



100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

HB2992

by Rep. Justin Slaughter

SYNOPSIS AS INTRODUCED:

10 ILCS 5/11-2	from Ch. 46, par. 11-2
10 ILCS 5/11-4	from Ch. 46, par. 11-4
10 ILCS 5/19A-10	

Amends the Election Code. Provides that no polling place may be located in a police station or place with an armed guard unless there is no other viable option in the precinct. Makes conforming changes. Effective immediately.

LRB100 08712 MLM 18848 b

1 AN ACT concerning elections.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Election Code is amended by changing
5 Sections 11-2, 11-4, and 19A-10 as follows:

6 (10 ILCS 5/11-2) (from Ch. 46, par. 11-2)

7 Sec. 11-2. The County Board in each county, except in
8 counties having a population of 3,000,000 inhabitants or over,
9 shall, at its regular meeting in June, divide its election
10 precincts which contain more than 800 voters, into election
11 districts so that each district shall contain, as near as may
12 be practicable, 500 voters, and not more in any case than 800.
13 Whenever the County Board ascertains that any election precinct
14 contains more than 600 registered voters, it may divide such
15 precinct, at its regular meeting in June, into election
16 precincts so that each precinct shall contain, as nearly as may
17 be practicable, 500 voters. Insofar as is practicable, each
18 precinct shall be situated within a single congressional,
19 legislative and representative district and in not more than
20 one County Board district and one municipal ward. In order to
21 situate each precinct within a single district or ward, the
22 County Board shall change the boundaries of election precincts
23 after each decennial census as soon as is practicable following

1 the completion of congressional and legislative redistricting.
2 In determining whether a division of precincts should be made,
3 the county board may anticipate increased voter registration in
4 any precinct in which there is in progress new construction of
5 dwelling units which will be occupied by voters more than 30
6 days before the next election. Each district shall be composed
7 of contiguous territory in as compact form as can be for the
8 convenience of the electors voting therein. The several county
9 boards in establishing districts shall describe them by metes
10 and bounds and number them. And so often thereafter as it shall
11 appear by the number of votes cast at the general election held
12 in November of any year, that any election district or
13 undivided election precinct contains more than 800 voters, the
14 County Board of the county in which the district or precinct
15 may be, shall at its regular meeting in June, or an adjourned
16 meeting in July next, after such November election, redivide or
17 readjust such election district or election precinct, so that
18 no district or election precinct shall contain more than the
19 number of votes above specified. If for any reason the County
20 Board fails in any year to redivide or readjust the election
21 districts or election precinct, then the districts or precincts
22 as then existing shall continue until the next regular June
23 meeting of the County Board; at which regular June meeting or
24 an adjourned meeting in July the County Board shall redivide or
25 readjust the election districts or election precincts in manner
26 as herein required. When at any meeting of the County Board any

1 redivision, readjustment or change in name or number of
2 election districts or election precincts is made by the County
3 Board, the County Clerk shall immediately notify the State
4 Board of Elections of such redivision, readjustment or change.
5 The County Board in every case shall fix and establish the
6 places for holding elections in its respective county and all
7 elections shall be held at the places so fixed. The polling
8 places shall in all cases be upon the ground floor in the front
9 room, the entrance to which is in a highway or public street
10 which is at least 40 feet wide, and is as near the center of the
11 voting population of the precinct as is practicable, and for
12 the convenience of the greatest number of electors to vote
13 thereat; provided, however, where the County Board is unable to
14 secure a suitable polling place within the boundaries of a
15 precinct, it may select a polling place at the most
16 conveniently located suitable place outside the precinct; but
17 in no case shall an election be held in any room used or
18 occupied as a saloon, dramshop, bowling alley or as a place of
19 resort for idlers and disreputable persons, billiard hall or in
20 any room connected therewith by doors or hallways. In addition,
21 no election shall be held in a police station or in a place
22 with an armed guard unless there is no other viable option in
23 the precinct. No person shall be permitted to vote at any
24 election except at the polling place for the precinct in which
25 he resides, except as otherwise provided in this Section or
26 Article 19 of this Act. In counties having a population of

1 3,000,000 inhabitants or over the County Board shall divide its
2 election precincts and shall fix and establish places for
3 holding elections as hereinbefore provided during the month of
4 January instead of at its regular meeting in June or at an
5 adjourned meeting in July.

6 However, in the event that additional divisions of election
7 precincts are indicated after a division made by the County
8 Board in the month of January, such additional divisions may be
9 made by the County Board in counties having a population of
10 3,000,000 inhabitants or over, at the regular meeting in June
11 or at adjourned meeting in July. The county board of such
12 county may divide or readjust precincts at any meeting of the
13 county board when the voter registration in a precinct has
14 increased beyond 800 and an election is scheduled before the
15 next regular January or June meeting of the county board.

16 When in any city, village or incorporated town territory
17 has been annexed thereto or disconnected therefrom, which
18 annexation or disconnection becomes effective after election
19 precincts or election districts have been established as above
20 provided in this Section, the clerk of the municipality shall
21 inform the county clerk thereof as provided in Section 4-21,
22 5-28.1, or 6-31.1, whichever is applicable. In the event that a
23 regular meeting of the County Board is to be held after such
24 notification and before any election, the County Board shall,
25 at its next regular meeting establish new election precinct
26 lines in affected territory. In the event that no regular

1 meeting of the County Board is to be held before such election
2 the county clerk shall, within 5 days after being so informed,
3 call a special meeting of the county board on a day fixed by
4 him not more than 20 days thereafter for the purpose of
5 establishing election precincts or election districts in the
6 affected territory for the ensuing elections.

7 At any consolidated primary or consolidated election at
8 which municipal officers are to be elected, and at any
9 emergency referendum at which a public question relating to a
10 municipality is to be voted on, notwithstanding any other
11 provision of this Code, the election authority shall establish
12 a polling place within such municipality, upon the request of
13 the municipal council or board of trustees at least 60 days
14 before the election and provided that the municipality provides
15 a suitable polling place. To accomplish this purpose, the
16 election authority may establish an election precinct
17 constituting a single municipality of under 500 population for
18 all elections, notwithstanding the minimum precinct size
19 otherwise specified herein.

20 Notwithstanding the above, when there are no more than 50
21 registered voters in a precinct who are entitled to vote in a
22 local government or school district election, the election
23 authority having jurisdiction over the precinct is authorized
24 to reassign such voters to one or more polling places in
25 adjacent precincts, within or without the election authority's
26 jurisdiction, for that election. For the purposes of such local

1 government or school district election only, the votes of the
2 reassigned voters shall be tallied and canvassed as votes from
3 the precinct of the polling place to which such voters have
4 been reassigned. The election authority having jurisdiction
5 over the precinct shall approve all administrative and polling
6 place procedures. Such procedures shall take into account voter
7 convenience, and ensure that the integrity of the election
8 process is maintained and that the secrecy of the ballot is not
9 violated.

10 Except in the event of a fire, flood or total loss of heat
11 in a place fixed or established by any county board or election
12 authority pursuant to this Section as a polling place for an
13 election, no election authority shall change the location of a
14 polling place so established for any precinct after notice of
15 the place of holding the election for that precinct has been
16 given as required under Article 12 unless the election
17 authority notifies all registered voters in the precinct of the
18 change in location by first class mail in sufficient time for
19 such notice to be received by the registered voters in the
20 precinct at least one day prior to the date of the election.

21 The provisions of this Section apply to all precincts,
22 including those where voting machines or electronic voting
23 systems are used.

24 (Source: P.A. 86-867.)

25 (10 ILCS 5/11-4) (from Ch. 46, par. 11-4)

1 Sec. 11-4. It shall be the duty of the Board of Election
2 Commissioners, established under Article 6 of this Act, to
3 appoint the place of registry in each precinct for the first
4 registration under Article 6 of this Act and the places for
5 registry in subsequent registrations in the manner provided by
6 such Article, and also the polling place in each precinct in
7 such city, village or incorporated town which has adopted or is
8 operating under said Article 6, and to give public notice
9 thereof, and shall cause the same to be fitted up, warmed,
10 lighted and cleaned, but in each election precinct and in each
11 area for which a registration place is designated such place or
12 places shall be in the most public, orderly and convenient
13 portions thereof, and no building or part of a building shall
14 be designated or used as a place of registry, or revision of
15 registration, or as a polling place, in which spirituous or
16 intoxicating liquor is sold. Provided, however, where the Board
17 of Election Commissioners is unable to secure a suitable
18 polling place within the boundaries of a precinct, it may
19 select a polling place on a street immediately adjacent to and
20 adjoining the precinct. Said Board of Election Commissioners
21 may demand of the chief of police or the sheriff, to furnish
22 officers of the law to attend during the progress of any
23 registration, revision or election, at any place or places of
24 registration, or any polling place, or places, designated by
25 said commissioners, or to attend at any meeting of said
26 commissioners. Said officers of the law, shall be furnished by

1 said chief of police or sheriff and shall be stationed in the
2 place or places of registration and polling place or places in
3 such manner as said commissioners shall direct, and during said
4 assignment shall be under the direction and control of the
5 election commissioners.

6 No polling place shall be located at a police station or
7 place with an armed officer unless there is no other viable
8 option in the precinct. The limitation imposed by this
9 amendatory Act of the 100th General Assembly shall not be
10 construed to limit the Board of Election Commissioners to
11 demand the chief of police or sheriff to furnish officers of
12 the law as provided by this Section.

13 Notwithstanding the above, when there are no more than 50
14 registered voters in a precinct who are entitled to vote in a
15 local government or school district election, the election
16 authority having jurisdiction over the precinct, is authorized
17 to reassign such voters to one or more polling places in
18 adjacent precincts, within or without the election authority's
19 jurisdiction, for that election. For the purposes of such local
20 government or school district election only, the votes of the
21 reassigned voters shall be tallied and canvassed as votes from
22 the precinct of the polling place to which such voters have
23 been reassigned. The election authority having jurisdiction
24 over the precinct shall approve all administrative and polling
25 place procedures. Such procedures shall take into account voter
26 convenience, and ensure that the integrity of the election

1 process is maintained and that the secrecy of the ballot is not
2 violated.

3 Except in the event of a fire, flood or total loss of heat
4 in a place fixed or established by the Board of Election
5 Commissioners pursuant to this Section as a polling place for
6 an election, no election authority shall change the location of
7 a polling place so established for any precinct after notice of
8 the place of holding the election for that precinct has been
9 given as required under Article 12 unless the election
10 authority notifies all registered voters in the precinct of the
11 change in location by first class mail in sufficient time for
12 such notice to be received by the registered voters in the
13 precinct at least one day prior to the date of the election.

14 (Source: P.A. 86-867.)

15 (10 ILCS 5/19A-10)

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

17 (a) An election authority may establish permanent polling
18 places for early voting by personal appearance at locations
19 throughout the election authority's jurisdiction, including
20 but not limited to a municipal clerk's office, a township
21 clerk's office, a road district clerk's office, or a county or
22 local public agency office. Any person entitled to vote early
23 by personal appearance may do so at any polling place
24 established for early voting.

25 (b) (Blank).

1 (c) During each general primary and general election, each
2 election authority in a county with a population over 250,000
3 shall establish at least one permanent polling place for early
4 voting by personal appearance at a location within each of the
5 3 largest municipalities within its jurisdiction. If any of the
6 3 largest municipalities is over 80,000, the election authority
7 shall establish at least 2 permanent polling places within the
8 municipality. All population figures shall be determined by the
9 federal census.

10 (d) During each general primary and general election, each
11 board of election commissioners established under Article 6 of
12 this Code in any city, village, or incorporated town with a
13 population over 100,000 shall establish at least 2 permanent
14 polling places for early voting by personal appearance. All
15 population figures shall be determined by the federal census.

16 (e) During each general primary and general election, each
17 election authority in a county with a population of over
18 100,000 but under 250,000 persons shall establish at least one
19 permanent polling place for early voting by personal
20 appearance. The location for early voting may be the election
21 authority's main office or another location designated by the
22 election authority. The election authority may designate
23 additional sites for early voting by personal appearance. All
24 population figures shall be determined by the federal census.

25 (f) No permanent polling place required by this Section
26 shall be located within 1.5 miles from another permanent

1 polling place required by this Section, unless such permanent
2 polling place is within a municipality with a population of
3 500,000 or more.

4 (g) No permanent polling place required by this Section
5 shall be located at a police station or place with an armed
6 guard unless there is no other viable location in the precinct.

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

8 Section 99. Effective date. This Act takes effect upon
9 becoming law.