



## 103RD GENERAL ASSEMBLY

### State of Illinois

2023 and 2024

HB3969

Introduced 2/17/2023, by Rep. Nabeela Syed

#### SYNOPSIS AS INTRODUCED:

10 ILCS 5/17-13.5

Amends the Conduct of Elections and Making Returns Article of the Election Code. Provides that in the case of an emergency or if the State Board of Elections determines that all potential polling places have been surveyed by the election authority and that no accessible polling place is available within a precinct nor is the election authority able to make a polling place within the precinct temporarily accessible, the Board is authorized to grant an exemption from the voting accessibility requirements under specified federal law. Provides that any voter with a temporary or permanent disability who is unable to access or enter the polling place may request that 2 judges of election of opposite party affiliation deliver a ballot to him or her at the point where he or she is unable to continue forward motion toward the polling place. Provides that a ballot shall not be delivered to the voter beyond 50 feet of the entrance to the building in which the polling place is located. Makes other changes.

LRB103 30117 BMS 56541 b

1 AN ACT concerning regulation.

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 17-13.5 as follows:

6 (10 ILCS 5/17-13.5)

7 Sec. 17-13.5. Curbside voting.

8 (a) Election authorities may establish curbside voting for  
9 individuals to cast a ballot during early voting or on  
10 election day. An election authority's curbside voting program  
11 shall designate at least 2 election judges from opposite  
12 parties per vehicle, and the individual shall have the  
13 opportunity to mark the ballot without interference from the  
14 election judges.

15 After the voter has marked his or her ballot and placed it  
16 in the ballot envelope (or folded it in the manner prescribed  
17 for paper ballots), the 2 judges of election shall return the  
18 ballot to the polling place and give it to the judge in charge  
19 of the ballot box who shall deposit it therein.

20 Pollwatchers as provided in Sections 7-34 and 17-23 shall  
21 be permitted to accompany the judges and observe the above  
22 procedure.

23 No assistance may be given to such voter in marking his or

1 her ballot, unless the voter requests assistance and completes  
2 the affidavit required by Section 17-14.

3 (b) In the case of an emergency, as determined by the State  
4 Board of Elections, or if the Board determines that all  
5 potential polling places have been surveyed by the election  
6 authority and that no accessible polling place, as defined by  
7 rule of the State Board of Elections, is available within a  
8 precinct nor is the election authority able to make a polling  
9 place within the precinct temporarily accessible, the Board,  
10 upon written application by the election authority, is  
11 authorized to grant an exemption from the accessibility  
12 requirements of the federal Voting Accessibility for the  
13 Elderly and Handicapped Act of 1984 (Public Law 98-435). Such  
14 exemption shall be valid for a period of 2 years.

15 (c) Any voter with a temporary or permanent disability  
16 who, because of structural features of the building in which  
17 the polling place is located, is unable to access or enter the  
18 polling place may request that 2 judges of election of  
19 opposite party affiliation deliver a ballot to him or her at  
20 the point where he or she is unable to continue forward motion  
21 toward the polling place; but in no case shall a ballot be  
22 delivered to the voter beyond 50 feet of the entrance to the  
23 building in which the polling place is located. Such request  
24 shall be made to the election authority not later than the  
25 close of business at the election authority's office on the  
26 day before the election and on a form prescribed by the State

1 Board of Elections. The election authority shall notify the  
2 judges of election for the appropriate precinct polling places  
3 of such requests.

4 Weather permitting, 2 judges of election shall deliver to  
5 the voter with a disability the ballot with which the voter  
6 with a disability is entitled to vote, a portable voting booth  
7 or other enclosure that will allow such voter to mark the  
8 ballot in secrecy, and a marking device.

9 (d) The voter must complete the entire voting process,  
10 including the application for ballot from which the judges of  
11 election shall compare the voter's signature with the  
12 signature on the voter's registration record card in the  
13 precinct binder.

14 (Source: P.A. 102-15, eff. 6-17-21.)