



Sen. Terry Link

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LRB100 06967 MLM 27336 a

1 AMENDMENT TO HOUSE BILL 3519

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 3519 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Election Code is amended by changing  
5 Sections 1-3, 19-3, 19A-10, 19A-15 as follows:

6 (10 ILCS 5/1-3) (from Ch. 46, par. 1-3)

7 Sec. 1-3. As used in this Act, unless the context otherwise  
8 requires:

9 1. "Election" includes the submission of all questions of  
10 public policy, propositions, and all measures submitted to  
11 popular vote, and includes primary elections when so indicated  
12 by the context.

13 2. "Regular election" means the general, general primary,  
14 consolidated and consolidated primary elections regularly  
15 scheduled in Article 2A. The even numbered year municipal  
16 primary established in Article 2A is a regular election only

1 with respect to those municipalities in which a primary is  
2 required to be held on such date.

3 3. "Special election" means an election not regularly  
4 recurring at fixed intervals, irrespective of whether it is  
5 held at the same time and place and by the same election  
6 officers as a regular election.

7 4. "General election" means the biennial election at which  
8 members of the General Assembly are elected. "General primary  
9 election", "consolidated election" and "consolidated primary  
10 election" mean the respective elections or the election dates  
11 designated and established in Article 2A of this Code.

12 5. "Municipal election" means an election or primary,  
13 either regular or special, in cities, villages, and  
14 incorporated towns; and "municipality" means any such city,  
15 village or incorporated town.

16 6. "Political or governmental subdivision" means any unit  
17 of local government, or school district in which elections are  
18 or may be held. "Political or governmental subdivision" also  
19 includes, for election purposes, Regional Boards of School  
20 Trustees, and Township Boards of School Trustees.

21 7. The word "township" and the word "town" shall apply  
22 interchangeably to the type of governmental organization  
23 established in accordance with the provisions of the Township  
24 Code. The term "incorporated town" shall mean a municipality  
25 referred to as an incorporated town in the Illinois Municipal  
26 Code, as now or hereafter amended.

1           8. "Election authority" means a county clerk or a Board of  
2 Election Commissioners.

3           9. "Election Jurisdiction" means (a) an entire county, in  
4 the case of a county in which no city board of election  
5 commissioners is located or which is under the jurisdiction of  
6 a county board of election commissioners; (b) the territorial  
7 jurisdiction of a city board of election commissioners; and (c)  
8 the territory in a county outside of the jurisdiction of a city  
9 board of election commissioners. In each instance election  
10 jurisdiction shall be determined according to which election  
11 authority maintains the permanent registration records of  
12 qualified electors.

13           10. "Local election official" means the clerk or secretary  
14 of a unit of local government or school district, as the case  
15 may be, the treasurer of a township board of school trustees,  
16 and the regional superintendent of schools with respect to the  
17 various school officer elections and school referenda for which  
18 the regional superintendent is assigned election duties by The  
19 School Code, as now or hereafter amended.

20           11. "Judges of election", "primary judges" and similar  
21 terms, as applied to cases where there are 2 sets of judges,  
22 when used in connection with duties at an election during the  
23 hours the polls are open, refer to the team of judges of  
24 election on duty during such hours; and, when used with  
25 reference to duties after the closing of the polls, refer to  
26 the team of tally judges designated to count the vote after the

1 closing of the polls and the holdover judges designated  
2 pursuant to Section 13-6.2 or 14-5.2. In such case, where,  
3 after the closing of the polls, any act is required to be  
4 performed by each of the judges of election, it shall be  
5 performed by each of the tally judges and by each of the  
6 holdover judges.

7 12. "Petition" of candidacy as used in Sections 7-10 and  
8 7-10.1 shall consist of a statement of candidacy, candidate's  
9 statement containing oath, and sheets containing signatures of  
10 qualified primary electors bound together.

11 13. "Election district" and "precinct", when used with  
12 reference to a 30-day residence requirement, means the smallest  
13 constituent territory in which electors vote as a unit at the  
14 same polling place in any election governed by this Act.

15 14. "District" means any area which votes as a unit for the  
16 election of any officer, other than the State or a unit of  
17 local government or school district, and includes, but is not  
18 limited to, legislative, congressional and judicial districts,  
19 judicial circuits, county board districts, municipal and  
20 sanitary district wards, school board districts, and  
21 precincts.

22 15. "Question of public policy" or "public question" means  
23 any question, proposition or measure submitted to the voters at  
24 an election dealing with subject matter other than the  
25 nomination or election of candidates and shall include, but is  
26 not limited to, any bond or tax referendum, and questions

1 relating to the Constitution.

2 16. "Ordinance providing the form of government of a  
3 municipality or county pursuant to Article VII of the  
4 Constitution" includes ordinances, resolutions and petitions  
5 adopted by referendum which provide for the form of government,  
6 the officers or the manner of selection or terms of office of  
7 officers of such municipality or county, pursuant to the  
8 provisions of Sections 4, 6 or 7 of Article VII of the  
9 Constitution.

10 17. "List" as used in Sections 4-11, 4-22, 5-14, 5-29,  
11 6-60, and 6-66 shall include a computer tape or computer disc  
12 or other electronic data processing information containing  
13 voter information.

14 18. "Accessible" means accessible to persons with  
15 disabilities and elderly individuals for the purpose of voting  
16 or registration, as determined by rule of the State Board of  
17 Elections.

18 19. "Elderly" means 65 years of age or older.

19 20. "Person with a disability" means a person having a  
20 temporary or permanent physical disability.

21 21. "Leading political party" means one of the two  
22 political parties whose candidates for governor at the most  
23 recent three gubernatorial elections received either the  
24 highest or second highest average number of votes. The  
25 political party whose candidates for governor received the  
26 highest average number of votes shall be known as the first

1 leading political party and the political party whose  
2 candidates for governor received the second highest average  
3 number of votes shall be known as the second leading political  
4 party.

5 22. "Business day" means any day in which the office of an  
6 election authority, local election official or the State Board  
7 of Elections is open to the public for a minimum of 7 hours.

8 23. "Homeless individual" means any person who has a  
9 nontraditional residence, including, but not limited to, a  
10 shelter, day shelter, park bench, street corner, or space under  
11 a bridge.

12 24. "Signature" means a name signed in ink or signed in  
13 digitized form using a graphic tablet, digitizer, or digital  
14 drawing tablet provided by an election authority. This  
15 definition does not apply to a nominating or candidate petition  
16 or a referendum petition.

17 25. "Intelligent mail barcode tracking system" means a  
18 printed trackable barcode attached to the return business reply  
19 envelope for mail-in ballots under Article 19 or Article 20  
20 that allows an election authority to determine the date the  
21 envelope was mailed in absence of a postmark.

22 (Source: P.A. 99-143, eff. 7-27-15; 99-522, eff. 6-30-16.)

23 (10 ILCS 5/19-3) (from Ch. 46, par. 19-3)

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

## 1 APPLICATION FOR VOTE BY MAIL BALLOT

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

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

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

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

26 Under penalties as provided by law pursuant to Section

1 29-10 of the Election Code, the undersigned certifies that the  
2 statements set forth in this application are true and correct.

3 . . . .

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

5 Post office address to which ballot is mailed:

6 .....

7 However, if application is made for a primary election  
8 ballot, such application shall require the applicant to  
9 designate the name of the political party with which the  
10 applicant is affiliated.

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

16 Any person may produce, reproduce, distribute, or return to  
17 an election authority the application for vote by mail ballot.  
18 If applications are sent to a post office box controlled by any  
19 individual or organization that is not an election authority,  
20 those applications shall (i) include a valid and current phone  
21 number for the individual or organization controlling the post  
22 office box and (ii) be turned over to the appropriate election  
23 authority within 7 days of receipt or, if received within 2  
24 weeks of the election in which an applicant intends to vote,  
25 within 2 days of receipt. Failure to turn over the applications  
26 in compliance with this paragraph shall constitute a violation



1 of this Code and shall be punishable as a petty offense with a  
2 fine of \$100 per application. Removing, tampering with, or  
3 otherwise knowingly making the postmark on the application  
4 unreadable by the election authority shall establish a  
5 rebuttable presumption of a violation of this paragraph. Upon  
6 receipt, the appropriate election authority shall accept and  
7 promptly process any application for vote by mail ballot  
8 submitted in a form substantially similar to that required by  
9 this Section, including any substantially similar production  
10 or reproduction generated by the applicant.

11 (Source: P.A. 98-115, eff. 7-29-13; 98-1171, eff. 6-1-15;  
12 99-522, eff. 6-30-16.)

13 (10 ILCS 5/19A-10)

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

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

23 (b) (Blank).

24 (c) During each general primary and general election, each  
25 election authority ~~in a county with a population over 250,000~~

1 shall establish at least one permanent polling place for early  
2 voting by personal appearance at a location within each of the  
3 3 largest municipalities within its jurisdiction. If any of the  
4 3 largest municipalities is over 80,000, the election authority  
5 shall establish at least 2 permanent polling places within the  
6 municipality. One of the locations for early voting may be the  
7 election authority's main office or another location  
8 designated by the election authority. The election authority  
9 may designate additional sites for early voting by personal  
10 appearance. All population figures shall be determined by the  
11 federal census.

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

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

1 (f) No permanent polling place required by this Section  
2 shall be located within 1.5 miles from another permanent  
3 polling place required by this Section, unless such permanent  
4 polling place is within a municipality with a population of  
5 500,000 or more.

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

7 (10 ILCS 5/19A-15)

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

9 (a) The period for early voting by personal appearance  
10 begins the 40th day preceding a general primary, consolidated  
11 primary, consolidated, or general election and extends through  
12 the end of the day before election day.

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

1 remain open for a total of at least 8 hours on any holiday  
2 during the early voting period and a total of at least 14 hours  
3 on the final weekend during the early voting period.

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

12 (d) (Blank).

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

16 Section 99. Effective date. This Act takes effect upon  
17 becoming law."