



## 100TH GENERAL ASSEMBLY

### State of Illinois

2017 and 2018

SB2831

Introduced 2/13/2018, by Sen. Linda Holmes

#### SYNOPSIS AS INTRODUCED:

10 ILCS 5/11-2  
10 ILCS 5/11-3

from Ch. 46, par. 11-2  
from Ch. 46, par. 11-3

Amends the Election Code. Provides that each election precinct shall contain 1,200 voters (currently, 500 voters in counties, 600 voters in a municipality with a board of election commissioners and fewer than 500,000 inhabitants, or 400 voters in a municipality with a board of election commissioners and more than 500,000 inhabitants). Makes corresponding and other changes. In provisions concerning the county board of a county with less than 3,000,000 inhabitants, removes language providing that an election precinct with more than 600 voters may be divided. Provides that a county board may (rather than shall) at specified meetings, redivide, consolidate, or readjust (rather than redivide or readjust) election precincts to meet the 1,200 voters per precinct standard. In provisions concerning a municipality with a board of election commissioners, provides that a city with over 500,000 residents may (rather than shall) rearrange its precincts within 90 days of a presidential election or at any time when the number of votes cast exceeds 1,200 (rather than equals 600) to meet the 1,200 voters per precinct standard. Effective immediately.

LRB100 18988 MJP 34241 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 and 11-3 as follows:

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

7 Sec. 11-2. Election precincts; counties with under  
8 3,000,000 inhabitants.

9 (a) The County Board in each county, except in counties  
10 having a population of 3,000,000 inhabitants or over, shall, at  
11 its regular meeting in June, or an adjourned meeting in July  
12 next, divide its election precincts in which the number of  
13 votes cast in a precinct on election day at the most recent  
14 general election held in November was more than 1,200 which  
15 contain more than 800 voters, into election precincts ~~districts~~  
16 so that each precinct ~~district~~ shall contain, as near as may be  
17 practicable, 1,200 votes ~~500 voters~~, and not more in any case  
18 than 800. ~~Whenever the County Board ascertains that any~~  
19 ~~election precinct contains more than 600 registered voters, it~~  
20 ~~may divide such precinct, at its regular meeting in June, into~~  
21 ~~election precincts so that each precinct shall contain, as~~  
22 ~~nearly as may be practicable, 500 voters.~~ Insofar as is  
23 practicable, each precinct shall be situated within a single

1 congressional, legislative and representative district and in  
2 not more than one County Board district and one municipal ward.  
3 In order to situate each precinct within a single district or  
4 ward, the County Board shall change the boundaries of election  
5 precincts after each decennial census as soon as is practicable  
6 following the completion of congressional and legislative  
7 redistricting. In determining whether a division of precincts  
8 should be made, the county board may anticipate increased voter  
9 registration in any precinct in which there is in progress new  
10 construction of dwelling units which will be occupied by voters  
11 more than 30 days before the next election. Each district shall  
12 be composed of contiguous territory in as compact form as can  
13 be for the convenience of the electors voting therein. The  
14 several county boards in establishing districts shall describe  
15 them by metes and bounds and number them.

16 (b) ~~The And so often thereafter as it shall appear by the~~  
17 ~~number of votes cast at the general election held in November~~  
18 ~~of any year, that any election district or undivided election~~  
19 ~~precinct contains more than 800 voters, the~~ County Board of the  
20 county in which a precinct ~~the district~~ or precincts are  
21 located ~~precinct may be, may shall~~ at its regular meeting in  
22 June, or an adjourned meeting in July next, after such November  
23 election, redivide, consolidate, or readjust such precinct  
24 ~~election district~~ or precincts ~~election precinct,~~ so that no  
25 ~~district or election~~ precinct shall contain more than the  
26 number of votes ~~above~~ specified in subsection (a).

1           If for any reason the County Board fails in any year to  
2   redivide or readjust the election districts or election  
3   precinct, then the districts or precincts as then existing  
4   shall continue until the next regular June meeting of the  
5   County Board; at which regular June meeting or an adjourned  
6   meeting in July the County Board shall redivide or readjust the  
7   election districts or election precincts in manner as herein  
8   required. When at any meeting of the County Board any  
9   redivision, readjustment or change in name or number of  
10   election districts or election precincts is made by the County  
11   Board, the County Clerk shall immediately notify the State  
12   Board of Elections of such redivision, readjustment or change.  
13   The County Board in every case shall fix and establish the  
14   places for holding elections in its respective county and all  
15   elections shall be held at the places so fixed. The polling  
16   places shall in all cases be upon the ground floor in the front  
17   room, the entrance to which is in a highway or public street  
18   which is at least 40 feet wide, and is as near the center of the  
19   voting population of the precinct as is practicable, and for  
20   the convenience of the greatest number of electors to vote  
21   thereat; provided, however, where the County Board is unable to  
22   secure a suitable polling place within the boundaries of a  
23   precinct, it may select a polling place at the most  
24   conveniently located suitable place outside the precinct; but  
25   in no case shall an election be held in any room used or  
26   occupied as a saloon, dramshop, bowling alley or as a place of

1 resort for idlers and disreputable persons, billiard hall or in  
2 any room connected therewith by doors or hallways. No person  
3 shall be permitted to vote at any election except at the  
4 polling place for the precinct in which he resides, except as  
5 otherwise provided in this Section or Article 19 of this Act.

6 In counties having a population of 3,000,000 inhabitants or  
7 over the County Board shall divide its election precincts and  
8 shall fix and establish places for holding elections as  
9 hereinbefore provided during the month of January instead of at  
10 its regular meeting in June or at an adjourned meeting in July.

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

21 When in any city, village or incorporated town territory  
22 has been annexed thereto or disconnected therefrom, which  
23 annexation or disconnection becomes effective after election  
24 precincts or election districts have been established as above  
25 provided in this Section, the clerk of the municipality shall  
26 inform the county clerk thereof as provided in Section 4-21,

1 5-28.1, or 6-31.1, whichever is applicable. In the event that a  
2 regular meeting of the County Board is to be held after such  
3 notification and before any election, the County Board shall,  
4 at its next regular meeting establish new election precinct  
5 lines in affected territory. In the event that no regular  
6 meeting of the County Board is to be held before such election  
7 the county clerk shall, within 5 days after being so informed,  
8 call a special meeting of the county board on a day fixed by  
9 him not more than 20 days thereafter for the purpose of  
10 establishing election precincts or election districts in the  
11 affected territory for the ensuing elections.

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

25 Notwithstanding the above, when there are no more than 50  
26 registered voters in a precinct who are entitled to vote in a

1 local government or school district election, the election  
2 authority having jurisdiction over the precinct is authorized  
3 to reassign such voters to one or more polling places in  
4 adjacent precincts, within or without the election authority's  
5 jurisdiction, for that election. For the purposes of such local  
6 government or school district election only, the votes of the  
7 reassigned voters shall be tallied and canvassed as votes from  
8 the precinct of the polling place to which such voters have  
9 been reassigned. The election authority having jurisdiction  
10 over the precinct shall approve all administrative and polling  
11 place procedures. Such procedures shall take into account voter  
12 convenience, and ensure that the integrity of the election  
13 process is maintained and that the secrecy of the ballot is not  
14 violated.

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

26 The provisions of this Section apply to all precincts,

1 including those where voting machines or electronic voting  
2 systems are used.

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

4 (10 ILCS 5/11-3) (from Ch. 46, par. 11-3)

5 Sec. 11-3. It shall be the duty of the Board of  
6 Commissioners established by Article 6 of this Act, within 2  
7 months after its first organization, to divide the city,  
8 village or incorporated town which may adopt or is operating  
9 under Article 6, into election precincts, each of which shall  
10 be situated within a single congressional, legislative and  
11 representative district insofar as is practicable and in not  
12 more than one County Board district and one municipal ward; in  
13 order to situate each precinct within a single district or  
14 ward, the Board of Election Commissioners shall change the  
15 boundaries of election precincts after each decennial census as  
16 soon as is practicable following the completion of  
17 congressional and legislative redistricting and such precincts  
18 shall contain no more than 1,200 actual ~~as nearly as~~  
19 ~~practicable 600~~ qualified voters, and in making such division  
20 and establishing such precincts such board shall take as a  
21 basis the poll books, or the number of actual votes cast at the  
22 previous presidential election. Within 90 days after each  
23 presidential election, such board in a city with fewer than  
24 500,000 inhabitants, village or incorporated town shall revise  
25 and rearrange such precincts on the basis of the votes cast at



1 such election, making such precincts to contain no more than  
2 1,200 ~~, as near as practicable, 600~~ actual voters; but at any  
3 time in all instances where the vote cast at any precinct, at  
4 any election, exceeds 1,200 ~~equals 800~~, there must be a  
5 rearrangement so as to reduce the vote to the standard of 1,200  
6 ~~600~~ as near as may be. However, any apartment building in which  
7 more than 1,200 actual ~~800 registered~~ voters reside may be made  
8 a single precinct even though the vote in such precinct exceeds  
9 1,200 ~~800~~. Within 90 days after each presidential election, a  
10 board in a city with more than 500,000 inhabitants may ~~shall~~  
11 revise and rearrange such precincts on the basis of the votes  
12 cast at such election, making such precincts to contain no more  
13 than 1,200 ~~, as near as practicable, 400~~ actual voters; but at  
14 any time in all instances where the vote cast at any precinct,  
15 at any election, exceeds 1,200 ~~equals 600~~, there may ~~must~~ be a  
16 rearrangement so as to reduce the vote to the standard of 1,200  
17 ~~400~~ as near as may be. However, any apartment building in which  
18 more than 1,200 actual ~~600 registered~~ voters reside may be made  
19 a single precinct even though the vote in such precinct exceeds  
20 1,200 ~~600~~.

21 Immediately after the annexation of territory to the city,  
22 village or incorporated town becomes effective the Board of  
23 Election Commissioners shall revise and rearrange election  
24 precincts therein to include such annexed territory.

25 Provided, however, that at any election where but one  
26 candidate is nominated and is to be voted upon at any election

1 held in any political subdivision of a city, village or  
2 incorporated town, the Board of Election Commissioners shall  
3 have the power in such political subdivision to determine the  
4 number of voting precincts to be established in such political  
5 subdivision at such election, without reference to the number  
6 of qualified voters therein. The precincts in each ward,  
7 village or incorporated town shall be numbered from one  
8 upwards, consecutively, with no omission.

9 The provisions of this Section apply to all precincts,  
10 including those where voting machines or electronic voting  
11 systems are used.

12 (Source: P.A. 84-1308.)

13 Section 99. Effective date. This Act takes effect upon  
14 becoming law.