

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 Section 17-9 as follows:

6 (10 ILCS 5/17-9) (from Ch. 46, par. 17-9)

7 Sec. 17-9. Any person desiring to vote shall give his
8 name and, if required to do so, his residence to the judges
9 of election, one of whom shall thereupon announce the same in
10 a loud and distinct tone of voice, clear, and audible; the
11 judges of elections shall check each application for ballot
12 against the list of voters registered in that precinct to
13 whom absentee ballots have been issued for that election,
14 which shall be provided by the election authority and which
15 list shall be available for inspection by pollwatchers. A
16 voter applying to vote in the precinct on election day whose
17 name appears on the list as having been issued an absentee
18 ballot shall not be permitted to vote in the precinct unless
19 that voter submits to the judges of election, for
20 cancellation or revocation, his absentee ballot. In the case
21 that the voter's absentee ballot is not present in the
22 polling place, it shall be sufficient for any such voter to
23 submit to the judges of election in lieu of his absentee
24 ballot, either a portion of such ballot if torn or mutilated,
25 an affidavit executed before the judges of election
26 specifying that the voter never received an absentee ballot,
27 or an affidavit executed before the judges of election
28 specifying that the voter desires to cancel or revoke any
29 absentee ballot that may have been cast in the voter's name.
30 All applicable provisions of Articles 4, 5 or 6 shall be
31 complied with and if such name is found on the register of

1 voters by the officer having charge thereof, he shall
2 likewise repeat said name, and the voter shall be allowed to
3 enter within the proximity of the voting booths, as above
4 provided. One of the judges shall give the voter one, and
5 only one of each ballot to be voted at the election, on the
6 back of which ballots such judge shall indorse his initials
7 in such manner that they may be seen when each such ballot is
8 properly folded, and the voter's name shall be immediately
9 checked on the register list. One of the judges shall also
10 advise voters in a voice clearly audible to the other judges
11 of election that if a voter by accident or mistake spoils the
12 ballot, the voter has the legal right to receive another in
13 its place as provided in Section 17-11. In those election
14 jurisdictions where perforated ballot cards are utilized of
15 the type on which write-in votes can be cast above the
16 perforation, the election authority shall provide a space
17 both above and below the perforation for the judge's
18 initials, and the judge shall endorse his or her initials in
19 both spaces. Whenever a proposal for a constitutional
20 amendment or for the calling of a constitutional convention
21 is to be voted upon at the election, the separate blue ballot
22 or ballots pertaining thereto shall, when being handed to the
23 voter, be placed on top of the other ballots to be voted at
24 the election in such manner that the legend appearing on the
25 back thereof, as prescribed in Section 16-6 of this Act,
26 shall be plainly visible to the voter. At all elections,
27 when a registry may be required, if the name of any person so
28 desiring to vote at such election is not found on the
29 register of voters, he or she shall not receive a ballot
30 until he or she shall have complied with the law prescribing
31 the manner and conditions of voting by unregistered voters.
32 If any person desiring to vote at any election shall be
33 challenged, he or she shall not receive a ballot until he or
34 she shall have established his right to vote in the manner

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

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

21 State of Illinois,)

22) ss.

23 County of)

24 Precinct Ward

25 I,, do solemnly swear (or affirm) that I am a
 26 citizen of the United States, of the age of 18 years or over,
 27 and that within the past 60 days prior to the date of this
 28 election at which I am applying to vote, I have been engaged
 29 in the (military or naval) service of the United States;
 30 and I am qualified to vote under and by virtue of the
 31 Constitution and laws of the State of Illinois, and that I am
 32 a legally qualified voter of this precinct and ward except
 33 that I have, because of such service, been unable to register
 34 as a voter; that I now reside at (insert street and

1 number, if any) in this precinct and ward; that I have
2 maintained a legal residence in this precinct and ward for 30
3 days and in this State 30 days next preceding this election.

4

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

6

7 Judge of Election.

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

12 State of Illinois,)

13) ss.

14 County of

15 Precinct Ward

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

24

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

26

27 Judge of Election.

28 All affidavits made under the provisions of this Section
29 shall be enclosed in a separate envelope securely sealed, and
30 shall be transmitted with the returns of the elections to the
31 county clerk or to the board of election commissioners, who
32 shall preserve the said affidavits for the period of 6
33 months, during which period such affidavits shall be deemed

1 public records and shall be freely open to examination as
2 such.

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