

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 7-15, 12-1, 17-9, 18-5, 24A-10, 24A-15.1, 24B-10,
6 and 24B-15.1 and by adding Article 19A as follows:

7 (10 ILCS 5/7-15) (from Ch. 46, par. 7-15)

8 Sec. 7-15. At least 60 days prior to each general and
9 consolidated primary, the election authority shall provide
10 public notice, calculated to reach elderly and handicapped
11 voters, of the availability of registration and voting aids
12 under the Federal Voting Accessibility for the Elderly and
13 Handicapped Act, of the availability of assistance in marking
14 the ballot, and procedures for voting by absentee ballot, and
15 procedures for early voting by personal appearance. At least
16 20 days before the general primary the county clerk of each
17 county, and not more than 30 nor less than 10 days before the
18 consolidated primary the election authority, shall prepare in
19 the manner provided in this Act, a notice of such primary
20 which notice shall state the time and place of holding the
21 primary, the hours during which the polls will be open, the
22 offices for which candidates will be nominated at such
23 primary and the political parties entitled to participate
24 therein, notwithstanding that no candidate of any such
25 political party may be entitled to have his name printed on
26 the primary ballot. Such notice shall also include the list
27 of addresses of precinct polling places for the consolidated
28 primary unless such list is separately published by the
29 election authority not less than 10 days before the
30 consolidated primary.

31 In counties, municipalities, or towns having fewer than

1 500,000 inhabitants notice of the general primary shall be
2 published once in two or more newspapers published in the
3 county, municipality or town, as the case may be, or if there
4 is no such newspaper, then in any two or more newspapers
5 published in the county and having a general circulation
6 throughout the community.

7 In counties, municipalities, or towns having 500,000 or
8 more inhabitants notice of the general primary shall be
9 published at least 15 days prior to the primary by the same
10 authorities and in the same manner as notice of election for
11 general elections are required to be published in counties,
12 municipalities or towns of 500,000 or more inhabitants under
13 this Act.

14 Notice of the consolidated primary shall be published
15 once in one or more newspapers published in each political
16 subdivision having such primary, and if there is no such
17 newspaper, then published once in a local, community
18 newspaper having general circulation in the subdivision, and
19 also once in a newspaper published in the county wherein the
20 political subdivisions, or portions thereof, having such
21 primary are situated.

22 (Source: P.A. 84-808.)

23 (10 ILCS 5/12-1) (from Ch. 46, par. 12-1)

24 Sec. 12-1. At least 60 days prior to each general and
25 consolidated election, the election authority shall provide
26 public notice, calculated to reach elderly and handicapped
27 voters, of the availability of registration and voting aids
28 under the Federal Voting Accessibility for the Elderly and
29 Handicapped Act, of the availability of assistance in marking
30 the ballot, and procedures for voting by absentee ballot, and
31 procedures for voting early by personal appearance.

32 At least 30 days before any general election, and at
33 least 20 days before any special congressional election, the

1 county clerk shall publish a notice of the election in 2 or
2 more newspapers published in the county, city, village,
3 incorporated town or town, as the case may be, or if there is
4 no such newspaper, then in any 2 or more newspapers published
5 in the county and having a general circulation throughout the
6 community. The notice may be substantially as follows:

7 Notice is hereby given that on (give date), at (give the
8 place of holding the election and the name of the precinct or
9 district) in the county of (name county), an election will be
10 held for (give the title of the several offices to be
11 filled), which election will be open at 6:00 a.m. and
12 continued open until 7:00 p.m. of that day.

13 Dated at on (insert date).

14 (Source: P.A. 90-358, eff. 1-1-98; 91-357, eff. 7-29-99.)

15 (10 ILCS 5/17-9) (from Ch. 46, par. 17-9)

16 Sec. 17-9. Any person desiring to vote shall give his
17 name and, if required to do so, his residence to the judges
18 of election, one of whom shall thereupon announce the same in
19 a loud and distinct tone of voice, clear, and audible; the
20 judges of elections shall check each application for ballot
21 against the list of voters registered in that precinct to
22 whom absentee or early ballots have been issued for that
23 election, which shall be provided by the election authority
24 and which list shall be available for inspection by
25 pollwatchers. A voter applying to vote in the precinct on
26 election day whose name appears on the list as having been
27 issued an absentee or early ballot shall not be permitted to
28 vote in the precinct unless that voter submits to the judges
29 of election, for cancellation or revocation, his absentee or
30 early ballot. In the case that the voter's absentee or early
31 ballot is not present in the polling place, it shall be
32 sufficient for any such voter to submit to the judges of
33 election in lieu of his absentee or early ballot, either a

1 portion of such ballot if torn or mutilated, an affidavit
2 executed before the judges of election specifying that the
3 voter never received an absentee or early ballot, or an
4 affidavit executed before the judges of election specifying
5 that the voter desires to cancel or revoke any absentee or
6 early ballot that may have been cast in the voter's name. All
7 applicable provisions of Articles 4, 5 or 6 shall be complied
8 with and if such name is found on the register of voters by
9 the officer having charge thereof, he shall likewise repeat
10 said name, and the voter shall be allowed to enter within the
11 proximity of the voting booths, as above provided. One of
12 the judges shall give the voter one, and only one of each
13 ballot to be voted at the election, on the back of which
14 ballots such judge shall indorse his initials in such manner
15 that they may be seen when each such ballot is properly
16 folded, and the voter's name shall be immediately checked on
17 the register list. In those election jurisdictions where
18 perforated ballot cards are utilized of the type on which
19 write-in votes can be cast above the perforation, the
20 election authority shall provide a space both above and below
21 the perforation for the judge's initials, and the judge shall
22 endorse his or her initials in both spaces. Whenever a
23 proposal for a constitutional amendment or for the calling of
24 a constitutional convention is to be voted upon at the
25 election, the separate blue ballot or ballots pertaining
26 thereto shall, when being handed to the voter, be placed on
27 top of the other ballots to be voted at the election in such
28 manner that the legend appearing on the back thereof, as
29 prescribed in Section 16-6 of this Act, shall be plainly
30 visible to the voter. At all elections, when a registry may
31 be required, if the name of any person so desiring to vote at
32 such election is not found on the register of voters, he or
33 she shall not receive a ballot until he or she shall have
34 complied with the law prescribing the manner and conditions

1 of voting by unregistered voters. If any person desiring to
 2 vote at any election shall be challenged, he or she shall not
 3 receive a ballot until he or she shall have established his
 4 right to vote in the manner provided hereinafter; and if he
 5 or she shall be challenged after he has received his ballot,
 6 he shall not be permitted to vote until he or she has fully
 7 complied with such requirements of the law upon being
 8 challenged. Besides the election officer, not more than 2
 9 voters in excess of the whole number of voting booths
 10 provided shall be allowed within the proximity of the voting
 11 booths at one time. The provisions of this Act, so far as
 12 they require the registration of voters as a condition to
 13 their being allowed to vote shall not apply to persons
 14 otherwise entitled to vote, who are, at the time of the
 15 election, or at any time within 60 days prior to such
 16 election have been engaged in the military or naval service
 17 of the United States, and who appear personally at the
 18 polling place on election day and produce to the judges of
 19 election satisfactory evidence thereof, but such persons, if
 20 otherwise qualified to vote, shall be permitted to vote at
 21 such election without previous registration.

22 All such persons shall also make an affidavit which shall
 23 be in substantially the following form:

24 State of Illinois,)

25) ss.

26 County of)

27 Precinct Ward

28 I,, do solemnly swear (or affirm) that I am a
 29 citizen of the United States, of the age of 18 years or over,
 30 and that within the past 60 days prior to the date of this
 31 election at which I am applying to vote, I have been engaged
 32 in the (military or naval) service of the United States;
 33 and I am qualified to vote under and by virtue of the
 34 Constitution and laws of the State of Illinois, and that I am

1 a legally qualified voter of this precinct and ward except
 2 that I have, because of such service, been unable to register
 3 as a voter; that I now reside at (insert street and
 4 number, if any) in this precinct and ward; that I have
 5 maintained a legal residence in this precinct and ward for 30
 6 days and in this State 30 days next preceding this election.

7

8 Subscribed and sworn to before me on (insert date).

9

10 Judge of Election.

11 The affidavit of any such person shall be supported by
 12 the affidavit of a resident and qualified voter of any such
 13 precinct and ward, which affidavit shall be in substantially
 14 the following form:

15 State of Illinois,)

16) ss.

17 County of)

18 Precinct Ward

19 I,, do solemnly swear (or affirm), that I am a
 20 resident of this precinct and ward and entitled to vote at
 21 this election; that I am acquainted with (name of the
 22 applicant); that I verily believe him to be an actual bona
 23 fide resident of this precinct and ward and that I verily
 24 believe that he or she has maintained a legal residence
 25 therein 30 days and in this State 30 days next preceding this
 26 election.

27

28 Subscribed and sworn to before me on (insert date).

29

30 Judge of Election.

31 All affidavits made under the provisions of this Section
 32 shall be enclosed in a separate envelope securely sealed, and
 33 shall be transmitted with the returns of the elections to the

1 county clerk or to the board of election commissioners, who
2 shall preserve the said affidavits for the period of 6
3 months, during which period such affidavits shall be deemed
4 public records and shall be freely open to examination as
5 such.

6 (Source: P.A. 91-357, eff. 7-29-99.)

7 (10 ILCS 5/18-5) (from Ch. 46, par. 18-5)

8 Sec. 18-5. Any person desiring to vote and whose name is
9 found upon the register of voters by the person having charge
10 thereof, shall then be questioned by one of the judges as to
11 his nativity, his term of residence at present address,
12 precinct, State and United States, his age, whether
13 naturalized and if so the date of naturalization papers and
14 court from which secured, and he shall be asked to state his
15 residence when last previously registered and the date of the
16 election for which he then registered. The judges of
17 elections shall check each application for ballot against the
18 list of voters registered in that precinct to whom absentee
19 and early ballots have been issued for that election, which
20 shall be provided by the election authority and which list
21 shall be available for inspection by pollwatchers. A voter
22 applying to vote in the precinct on election day whose name
23 appears on the list as having been issued an absentee or
24 early ballot shall not be permitted to vote in the precinct
25 unless that voter submits to the judges of election, for
26 cancellation or revocation, his absentee or early ballot. In
27 the case that the voter's absentee or early ballot is not
28 present in the polling place, it shall be sufficient for any
29 such voter to submit to the judges of election in lieu of his
30 absentee or early ballot, either a portion of such ballot if
31 torn or mutilated, an affidavit executed before the judges of
32 election specifying that the voter never received an absentee
33 or early ballot, or an affidavit executed before the judges

1 of election specifying that the voter desires to cancel or
2 revoke any absentee or early ballot that may have been cast
3 in the voter's name. If such person so registered shall be
4 challenged as disqualified, the party challenging shall
5 assign his reasons therefor, and thereupon one of the judges
6 shall administer to him an oath to answer questions, and if
7 he shall take the oath he shall then be questioned by the
8 judge or judges touching such cause of challenge, and
9 touching any other cause of disqualification. And he may also
10 be questioned by the person challenging him in regard to his
11 qualifications and identity. But if a majority of the judges
12 are of the opinion that he is the person so registered and a
13 qualified voter, his vote shall then be received accordingly.
14 But if his vote be rejected by such judges, such person may
15 afterward produce and deliver an affidavit to such judges,
16 subscribed and sworn to by him before one of the judges, in
17 which it shall be stated how long he has resided in such
18 precinct, and state; that he is a citizen of the United
19 States, and is a duly qualified voter in such precinct, and
20 that he is the identical person so registered. In addition to
21 such an affidavit, the person so challenged shall provide to
22 the judges of election proof of residence by producing 2
23 forms of identification showing the person's current
24 residence address, provided that such identification to the
25 person at his current residence address and postmarked not
26 earlier than 30 days prior to the date of the election, or
27 the person shall procure a witness personally known to the
28 judges of election, and resident in the precinct (or
29 district), or who shall be proved by some legal voter of such
30 precinct or district, known to the judges to be such, who
31 shall take the oath following, viz:

32 I do solemnly swear (or affirm) that I am a resident of
33 this election precinct (or district), and entitled to vote at
34 this election, and that I have been a resident of this State

1 for 30 days last past, and am well acquainted with the person
2 whose vote is now offered; that he is an actual and bona fide
3 resident of this election precinct (or district), and has
4 resided herein 30 days, and as I verily believe, in this
5 State, 30 days next preceding this election.

6 The oath in each case may be administered by one of the
7 judges of election, or by any officer, resident in the
8 precinct or district, authorized by law to administer oaths.
9 Also supported by an affidavit by a registered voter residing
10 in such precinct, stating his own residence, and that he
11 knows such person; and that he does reside at the place
12 mentioned and has resided in such precinct and state for the
13 length of time as stated by such person, which shall be
14 subscribed and sworn to in the same way. Whereupon the vote
15 of such person shall be received, and entered as other votes.
16 But such judges, having charge of such registers, shall state
17 in their respective books the facts in such case, and the
18 affidavits, so delivered to the judges, shall be preserved
19 and returned to the office of the commissioners of election.
20 Blank affidavits of the character aforesaid shall be sent out
21 to the judges of all the precincts, and the judges of
22 election shall furnish the same on demand and administer the
23 oaths without criticism. Such oaths, if administered by any
24 other officer than such judge of election, shall not be
25 received. Whenever a proposal for a constitutional amendment
26 or for the calling of a constitutional convention is to be
27 voted upon at the election, the separate blue ballot or
28 ballots pertaining thereto shall be placed on top of the
29 other ballots to be voted at the election in such manner that
30 the legend appearing on the back thereof, as prescribed in
31 Section 16-6 of this Act, shall be plainly visible to the
32 voter, and in this fashion the ballots shall be handed to the
33 voter by the judge.

34 The voter shall, upon quitting the voting booth, deliver

1 to one of the judges of election all of the ballots, properly
2 folded, which he received. The judge of election to whom the
3 voter delivers his ballots shall not accept the same unless
4 all of the ballots given to the voter are returned by him. If
5 a voter delivers less than all of the ballots given to him,
6 the judge to whom the same are offered shall advise him in a
7 voice clearly audible to the other judges of election that
8 the voter must return the remainder of the ballots. The
9 statement of the judge to the voter shall clearly express the
10 fact that the voter is not required to vote such remaining
11 ballots but that whether or not he votes them he must fold
12 and deliver them to the judge. In making such statement the
13 judge of election shall not indicate by word, gesture or
14 intonation of voice that the unreturned ballots shall be
15 voted in any particular manner. No new voter shall be
16 permitted to enter the voting booth of a voter who has failed
17 to deliver the total number of ballots received by him until
18 such voter has returned to the voting booth pursuant to the
19 judge's request and again quit the booth with all of the
20 ballots required to be returned by him. Upon receipt of all
21 such ballots the judges of election shall enter the name of
22 the voter, and his number, as above provided in this section,
23 and the judge to whom the ballots are delivered shall
24 immediately put the ballots into the ballot box. If any voter
25 who has failed to deliver all the ballots received by him
26 refuses to return to the voting booth after being advised by
27 the judge of election as herein provided, the judge shall
28 inform the other judges of such refusal, and thereupon the
29 ballot or ballots returned to the judge shall be deposited in
30 the ballot box, the voter shall be permitted to depart from
31 the polling place, and a new voter shall be permitted to
32 enter the voting booth.

33 The judge of election who receives the ballot or ballots
34 from the voter shall announce the residence and name of such

1 voter in a loud voice. The judge shall put the ballot or
 2 ballots received from the voter into the ballot box in the
 3 presence of the voter and the judges of election, and in
 4 plain view of the public. The judges having charge of such
 5 registers shall then, in a column prepared thereon, in the
 6 same line of, the name of the voter, mark "Voted" or the
 7 letter "V".

8 No judge of election shall accept from any voter less
 9 than the full number of ballots received by such voter
 10 without first advising the voter in the manner above provided
 11 of the necessity of returning all of the ballots, nor shall
 12 any such judge advise such voter in a manner contrary to that
 13 which is herein permitted, or in any other manner violate the
 14 provisions of this section; provided, that the acceptance by
 15 a judge of election of less than the full number of ballots
 16 delivered to a voter who refuses to return to the voting
 17 booth after being properly advised by such judge shall not be
 18 a violation of this Section.

19 (Source: P.A. 89-653, eff. 8-14-96.)

20 (10 ILCS 5/Art. 19A heading new)

21 ARTICLE 19A. EARLY VOTING BY PERSONAL APPEARANCE

22 (10 ILCS 5/19A-5 new)

23 Sec. 19A-5. Issuance of ballots; voting booth.

24 (a) If a request is made to vote early by a registered
 25 voter in person, the election authority shall issue a ballot
 26 for early voting to the voter. The ballot must be voted on
 27 the premises of the election authority and returned to the
 28 election authority.

29 (b) On the dates for early voting prescribed in Section
 30 19A-15, each election authority shall provide a voting booth,
 31 with suitable equipment for voting, on the premises of the
 32 election authority for use by registered voters who are

1 issued ballots for early voting in accordance with this
2 Section.

3 (c) The election authority must maintain a list for each
4 election of the voters to whom it has issued early ballots.
5 The list must be maintained for each precinct within the
6 election authority's jurisdiction. Before the opening of the
7 polls on election day, the election authority shall deliver
8 to the judges of election in each precinct the list of
9 registered voters to whom early ballots have been issued.

10 (10 ILCS 5/19A-10 new)

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

12 (a) An election authority may establish permanent
13 polling places for early voting by personal appearance at
14 locations throughout the election authority's jurisdiction.
15 Except as otherwise provided in subsection (b), any person
16 entitled to vote early by personal appearance may do so at
17 any polling place for early voting.

18 (b) If it is impractical for the election authority to
19 provide at each polling place for early voting a ballot in
20 every form required in the election authority's jurisdiction,
21 the election authority may:

22 (1) provide appropriate forms of ballots to the
23 office of the municipal clerk in a municipality not
24 having a board of election commissioners; the township
25 clerk; or in counties not under township organization,
26 the road district clerk; and

27 (2) limit voting at that polling place to
28 registered voters in that municipality, township, or road
29 district.

30 (10 ILCS 5/19A-15 new)

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

32 (a) The period for early voting by personal appearance

1 begins the third Saturday preceding a general primary,
2 consolidated primary, consolidated, or general election and
3 extends through the Friday before election day, Sundays and
4 holidays excepted.

5 (b) The election authority may include any Sunday or
6 holiday that falls within the period for early voting.

7 (c) A permanent polling place for early voting must
8 remain open during the hours of 8:30 a.m. to 4:30 p.m., or
9 9:00 a.m. to 5:00 p.m., on weekdays and 9:00 a.m. to 12:00
10 p.m. on Saturdays. If the election authority includes a
11 Sunday or holiday that falls within the period for early
12 voting, the permanent polling place must remain open during
13 the hours that the election authority and municipal clerk,
14 township clerk, or road district clerk establish.

15 (10 ILCS 5/19A-20 new)

16 Sec. 19A-20. Temporary branch polling places.

17 (a) In addition to permanent polling places for early
18 voting, the election authority may establish temporary branch
19 polling places for early voting.

20 (b) The provisions of subsection (c) of Section 19A-15
21 do not apply to a temporary polling place. Voting at a
22 temporary branch polling place may be conducted on any one or
23 more days and during any hours within the period for early
24 voting by personal appearance that are determined by the
25 election authority.

26 (c) The schedules for conducting voting do not need to
27 be uniform among the temporary branch polling places.

28 (d) The legal rights and remedies which inure to the
29 owner or lessor of private property are not impaired or
30 otherwise affected by the leasing of the property for use as
31 a temporary branch polling place for early voting, except to
32 the extent necessary to conduct early voting at that
33 location.

(10 ILCS 5/19A-25 new)

Sec. 19A-25. Schedule of locations and times for early voting.

(a) The election authority shall publish during the week before the period for early voting and at least once each week during the period for early voting in a newspaper of general circulation in the election authority's jurisdiction a schedule stating:

(1) the location of each permanent and temporary polling place for early voting and the precincts served by each location; and

(2) the dates and hours that early voting will be conducted at each location.

(b) The election authority shall post a copy of the schedule at the office of the municipal clerk, the township clerk, or road district clerk. The schedule must be posted continuously for a period beginning not later than the 5th day before the first day of the period for early voting by personal appearance and ending on the last day of that period.

(c) The election authority must make copies of the schedule available to the public in reasonable quantities without charge during the period of posting.

(d) No additional polling places for early voting may be established after the schedule is published under this Section.

(10 ILCS 5/19A-25 new)

Sec. 19A-25. Voting machines, automatic tabulating equipment, and precinct tabulation optical scan technology voting equipment.

(a) In all jurisdictions in which voting machines are used, the provisions of this Code that are not inconsistent with this Article relating to the furnishing of ballot boxes,

1 printing and furnishing ballots and supplies, the canvassing
 2 of ballots, and the making of returns, apply with full force
 3 and effect to the extent necessary to make this Article
 4 effective, provided that the number of ballots to be printed
 5 shall be in the discretion of the election authority.

6 (b) If the election authority has adopted the use of
 7 automatic tabulating equipment under Article 24A of this
 8 Code, and the provisions of that Article are in conflict with
 9 the provisions of this Article 19A, the provisions of Article
 10 24A shall govern the procedures followed by the election
 11 authority, its judges of election, and all employees and
 12 agents.

13 (c) If the election authority has adopted the use of
 14 precinct tabulation optical scan technology voting equipment
 15 under Article 24B of this Code, and the provisions of that
 16 Article are in conflict with the provisions of this Article
 17 19A, the provisions of Article 24B shall govern the
 18 procedures followed by the election authority, its judges of
 19 election, and all employees and agents.

20 (10 ILCS 5/19A-30 new)

21 Sec. 19A-30. Appointment of election officials.

22 (a) The election authority must appoint an employee to
 23 serve as the election official in charge of each polling
 24 place for early voting.

25 (b) The election authority may also appoint as many
 26 additional election officials as it deems necessary for the
 27 proper conduct of the election.

28 (10 ILCS 5/19A-35 new)

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

30 (a) Not more than 23 days before the start of early
 31 voting, the county clerk shall make available to the election
 32 authority conducting early voting by personal appearance a

1 sufficient number of early ballots, envelopes, and printed
2 voting instruction slips for the use of early voters. The
3 election authority shall receipt for all ballots received and
4 shall return unused or spoiled ballots at the close of the
5 early voting period to the county clerk and must strictly
6 account for all ballots received. The ballots delivered to
7 the election authority must include early ballots for each
8 precinct in the election authority's jurisdiction and must
9 include separate ballots for each political subdivision
10 conducting an election of officers or a referendum at that
11 election.

12 (b) In conducting early voting under this Article, the
13 election official is not required to verify the signature of
14 the early voter by comparison with the signature on the
15 official registration card, however, the official must verify
16 (i) the identity of the applicant, (ii) that the applicant is
17 a registered voter, (iii) the precinct in which the applicant
18 is registered, and (iv) the proper ballots of the political
19 subdivision in which the applicant resides and is entitled to
20 vote before providing an early ballot to the applicant. The
21 election official must verify the applicant's registration
22 from the most recent poll list provided by the election
23 authority, and if the applicant is not listed on that poll
24 list, by telephoning the office of the election authority.

25 (c) The sealed early ballots in their carrier envelope
26 shall be delivered by the election officials to the proper
27 polling place before the close of the polls on the day of the
28 election.

29 (10 ILCS 5/19A-40 new)

30 Sec. 19A-40. Enclosure of ballots in envelope.

31 It is be the duty of the election authority to fold the
32 ballot or ballots in the manner specified by the statute for
33 folding ballots prior to their deposit in the ballot box, and

1 to enclose the ballot or ballots in an envelope unsealed to
2 be furnished by him, which envelope shall bear upon the face
3 thereof the name, official title, and post office address of
4 the election authority, and upon the other side a printed
5 certification in substantially the following form:

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

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

14 I further state that I personally marked the enclosed
15 ballot in secret.

16 Under penalties of perjury as provided by law pursuant to
17 Section 29-10 of the Election Code, the undersigned certifies
18 that the statements set forth in this certification are true
19 and correct.

20

21 If the ballot enclosed is to be voted at a primary
22 election, the certification shall designate the name of the
23 political party with which the voter is affiliated.

24 In addition to the above, the election authority shall
25 provide printed slips giving full instructions regarding the
26 manner of marking and returning the ballot in order that the
27 same may be counted, and shall furnish one of the printed
28 slips to each of such applicants at the same time the ballot
29 is delivered to him or her. The instructions shall include
30 the following statement: "In signing the certification on the
31 early ballot envelope, you are attesting that you personally
32 marked this early ballot in secret. If your are physically
33 unable to mark the ballot, a friend or relative may assist
34 you. Federal and State laws prohibit your employer, your

1 employer's agent, or an officer or agent of your union form
2 assisting physically disabled voters."

3 In addition to the above, if a ballot to be provided to a
4 voter pursuant to this Section contains a public question
5 described in subsection (b) of Section 28-6 and the territory
6 concerning which the question is to be submitted is not
7 described on the ballot due to the space limitations of the
8 ballot, the election authority shall provide a printed copy
9 of a notice of the public question, which shall include a
10 description of the territory in the manner required by
11 Section 16-7. The notice shall be furnished to the voter at
12 the same time the ballot is delivered to the voter.

13 (10 ILCS 5/19A-45 new)

14 Sec. 19A-45. Certification. The voter shall make and
15 subscribe the certification provided for on the return
16 envelope of the ballot, and the ballot or ballots shall be
17 folded by the voter in the manner required to be folded
18 before depositing the ballot in the ballot box, and shall be
19 deposited in the envelope and the envelope securely sealed.
20 The voter shall then endorse his or her certificate on the
21 back of the envelope and the envelope shall be returned to
22 the election official conducting the early voting.

23 (10 ILCS 5/19A-50 new)

24 Sec. 19A-50. Receipt of ballots. Upon receipt of the
25 voter's ballot, the election official shall enclose the
26 unopened ballot in a large or carrier envelope that shall be
27 securely sealed and endorsed with the name and official title
28 of the election official and the words, "This envelope
29 contains a ballot and must be opened on election day",
30 together with the number and description of the precinct in
31 which the ballot is to be voted, and the election authority
32 shall safely keep the envelope in its office until delivered

1 to the judges of election as provided in Section 19A-35.

2 (10 ILCS 5/19A-55 new)

3 Sec. 19A-55. Casting the ballots.

4 At the close of the regular balloting and at the close of
5 the polls the judges of election of each voting precinct
6 shall proceed to cast the early voter's ballot separately,
7 and as each early voter's ballot is taken shall open the
8 outer or carrier envelope, announce the early voter's name,
9 and compare the signature upon the official registration card
10 with the signature upon the certification on the ballot
11 envelope. In case the judges find the certification properly
12 executed, that the signatures correspond, that the applicant
13 is a duly qualified voter in the precinct, and the voter has
14 not been present and voted on the election day, they shall
15 open the envelope containing the early voter's ballot in a
16 manner that does not to deface or destroy the certification
17 thereon, or mark or tear the ballots therein and take out the
18 ballot or ballots therein contained without unfolding or
19 permitting the same to be unfolded or examined, and having
20 endorsed the ballot in like manner as other ballots are
21 required to be endorsed, shall deposit the same in the proper
22 ballot box or boxes and enter the early voter's name in the
23 poll book the same as if he or she had voted on election day.
24 The judges shall place the early ballot certification
25 envelopes in a separate envelope as per the direction of the
26 election authority. The envelope containing the early ballot
27 certification envelopes shall be returned to the election
28 authority and preserved in like manner as the official poll
29 record.

30 In case the signatures do not correspond, or that the
31 applicant is not a duly qualified voter in the precinct or
32 that the ballot envelope is open or has been opened and
33 resealed, or that the voter has voted on election day, the

1 previously cast vote shall not be allowed, but without
2 opening the early voter's envelope the judge of the election
3 shall mark across the face thereof, "Rejected", giving the
4 reason therefor.

5 In case the ballot envelope contains more than one ballot
6 of any kind, the ballots shall not be counted, but shall be
7 marked "Rejected", giving the reason therefor.

8 The early voters' envelopes and affidavits and the early
9 voters' envelope with its contents unopened, when the early
10 vote is rejected, shall be retained and preserved in the
11 manner as now provided for the retention and preservation of
12 official ballots rejected at the election.

13 (10 ILCS 5/19A-60 new)

14 Sec. 19A-60. Pollwatchers. Pollwatchers may be
15 appointed to observe early voting by personal appearance at
16 each permanent and temporary polling place where early voting
17 is conducted. The pollwatchers shall qualify and be
18 appointed in the same manner as provided in Sections 7-34 and
19 17-23, except that each candidate, political party, or
20 organization of citizens may appoint only one pollwatcher for
21 each location where early voting by personal appearance is
22 conducted. Pollwatchers must be residents of the county and
23 possess valid pollwatcher credentials.

24 In the polling place on election day, pollwatchers are
25 permitted to be present during the casting of the early
26 ballots and the vote of an early voter may be challenged for
27 cause the same as if the voter were present and voted on
28 election day. The judges of election, or a majority of them,
29 have the power and authority to hear and determine the
30 legality of the early ballot, provided, however, that if a
31 challenge to any early voter's right to vote is sustained,
32 notice of the challenge must be given by the judges of
33 election by mail addressed to the voter's place of residence.

1 (10 ILCS 5/19A-65 new)

2 Sec. 19A-65. Death of voter before opening of polls.
3 Whenever due proof is made to the judges of election that any
4 voter who has marked an early ballot as provided in this
5 Article has died before the opening of the polls on the date
6 of the election, the ballot of the deceased voter shall be
7 returned by the judges of election in the same manner
8 provided for rejected ballots; but the casting of the ballot
9 of a deceased voter shall not invalidate the election.

10 (10 ILCS 5/19A-70 new)

11 Sec. 19A-70. Advertising or campaigning in proximity of
12 polling place; penalty. During the period prescribed in
13 Section 19A-15 for early voting by personal appearance, no
14 advertising pertaining to any candidate or proposition to be
15 voted on may be displayed in or within 100 feet of any
16 polling place used by voters under this Article. No person
17 may engage in electioneering in or within 100 feet of any
18 polling place used by voters under this Article.

19 Any person who violates this Section may be punished for
20 contempt of court.

21 (10 ILCS 5/24A-10) (from Ch. 46, par. 24A-10)

22 Sec. 24A-10. (1) In an election jurisdiction which has
23 adopted an electronic voting system, the election official in
24 charge of the election shall select one of the 3 following
25 procedures for receiving, counting, tallying, and return of
26 the ballots:

27 (a) Two ballot boxes shall be provided for each polling
28 place. The first ballot box is for the depositing of votes
29 cast on the electronic voting system; and the second ballot
30 box is for all votes cast on paper ballots, including
31 absentee paper and early paper ballots and any other paper
32 ballots required to be voted other than on the electronic

1 voting system. Ballots, except absentee and early ballots for
2 candidates and propositions which are listed on the
3 electronic voting system, deposited in the second ballot box
4 shall be counted, tallied, and returned as is elsewhere
5 provided in "The Election Code," as amended, for the counting
6 and handling of paper ballots. Immediately after the closing
7 of the polls the absentee and early ballots delivered to the
8 precinct judges of election by the election official in
9 charge of the election shall be examined to determine that
10 such ballots comply with Sections 19-9, 19A-55, and 20-9 of
11 "The Election Code," as amended, and are entitled to be
12 deposited in the ballot box provided therefor; those entitled
13 to be deposited in this ballot box shall be initialed by the
14 precinct judges of election and deposited therein. Those not
15 entitled to be deposited in this ballot box shall be marked
16 "Rejected" and disposed of as provided in Sections 19-9,
17 19A-55, and 20-9. The precinct judges of election shall then
18 open the second ballot box and examine all paper absentee and
19 early ballots which are in the ballot box to determine
20 whether the absentee and early ballots bear the initials of a
21 precinct judge of election. If any absentee or early ballot
22 is not so initialed, it shall be marked on the back
23 "Defective," initialed as to such label by all judges
24 immediately under such word "Defective," and not counted, but
25 placed in the envelope provided for that purpose labeled
26 "Defective Ballots Envelope." The judges of election,
27 consisting in each case of at least one judge of election of
28 each of the two major political parties, shall examine the
29 paper absentee and early ballots which were in such ballot
30 box and properly initialed so as to determine whether the
31 same contain write-in votes. Write-in votes, not causing an
32 overvote for an office otherwise voted for on the paper
33 absentee or early ballot, and otherwise properly voted, shall
34 be counted, tallied and recorded on the tally sheet provided

1 for such record. A write-in vote causing an overvote for an
2 office shall not be counted for that office, but the precinct
3 judges shall mark such paper or early absentee ballot
4 "Objected To" on the back thereof and write on its back the
5 manner in which such ballot is counted and initial the same.
6 An overvote for one office shall invalidate only the vote or
7 count of that particular office. After counting, tallying and
8 recording the write-in votes on absentee and early ballots,
9 the judges of election, consisting in each case of at least
10 one judge of election of each of the two major political
11 parties, shall make a true duplicate ballot of the remaining
12 valid votes on each paper absentee or early ballot which was
13 in the ballot box and properly initialed, by using the
14 electronic voting system used in the precinct and one of the
15 marking devices of the precinct so as to transfer the
16 remaining valid votes of the voter on the paper absentee
17 ballot to an official ballot or a ballot card of that kind
18 used in the precinct at that election. The original paper
19 absentee or early ballot shall be clearly labeled "Absentee
20 Ballot" or "Early Ballot", as the case may be, and the ballot
21 card so produced "Duplicate Absentee Ballot," or "Duplicate
22 Early Ballot", as the case may be, and each shall bear the
23 same serial number which shall be placed thereon by the
24 judges of election, commencing with number 1 and continuing
25 consecutively for the ballots of that kind in that precinct.
26 The judges of election shall initial the "Duplicate Absentee
27 Ballot" and "Duplicate Early Ballot" ballots or ballot cards
28 and shall place them in the first ballot box provided for
29 return of the ballots to be counted at the central counting
30 location in lieu of the paper absentee and early ballots. The
31 paper absentee and early ballots shall be placed in an
32 envelope provided for that purpose labeled "Duplicate
33 Ballots."

34 As soon as the absentee and early ballots have been

1 deposited in the first ballot box, the judges of election
2 shall make out a slip indicating the number of persons who
3 voted in the precinct at the election. Such slip shall be
4 signed by all the judges of election and shall be inserted by
5 them in the first ballot box. The judges of election shall
6 thereupon immediately lock the first ballot box; provided,
7 that if such box is not of a type which may be securely
8 locked, such box shall be sealed with filament tape provided
9 for such purpose which shall be wrapped around the box
10 lengthwise and crosswise, at least twice each way, and in
11 such manner that the seal completely covers the slot in the
12 ballot box, and each of the judges shall sign such seal.
13 Thereupon two of the judges of election, of different
14 political parties, shall forthwith and by the most direct
15 route transport both ballot boxes to the counting location
16 designated by the county clerk or board of election
17 commissioners.

18 Before the ballots of a precinct are fed to the
19 electronic tabulating equipment, the first ballot box shall
20 be opened at the central counting station by the two precinct
21 transport judges. Upon opening a ballot box, such team shall
22 first count the number of ballots in the box. If 2 or more
23 are folded together so as to appear to have been cast by the
24 same person, all of the ballots so folded together shall be
25 marked and returned with the other ballots in the same
26 condition, as near as may be, in which they were found when
27 first opened, but shall not be counted. If the remaining
28 ballots are found to exceed the number of persons voting in
29 the precinct as shown by the slip signed by the judges of
30 election, the ballots shall be replaced in the box, and the
31 box closed and well shaken and again opened and one of the
32 precinct transport judges shall publicly draw out so many
33 ballots unopened as are equal to such excess.

34 Such excess ballots shall be marked "Excess-Not Counted"

1 and signed by the two precinct transport judges and shall be
2 placed in the "After 7:00 p.m. Defective Ballots Envelope".
3 The number of excess ballots shall be noted in the remarks
4 section of the Certificate of Results. "Excess" ballots shall
5 not be counted in the total of "defective" ballots.

6 The precinct transport judges shall then examine the
7 remaining ballots for write-in votes and shall count and
8 tabulate the write-in vote; or

9 (b) A single ballot box, for the deposit of all votes
10 cast, shall be used. All ballots which are not to be
11 tabulated on the electronic voting system shall be counted,
12 tallied, and returned as elsewhere provided in "The Election
13 Code," as amended, for the counting and handling of paper
14 ballots.

15 All ballots to be processed and tabulated with the
16 electronic voting system shall be processed as follows:

17 Immediately after the closing of the polls the absentee
18 and early ballots delivered to the precinct judges of
19 election by the election official in charge of the election
20 shall be examined to determine that such ballots comply with
21 Sections 19-9, 19A-55, and 20-9 of "The Election Code," as
22 amended, and are entitled to be deposited in the ballot box;
23 those entitled to be deposited in the ballot box shall be
24 initialed by the precinct judges of election and deposited in
25 the ballot box. Those not entitled to be deposited in the
26 ballot box shall be marked "Rejected" and disposed of as
27 provided in said Sections 19-9, 19A-55, and 20-9. The
28 precinct judges of election then shall open the ballot box
29 and canvass the votes polled to determine that the number of
30 ballots therein agree with the number of voters voting as
31 shown by the applications for ballot or if the same do not
32 agree the judges of election shall make such ballots agree
33 with the applications for ballot in the manner provided by
34 Section 17-18 of "The Election Code." The judges of election

1 shall then examine all paper absentee and early ballots,
2 ballot cards and ballot card envelopes which are in the
3 ballot box to determine whether the paper ballots, ballot
4 cards and ballot card envelopes bear the initials of a
5 precinct judge of election. If any paper ballot, ballot card
6 or ballot card envelope is not initialed, it shall be marked
7 on the back "Defective," initialed as to such label by all
8 judges immediately under such word "Defective," and not
9 counted, but placed in the envelope provided for that purpose
10 labeled "Defective Ballots Envelope." The judges of election,
11 consisting in each case of at least one judge of election of
12 each of the two major political parties, shall examine the
13 paper absentee and early ballots which were in the ballot box
14 and properly initialed so as to determine whether the same
15 contain write-in votes. Write-in votes, not causing an
16 overvote for an office otherwise voted for on the paper
17 absentee or early ballot, and otherwise properly voted, shall
18 be counted, tallied and recorded on the tally sheet provided
19 for such record. A write-in vote causing an overvote for an
20 office shall not be counted for that office, but the precinct
21 judges shall mark such paper absentee or early ballot
22 "Objected To" on the back thereof and write on its back the
23 manner in which such ballot is counted and initial the same.
24 An overvote for one office shall invalidate only the vote or
25 count of that particular office. After counting, tallying and
26 recording the write-in votes on absentee and early ballots,
27 the judges of election, consisting in each case of at least
28 one judge of election of each of the two major political
29 parties, shall make a true duplicate ballot of the remaining
30 valid votes on each paper absentee and early ballot which was
31 in the ballot box and properly initialed, by using the
32 electronic voting system used in the precinct and one of the
33 marking devices of the precinct so as to transfer the
34 remaining valid votes of the voter on the paper absentee or

1 early ballot to an official ballot or a ballot card of that
2 kind used in the precinct at that election. The original
3 paper absentee ballot shall be clearly labeled "Absentee
4 Ballot" or "Early Ballot", as the case may be, and the ballot
5 card so produced "Duplicate Absentee Ballot," or "Duplicate
6 Early Ballot", as the case may be, and each shall bear the
7 same serial number which shall be placed thereon by the
8 judges of election, commencing with number 1 and continuing
9 consecutively for the ballots of that kind in that precinct.
10 The judges of election shall initial the "Duplicate Absentee
11 Ballot" and "Duplicate Early Ballot" ballots or ballot cards,
12 and shall place them in the box for return of the ballots
13 with all other ballots or ballot cards to be counted at the
14 central counting location in lieu of the paper absentee and
15 early ballots. The paper absentee and early ballots shall be
16 placed in an envelope provided for that purpose labeled
17 "Duplicate Ballots."

18 When an electronic voting system is used which utilizes a
19 ballot card, before separating the remaining ballot cards
20 from their respective covering envelopes, the judges of
21 election shall examine the ballot card envelopes for write-in
22 votes. When the voter has voted a write-in vote, the judges
23 of election shall compare the write-in vote with the votes on
24 the ballot card to determine whether such write-in results in
25 an overvote for any office. In case of an overvote for any
26 office, the judges of election, consisting in each case of at
27 least one judge of election of each of the two major
28 political parties, shall make a true duplicate ballot of all
29 votes on such ballot card except for the office which is
30 overvoted, by using the ballot label booklet of the precinct
31 and one of the marking devices of the precinct so as to
32 transfer all votes of the voter except for the office
33 overvoted, to an official ballot card of that kind used in
34 the precinct at that election. The original ballot card and

1 envelope upon which there is an overvote shall be clearly
2 labeled "Overvoted Ballot", and each shall bear the same
3 serial number which shall be placed thereon by the judges of
4 election, commencing with number 1 and continuing
5 consecutively for the ballots of that kind in that precinct.
6 The judges of election shall initial the "Duplicate Overvoted
7 Ballot" ballot cards and shall place them in the box for
8 return of the ballots. The "Overvoted Ballot" ballots and
9 their envelopes shall be placed in the "Duplicate Ballots"
10 envelope. Envelopes bearing write-in votes marked in the
11 place designated therefor and bearing the initials of a
12 precinct judge of election and not resulting in an overvote
13 and otherwise complying with the election laws as to marking
14 shall be counted, tallied, and their votes recorded on a
15 tally sheet provided by the election official in charge of
16 the election. The ballot cards and ballot card envelopes
17 shall be separated and all except any defective or overvoted
18 shall be placed separately in the box for return of the
19 ballots, along with all "Duplicate Absentee
20 Ballots", "Duplicate Early Ballots", and "Duplicate Overvoted
21 Ballots." The judges of election shall examine the ballots
22 and ballot cards to determine if any is damaged or defective
23 so that it cannot be counted by the automatic tabulating
24 equipment. If any ballot or ballot card is damaged or
25 defective so that it cannot properly be counted by the
26 automatic tabulating equipment, the judges of election,
27 consisting in each case of at least one judge of election of
28 each of the two major political parties, shall make a true
29 duplicate ballot of all votes on such ballot card by using
30 the ballot label booklet of the precinct and one of the
31 marking devices of the precinct. The original ballot or
32 ballot card and envelope shall be clearly labeled "Damaged
33 Ballot" and the ballot or ballot card so produced "Duplicate
34 Damaged Ballot," and each shall bear the same number which

1 shall be placed thereon by the judges of election, commencing
2 with number 1 and continuing consecutively for the ballots of
3 that kind in the precinct. The judges of election shall
4 initial the "Duplicate Damaged Ballot" ballot or ballot
5 cards, and shall place them in the box for return of the
6 ballots. The "Damaged Ballot" ballots or ballot cards and
7 their envelopes shall be placed in the "Duplicated Ballots"
8 envelope. A slip indicating the number of voters voting in
9 person, number of absentee votes deposited in the ballot box,
10 and the total number of voters of the precinct who voted at
11 the election shall be made out, signed by all judges of
12 election, and inserted in the box for return of the ballots.
13 The tally sheets recording the write-in votes shall be placed
14 in this box. The judges of election thereupon immediately
15 shall securely lock the ballot box or other suitable box
16 furnished for return of the ballots by the election official
17 in charge of the election; provided that if such box is not
18 of a type which may be securely locked, such box shall be
19 sealed with filament tape provided for such purpose which
20 shall be wrapped around the box lengthwise and crosswise, at
21 least twice each way. A separate adhesive seal label signed
22 by each of the judges of election of the precinct shall be
23 affixed to the box so as to cover any slot therein and to
24 identify the box of the precinct; and if such box is sealed
25 with filament tape as provided herein rather than locked,
26 such tape shall be wrapped around the box as provided herein,
27 but in such manner that the separate adhesive seal label
28 affixed to the box and signed by the judges may not be
29 removed without breaking the filament tape and disturbing the
30 signature of the judges. Thereupon, 2 of the judges of
31 election, of different major political parties, forthwith
32 shall by the most direct route transport the box for return
33 of the ballots and enclosed ballots and returns to the
34 central counting location designated by the election official

1 in charge of the election. If, however, because of the lack
2 of adequate parking facilities at the central counting
3 location or for any other reason, it is impossible or
4 impracticable for the boxes from all the polling places to be
5 delivered directly to the central counting location, the
6 election official in charge of the election may designate
7 some other location to which the boxes shall be delivered by
8 the 2 precinct judges. While at such other location the boxes
9 shall be in the care and custody of one or more teams, each
10 consisting of 4 persons, 2 from each of the two major
11 political parties, designated for such purpose by the
12 election official in charge of elections from recommendations
13 by the appropriate political party organizations. As soon as
14 possible, the boxes shall be transported from such other
15 location to the central counting location by one or more
16 teams, each consisting of 4 persons, 2 from each of the 2
17 major political parties, designated for such purpose by the
18 election official in charge of elections from recommendations
19 by the appropriate political party organizations.

20 The "Defective Ballots" envelope, and "Duplicated
21 Ballots" envelope each shall be securely sealed and the flap
22 or end thereof of each signed by the precinct judges of
23 election and returned to the central counting location with
24 the box for return of the ballots, enclosed ballots and
25 returns.

26 At the central counting location, a team of tally judges
27 designated by the election official in charge of the election
28 shall check the box returned containing the ballots to
29 determine that all seals are intact, and thereupon shall open
30 the box, check the voters' slip and compare the number of
31 ballots so delivered against the total number of voters of
32 the precinct who voted, remove the ballots or ballot cards
33 and deliver them to the technicians operating the automatic
34 tabulating equipment. Any discrepancies between the number

1 of ballots and total number of voters shall be noted on a
2 sheet furnished for that purpose and signed by the tally
3 judges; or

4 (c) A single ballot box, for the deposit of all votes
5 cast, shall be used. Immediately after the closing of the
6 polls the judges of election shall examine the absentee and
7 early ballots received by the precinct judges of election
8 from the election authority of voters in that precinct to
9 determine that they comply with the provisions of Sections
10 19-9, 19A-55, 20-8, and 20-9 of the Election Code, as
11 amended, and are entitled to be deposited in the ballot box;
12 those entitled to be deposited in the ballot box shall be
13 initialed by the precinct judges and deposited in the ballot
14 box. Those not entitled to be deposited in the ballot box,
15 in accordance with Sections 19-9, 19A-55, 20-8, and 20-9 of
16 the Election Code, as amended, shall be marked "Rejected" and
17 preserved in the manner provided in The Election Code for the
18 retention and preservation of official ballots rejected at
19 such election. Immediately upon the completion of the
20 absentee and early balloting, the precinct judges of election
21 shall securely lock the ballot box; provided that if such box
22 is not of a type which may be securely locked, such box shall
23 be sealed with filament tape provided for such purpose which
24 shall be wrapped around the box lengthwise and crosswise, at
25 least twice each way. A separate adhesive seal label signed
26 by each of the judges of election of the precinct shall be
27 affixed to the box so as to cover any slot therein and to
28 identify the box of the precinct; and if such box is sealed
29 with filament tape as provided herein rather than locked,
30 such tape shall be wrapped around the box as provided herein,
31 but in such manner that the separate adhesive seal label
32 affixed to the box and signed by the judges may not be
33 removed without breaking the filament tape and disturbing the
34 signature of the judges. Thereupon, 2 of the judges of

1 election, of different major political parties, shall
2 forthwith by the most direct route transport the box for
3 return of the ballots and enclosed absentee and early ballots
4 and returns to the central counting location designated by
5 the election official in charge of the election. If however,
6 because of the lack of adequate parking facilities at the
7 central counting location or for some other reason, it is
8 impossible or impracticable for the boxes from all the
9 polling places to be delivered directly to the central
10 counting location, the election official in charge of the
11 election may designate some other location to which the boxes
12 shall be delivered by the 2 precinct judges. While at such
13 other location the boxes shall be in the care and custody of
14 one or more teams, each consisting of 4 persons, 2 from each
15 of the two major political parties, designated for such
16 purpose by the election official in charge of elections from
17 recommendations by the appropriate political party
18 organizations. As soon as possible, the boxes shall be
19 transported from such other location to the central counting
20 location by one or more teams, each consisting of 4 persons,
21 2 from each of the 2 major political parties, designated for
22 such purpose by the election official in charge of the
23 election from recommendations by the appropriate political
24 party organizations.

25 At the central counting location there shall be one or
26 more teams of tally judges who possess the same
27 qualifications as tally judges in election jurisdictions
28 using paper ballots. The number of such teams shall be
29 determined by the election authority. Each team shall
30 consist of 5 tally judges, 3 selected and approved by the
31 county board from a certified list furnished by the chairman
32 of the county central committee of the party with the
33 majority of members on the county board and 2 selected and
34 approved by the county board from a certified list furnished

1 by the chairman of the county central committee of the party
2 with the second largest number of members on the county
3 board. At the central counting location a team of tally
4 judges shall open the ballot box and canvass the votes polled
5 to determine that the number of ballot sheets therein agree
6 with the number of voters voting as shown by the applications
7 for ballot and for absentee and early ballot; and, if the
8 same do not agree, the tally judges shall make such ballots
9 agree with the number of applications for ballot in the
10 manner provided by Section 17-18 of the Election Code. The
11 tally judges shall then examine all ballot sheets which are
12 in the ballot box to determine whether they bear the initials
13 of the precinct judge of election. If any ballot is not
14 initialed, it shall be marked on the back "Defective",
15 initialed as to such label by all tally judges immediately
16 under such word "Defective", and not counted, but placed in
17 the envelope provided for that purpose labeled "Defective
18 Ballots Envelope". Write-in votes, not causing an overvote
19 for an office otherwise voted for on the absentee and early
20 ballot sheet, and otherwise properly voted, shall be counted,
21 tallied and recorded by the central counting location judges
22 on the tally sheet provided for such record. A write-in vote
23 causing an overvote for an office shall not be counted for
24 that office, but the tally judges shall mark such absentee
25 ballot sheet "Objected To" on the back thereof and write on
26 its back the manner in which such ballot is counted and
27 initial the same. An overvote for one office shall
28 invalidate only the vote or count of that particular office.

29 At the central counting location, a team of tally judges
30 designated by the election official in charge of the election
31 shall deliver the ballot sheets to the technicians operating
32 the automatic tabulating equipment. Any discrepancies
33 between the number of ballots and total number of voters
34 shall be noted on a sheet furnished for that purpose and

1 signed by the tally judges.

2 (2) Regardless of which procedure described in
3 subsection (1) of this Section is used, the judges of
4 election designated to transport the ballots, properly signed
5 and sealed as provided herein, shall ensure that the ballots
6 are delivered to the central counting station no later than
7 12 hours after the polls close. At the central counting
8 station a team of tally judges designated by the election
9 official in charge of the election shall examine the ballots
10 so transported and shall not accept ballots for tabulating
11 which are not signed and sealed as provided in subsection (1)
12 of this Section until the judges transporting the same make
13 and sign the necessary corrections. Upon acceptance of the
14 ballots by a team of tally judges at the central counting
15 station, the election judges transporting the same shall take
16 a receipt signed by the election official in charge of the
17 election and stamped with the date and time of acceptance.
18 The election judges whose duty it is to transport any ballots
19 shall, in the event such ballots cannot be found when needed,
20 on proper request, produce the receipt which they are to take
21 as above provided.

22 (Source: P.A. 83-1362.)

23 (10 ILCS 5/24A-15.1) (from Ch. 46, par. 24A-15.1)

24 Sec. 24A-15.1. Except as herein provided, discovery
25 recounts and election contests shall be conducted as
26 otherwise provided for in "The Election Code", as amended.
27 The automatic tabulating equipment shall be tested prior to
28 the discovery recount or election contest as provided in
29 Section 24A-9, and then the official ballots or ballot cards
30 shall be recounted on the automatic tabulating equipment. In
31 addition, (1) the ballot or ballot cards shall be checked for
32 the presence or absence of judges' initials and other
33 distinguishing marks, and (2) the ballots marked "Rejected",

1 "Defective", Objected to", and "Absentee Ballot", and "Early
2 Ballot" shall be examined to determine the propriety of the
3 such labels, and (3) the "Duplicate Absentee Ballots",
4 "Duplicate Early Ballots", "Duplicate Overvoted Ballots" and
5 "Duplicate Damaged Ballots" shall be compared with their
6 respective originals to determine the correctness of the
7 duplicates.

8 Any person who has filed a petition for discovery recount
9 may request that a redundant count be conducted in those
10 precincts in which the discovery recount is being conducted.
11 The additional costs of such a redundant count shall be borne
12 by the requesting party.

13 The log of the computer operator and all materials
14 retained by the election authority in relation to vote
15 tabulation and canvass shall be made available for any
16 discovery recount or election contest.

17 (Source: P.A. 82-1014.)

18 (10 ILCS 5/24B-10)

19 Sec. 24B-10. Receiving, Counting, Tallying and Return of
20 Ballots; Acceptance of Ballots by Election Authority.

21 (a) In an election jurisdiction which has adopted an
22 electronic Precinct Tabulation Optical Scan Technology voting
23 system, the election official in charge of the election shall
24 select one of the 3 following procedures for receiving,
25 counting, tallying, and return of the ballots:

26 (1) Two ballot boxes shall be provided for each
27 polling place. The first ballot box is for the
28 depositing of votes cast on the electronic voting system;
29 and the second ballot box is for all votes cast on other
30 ballots, including absentee paper and early paper ballots
31 and any other paper ballots required to be voted other
32 than on the Precinct Tabulation Optical Scan Technology
33 electronic voting system. Ballots, except absentee and

1 early ballots for candidates and propositions which are
2 listed on the Precinct Tabulation Optical Scan Technology
3 electronic voting system, deposited in the second ballot
4 box shall be counted, tallied, and returned as is
5 elsewhere provided in this Code for the counting and
6 handling of paper ballots. Immediately after the closing
7 of the polls the absentee and early ballots delivered to
8 the precinct judges of election by the election official
9 in charge of the election shall be examined to determine
10 that the ballots comply with Sections 19-9, 19A-55, and
11 20-9 of this Code and are entitled to be inserted into
12 the counting equipment and deposited into the ballot box
13 provided; those entitled to be deposited in this ballot
14 box shall be initialed by the precinct judges of election
15 and deposited. Those not entitled to be deposited in this
16 ballot box shall be marked "Rejected" and disposed of as
17 provided in Sections 19-9, 19A-55, and 20-9. The
18 precinct judges of election shall then open the second
19 ballot box and examine all paper absentee and early
20 ballots which are in the ballot box to determine whether
21 the absentee or early ballots bear the initials of a
22 precinct judge of election. If any absentee or early
23 ballot is not so initialed, it shall be marked on the
24 back "Defective", initialed as to the label by all judges
25 immediately under the word "Defective", and not counted,
26 but placed in the envelope provided for that purpose
27 labeled "Defective Ballots Envelope". The judges of
28 election, consisting in each case of at least one judge
29 of election of each of the 2 major political parties,
30 shall examine the paper absentee and early ballots which
31 were in such ballot box and properly initialed to
32 determine whether the same contain write-in votes.
33 Write-in votes, not causing an overvote for an office
34 otherwise voted for on the paper absentee or early

1 ballot, and otherwise properly voted, shall be counted,
2 tallied and recorded on the tally sheet provided for the
3 record. A write-in vote causing an overvote for an
4 office shall not be counted for that office, but the
5 precinct judges shall mark such paper absentee or early
6 ballot "Objected To" on the back and write on its back
7 the manner in which the ballot is counted and initial the
8 same. An overvote for one office shall invalidate only
9 the vote or count of that particular office. After
10 counting, tallying and recording the write-in votes on
11 absentee and early ballots, the judges of election,
12 consisting in each case of at least one judge of election
13 of each of the 2 major political parties, shall make a
14 true duplicate ballot of the remaining valid votes on
15 each paper absentee and early ballot which was in the
16 ballot box and properly initialed, by using the
17 electronic Precinct Tabulation Optical Scan Technology
18 voting system used in the precinct and one of the marking
19 devices of the precinct to transfer the remaining valid
20 votes of the voter on the paper absentee or early ballot
21 to an official ballot or a ballot card of that kind used
22 in the precinct at that election. The original paper
23 absentee ballot shall be clearly labeled "Absentee
24 Ballot" or "Early Ballot", as the case may be, and the
25 ballot card so produced "Duplicate Absentee Ballot" or
26 "Duplicate Early Ballot", as the case may be, and each
27 shall bear the same serial number which shall be placed
28 thereon by the judges of election, beginning with number
29 1 and continuing consecutively for the ballots of that
30 kind in that precinct. The judges of election shall
31 initial the "Duplicate Absentee Ballot" and "Duplicate
32 Early Ballot" ballots and shall place them in the first
33 ballot box provided for return of the ballots to be
34 counted at the central counting location in lieu of the

1 paper absentee and early ballots. The paper absentee and
2 early ballots shall be placed in an envelope provided for
3 that purpose labeled "Duplicate Ballots".

4 As soon as the absentee and early ballots have been
5 deposited in the first ballot box, the judges of election
6 shall make out a slip indicating the number of persons
7 who voted in the precinct at the election. The slip
8 shall be signed by all the judges of election and shall
9 be inserted by them in the first ballot box. The judges
10 of election shall thereupon immediately lock the first
11 ballot box; provided, that if the box is not of a type
12 which may be securely locked, the box shall be sealed
13 with filament tape provided for the purpose that shall be
14 wrapped around the box lengthwise and crosswise, at least
15 twice each way, and in a manner that the seal completely
16 covers the slot in the ballot box, and each of the judges
17 shall sign the seal. Two of the judges of election, of
18 different political parties, shall by the most direct
19 route transport both ballot boxes to the counting
20 location designated by the county clerk or board of
21 election commissioners.

22 Before the ballots of a precinct are fed to the
23 electronic Precinct Tabulation Optical Scan Technology
24 tabulating equipment, the first ballot box shall be
25 opened at the central counting station by the 2 precinct
26 transport judges. Upon opening a ballot box, the team
27 shall first count the number of ballots in the box. If 2
28 or more are folded together to appear to have been cast
29 by the same person, all of the ballots folded together
30 shall be marked and returned with the other ballots in
31 the same condition, as near as may be, in which they were
32 found when first opened, but shall not be counted. If
33 the remaining ballots are found to exceed the number of
34 persons voting in the precinct as shown by the slip

1 signed by the judges of election, the ballots shall be
2 replaced in the box, and the box closed and well shaken
3 and again opened and one of the precinct transport judges
4 shall publicly draw out so many ballots unopened as are
5 equal to the excess.

6 The excess ballots shall be marked "Excess-Not
7 Counted" and signed by the 2 precinct transport judges
8 and shall be placed in the "After 7:00 p.m. Defective
9 Ballots Envelope". The number of excess ballots shall be
10 noted in the remarks section of the Certificate of
11 Results. "Excess" ballots shall not be counted in the
12 total of "defective" ballots.

13 The precinct transport judges shall then examine the
14 remaining ballots for write-in votes and shall count and
15 tabulate the write-in vote.

16 (2) A single ballot box, for the deposit of all
17 votes cast, shall be used. All ballots which are not to
18 be tabulated on the electronic voting system shall be
19 counted, tallied, and returned as elsewhere provided in
20 this Code for the counting and handling of paper ballots.

21 All ballots to be processed and tabulated with the
22 electronic Precinct Tabulation Optical Scan Technology
23 voting system shall be processed as follows:

24 Immediately after the closing of the polls the
25 absentee and early ballots delivered to the precinct
26 judges of election by the election official in charge of
27 the election shall be examined to determine that such
28 ballots comply with Sections 19-9, 19A-55, and 20-9 of
29 this Code and are entitled to be deposited in the ballot
30 box; those entitled to be deposited in the ballot box
31 shall be initialed by the precinct judges of election and
32 deposited in the ballot box. Those not entitled to be
33 deposited in the ballot box shall be marked "Rejected"
34 and disposed of as provided in Sections 19-9, 19A-55, and

1 20-9. The precinct judges of election then shall open
2 the ballot box and canvass the votes polled to determine
3 that the number of ballots agree with the number of
4 voters voting as shown by the applications for ballot, or
5 if the same do not agree the judges of election shall
6 make such ballots agree with the applications for ballot
7 in the manner provided by Section 17-18 of this Code.
8 The judges of election shall then examine all paper
9 absentee and early ballots and ballot envelopes which are
10 in the ballot box to determine whether the ballots and
11 ballot envelopes bear the initials of a precinct judge of
12 election. If any ballot or ballot envelope is not
13 initialed, it shall be marked on the back "Defective",
14 initialed as to the label by all judges immediately under
15 the word "Defective", and not counted, but placed in the
16 envelope provided for that purpose labeled "Defective
17 Ballots Envelope". The judges of election, consisting in
18 each case of at least one judge of election of each of
19 the 2 major political parties, shall examine the paper
20 absentee and early ballots which were in the ballot box
21 and properly initialed to determine whether the same
22 contain write-in votes. Write-in votes, not causing an
23 overvote for an office otherwise voted for on the paper
24 absentee or early ballot, and otherwise properly voted,
25 shall be counted, tallied and recorded on the tally sheet
26 provided for the record. A write-in vote causing an
27 overvote for an office shall not be counted for that
28 office, but the precinct judges shall mark the paper
29 absentee or early ballot "Objected To" on the back and
30 write on its back the manner the ballot is counted and
31 initial the same. An overvote for one office shall
32 invalidate only the vote or count of that particular
33 office. After counting, tallying and recording the
34 write-in votes on absentee and early ballots, the judges

1 of election, consisting in each case of at least one
2 judge of election of each of the 2 major political
3 parties, shall make a true duplicate ballot of the
4 remaining valid votes on each paper absentee and early
5 ballot which was in the ballot box and properly
6 initialed, by using the electronic voting system used in
7 the precinct and one of the marking devices of the
8 precinct to transfer the remaining valid votes of the
9 voter on the paper absentee or early ballot to an
10 official ballot of that kind used in the precinct at
11 that election. The original paper absentee or early
12 ballot shall be clearly labeled "Absentee Ballot" or
13 "Early Ballot", as the case may be, and the ballot so
14 produced "Duplicate Absentee Ballot" or "Duplicate Early
15 Ballot", as the case may be, and each shall bear the same
16 serial number which shall be placed thereon by the judges
17 of election, commencing with number 1 and continuing
18 consecutively for the ballots of that kind in that
19 precinct. The judges of election shall initial the
20 "Duplicate Absentee Ballot" and "Duplicate Early Ballot"
21 ballots and shall place them in the box for return of the
22 ballots with all other ballots to be counted at the
23 central counting location in lieu of the paper absentee
24 and early ballots. The paper absentee ballots shall be
25 placed in an envelope provided for that purpose labeled
26 "Duplicate Ballots".

27 In case of an overvote for any office, the judges of
28 election, consisting in each case of at least one judge
29 of election of each of the 2 major political parties,
30 shall make a true duplicate ballot of all votes on the
31 ballot except for the office which is overvoted, by using
32 the ballot of the precinct and one of the marking devices
33 of the precinct to transfer all votes of the voter except
34 for the office overvoted, to an official ballot of that

1 kind used in the precinct at that election. The original
2 ballot upon which there is an overvote shall be clearly
3 labeled "Overvoted Ballot", and each shall bear the same
4 serial number which shall be placed thereon by the judges
5 of election, beginning with number 1 and continuing
6 consecutively for the ballots of that kind in that
7 precinct. The judges of election shall initial the
8 "Duplicate Overvoted Ballot" ballots and shall place them
9 in the box for return of the ballots. The "Overvoted
10 Ballot" ballots shall be placed in the "Duplicate
11 Ballots" envelope. The ballots except any defective or
12 overvoted ballot shall be placed separately in the box
13 for return of the ballots, along with all "Duplicate
14 Absentee Ballots", "Duplicate Early Ballots", and
15 "Duplicate Overvoted Ballots". The judges of election
16 shall examine the ballots to determine if any is damaged
17 or defective so that it cannot be counted by the
18 automatic tabulating equipment. If any ballot is damaged
19 or defective so that it cannot properly be counted by the
20 automatic tabulating equipment, the judges of election,
21 consisting in each case of at least one judge of election
22 of each of the 2 major political parties, shall make a
23 true duplicate ballot of all votes on such ballot by
24 using the ballot of the precinct and one of the marking
25 devices of the precinct. The original ballot and ballot
26 envelope shall be clearly labeled "Damaged Ballot" and
27 the ballot so produced "Duplicate Damaged Ballot", and
28 each shall bear the same number which shall be placed
29 thereon by the judges of election, commencing with number
30 1 and continuing consecutively for the ballots of that
31 kind in the precinct. The judges of election shall
32 initial the "Duplicate Damaged Ballot" ballot and shall
33 place them in the box for return of the ballots. The
34 "Damaged Ballot" ballots shall be placed in the

1 "Duplicated Ballots" envelope. A slip indicating the
2 number of voters voting in person, number of absentee and
3 early votes deposited in the ballot box, and the total
4 number of voters of the precinct who voted at the
5 election shall be made out, signed by all judges of
6 election, and inserted in the box for return of the
7 ballots. The tally sheets recording the write-in votes
8 shall be placed in this box. The judges of election
9 immediately shall securely lock the ballot box or other
10 suitable box furnished for return of the ballots by the
11 election official in charge of the election; provided
12 that if the box is not of a type which may be securely
13 locked, the box shall be sealed with filament tape
14 provided for the purpose which shall be wrapped around
15 the box lengthwise and crosswise, at least twice each
16 way. A separate adhesive seal label signed by each of
17 the judges of election of the precinct shall be affixed
18 to the box to cover any slot therein and to identify the
19 box of the precinct; and if the box is sealed with
20 filament tape as provided rather than locked, such tape
21 shall be wrapped around the box as provided, but in such
22 manner that the separate adhesive seal label affixed to
23 the box and signed by the judges may not be removed
24 without breaking the filament tape and disturbing the
25 signature of the judges. Two of the judges of election,
26 of different major political parties, shall by the most
27 direct route transport the box for return of the ballots
28 and enclosed ballots and returns to the central counting
29 location designated by the election official in charge of
30 the election. If, however, because of the lack of
31 adequate parking facilities at the central counting
32 location or for any other reason, it is impossible or
33 impracticable for the boxes from all the polling places
34 to be delivered directly to the central counting

1 location, the election official in charge of the election
2 may designate some other location to which the boxes
3 shall be delivered by the 2 precinct judges. While at
4 the other location the boxes shall be in the care and
5 custody of one or more teams, each consisting of 4
6 persons, 2 from each of the 2 major political parties,
7 designated for such purpose by the election official in
8 charge of elections from recommendations by the
9 appropriate political party organizations. As soon as
10 possible, the boxes shall be transported from the other
11 location to the central counting location by one or more
12 teams, each consisting of 4 persons, 2 from each of the 2
13 major political parties, designated for the purpose by
14 the election official in charge of elections from
15 recommendations by the appropriate political party
16 organizations.

17 The "Defective Ballots" envelope, and "Duplicated
18 Ballots" envelope each shall be securely sealed and the
19 flap or end of each envelope signed by the precinct
20 judges of election and returned to the central counting
21 location with the box for return of the ballots, enclosed
22 ballots and returns.

23 At the central counting location, a team of tally
24 judges designated by the election official in charge of
25 the election shall check the box returned containing the
26 ballots to determine that all seals are intact, and shall
27 open the box, check the voters' slip and compare the
28 number of ballots so delivered against the total number
29 of voters of the precinct who voted, remove the ballots
30 and deliver them to the technicians operating the
31 automatic tabulating equipment. Any discrepancies
32 between the number of ballots and total number of voters
33 shall be noted on a sheet furnished for that purpose and
34 signed by the tally judges.

1 (3) A single ballot box, for the deposit of all
2 votes cast, shall be used. Immediately after the closing
3 of the polls the judges of election shall examine the
4 absentee and early ballots received by the precinct
5 judges of election from the election authority of voters
6 in that precinct to determine that they comply with the
7 provisions of Sections 19-9, 19A-55, 20-8, and 20-9 of
8 this Code and are entitled to be deposited in the ballot
9 box; those entitled to be deposited in the ballot box
10 shall be initialed by the precinct judges and deposited
11 in the ballot box. Those not entitled to be deposited in
12 the ballot box, in accordance with Sections 19-9, 19A-55,
13 20-8, and 20-9 of this Code shall be marked "Rejected"
14 and preserved in the manner provided in this Code for the
15 retention and preservation of official ballots rejected
16 at such election. Immediately upon the completion of the
17 absentee and early balloting, the precinct judges of
18 election shall securely lock the ballot box; provided
19 that if such box is not of a type which may be securely
20 locked, the box shall be sealed with filament tape
21 provided for the purpose which shall be wrapped around
22 the box lengthwise and crosswise, at least twice each
23 way. A separate adhesive seal label signed by each of
24 the judges of election of the precinct shall be affixed
25 to the box to cover any slot therein and to identify the
26 box of the precinct; and if the box is sealed with
27 filament tape as provided rather than locked, such tape
28 shall be wrapped around the box as provided, but in a
29 manner that the separate adhesive seal label affixed to
30 the box and signed by the judges may not be removed
31 without breaking the filament tape and disturbing the
32 signature of the judges. Two of the judges of election,
33 of different major political parties, shall by the most
34 direct route transport the box for return of the ballots

1 and enclosed absentee and early ballots and returns to
2 the central counting location designated by the election
3 official in charge of the election. If however, because
4 of the lack of adequate parking facilities at the central
5 counting location or for some other reason, it is
6 impossible or impracticable for the boxes from all the
7 polling places to be delivered directly to the central
8 counting location, the election official in charge of the
9 election may designate some other location to which the
10 boxes shall be delivered by the 2 precinct judges. While
11 at the other location the boxes shall be in the care and
12 custody of one or more teams, each consisting of 4
13 persons, 2 from each of the 2 major political parties,
14 designated for the purpose by the election official in
15 charge of elections from recommendations by the
16 appropriate political party organizations. As soon as
17 possible, the boxes shall be transported from the other
18 location to the central counting location by one or more
19 teams, each consisting of 4 persons, 2 from each of the 2
20 major political parties, designated for the purpose by
21 the election official in charge of the election from
22 recommendations by the appropriate political party
23 organizations.

24 At the central counting location there shall be one
25 or more teams of tally judges who possess the same
26 qualifications as tally judges in election jurisdictions
27 using paper ballots. The number of the teams shall be
28 determined by the election authority. Each team shall
29 consist of 5 tally judges, 3 selected and approved by the
30 county board from a certified list furnished by the
31 chairman of the county central committee of the party
32 with the majority of members on the county board and 2
33 selected and approved by the county board from a
34 certified list furnished by the chairman of the county

1 central committee of the party with the second largest
2 number of members on the county board. At the central
3 counting location a team of tally judges shall open the
4 ballot box and canvass the votes polled to determine that
5 the number of ballot sheets therein agree with the number
6 of voters voting as shown by the applications for ballot
7 and for absentee and early ballot; and, if the same do
8 not agree, the tally judges shall make such ballots agree
9 with the number of applications for ballot in the manner
10 provided by Section 17-18 of this Code. The tally judges
11 shall then examine all ballot sheets that are in the
12 ballot box to determine whether they bear the initials of
13 the precinct judge of election. If any ballot is not
14 initialed, it shall be marked on the back "Defective",
15 initialed as to that label by all tally judges
16 immediately under the word "Defective", and not counted,
17 but placed in the envelope provided for that purpose
18 labeled "Defective Ballots Envelope". Write-in votes,
19 not causing an overvote for an office otherwise voted for
20 on the absentee or early ballot sheet, and otherwise
21 properly voted, shall be counted, tallied, and recorded
22 by the central counting location judges on the tally
23 sheet provided for the record. A write-in vote causing
24 an overvote for an office shall not be counted for that
25 office, but the tally judges shall mark the absentee or
26 early ballot sheet "Objected To" and write the manner in
27 which the ballot is counted on its back and initial the
28 sheet. An overvote for one office shall invalidate only
29 the vote or count for that particular office.

30 At the central counting location, a team of tally
31 judges designated by the election official in charge of
32 the election shall deliver the ballot sheets to the
33 technicians operating the automatic Precinct Tabulation
34 Optical Scan Technology tabulating equipment. Any

1 discrepancies between the number of ballots and total
2 number of voters shall be noted on a sheet furnished for
3 that purpose and signed by the tally judges.

4 (b) Regardless of which procedure described in
5 subsection (a) of this Section is used, the judges of
6 election designated to transport the ballots properly signed
7 and sealed, shall ensure that the ballots are delivered to
8 the central counting station no later than 12 hours after the
9 polls close. At the central counting station, a team of
10 tally judges designated by the election official in charge of
11 the election shall examine the ballots so transported and
12 shall not accept ballots for tabulating which are not signed
13 and sealed as provided in subsection (a) of this Section
14 until the judges transporting the ballots make and sign the
15 necessary corrections. Upon acceptance of the ballots by a
16 team of tally judges at the central counting station, the
17 election judges transporting the ballots shall take a receipt
18 signed by the election official in charge of the election and
19 stamped with the date and time of acceptance. The election
20 judges whose duty it is to transport any ballots shall, in
21 the event the ballots cannot be found when needed, on proper
22 request, produce the receipt which they are to take as above
23 provided.

24 (Source: P.A. 89-394, eff. 1-1-97.)

25 (10 ILCS 5/24B-15.1)

26 Sec. 24B-15.1. Discovery, Recounts and Election
27 Contests. Except as provided, discovery recounts and
28 election contests shall be conducted as otherwise provided
29 for in this Code. The automatic Precinct Tabulation Optical
30 Scan Technology tabulating equipment shall be tested prior to
31 the discovery recount or election contest as provided in
32 Section 24B-9, and then the official ballots shall be
33 recounted on the automatic tabulating equipment. In

1 addition, (a) the ballots shall be checked for the presence
2 or absence of judges' initials and other distinguishing
3 marks, and (b) the ballots marked "Rejected", "Defective",
4 "Objected To", "Early Ballot", and "Absentee Ballot" shall be
5 examined to determine the propriety of the labels, and (c)
6 the "Duplicate Absentee Ballots", "Duplicate Early Ballots",
7 "Duplicate Overvoted Ballots" and "Duplicate Damaged Ballots"
8 shall be compared with their respective originals to
9 determine the correctness of the duplicates.

10 Any person who has filed a petition for discovery recount
11 may request that a redundant count be conducted in those
12 precincts in which the discovery recount is being conducted.
13 The additional costs of a redundant count shall be borne by
14 the requesting party.

15 The log of the computer operator and all materials
16 retained by the election authority in relation to vote
17 tabulation and canvass shall be made available for any
18 discovery recount or election contest.

19 (Source: P.A. 89-394, eff. 1-1-97.)

20 Section 90. The State Mandates Act is amended by adding
21 Section 8.25 as follows:

22 (30 ILCS 805/8.25 new)

23 Sec. 8.25. Exempt mandate. Notwithstanding Sections 6
24 and 8 of this Act, no reimbursement by the State is required
25 for the implementation of any mandate created by this
26 amendatory Act of the 92nd General Assembly.