not qualified to cast a ballot  
23 under this Article, then without opening the certification  
24 envelope, the judge or official shall mark across the face of  
25 the certification envelope the word "Rejected" and shall not  
26 cast or count the ballot.

1           In addition to the voter's signatures not matching, a  
2 ballot subject to this Article may be rejected by the election  
3 judge or official:

4           (1) if the ballot envelope is open or has been opened  
5 and resealed;

6           (2) if the voter has already cast an early or grace  
7 period ballot;

8           (3) if the voter voted in person on election day or the  
9 voter is not a duly registered voter in the precinct; or

10           (4) on any other basis set forth in this Code.

11           If the election judge or official determines that any of  
12 these reasons apply, the judge or official shall mark across  
13 the face of the certification envelope the word "Rejected" and  
14 shall not cast or count the ballot.

15           (g-5) If a ballot subject to this Article is rejected by  
16 the election judge or official for any reason, the election  
17 authority shall, within 2 days after the rejection but in all  
18 cases before the close of the period for counting provisional  
19 ballots, notify the voter that his or her ballot was rejected.  
20 The notice shall inform the voter of the reason or reasons the  
21 ballot was rejected and shall state that the voter may appear  
22 before the election authority, on or before the 14th day after  
23 the election, to show cause as to why the ballot should not be  
24 rejected. The voter may present evidence to the election  
25 authority supporting his or her contention that the ballot  
26 should be counted. The election authority shall appoint a panel

1 of 3 election judges to review the contested ballot,  
2 application, and certification envelope, as well as any  
3 evidence submitted by the vote by mail voter. No more than 2  
4 election judges on the reviewing panel shall be of the same  
5 political party. The reviewing panel of election judges shall  
6 make a final determination as to the validity of the contested  
7 ballot. The judges' determination shall not be reviewable  
8 either administratively or judicially.

9 A ballot subject to this subsection that is determined to  
10 be valid shall be counted before the close of the period for  
11 counting provisional ballots.

12 (g-10) All ballots determined to be valid shall be added to  
13 the vote totals for the precincts for which they were cast in  
14 the order in which the ballots were opened.

15 (h) Each political party, candidate, and qualified civic  
16 organization shall be entitled to have present one pollwatcher  
17 for each panel of election judges therein assigned.

18 (Source: P.A. 98-1171, eff. 6-1-15.)

19 (10 ILCS 5/29-5) (from Ch. 46, par. 29-5)

20 Sec. 29-5. Voting more than once. Any person who, having  
21 voted once, knowingly during any election ~~on the same election~~  
22 ~~day~~ where the ballot or machine lists any of the same  
23 candidates and issues listed on the ballot or machine  
24 previously used for voting by that person, (a) files an  
25 application to vote in the same or another polling place, or



1 (b) accepts a ballot or enters a voting machine (except to  
2 legally give assistance pursuant to the provisions of this  
3 Code), shall be guilty of a Class 3 felony; however, if a  
4 person has delivered a ballot or ballots to an election  
5 authority as a vote by mail voter and due to a change of  
6 circumstances is able to and does vote in the precinct of his  
7 residence on election day, shall not be deemed to be in  
8 violation of this Code.

9 (Source: P.A. 98-1171, eff. 6-1-15.)

10 Section 99. Effective date. This Act takes effect upon  
11 becoming law.

1	INDEX	
2	Statutes amended in order of appearance	
3	10 ILCS 5/1-12	
4	10 ILCS 5/1A-16.8	
5	10 ILCS 5/10-6	from Ch. 46, par. 10-6
6	10 ILCS 5/16-5	from Ch. 46, par. 16-5
7	10 ILCS 5/19-3	from Ch. 46, par. 19-3
8	10 ILCS 5/19-4	from Ch. 46, par. 19-4
9	10 ILCS 5/19A-15	
10	10 ILCS 5/20-2	from Ch. 46, par. 20-2
11	10 ILCS 5/20-2.1	from Ch. 46, par. 20-2.1
12	10 ILCS 5/20-2.2	from Ch. 46, par. 20-2.2
13	10 ILCS 5/20-2.3	from Ch. 46, par. 20-2.3
14	10 ILCS 5/20-3	from Ch. 46, par. 20-3
15	10 ILCS 5/20-6	from Ch. 46, par. 20-6
16	10 ILCS 5/20-8	from Ch. 46, par. 20-8
17	10 ILCS 5/29-5	from Ch. 46, par. 29-5