



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

HB5743

by Rep. Sheri L Jesiel

SYNOPSIS AS INTRODUCED:

10 ILCS 5/20-2	from Ch. 46, par. 20-2
10 ILCS 5/20-2.1	from Ch. 46, par. 20-2.1
10 ILCS 5/20-2.2	from Ch. 46, par. 20-2.2
10 ILCS 5/20-2.3	from Ch. 46, par. 20-2.3
10 ILCS 5/20-3	from Ch. 46, par. 20-3

Amends the Election Code. Provides that military ballots must be returned postmarked no later than election day. Effective immediately.

LRB099 16325 MGM 40656 b

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 20-2, 20-2.1, 20-2.2, 20-2.3, and 20-3 as follows:

6 (10 ILCS 5/20-2) (from Ch. 46, par. 20-2)

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

1 ballot. No registration shall be required in order to vote
2 pursuant to this Section.

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

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

12 (10 ILCS 5/20-2.1) (from Ch. 46, par. 20-2.1)

13 Sec. 20-2.1. Citizens of the United States temporarily
14 residing outside the territorial limits of the United States
15 who are not registered but otherwise qualified to vote and who
16 expect to be absent from their county of residence during the
17 periods of voter registration provided for in Articles 4, 5 or
18 6 of this Code and on the day of holding any election, may make
19 simultaneous application to the election authority having
20 jurisdiction over their precinct of residence for registration
21 by mail and vote by mail ballot not less than 30 days before
22 the election. Such application may be made on the official
23 postcard or on a form furnished by the election authority as
24 prescribed by Section 20-3 of this Article or by facsimile or
25 electronic transmission. A request pursuant to this Section

1 shall entitle the applicant to a vote by mail ballot for every
2 election in one calendar year. The original application for
3 ballot shall be kept in the office of the election authority
4 for one year as authorization to send a ballot to the voter for
5 each election to be held within that calendar year. A certified
6 copy of such application for ballot shall be sent each election
7 with the vote by mail ballot to the election authority's
8 central ballot counting location to be used in lieu of the
9 original application for ballot.

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

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

21 Ballots voted under this Section must be returned
22 postmarked no later than ~~midnight preceding~~ election day and
23 received for counting at the central ballot counting location
24 of the election authority during the period for counting
25 provisional ballots, the last day of which is the 14th day
26 following election day.

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

2 (10 ILCS 5/20-2.2) (from Ch. 46, par. 20-2.2)

3 Sec. 20-2.2. Any non-resident civilian citizen, otherwise
4 qualified to vote, may make application to the election
5 authority having jurisdiction over his precinct of former
6 residence for a vote by mail ballot containing the Federal
7 offices only not less than 10 days before a Federal election.
8 Such application may be made on the official postcard or by
9 facsimile or electronic transmission. A request pursuant to
10 this Section shall entitle the applicant to a vote by mail
11 ballot for every election in one calendar year at which Federal
12 offices are filled. The original application for ballot shall
13 be kept in the office of the election authority for one year as
14 authorization to send a ballot to the voter for each election
15 to be held within that calendar year at which Federal offices
16 are filled. A certified copy of such application for ballot
17 shall be sent each election with the vote by mail ballot to the
18 election authority's central ballot counting location to be
19 used in lieu of the original application for ballot. No
20 registration shall be required in order to vote pursuant to
21 this Section. Ballots under this Section shall be delivered by
22 the election authority in the manner prescribed by Section 20-5
23 of this Article in person, by mail, or, if requested by the
24 applicant and the election authority has the capability, by
25 facsimile transmission or by electronic transmission. Ballots

1 voted under this Section must be returned postmarked no later
2 than ~~midnight preceding~~ election day and received for counting
3 at the central ballot counting location of the election
4 authority during the period for counting provisional ballots,
5 the last day of which is the 14th day following election day.

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

7 (10 ILCS 5/20-2.3) (from Ch. 46, par. 20-2.3)

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

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. Ballots
25 voted under this Section must be returned postmarked no later

1 than ~~midnight preceding~~ election day and received for counting
2 at the central ballot counting location of the election
3 authority during the period for counting provisional ballots,
4 the last day of which is the 14th day following election day.
5 (Source: P.A. 98-1171, eff. 6-1-15.)

6 (10 ILCS 5/20-3) (from Ch. 46, par. 20-3)

7 Sec. 20-3. The election authority shall furnish the
8 following applications for registration by mail or vote by mail
9 ballot which shall be considered a method of application in
10 lieu of the official postcard.

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

18 "APPLICATION FOR BALLOT

19 To be voted at the..... election in the precinct in
20 which is located my residence at....., in the
21 city/village/township of(insert home address)
22 County of..... and State of Illinois.

23 I state that I am a citizen of the United States; that on
24 (insert date of election) I shall have resided in the State of
25 Illinois and in the election precinct for 30 days; that on the

1 above date I shall be the age of 18 years or above; that I am
2 lawfully entitled to vote in such precinct at that election;
3 that I am (check category 1, 2, or 3 below):

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

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

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

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

20 (Check below only if category 2 or 3 and not previously
21 registered)

22 () I hereby make application to become registered as a
23 voter and agree to return the forms and affidavits for
24 registration to the election authority not later than 30 days
25 before the election.

26 Under penalties as provided by law pursuant to Article 29

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

3
4 Post office address or service address to which
5 registration materials or ballot should be mailed
6
7
8
9"

10 If application is made for a primary election ballot, such
11 application shall designate the name of the political party
12 with which the applicant is affiliated.

13 Such applications may be obtained from the election
14 authority having jurisdiction over the person's precinct of
15 residence.

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

22 "APPLICATION FOR BALLOT to be voted at the..... election
23 in the precinct in which is located the residence of the person
24 for whom this application is made at.....(insert
25 residence address) in the city/village/township of.....
26 County of..... and State of Illinois.

1 I certify that the following named person.....
2 (insert name of person) is a member of the United States
3 Service.

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

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

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

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

4 Name of applicant

5 Residence address

6 City/village/township.....

7 Service address to which ballot should be mailed:
 8
 9
 10
 11"

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

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

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

20 Section 99. Effective date. This Act takes effect upon
 21 becoming law.