

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 7-41, 17-29, and 19-2.2 as follows:

6 (10 ILCS 5/7-41) (from Ch. 46, par. 7-41)

7 Sec. 7-41. (a) All officers upon whom is imposed by law
8 the duty of designating and providing polling places for
9 general elections, shall provide in each such polling place
10 so designated and provided, a sufficient number of booths for
11 such primary election, which booths shall be provided with
12 shelves, such supplies and pencils as will enable the voter
13 to prepare his ballot for voting and in which voters may
14 prepare their ballots screened from all observation as to the
15 manner in which they do so. Such booths shall be within plain
16 view of the election officers and both they and the ballot
17 boxes shall be within plain view of those within the
18 proximity of the voting booths. No person other than election
19 officers and the challengers allowed by law and those
20 admitted for the purpose of voting, as hereinafter provided,
21 shall be permitted within the proximity of the voting booths,
22 except by authority of the primary officers to keep order and
23 enforce the law.

24 (b) The number of such voting booths shall not be less
25 than one to every seventy-five voters or fraction thereof,
26 who voted at the last preceding election in the precinct or
27 election district.

28 (c) No person shall do any electioneering or soliciting
29 of votes on primary day within any polling place or within
30 one hundred feet of any polling place. Election officers
31 shall place 2 or more cones, small United States national

1 flags, or some other marker a distance of 100 feet from the
2 entrance of the room where voting is taking place. Election
3 officers shall place these markers on the grounds adjacent to
4 the thoroughfares or walkways leading to the polling place
5 entrance. This area within the distance of 100 feet from the
6 entrance of the room where voting is taking place shall be
7 known as a campaign free zone, and electioneering is
8 prohibited pursuant to this subsection.

9 (d) A person shall have the right to congregate and
10 engage in electioneering on any polling place property,
11 including but not limited to the placement of temporary
12 signs, beyond the campaign free zone. Electioneering means
13 the right of a person to engage in political expression as
14 secured by the Constitution or laws of the United States or
15 of the State of Illinois. This subsection shall be construed
16 liberally in favor of persons engaging in electioneering on
17 all polling place property beyond the campaign free zone.

18 (e) The regulation of electioneering on polling place
19 property beyond the campaign free zone, including but not
20 limited to the placement of temporary signs, is an exclusive
21 power and function of the State. A home rule unit may not
22 regulate such electioneering. This is a denial and limitation
23 of home rule powers and functions under subsection (h) of
24 Section 6 of Article VII of the Illinois Constitution.

25 (Source: P.A. 89-653, eff. 8-14-96.)

26 (10 ILCS 5/17-29) (from Ch. 46, par. 17-29)

27 Sec. 17-29. (a) No judge of election, pollwatcher, or
28 other person shall, at any primary or election, do any
29 electioneering or soliciting of votes or engage in any
30 political discussion within any polling place or within 100
31 feet of any polling place; no person shall interrupt, hinder
32 or oppose any voter while approaching within 100 feet of any
33 polling place for the purpose of voting. Judges of election

1 shall enforce the provisions of this Section.

2 (b) Election officers shall place 2 or more cones, small
3 United States national flags, or some other marker a distance
4 of 100 feet from the entrance of the room where voting is
5 taking place. Election officers shall place these markers on
6 the grounds adjacent to the thoroughfares or walkways leading
7 to the polling place entrance. This area within the
8 distance of 100 feet from the entrance of the room where
9 voting is taking place shall be known as a campaign free
10 zone, and electioneering is prohibited pursuant to subsection
11 (a).

12 (c) A person shall have the right to congregate and
13 engage in electioneering on any polling place property,
14 including but not limited to the placement of temporary
15 signs, beyond the campaign free zone. Electioneering means
16 the right of a person to engage in political expression as
17 secured by the Constitution or laws of the United States or
18 of the State of Illinois. This subsection shall be construed
19 liberally in favor of persons engaging in electioneering on
20 all polling place property beyond the campaign free zone.

21 (d) The regulation of electioneering on polling place
22 property beyond the campaign free zone, including but not
23 limited to the placement of temporary signs, is an exclusive
24 power and function of the State. A home rule unit may not
25 regulate such electioneering. This is a denial and limitation
26 of home rule powers and functions under subsection (h) of
27 Section 6 of Article VII of the Illinois Constitution.

28 (Source: P.A. 80-1090.)

29 (10 ILCS 5/19-2.2) (from Ch. 46, par. 19-2.2)

30 Sec. 19-2.2. (a) During the period beginning on the 40th
31 day preceding an election and continuing through the day
32 preceding such election, no advertising pertaining to any
33 candidate or proposition to be voted upon shall be displayed

1 in or within 100 feet of any room used by voters pursuant to
2 this Article; nor shall any person engage in electioneering
3 in or within 100 feet of any such room. Any person who
4 violates this Section may be punished as for contempt of
5 court.

6 (b) Election officers shall place 2 or more cones, small
7 United States national flags, or some other marker a distance
8 of 100 feet from the entrance of the room where voting is
9 taking place. Election officers shall place these markers on
10 the grounds adjacent to the thoroughfares or walkways leading
11 to the polling place entrance. This area within the
12 distance of 100 feet from the entrance of the room where
13 voting is taking place shall be known as a campaign free
14 zone, and electioneering is prohibited pursuant to subsection
15 (a).

16 (c) A person shall have the right to congregate and
17 engage in electioneering on any polling place property,
18 including but not limited to the placement of temporary
19 signs, beyond the campaign free zone. Electioneering means
20 the right of a person to engage in political expression as
21 secured by the Constitution or laws of the United States or
22 of the State of Illinois. This subsection shall be construed
23 liberally in favor of persons engaging in electioneering on
24 all polling place property beyond the campaign free zone.

25 (d) The regulation of electioneering on polling place
26 property beyond the campaign free zone, including but not
27 limited to the placement of temporary signs, is an exclusive
28 power and function of the State. A home rule unit may not
29 regulate such electioneering. This is a denial and limitation
30 of home rule powers and functions under subsection (h) of
31 Section 6 of Article VII of the Illinois Constitution.

32 (Source: P.A. 80-1281; 80-1469; 80-1494.)

33 Section 10. The School Code is amended by changing

1 Section 22-21 as follows:

2 (105 ILCS 5/22-21) (from Ch. 122, par. 22-21)

3 Sec. 22-21. Elections-Use of school buildings.

4 (a) Every school board shall offer to the appropriate
5 officer or board having responsibility for providing polling
6 places for elections the use of any and all buildings under
7 its jurisdiction for any and all elections to be held, if so
8 requested by such appropriate officer or board.

9 (b) Election officers shall place 2 or more cones, small
10 United States national flags, or some other marker a distance
11 of 100 feet from the entrance of the room where voting is
12 taking place. Election officers shall place these markers on
13 the grounds adjacent to the thoroughfares or walkways leading
14 to the polling place entrance. This area within the
15 distance of 100 feet from the entrance of the room where
16 voting is taking place shall be known as a campaign free
17 zone, and electioneering is prohibited pursuant to the
18 Election Code.

19 (c) Notwithstanding any provision of this Code to the
20 contrary, a person shall have the right to congregate and
21 engage in electioneering on any polling place property,
22 including but not limited to the placement of temporary
23 signs, beyond the campaign free zone. Electioneering means
24 the right of a person to engage in political expression as
25 secured by the Constitution or laws of the United States or
26 of the State of Illinois. This subsection shall be construed
27 liberally in favor of persons engaging in electioneering on
28 all polling place property beyond the campaign free zone.

29 (Source: Laws 1965, p. 2477.).

30 Section 99. Effective date. This Act takes effect upon
31 becoming law.